



Santa Clara County Office of Education

Mary Ann Dewan, Ph.D.
County Superintendent of Schools

September 7, 2018

The Honorable Patricia Lucas
Presiding Judge
Santa Clara County Superior Court
191 North First Street
San Jose, CA 95113

Re: 2018 Civil Grand Jury - Response of the Santa Clara County Superintendent of Schools

Dear Presiding Judge Lucas,

Thank you for the June 19, 2018, Report from the Santa Clara County Civil Grand Jury entitled "Superintendent Turnover at the Santa Clara County Office of Education – Time to Elect the Superintendent" (hereinafter referred to as the "Report.") The Report was carefully reviewed and considered and provided an opportunity for meaningful discussion.

Attached are my individual responses to Findings 1a and 1e and to Recommendation 1a of the Report pursuant to California Penal Code §§ 933 and 933.05.

I respect and appreciate all of the efforts of the Grand Jury. Please do not hesitate to contact me at 408-453-6500, should you have any questions or concerns.

Sincerely,

Mary Ann Dewan, Ph.D.
County Superintendent of Schools

(ENDORSED)
FILED
SEP 12 2018
Clerk of the Court
Superior Court of CA County of Santa Clara
BY _____ DEPUTY
Janice Jones

FINDINGS

Finding 1a

There is an inherent jurisdictional conflict between an appointed superintendent and an elected Board of Education that fosters governance disunity.

I disagree with Finding 1a. There is no conflict; jurisdictional or otherwise. The California Education Code clearly delineates the roles and duties of County Superintendents and those of County Boards of Education.

Finding 1e

The short tenure of the Superintendents has contributed to general dissatisfaction with the quality of services provided by the County Office of Education.

I disagree with Finding 1e. There is no general dissatisfaction with the quality of services provided by the Santa Clara County Office of Education (SCCOE). The SCCOE is a state regional service agency providing instructional, business, and technology services to the 31 school districts of Santa Clara County. The SCCOE directly serves students through special education programs, alternative schools, Head Start and State Preschool programs, migrant education, and Opportunity Youth Academy. It also provides academic and fiscal oversight and monitoring to school districts and the 23 county board authorized charter schools; and provides essential services and technical assistance throughout the region and statewide. Various SCCOE programs, staff and departments earned awards and accolades for quality, leadership, and service.

RECOMMENDATIONS

Recommendation 1a

The County Superintendent of Schools should be an elected office.

This recommendation does not ask me, the County Superintendent of Schools, to take any action. Furthermore, I am not in a position to implement Recommendation 1a nor direct that the Santa Clara County Board of Supervisors take any action on Recommendation 1a.

It appears that Recommendation 1a requests that the Superintendent opine on whether the position should be an appointed or elected office. I do not believe that Recommendation 1a should be implemented. The duties and roles of the County Superintendent are delineated in Education Code and remain the same whether the Superintendent is appointed or elected. As such, it is unnecessary to implement this recommendation. Well-qualified and dedicated superintendents can best serve the students of Santa Clara County.