

EAST SIDE UNION HIGH SCHOOL DISTRICT
Regular Meeting of the Board of Trustees
830 N. Capitol Ave, San Jose, CA 95133

AGENDA
October 18, 2007

In compliance with the Americans with Disabilities Act, if you need special assistance, disability-related modifications or accommodations, including auxiliary aids or services, in order to participate in the public meeting of the Board of Trustees, please contact the office of the District Superintendent at (408) 347-5010. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Upon request, the District shall also make available this agenda and all other public records associated with this meeting in appropriate alternative formats for persons with a disability.

Closed Session will begin at 5:00 P.M.

The Regular Board Meeting will begin at 5:00 p.m. in the Board Room. Anyone wishing to address the Board regarding Closed Session items may speak at this time. The Board will then adjourn to Closed Session in the Superintendent's Conference Room.

1. Call to Order/ Roll Call

- 1.1 Roll Call
- 1.2 Announcement and Public Comment regarding Items to be discussed in Closed Session (*Government Code §54957.7*)
- 1.3 Recess to Closed Session (Open Session will resume at the end of Closed Session in the Board Room at approximately 6:00 p.m.)
SEE ITEM 12 ON AGENDA (CLOSED SESSION)

Open Session 6:00 P.M. – Board Room

2. Pledge of Allegiance

3. 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.

4. Consideration of Proposed Amendments to Agenda

5. Board Special Recognition(s)

- 1. Silver Creek student, Miss Warda Ali, Winner of the 2007-2008 NFTE National Business Plan Competition
- 2. Special Recognition

6. Public Members Who Wish to Address the Board of Trustees

7. Student Board Liaisons

- 1. Quyen Ngo, Piedmont Hills High School ASB President
- 2. Rose Nguyen, Andrew Hill High School ASB President

8. Operational Items/Board Discussion and/or Action

- 8.1 Program Improvement Design and Implementation Presentation – Dan Moser, Associate Superintendent of Instruction

- 8.2 Request for One-Time Waivers of Board Policy 5142.1 to Allow for a Fireworks Display at Independence High School on November 9, 2007 – Bob Nuñez, Superintendent
- 8.3 Request for One-Time Waivers of Board Policy 5142.1 to Allow for a Fireworks Display at Yerba Buena High School on November 2, 2007 – Bob Nuñez, Superintendent
- 8.4 West Coast Aquatics Facilities Usage – Bob Nuñez, Superintendent, Sandra Rasmussen, and Sue McAllister.
- 8.5 Adopt Resolution #2007/2008-21 Approving Authorization to Enter into Contracts to Accommodate Emergency Remediation on School Facilities for Health and Safety Reasons for Silver Creek High School – Jerry Kurr, Associate Superintendent of Administration and Business Services
- 8.6 Request for Allowance of Attendance Because of Emergency Conditions – Affidavit of Governing Board Members – Dan Moser, Associate Superintendent of Instruction and Human Relations
- 8.7 Adopt Resolution #2007/2008-15 To Authorize Theresa Maxie to represent East Side Union High School District in California State Licensing Matters Regarding Child Care and Development Centers – Dan Moser, Associate Superintendent of Instruction and Human Relations
- 8.8 Adopt Resolution #2007/2008-16 To Provide Authority to Request Reimbursement of Expenses with Department of Rehabilitation – Dan Moser, Associate Superintendent of Instruction and Human Relations
- 8.9 Adopt Resolution #2007/2008-17 Filing Modernization Applications – Alan Garofalo, Associate Superintendent of Student Services and Facilities
- 8.10 Adopt Resolution #2007/2008-18 Filing a Notice of Determination – Alan Garofalo, Associate Superintendent of Student Services and Facilities
- 8.11 Adopt Resolution #2007/2008-19 New Construction Applications – Alan Garofalo, Associate Superintendent of Student Services and Facilities
- 8.12 Adopt Resolution #2007/2008-20 Filing Modernization and Career Technical Education Projects at Independence and Yerba Buena High Schools – Alan Garofalo, Associate Superintendent of Student Services and Facilities
- 8.13 Approve Second Reading of 9000 Board Policies and Adopt 9000 Board Policies – Bob Nuñez, Superintendent
- 8.14 Approve Variable Term Waiver Request for a Certificated Employee – Dan Moser, Associate Superintendent of Instruction and Human Relations – **Attachment D**
- 8.15 Approve Provisional Internship Permit Requests for Certificated Employees – Dan Moser, Associate Superintendent of Instruction and Human Relations – **Attachment E**
- 8.16 Contracts for Professional Services – Jerry Kurr, Associate Superintendent of Administration and Business Services – **Attachment B**
- 8.17 Memoranda of Understanding – Jerry Kurr, Associate Superintendent of Administration and Business Services – **Attachment C**

9. Attachment A - Consent Calendar Items

See Attachment A

10. Written Reports/Recommendation

- 10.1 Budget Adjustment for General Fund Report – Jerry Kurr, Associate Superintendent of Administration and Business Services
- 10.2 Compliance with October 8, 2004, Stipulated Arbitrator's Award – Jerry Kurr, Associate Superintendent of Administration and Business Services

11. Board of Trustees/Superintendent Communications/Comments

- 11.1 Board of Trustees

- 11.2 Bob Nuñez, Superintendent
 - a. Fire and Science Academy Update
 - b. Academic Master Plan Update

12. Closed Session

12.1 EXPULSIONS –A-B

12.2 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
(Government Code §Section 54957)

12.3 CONFERENCE WITH LABOR NEGOTIATORS

(Government Code §Section 54957.6)

Agency Designated Representatives: Bob Nuñez, Superintendent

Jerry Kurr, Associate Superintendent of Administration and Business Services

Dan Moser, Associate Superintendent of Instruction and Human Relations

Cathy Giammona, Director of Human Resources

Vida Branner-Siders, Director of Compensation and Classified Employee Relations

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

12.4 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code: Claim for Damages of M. Bashara against ESUHSD, and one potential case.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Subdivision (a) of Section 54956.9)

Tessa Cavazos v. East Side Union High School District, et al. (Santa Clara County Superior Court)

12.5 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

(Government Code § Section 54957)

- Superintendent

12.6 PUBLIC EMPLOYMENT/PUBLIC EMPLOYEE APPOINTMENT

(Government Code § Section 54957)

13. Report Closed Session Action(s)

14. Adjournment

Attachment A - Consent Calendar

9. Superintendent asserts that the attached Business Transactions, Personnel Actions, Maintenance of Records, Approvals and Recommendations Requiring Board Action have been carried out to the best of his knowledge in accordance with the law.

- 9.1 Ratify and Approve Classified Personnel Actions Presented October 18, 2007
- 9.2 Ratify and Approve Certificated Personnel Actions Presented October 18, 2007
- 9.3 Ratify and Approve Student Aide Personnel Actions Presented October 18, 2007
- 9.4 Purchase Orders Presented October 18, 2007
- 9.5 Award of Bids
- 9.6 Approve School Field Trips
- 9.7 Approve California High School Exit Local Waivers for Special Education Students
- 9.8 Expulsion Hearing Committee Panel Personnel for 2007-2008 School Year – Alan Garofalo, Associate Superintendent of Student Services and Facilities
- 9.9 Approve the Appointment of Mrs. Debbie Drennan, Parent, to Represent East Side Union High School District at the South East Special Education Local Planning Areas (SELPA) Community Advisory Council (CAC) Meetings
- 9.10 Approve Notice of Completion for the Silver Creek High School Phase I New Science Classroom Building (American Steel & Stairways, Inc.)
- 9.11 Approve Notice of Completion for the Silver Creek High School Phase I New Science Classroom Building (B&B Landscape Contractors, Inc.)
- 9.12 Approve Notice of Completion for the Silver Creek High School Phase I New Science Classroom Building (Foothill Air Conditioning & Heating, Inc.)
- 9.13 Approve Notice of Completion for the Silver Creek High School Phase I New Science Classroom Building (Joseph J. Albanese, Inc.)
- 9.14 Approve Notice of Completion for the Silver Creek High School Phase I New Science Classroom Building (Mastria Incorporated)
- 9.15 Approve Notice of Completion for the Silver Creek High School Phase I New Science Classroom Building (Sprig Electric)
- 9.16 Approve Notice of Completion for the Silver Creek High School Phase II New Science Classroom Building (Beals Martin)
- 9.17 Approve Notice of Completion for the Silver Creek High School Phase II New Science Classroom Building (Jensen Landscape)
- 9.18 Approve Notice of Completion for the Silver Creek High School Phase II New Science Classroom Building (Joseph J. Albanese, Inc.)

- 9.19 Approve Notice of Completion for Foothill High School Relocatable Classrooms (Ralph Larsen & Son, Inc.)
- 9.20 Approve Notice of Completion for Mt. Pleasant/IAC Low Voltage Project (Elcor Electric, Inc.)
- 9.21 Approve Change Order #1 for Evergreen Valley High School New Classroom Building (Blach Construction)
- 9.22 Approve Change Order #1 for James Lick High School PE Building Modernization (Iconco/LVI Demolition Services)
- 9.23 Approve Minutes of Regular Board Meeting Dated September 20, 2007 OC
- 9.24 Developer Fees Report