

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

AGENDA
November 20, 2008

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 4:00 P.M.

The Regular Board Meeting will begin at 4:00 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

- 1.01 Roll Call
- 1.02 Announcement and Public Comment regarding Items to be discussed in Closed Session
(*Government Code §54957.7*)
- 1.03 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 2 ON AGENDA (CLOSED SESSION)

2. Closed Session

- 2.01 EXPULSIONS – STUDENT A-B

- 2.02 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
(*Government Code §Section 54957*)

- 2.03 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)

- 2.04 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 and claim for damages of Dalia Gutierrez and claim for damages of John Gutierrez.

2.05 CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: A portion (approximately eight acres) of Assessor's Parcel Number 484-17-031.
District Negotiators: Bob Nuñez, Superintendent
Jerry Kurr, Associate Superintendent of Administration and Business Services
Rogelio Ruiz, Legal Counsel
Negotiating Parties: ESUHSD and Alum Rock Union Elementary School District
Under Negotiation: Property Exchange Terms

2.06 PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code §Section 54957)

- Superintendent

2.07 PUBLIC EMPLOYMENT/PUBLIC EMPLOYEE APPOINTMENT
(Government Code §Section 54957)

Open Session 6:00 P.M. – 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.

5. **Consideration of Proposed Amendments to Agenda**

6. **Board Special Recognition(s)**

6.01 Henry Gage

7. **Student Board Liaisons**

7.01 Stuti Joshipura, ASB President – Independence High School
7.02 Van Nguyen, ASB President – Silver Creek High School

8. **Public Members Who Wish to Address the Board of Trustees**

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

9. **Operational Items/Board Discussion and/or Action**

- 9.01 Hold Public Hearing at Approximately 7:00 p.m. regarding Valenzuela/CAHSEE Williams Quarterly Report – Dan Moser, Associate Superintendent of Instruction and Human Relations
9.02 Accept Valenzuela/CAHSEE Williams Quarterly Report – Dan Moser, Associate Superintendent of Instruction and Human Relations
9.03 Pending Board Vacancy: Process for Appointment and Provisional Appointment to the Governing Board – Bob Nuñez, Superintendent
9.04 Academic Master Plan Standardization; Cost Estimate for Standardization; Process for Integration of Measure E Bond Projects with Academic Master Plan – Bob Nuñez, Superintendent, Linda Gubman, Consultant, Carol Blackerby, Consultant, Eric Hall, Eric Hall & Associates and Lance Jackson, SGI
9.05 Recommendation regarding MOU to Explore the Joint Use of Sports Fields between ESUHSD and the City of San Jose – Jerry Kurr, Associate Superintendent of Administration and Business Services

- 9.06 Approval of Ground Lease Agreement for New City Library at Independence High School – Jerry Kurr, Associate Superintendent of Administration and Business Services
- 9.07 Measure G and Measure E Citizens’ Bond Oversight Committee Report – John Moore, Chairperson of Measure G and Measure E Citizens’ Bond Oversight Committee
- 9.08 Genesis High School – Dan Moser, Associate Superintendent of Instruction and Human Relations
- 9.09 Election of Representatives to County Committee on School District Organization – Bob Nuñez, Superintendent
- 9.10 Approve the Change in Governance Structure of MACSA Academia Calmecac Charter School - Dan Moser, Associate Superintendent of Instruction and Human Relations
- 9.11 Adopt Resolution #2008/2009-12 Approving Authorized Signatures - Jerry Kurr, Associate Superintendent of Administration and Business Services
- 9.12 Adopt Resolution #2008/2009-13 Approval Local Agreement for Child Development Services – Dan Moser, Associate Superintendent of Instruction and Human Relations
- 9.13 Approve Contract with Santa Clara County Office of Education to Continue Children’s Head Start Services - Dan Moser, Associate Superintendent of Instruction and Human Relations
- 9.14 Approve General Waiver Request – CAHSEE Apportionment - Dan Moser, Associate Superintendent of Instruction and Human Relations
- 9.15 Approve Provisional Internship Permit Requests for Certificated Employees - Dan Moser, Associate Superintendent of Instruction and Human Relations - **Attachment E**
- 9.16 Contracts for Professional Services – Jerry Kurr, Associate Superintendent of Administration and Business Services – **Attachment B**
- 9.17 Memoranda of Understanding – Jerry Kurr, Associate Superintendent of Administration and Business Services – **Attachment C**

10. Attachment A - Consent Calendar Items

See Attachment A

11. Written Reports/Recommendation

- 11.01 Compliance with 10/08/2004 Stipulated Arbitrator’s Award
- 11.02 Budget Adjustments
- 11.03 Educational Technology Plan
- 11.04 Status Report on Energy Education, Inc.

12. Board of Trustees/Superintendent Communications/Comments

- 12.01 Board of Trustees
 - Eddie Garcia, Vice President
 - Frank Biehl, Member
 - MetroEd Board Update
 - George Shirakawa, Clerk
 - J. Manuel Herrera, Member
 - Lan Nguyen, President
- 12.02 Bob Nuñez, Superintendent

13. Report Closed Session Action(s)

14. Adjournment

Attachment A - Consent Calendar

- 10. 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.**
- 10.01 Ratify and Approve Classified Personnel Actions Presented November 20, 2008
 - 10.02 Ratify and Approve Certificated Personnel Actions Presented November 20, 2008
 - 10.03 Ratify and Approve Student Aide Personnel Actions Presented November 20, 2008
 - 10.04 Purchase Orders Presented November 20, 2008
 - 10.05 Award of Bids
 - 10.06 Approve School Field Trips
 - 10.07 Approve Notice of Completion for Andrew Hill High School Phase III Additions and Modernizations (Concord Iron Works) Structural Steel
 - 10.08 Approve Notice of Completion for Andrew Hill High School Phase III Additions and Modernizations (Cupertino Electric, Inc.) Electrical
 - 10.09 Approve Notice of Completion for Andrew Hill High School Phase III Additions and Modernizations (D & R Paquette Drywall) Metal Framing and Drywall
 - 10.10 Approve Notice of Completion for Andrew Hill High School Phase III Additions and Modernizations (Joseph J. Albanese, Inc.) Grading & Paving
 - 10.11 Approve Notice of Completion for Andrew Hill High School Phase III Additions and Modernizations (Joseph J. Albanese, Inc.) Site Work, Utilities and Demo
 - 10.12 Approve Notice of Completion for Santa Teresa High School HVAC Roofing Replacement (Foothill Air Conditioning & Heating, Inc.)
 - 10.13 Approve Change Order #1 for Independence High School HVAC Roofing Modernization (Kinetics Mechanical Service, Inc)
 - 10.14 Approve Minutes of September 18, 2008 Regular Board Meeting