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 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 in the Superintendent’s Conference Room  

SEE ITEM 2 ON AGENDA (CLOSED SESSION)

2. **Closed Session**  
   2.01 Expulsion(s):  *None*  
   2.02 Public Employee Performance Evaluation *(Government Code Section 54957)*  
      - Superintendent  
      - Internal Auditor  
   2.03 Public Employment/Public Employee Appointment *(Government Code Section 54957)*  
      - Principal (3 Positions)  
      - Temporary Director of Facilities  
      - Associate Principals
2.04 Public Employee Discipline/Dismissal/Release
   (Government Code Section 54957)

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
   Hardy Childers, Interim Associate Superintendent of Business Services
   Vida Branner, Director of Compensation and Classified Employee Relations

   Employee Organizations:
   American Federation of Teachers (AFT)
   California School Employees Association (CSEA)
   East Side Teachers Association (ESTA)

2.06 Conference with Legal Counsel – Anticipated Litigation
   Significant exposure to litigation pursuant to subdivision (b) 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, Superintendent
                         Hardy Childers, Interim Associate Superintendent of
                         Business Services
                         Rogelio Ruiz, Legal Counsel
                         Real Estate Representatives Sam Swan, Bob Hunt and Andre Hunt

   Negotiating Parties: ESUHSD, Santa Clara Development Company, 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 Hardy Childers – Interim Associate Superintendent of Business Services

7. **Student Board Liaisons**
   
   *No items on calendar under this section.*

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. **Board of Trustees/Superintendent - Operational Items/Board Discussion and/or Action**
   
   9.01 Hold Public Hearing at Approximately 6:15 p.m. - Receive and Sunshine the Initial Proposal for Successor Contract: From San Jose Federation of Teachers, Local 957, AFT, AFL-CIO to East Side Union High School District - Dan Moser, Superintendent; and Cathy Giammona, Associate Superintendent, Human Resources and Instruction

   9.02 Presentation, Discussion and/or Action of Internal Auditor Work Plan - Ian Marsh, Internal Auditor

10. **Instructional Services/Student Services - Operational Items/Board Discussion and/or Action**
    
    10.01 Program Improvement Year 4 School Alternative Governance Plans Presentation – Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Kirsten King, Director of Instructional Services, and Mary Stone, PI External Evaluator

    10.02 Charter Compact Update Presentation - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Kirsten King, Director of Instructional Services

    10.03 Approve Carl D. Perkins 132 Grant 2011-12 Grant Application for East Side Adult Education Program - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Cari Vaeth, Director of Adult Education and Career Services

    10.04 Approval of Consolidated Program Application (Con App) Part I for 2011-2012 - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Tim Nguyen, Coordinator of English Language Learners Supplementary Education

    10.05 Approve 2011 Single Plan for Student Achievement - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Tim Nguyen, Coordinator of English Language Learners Supplementary Education

    10.06 Approve CAHSEE Local Waivers for Special Education Students - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Kirsten King, Director of Instructional Services

11. **Human Resources - Operational Items/Board Discussion and/or Action**
    
    11.01 Approve Variable Term Waiver Request for Certificated Employee - Cathy Giammona, Associate Superintendent, Human Resources and Instruction

12. **Business Services - Operational Items/Board Discussion and/or Action**
    
    12.01 Receive Second Reading and Adopt New Board Policy #3105 Fund Balance (GASB 54) - Hardy Childers, Interim Associate Superintendent of Business Services

    12.02 Approve Budget Adoption for 2011/2012 - Hardy Childers, Interim Associate Superintendent of Business Services
12.03 Approve Contracts for Professional Services over $50,000 - Hardy Childers, Interim Associate Superintendent of Business Services

12.04 Approve Authorization for the Superintendent or Designee to Award Summer Projects – Hardy Childers, Interim Associate Superintendent of Business Services

12.05 Approve Authorization for the Superintendent to Award Emergency Projects during the Summer - Hardy Childers, Interim Associate Superintendent of Business Services

13. Facilities - Operational Items/Board Discussion and/or Action
13.01 Approve Form Professional Services Agreements for Architectural Services for Measure E and Measure G - Hardy Childers, Interim Associate Superintendent of Business Services

14. Attachment A - Consent Calendar Items
See Attachment A – Administration recommends approval of the consent items shown on Attachment A.

15. Written Reports/Recommendation
15.01 Receive Quarterly Report on the County of Santa Clara Treasury Investment Portfolio as of March 31, 2011

15.02 Receive Santa Clara County Civil Grand Jury Report: East Side Union High School District’s Progress in Response to the Fiscal Crisis & Management Assistance Team Audit

16. Board of Trustees/Superintendent Communications/Comments
16.01 Board of Trustees
- Lan Nguyen, President
- Frank Biehl, Vice President
  - MetroED
- Van Le, Clerk
- Patricia Martinez-Roach, Member
- J. Manuel Herrera, Member

16.02 Dan Moser, Superintendent

17. Report Closed Session Action(s)

18. Adjournment
Attachment A - Consent Calendar

14. 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.

14.01 Ratify/Approve Classified Personnel Actions Presented June 28, 2011
14.02 Ratify/Approve Certificated Personnel Actions Presented June 28, 2011
14.03 Ratify/Approve Student Aide Personnel Actions Presented June 28, 2011
14.04 Approve School Field Trips
14.05 Approve Award of Bids
14.06 Approve Contracts for Professional Services at or below $50,000
14.07 Approve Memoranda of Understanding
14.08 Approve Purchase Orders Presented June 28, 2011
14.09 Approve Change Orders to Purchase Orders Presented June 28, 2011
14.10 Approve Notice of Completion for Oak Grove High School, Building D Modernization Project (Lyncon Construction, Inc.)
14.11 Approve Change Order #2 for Santa Teresa High School Title IX Modernization Project (John Plane Construction, Inc.)
14.12 Approve Notice of Completion for Santa Teresa High School, Title IX Modernization Project (John Plane Construction, Inc.)
14.13 Approve Minutes of April 16, 2011, Special Board Meeting
14.14 Approve Minutes of April 21, 2011, Regular Board Meeting
14.15 Approve Minutes of May 5, 2011, Special Board Meeting
14.16 Approve Minutes of May 31, 2011, Special Board Meeting