




**SAN JOSE UNIFIED
SCHOOL DISTRICT**

"Inspiring and preparing for success"

Board of Education

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

September 12, 2011

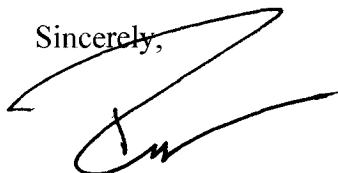
Helene I. Popenhager
Foreperson
2010-2011 Grand Jury
Superior Court Building
191 North First Street
San Jose, CA 95113

Dear Ms. Popenhager:

Enclosed is the response to the Grand Jury report on the San Jose Unified School District Trace Elementary School fire, "Trace Elementary School: Rising From the Ashes".

We have responded to each recommendation. Please let us know if you need any further information from the school district.

Sincerely,



Rich Garcia, President
Board of Education

cc: Vincent Matthews



Board of Education

**San Jose Unified School District Responses
to
Grand Jury's Findings and Recommendations contained in the
June 2011 Grand Jury Report (Trace Elementary School: Rising From the Ashes)**

This document contains the San Jose Unified School District's formal responses to the specific Findings and Recommendations that the Santa Clara County Grand Jury stated in its above-referenced report.

Finding 1 SJUSD's post fire recovery actions were admirable, especially its concerted effort to involve the Trace and neighborhood communities in the recovery process.

Recommendation 1 SJUSD should continue these efforts throughout the reconstruction process.

Response to recommendation 1 ***SJUSD agrees.*** SJUSD has implemented this recommendation by maintaining its community engagement through attendance at school site meetings and special meetings like the one noted in the report. Periodic updates were provided at public Board meetings and the District and school's websites are maintained as needed to provide the most current plans and schedule. A groundbreaking is scheduled to occur in the fall of 2011 and a ribbon cutting ceremony will be planned in the fall of 2012.

Finding 2 The weak link that exacerbated the damage caused by the fire at Trace was the email communication procedure.

Recommendation 2 SJUSD should periodically review its new communication protocol and randomly test it across the District

Response to recommendation 2 ***SJUSD agrees with the recommendation but not with the finding.*** SJUSD implemented this recommendation by testing its new monitoring company's notifications. SJUSD reiterates that the communication procedure for the third party monitoring company at the time of the Trace fire (or at any time before or after) was not to email SJUSD staff but rather to initiate telephone contact with SJUSD's Central Station who work through the night to allow SJUSD to investigate "Trouble" signals from alarm systems. This was explained by SJUSD staff to the Grand Jury, including the fact that the monitoring company failed to follow this procedure. The circumstances outlined in this response are documented and the District has terminated its contract with the original monitoring company as a result. The current monitoring is effective and results are evidenced in recent alarms and tests. Ongoing testing has been incorporated into SJUSD's procedures as suggested.

Finding 3 SJUSD has an afterhours central station that monitors all burglar alarms within the district, but because this station is not UL (Underwriter Laboratories) approved, the fire alarms cannot be monitored at this central station.

Recommendation 3 The District Central Station should be upgraded to UL certification so that it can monitor both burglar and fire alarm systems, rather than requiring the use of a third-party monitoring service.

Response to recommendation 3 ***SJUSD Disagrees.*** SJUSD will not implement this recommendation as it is not reasonable or the best solution. To SJUSD's staff's knowledge, the District has never explored the possibility that its Central Station become UL-approved. While cost may indeed be a factor, SJUSD does not believe that self-monitoring is the most effective solution. UL-approved monitoring companies are the most reliable source due to, among other things, redundancies in systems and staff and guaranteed 24/7 coverage Finding 4 The Fire Chief for the Menlo Park Fire Protection District issued a pledge in which he is asking all elected school boards in the state of California to issue a resolution that they will use the highest standards of fire safety in all school construction regardless of funding source.

Recommendation 4 SJUSD Board of Trustees should issue a resolution to promote the highest standard of fire safety in all school construction and modernization regardless of funding source.

Response to recommendation 4 ***SJUSD Disagrees.*** SJUSD will not implement this recommendation as it is not warranted. SJUSD believes that the highest standards for structural, fire and life safety are found in the California Building Code and the California Fire Code (Codes) and Title 24 of the California Code of Regulations. SJUSD knows that its students and staff are housed in fire safe buildings and practice regular ongoing fire safety on all of its campuses. SJUSD has and will continue to build its buildings in strict conformance to the Codes, regardless of funding source.

The Green Oaks Act adds to the Codes that "if a Public K-12 school" is "receiving state construction funding" then, regardless of the requirements of the Codes, certain fire protection systems shall be provided. SJUSD formed a task force to study this matter and its Board recently received the report from that task force. SJUSD will continue to review fire protection and other safety systems as part of its overall facility maintenance, construction and school safety program.