

Agenda Item Details

Meeting Apr 19, 2012 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 16. ATTACHMENT A - CONSENT CALENDAR

Subject 16.16 Approve Minutes of March 8, 2012, Regular Board Meeting

Access Public

Type Action (Consent)

Recommended Action It is recommended that the Board of Trustees approve the March 8, 2012, Regular Board Meeting minutes as presented.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT**Item: 16.16**

TO: Board of Trustees

FROM: Dan Moser, Superintendent

SUBJECT: Approve Minutes of March 8, 2012, Regular Board Meeting

Attached are the minutes of the March 8, 2012, Regular Board Meeting for review and approval by the Board of Trustees.

FISCAL IMPACT:

None

FUNDING SOURCE:



None

RECOMMENDATION:

It is recommended that the Board of Trustees approve the March 8, 2012, Regular Board Meeting minutes as presented.

[BA_20120308_Regular_Minutes.pdf \(49 KB\)](#)

Executive Content

EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED April 19, 2012



**EAST SIDE UNION HIGH SCHOOL DISTRICT
REGULAR MEETING
OF THE
BOARD OF TRUSTEES
Meeting Held at Education Center
March 8, 2012
5:00 p.m.**

1. CALL TO ORDER/ROLL CALL

1.01 Roll Call

The Regular Meeting of the Board of Trustees was called to order at 5:04 p.m. by President Biehl. Vice President Martinez-Roach, Clerk Herrera, Member Nguyen and Member Le were present.

1.02 Announcement and Public Comment regarding Items to be discussed in Closed Session (Government Code 54957.7)

President Biehl extended a welcome to everyone, explained the format of the meeting, noted that all Board Meetings are recorded and offered the public to comment on item(s) to be discussed in Closed Session.

There were no public speakers.

1.03 Recess to Closed Session in the Superintendent's Conference Room (Open Session will resume at the end of Closed Session at approximately 6:00 p.m.) See item 2 on agenda (Closed Session).

The Board of Trustees recessed to Closed Session in the Superintendent's Conference Room.

2. CLOSED SESSION

2.01 Expulsion(s): *None*

2.02 Public Employee Performance Evaluation (Government Code Section 54957)

2.03 Public Employment/Public Employee Appointment (Government Code Section 54957)

2.04 Public Employee Discipline/Dismissal/Release (Government Code Section 54957)

Motion by Member Le, second by Clerk Herrera, to adopt Resolution #2011/2012-23 authorizing the release of one certificated administrator for the 2012-2013 school year and directing administration to serve the affected employee with written notice of release no later than March 15, 2012.

Vote: 5/0

2.05 Conference with Labor Negotiators (Government Code Section 54957.6)

Agency Designated Representatives:

Dan Moser, Superintendent

Cathy Giammona, Associate Superintendent of Human Resources and Instruction

Marcus Battle, Associate Superintendent of Business Services

Juan Cruz, Assistant Superintendent of Instructional Services

Vida Branner, Director of Compensation and Classified Employee Relations

Cari Vaeth, Director of Human Resources

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

**2.06 Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9
of the Government Code**

- *One (1) Potential Case*

OPEN SESSION AT APPROXIMATELY 6:00 P.M. – EDUCATION CENTER BOARD ROOM

3. PLEDGE OF ALLEGIANCE

4. WELCOME AND EXPLANATION TO AUDIENCE

Information explaining Board meeting procedures and how citizens can address the Board will be read. Written information is located near the entrance to the Board Room.

President Biehl extended a welcome to everyone, explained the format of the meeting and noted that all Board Meetings are recorded.

5. ADOPTION OF AGENDA

For consideration by the Board of Trustees.

There were no changes to the agenda; adopted as presented.

6. **SPECIAL ORDER OF BUSINESS – OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**

The Superintendent and/or Board Member(s) may request that items be considered, discussed, and acted on out of the order indicated on the agenda as per schedule.

There was no special order of business.

7. **PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD OF TRUSTEES**

Members of the public may address the Board on any subject not on tonight's agenda; however, provisions of the Brown Act (Government Code section 54954.2(a) and 54954.3) preclude any action. As an unagendized item, no response is required from the Board or District staff and no action can be taken; however, the Board may instruct the Superintendent to agendize the item for a future meeting. When your name is called, please come to the podium, state your name for the record, and limit your remarks to three (3) minutes.

Persons wishing to address the Board must fill out a gold request form, which is located at the entrance of the Board Room.

8. **BOARD OF TRUSTEES/SUPERINTENDENT - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**

8.01 **Presentation/Discussion regarding Supplemental Early Retirement Plan (SERP) – Marcus Battle, Associate Superintendent of Business Services, and Gail Beal, Senior Vice President, Keenan Financial Services**

Superintendent Dan Moser recused himself from this ítem; out of room.

Presentation ítem; no action taken.

8.02 **Adopt Amended Resolution #2011/2012-08A Supplemental Early Retirement Plan (SERP) for Certificated Non-Management Employees – Marcus Battle, Associate Superintendent of Business Service**

Superintendent Dan Moser recused himself from this ítem; out of room.

Public speaker:

- *Marisa Hanson*

Motion by Vice President Martinez-Roach, second by Member Le, to adopt amended Resolution #2011/2012-08A Supplemental Early Retirement Plan (SERP) for Certificated Non-Management Employees.

Vote: 5/0

8.03 Presentation, Discussion and/or Action regarding ESUHSD Budget Status Outlook - Marcus Battle, Associate Superintendent of Business Services

Presentation item; no action taken.

Public speaker:

- *Marisa Hanson*

8.04 Presentation, Discussion and/or Action regarding General Obligation Bond Forecasting and Planning - Marcus Battle, Associate Superintendent of Business Services, and Dale Scott, Financial Advisor, Dale Scott and Company

Administration will gather information necessary for the Board to make an informed decision on this item. Administration will work with Dale Scott or any other organization, as appropriate, to bring back a proposal for a poll. At the April Board meeting, the Board will make a decision as to whether or not to go forward with a poll. Presented at the April Board meeting will also include the projects affected and the potential for doing a poll. This will leave enough time for the Board to make a final decision in May or early June as to whether or not to move forward with a November election.

8.05 Extension of Contract for Substitute Director of Construction/Facilities – Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Dan Moser, Superintendent

Motion by Clerk Herrera, second by Member Le, to approve the extension of contract for Substitute Director of Construction/Facilities.

Vote: 4/1, Vice President Martinez-Roach voted No

For the record, Vice President Martinez-Roach voted no because there is no classification for Substitute Director. A permanent person needs to be hired for the position. She feels that the extensions have been done carefully and deliberately to avoid permanency in the position.

Associate Superintendent Giammona

This is very temporary until a person comes on board. We intend to bring that to you on Tuesday for the person to be hired and a start date of March 19. It is a permanent position.

9. FUTURE AGENDA ITEMS

9.01 Opportunity for Board of Trustees to request items on future agendas.

Items requested by Board of Trustees:

- *Special Education Program Costs – Patricia Martinez-Roach, Board Vice President*
- *Charter Schools – Patricia Martinez-Roach, Board Vice President*
- *Technology Program – Van Le, Board Member*

19. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

19.01 Board of Trustees

Van Le, Member

I attended several student events. I visited several classrooms Yerba Buena High School with the Principal to deliver certificates to students on the Principal's list.

Frank Biehl, President

Thank you all. That was a challenging meeting tonight. I think we did a good thing in terms of focusing on all the financial issues in one meeting. We are going to be meeting again on Tuesday.

Lan Nguyen, Member

This Saturday is the Vietnamese students' achievement awards ceremony at Yerba Buena High School at 10:30 a.m. You are invited to attend the event.

19.02 Dan Moser, Superintendent

I would like to thank Andrew Hill for hosting the Silicon Valley Hispanic Institute Heroes Celebration. There were approximately 20 Latino leaders from our community at Andrew Hill to speak to students, act as an inspiration and role models.

20. REPORT CLOSED SESSION ACTION(S)

Attorney will report on Closed Session action item(s).

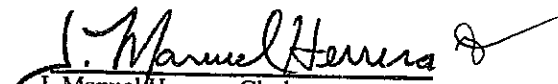
See section 2.0 for reporting out of Closed Session items.

21. ADJOURNMENT

President adjourns the meeting.

President Biehl adjourned the meeting at 9:14 p.m.

Respectfully submitted,


J. Manuel Herrera, Clerk
East Side Union High School District