

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

AMENDED

AGENDA
March 18, 2010

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) 347-5011. 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 of the Education Center. 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 Expulsion(s): A
- 2.02 Public Employee Discipline/Dismissal/Release
(*Government Code Section 54957*)
- 2.03 Public Employee Performance Evaluation
(*Government Code Section 54957*)
- 2.04 Public Employment/Public Employee Appointment
(*Government Code Section 54957*)

2.05 Conference with Labor Negotiators
(*Government Code Section 54957.6*)

Agency Designated Representatives:

Dan Moser, Interim Superintendent

Jerry Kurr, Associate Superintendent of Administration and Business Services

Cathy Giammona, Interim Associate Superintendent of Human Resources and Instruction

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)

2.06a Conference with Legal Counsel – Existing Litigation
Subdivision (a) of Section 54956.9 of the Government Code: One (1) Case

- Kinetics Mechanical Services, Inc. vs. East Side Union High School District, Santa Clara County Superior Court, Case No. 109CV141312

2.06b 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 J. George

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

- Three (3) potential cases

2.07 Conference with Real Property Negotiators

Property: ESUHSD Educational Center, or portion thereof
830 N. Capitol Avenue
San Jose, CA 95133

District Negotiators: Dan Moser, Interim Superintendent
Jerry Kurr, Associate Superintendent of Administration
and Business Services
Rogelio Ruiz, Legal Counsel
Patti McKernan, Legal Counsel
Real Estate Representatives Sam Swan, Bob Hunt and Andre Hunt

Negotiating Parties: ESUHSD, Santa Clara Valley Water District, and
Other Parties to be Determined

Under Negotiation: Price and Terms

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.

5. Consideration of Proposed Amendments to Agenda

6. Board Special Recognition(s)

6.01 Justin To, Oak Grove High School Student - Perfect SAT Score of 2400

6.02 Winter Sports

- Santa Teresa High School
 - Boys' Basketball, Mt. Hamilton Division

- Evergreen Valley High School
 - Girls' Basketball, Mt. Hamilton Division

- Mt. Pleasant High School
 - Girls' Basketball, Santa Teresa Division

- Yerba Buena High School
 - Boys' Soccer, Mt. Hamilton Division

- Oak Grove High School
 - Girls' Soccer, West Valley Division
 - Wrestling, Mt. Hamilton Division

7. Student Board Liaisons

7.01 [Katrina Dela Cruz, 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. Instructional Services - Operational Items/Board Discussion and/or Action

9.01 W. C. Overfelt High School Presentation – Cathy Giammona, Interim Associate Superintendent of Human Resources and Instruction, and Vito Chiala, Principal

9.02 Progress of A - G Pathways Presentation - Cathy Giammona, Interim Associate Superintendent of Human Resources and Instruction, and Kirsten King, Interim Director of Instructional Services

9.03 Withdrawal of Charter Petition by Crosscultural Institute of Green Technology (CIGT) - Cathy Giammona, Interim Associate Superintendent of Human Resources and Instruction

10. Superintendent/Board of Trustees - Operational Items/Board Discussion and/or Action

- 10.01 Approve Recommended Proposal for Services for the Development and Implementation of a Potential Parcel Tax Ballot Measure Feasibility Study and Preparation of a Public Information Program – Eddie Garcia, Board President, and Dan Moser, Interim Superintendent
- 10.02 Receive First Reading to Amend Subsection "Reimbursement of Expenses" in Board By Law 9250 – Dan Moser, Interim Superintendent
- 10.03 Proposed Calendar of Community Meetings regarding Budget Impact to East Side Union High School District - Dan Moser, Interim Superintendent
- 10.04 Approve Calero High School Proposed Educational Programs and Modernization Plan - Alan Garofalo, Associate Superintendent of Student Services and Facilities, and June Francis Rono, Ph.D., Director of Facilities and Planning
- 10.05 Approve Board Members Attendance and Lawful Expenses to The Journey to Closing the Student Achievement Gap - Dan Moser, Interim Superintendent

11. Student Services - Operational Items/Board Discussion and/or Action

- 11.01 Presentation of District Attorney's Role in the Student Attendance Review Board (SARB) Process - Alan Garofalo, Associate Superintendent of Student Services and Facilities, and Julia Alloggiamento, Santa Clara County Deputy District Attorney

12. Human Resources - Operational Items/Board Discussion and/or Action

- 12.01 Approve the Initial Proposal for Successor Contract: From East Side Union High School District to San Jose Federation of Teachers Local 957, AFT, AFL-CIO - Dan Moser, Interim Superintendent and Cathy Giammona, Interim Associate Superintendent of Human Resources and Instruction
- 12.02 Approve the Initial Proposal for Successor Contract: From East Side Union High School District to California School Employees Association, Chapter 187 - Dan Moser, Interim Superintendent, Cathy Giammona, Interim Associate Superintendent of Human Resources and Instruction and Vida Branner-Siders, Director of Compensation and Classified Employee Relations
- 12.03 Approve the Initial Proposal for Successor Contract: From East Side Union High School District to East Side Teachers Association - Dan Moser, Interim Superintendent and Cathy Giammona, Interim Associate Superintendent of Human Resources and Instruction

13. Business Services - Operational Items/Board Discussion and/or Action

- 13.01 Approve Second Interim Financial Report 2009/2010 - Jerry Kurr, Associate Superintendent of Administration and Business Services
- 13.02 Approval of Lease Agreements with T-Mobile (OG), Verizon (ST), and Clearwire (MP, EV, YB, OG, AH) for Cellular and Wireless Communication Antennas at School Sites - Jerry Kurr, Associate Superintendent of Administration and Business Services, and Rogelio Ruiz, Legal Counsel

- 13.03 Adopt Resolution #2009/2010-38 an Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546 - Jerry Kurr, Associate Superintendent of Administration and Business Services
- 13.04 Acceptance of Donations, Grants and Awards - Jerry Kurr, Associate Superintendent of Administration and Business Services
- 13.05 Accept Warrant Register for the Month of February 2010 - Jerry Kurr, Associate Superintendent of Administration and Business Services
- 13.06 Approve Budget Transfers Presented March 18, 2010 - Jerry Kurr, Associate Superintendent of Administration and Business Services
- 13.07 Approve Purchase Orders Presented March 18, 2010 - Jerry Kurr, Associate Superintendent of Administration and Business Services
- 13.08 Approve Contracts for Professional Services at or below \$50,000 - Jerry Kurr, Associate Superintendent of Administration and Business Services
- 13.09 Approve Contract for Professional Services over \$50,000 - Jerry Kurr, Associate Superintendent of Administration and Business Services

14. Facilities - Operational Items/Board Discussion and/or Action

None

15. Attachment A - Consent Calendar Items

See Attachment A – Administration recommends approval of the consent items shown on Attachment A.

16. Written Reports/Recommendation

- 16.01 Quarterly Report on Santa Clara County Treasury Investment Portfolio Status as of December 31, 2009

17. Board of Trustees/Superintendent Communications/Comments

- 17.01 Board of Trustees
 - Lan Nguyen, Vice President
 - Patricia Martinez-Roach, Clerk
 - J. Manuel Herrera, Member
 - Frank Biehl, Member
 - MetroED
 - Eddie Garcia, President

- 17.02 Dan Moser, Interim Superintendent

18. Report Closed Session Action(s)

19. Adjournment

Attachment A - Consent Calendar

15. 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.

15.01 Ratify/Approve Classified Personnel Actions Presented March 18, 2010

15.02 Ratify/Approve Certificated Personnel Actions Presented March 18, 2010

15.03 Ratify/Approve Student Aide Personnel Actions Presented March 18, 2010

15.04 Approve Field Trips

15.05 Approve Notice of Completion for Silver Creek High School, New School Sign Project (Joseph J. Albanese, Inc.)

15.06 Approve Minutes of January 21, 2010, Regular Board Meeting

15.07 Approve Minutes of February 9, 2010, Special Board Meeting