

**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Minutes of the Regular Meeting of the Board of Trustees**  
**Meeting Held at Education Center**  
**January 19, 2006**

- 1) The Regular Meeting of the Board of Trustees was called to order at 4:07 p.m. by President Herrera. Member Martinez-Roach and Member Shirakawa were present.  
Vice President Nguyen arrived at 4:14 p.m.; Clerk Mann arrived at 4:19 p.m.  
Member Shirakawa left at 6:45 p.m.

***CALL TO ORDER***

2) **PLEDGE OF ALLEGIANCE**

***PLEDGE OF ALLEGIANCE***

3) **WELCOME AND EXPLANATION TO AUDIENCE**

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

***WELCOME AND EXPLANATION***

4) **BOARD SPECIAL RECOGNITION (S)**

***BOARD SPECIAL RECOGNITIONS***

4.1 **Dr. Martin Luther King Jr. 2006 High School Writing, Art & Multimedia Award Winners**

Art – Elise Lee, Silver Creek High School  
Writing – Sandy Ngo, Andrew Hill High School.

Miss Ngo read her poem.

Multimedia – Kevin Jones, Andrew Hill High School  
Oak Grove High School Students,

- Dawit Woldeyohanes
- Johnson Hem
- Albert Lutz-Paap from Oak Grove High School.

Winning students' work is being displayed at San Jose City Hall on January 19, 2006, Lockheed Martin on February 6, 2006 (not available for viewing at this location), and at the Dr. Martin Luther King Jr. Library on February 13, 2006.

4.2 **Dr. Martin Luther King Jr. Contest Coordinator**

Kathleen Gonzales, Teacher at Santa Teresa High School was recognized for her outstanding dedication to this event.

4.3 Blossom Valley Athletic League Champions for Fall 2005.

These teams were recognized for their outstanding performance in the Fall Season of 2005.

- Oak Grove High School – Football

Ninth league Championship in ten years. Oak Grove High School has been to the Coast Section Playoffs for 23 consecutive years.

- Evergreen Valley High School - Girls Volleyball
- Santa Teresa High School – Girls Water Polo  
    Undefeated 10-0. Taylor Sutton was named the League’s Most Valuable Player .
- Mt. Pleasant High School – Girls Cross Country
- Overfelt High School – Boys Cross County  
    This team went undefeated.

Superintendent Nuñez, said he was reminded by Ed Buller, East Side Union High School District Athletic Director, education comes first.

Ed Buller said he appreciated the Superintendent coming out to watch many of the District’s sports events.

5) **CONSIDERATION OF PROPOSED AMENDMENTS TO THE AGENDA**

Motion to carry item 8.4 to the Board meeting February 9, 2006, by Member Martinez-Roach.

**Move to approve the agenda, as amended by Clerk Mann, seconded by Vice President Nguyen.**  
**Vote: 5/0**

***CONSIDERATION OF AMENDMENTS***

6) **PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD OF TRUSTEES**

- Brandon Corbett, Ben Davis, Derek Martin, and Laura Coto,  
    -Students from Oak Grove High School – Class Assignment
- Julio Pardo – Valdes Institute Update
- Ken Yoshimoto – Fine Arts Performances at Schools
- Maureen McClintock – Fine Arts Performances at Schools
- John T. Moore – *Chairman of Surplus Property Committee, known as the 7/11 Committee. He asked the Board accept this report as an official report. A meeting was held over a month ago to determine if the property known as the Education Center, 830 North Capitol Avenue, was in fact surplus. By a majority vote of this Committee, it was determined this property was not surplus. The Committee recommends to the Board that they not declare it as such. A complete written report will be given to the Board prior to the February 9, 2006, Board Meeting, with sufficient time for Board Members to review the report. Mr. Moore will provide Board members with minutes from past meetings.*
- Julio Pardo – Volunteers

***ORAL COMMUNICATIONS***

7) **STUDENT ACHIEVEMENT/BOARD DISCUSSION AND/OR**

***STUDENT ACHIEVEMENT***

**ACTION**

1. Student Representative Tina Huyen, ASB President from Andrew Hill High School, reported on events and activities.

Students had a can food drive and collected over 5,000 pounds of food for the needy. Students have collected over \$2,000 for victims of the Katrina Hurricane. Students decorated and donated Christmas trees to the needy. The student participation of events at Andrew Hill High School has increased tremendously.

2. Student Representative, Andrew Mam, Associate Student Body President from Evergreen Valley High School, reported on events and activities at Evergreen Valley High School. Andrew introduced the Associate Student Body Officers. A new team of officers was elected the day before. Winter Ball is this Saturday, January 21, 2006, at Evergreen Valley High School. Tickets sales are going well. Next week students will attend their Winter Sports Rally. Due to the large student enrollment there will have two rallies. The next student's fundraiser will be Pennies for Patients. Donations will be presented to the Lung Cancer Society. Class competitions are coming up. They are called FANTASTICS. Students are going to institute the ARC Program. This Program works on keeping the school on a high level of respect.

8) **OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**

- 8.1 Presentation on Student Achievement from William C. Overfelt High School's •Principal Dino Certa •Associate Principal of Educational Development Vito Chiala, and •Associate Principal of Administrative Services Vic Maestas

*In 1999, William C. Overfelt was in the depths of an under performing high school. Since then, students have had a 100 point growth in their API scores. The goal next year will be 650.*

*The enrollment at William C. Overfelt High School is 1,531 students. 68% of the students are on free and reduced lunch. 57% of their parents are non-high school graduates. 1% of their parents have attended graduate school or beyond to receive their Bachelors Degree.*

*Vito Chiala indicated there is an achievement gap between the Asian, Filipino, Latino and socially disadvantage students. Every one of these groups is growing consistently. Each of these sub-groups met the Academic Performance Index (API) & Academic yearly Progress (AYP) scores. There is good news and bad news regarding the California Exit Exam. The majority of the students pass the test the first time they take it. The bad news is 41% of the students have to retake the test because of failing one or more*

***OPERATIONAL ITEMS/  
BOARD DISCUSSION  
AND/OR ACTION***

*sections.*

*The Measure G construction has started. Thirty-two million dollars will be used to renovate badly needed classrooms. In April, William C. Overfelt High School will have their six-year WASC (Western Association of Schools Accreditation) visit. The staff has been working on this report for the past two years. 83% of William C. Overfelt High School's staff have their full CLAD credentials. This year, three outstanding teachers were recognized as "Teachers of the Year": Mr. Gene Dorsa in Science; Mrs. Christine Cali, in Social Studies; and Kathryn Davis in AP Biology.*

*This year the school wide literacy program has been implemented. The entire school has sustained reading for 15 minutes everyday. William C. Overfelt High School has a partnership with Applied Materials, The Growth Program, Community and Businesses and local Colleges and Universities. Stanford University has been working with students in the AVID Program.*

*Annual Academic Assembly is called the "Crown Awards." Students, staff and community members are honored. Students and staff have a volunteer luncheon scheduled at the end of the year to recognize all volunteers.*

*Vito Chiala showed a comparison on how freshmen academically performed for year 2004 to 2005. The growth for freshmen is going in the right direction. They have done this by:*

- a. Implementing small learning communities*
- b. Appropriate placement*
- c. Intervention and support*

*Any student who fails Algebra or English 1/9 is placed into a mandatory 7<sup>th</sup> period.*

*William C. Overfelt High School has ten sections of Advanced Placements classe. This is to make sure students get the right rigger at their freshmen and sophomore years, so when they take their AP classes they can succeed.*

*Victor Maestas spoke on school climate. William C. Overfelt High School has a total of 157 students attending on intra-district transfers. At the end of the first semester these students did not wish to return to their former school. There is a positive environment at William C. Overfelt High School. They have a Safety Team of 30 members. This Team follows professional protocols. William C. Overfelt has never failed a Code Red Drill. There has been only one expulsion in the last two years. Victor Maestas thanked Mr. Ric Abeyta, Assistant Superintendent of Student Services, and Mrs.*

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*Carla Holtclaw for assisting helping with their Safety Plan.*

President Herrera

*Indicated that the William C. Overfelt administration made an excellent presentation.*

Member Martinez-Roach

*Thanked the presenters and congratulated the staff for an outstanding performance. There was a question with regard to 41% of student who are limited English or non-English proficient. Are they getting primary language support? This was not mentioned in the report and is very important.*

Vito Chiala, Associate Principal of Educational Development

*Yes.*

Member Martinez Roach

*She heard it was a punishment for students to be transferred to William C. Overfelt High School, and that Overfelt was getting students other campuses did not want.*

Victor Maestas, Associate Principal of Administrative Services

*Victor Maestas stated there are situations that mandate students to be transferred to other schools. The students that are assigned to William C. Overfelt High School on an intra-district transfer for any specific reason chose to stay at Overfelt because of the safe environment.*

Vice President Nguyen

*A wonderful presentation. It was great to hear there is a positive school climate at William C. Overfelt High School. He was impressed to hear this school has had only one expulsion in two years. He had a question regarding Under Language Proficiency. What does redesignated mean?*

Vito Chiala, Associate Principal of Educational Development

*Students are given a language designation. If they speak any language other than English at home, they are automatically classified as English Language Learners, or Limited English Proficient. As they gain in proficiency, they take the CELDT Test and the STAR Test. Once they reach certain proficiency rather than just call them fluent, we call them redesignated. It is a step between limited and fluent.*

- 8.2 District Quarterly Safety Update Report  
Presented by Ric Abeyta, Assistant Superintendent of Student Services

*Ric Abeyta, Assistant Superintendent of Student Services, presented*

*the second quarterly report. The first quarterly report was unable to be presented early in the year due to agenda items being backed up. Senate Bill 187 mandate that all districts in California have a Safety Plan in place to deal with all existing laws that relate to safety. Senate Bill 187 ensures all laws are followed to integrate our safety resources and program and support of our student learning. School Site Councils are responsible for the Safety Plan and may delegate this plan to a Safety Committee. The Safety Committee meets quarterly at the very least. They review the progress towards this year's goal and review the data for current year. Committee members consist of parents, ESTA representative; CSEA representative, associate principal, teachers, staff and community members. Some committees have also included their local law enforcement. The review of the Safety Plan takes place at every meeting. Data regarding the goals, discipline standards, what the Multi-Service Team recommends, attendance standards, and a report by police of activities on the school site and neighborhood is provided. They review the strategies for attending and assigning the responsibly of these goals at the school site. The ESTA Safety Survey is another issue this safety team deals with. Mr. Don McKell, ESTA President, asked the administration to review the data. It is being reviewed as part of the process. The administration is making sure concerns are addressed. Meetings are held at every school. Reports are on file at the district. Sign-in logs are kept. Safety goals and data are reviewed at every meeting.*

*We have seven sites that have new Associate Principals(APA), The administration is reviewing the safety data with them. Disciplinary data was presented. Many school are going in the right direction. Mt. Pleasant High School is having some current issues. The district is going to address this by sending in a team to meet with students and staff to talk about climate and respect. This has been done at Independence High School and is currently being done at Oak Grove High School.*

Member Martinez-Roach

*You have changed the graph we had at our Student Relations Meeting?*

Ric Abeyta, Assistant Superintendent of Student Services

*That is correct.*

Member Martinez-Roach

*Do you have the totals for the total school year?*

Ric Abeyta, Assistant Superintendent of Student Services

*Yes, we do. At the end of the year, you will have the full year's numbers.*

*As you can see, district wide, serious issue referrals have decreased 12%. Mt. Pleasant High School has not decreased. As a whole, we are going in the right direction.*

Clerk Mann

*Thank you for a very productive and succinct presentation. What can you attribute Mt. Pleasant High School's issues to, if you could summarize it?*

Ric Abeyta, Assistant Superintendent of Student Services

*Please, I don't want to attribute to this. We have new staff there. There are gang-related issues. There is a climate issue. People do not treat other people with respect. The staff there is holding people accountable. When you start documenting these incidents, stats start going up.*

Member Martinez-Roach

*I thought there were supposed to be monthly safety meetings at every school? I thought these were mandated by the State? How are we communicating with parents in different languages relating to gang issue? How are we embracing the community and saying we have a problem here?*

Ric Abeyta, Assistant Superintendent of Student Services

*We are partnering with the City of San Jose. All Associate Principals are attending the Mayor's Gang Task Force. This meeting meets monthly to deal with the issues. Many different organizations are being brought in to help with different issues.*

Member Martinez-Roach

*The question was parents?*

Mr. Ric Abeyta, Assistant Superintendent of Student Services

*The parents are being education via the city. There have been a large number of meeting with parents.*

Member Martinez-Roach

*Thank you to Carla Holtzclaw for helping with the report.*

Carla Holtzclaw, Safety Coordinator

*Stating from the audience, she said, there is a requirement of only one safety meeting a year per school.*

Vice President Nguyen

*Significant progress has been made due to your development and process of the report. How often is the safety survey being executed? Quarterly? Is this survey done with teachers, staff,*

*students or everyone?*

Ric Abeyta, Assistant Superintendent of Student Services

*The safety survey is being done once a year. This is an ESTA process. The survey is given to a limited number of members of each school's faculty. The survey is completed by the ESTA membership.*

Vice President Nguyen

*Are we in the future going to have others to participate?*

Ric Abeyta, Assistant Superintendent of Student Services

*This would be my next job.*

- 8.3 Amend Board Policy 6162.4.1 Use of Volunteers, First Reading, Presented by Ric Abeyta, Assistant Superintendent of Student Services

*This is the first reading of the Use of Volunteers, which is an amendment to the existing policy. Paragraph three of the policy was left out. This policy should read:*

**3. No classified position may be abolished by utilization of volunteer aides; nor may any classified position remain vacated because of the use of an aide in that position. (Education Code 35021).**

*We will make sure in the second reading this is be reinserted. The following was added to the existing policy:*

**3. It shall be the responsibility of all school site Principals to review the qualifications of any potential volunteers prior to them bring utilized as volunteers. Site Principals shall review the Department of Justice Megan's Law website for all potential volunteers that will only have access to students in a supervised setting on an incidental and occasional basis. If a volunteer will be working directly in an unsupervised setting with minor children, these applicants must be referred to Human Resources for a more in depth criminal background check.**

4.3 Personnel Department was changed to **Human Resources** Department.

**5. No person who is required to register under Penal Code Section 290 because of a conviction for a crime where the victim was a minor under 16**

years of age shall be an employee or act as a volunteer with East Side Union High School District.

Member Martinez-Roach

*I thought it was mandatory that all volunteers need to be fingerprinted?*

Ric Abeyta, Assistant Superintendent of Student Services

*It is still part of the law. We have a policy in place, but it was becoming very difficult for our site administration to live with. There are members of Site Safety Council that are volunteers, but are never alone with our students. They come to meetings and they leave. Principals have said if they have to fingerprint every volunteer, they would never have any volunteers. So it was problematic.*

Member Martinez-Roach

*I understand how difficult it is. Our policy needs to reflect some kind of language at least suggesting that we might comply with the law, if that's what we need to do legally. My question to the attorney would be, "How are we going to get away with it?"*

Legal Counsel Rogelio Ruiz

*I don't believe the law states that volunteers have to be fingerprinted. The school district has the option of requesting automatic records check from the local police on non-teaching volunteers. The district could take the extra step as making it a Board policy.*

Member Martinez-Roach

*Can someone confirm it is not mandatory? I'm okay with it either way, as long as we are complying.*

Legal Counsel Rogelio Ruiz

*I will confirm that.*

Ric Abeyta, Assistant Superintendent of Student Services

*If we make this more user friendly, we will be more in compliance.*

- 8.4 Amend Board Policy 5125.1 Student, Campus Access for College/Career Path Recruiters, Presented by Ric Abeyta, Assistant Superintendent of Student Services

*Carried to Board Meeting of February 9, 2006.*

- 8.5 Business and Non-Instructional Operations Board Policy BP3431 For Investments, Second Reading presented by Jerry Kurr, Assistant

Superintendent of Business

*This is a district's practice. The Board does receive quarterly investment reports. It is a requirement for the district to have an investment policy. It was discovered during this year's audit, we did not have an investment policy. This policy is used throughout the State by many school districts.*

Member Martinez-Roach

*We only have an Interim Assistant Superintendent of Business. The policy does not include this. Will the designee's language be enough?*

Legal Counsel Rogelio Ruiz

*The Interim Assistant Superintendent of Business contract specifically says they are to perform the scope of their duties, which includes the performance of the duties of the Assistant Superintendent of Financial Services.*

Member Martinez-Roach

*No, I'm not referring to the policy. I'm referring to the authority; the language. Do we have to worry about this?*

Legal Counsel Rogelio Ruiz

*No.*

***Motion by Member Mann, seconded by Vice President Nguyen to approve the Adoption of Business and Non-instructional Operations Board Policy for Investments.***

***Vote: 4/0***

***Member Shirakawa absent.***

9) **ATTACHMENT A/CONSENT CALENDAR APPROVAL OF AGENDA**

***Items: (9.4) and (9.11), were pulled for discussion/approval.***

***Motion to approve by Clerk Mann, seconded by Vice President Nguyen to approve the remainder of the Consent Items as amended.***

***Vote: 4/0***

***Member Shirakawa absent.***

***(Agenda items in parentheses)***

- Purchase Orders Presented January 19, 2006 (9.1)
- Budget Transfers Presented December 2005 (9.2a),  
Budget Transfers Presented January 19, 2006 (9.2b)
- Ratify/Approve Classified Personnel Actions Presented  
January 19, 2006 (9.3)
  
- Ratify/Approve Student Aide Personnel Actions Presented

**ATTACHMENT A**

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- January 19, 2006 (9.5)
- Approve Variable Term Waiver Requests for Certificated Employees (9.6)
  - Approve Provisional Internship Permit Requests for Certificated Employees (9.7)
  - Acceptance of Gifts/Grants/Donations (9.8)
  - Contract for Professional Services (9.9)
  - Award of Bids (9.10)
  - Approve School Field Trips (9.12)
  - Approve Notice of Completion for Oak Grove High School, Music Building “J” Modernization Project (Evans Brothers) (9.13)
  - Approve Notice of Completion for Oak Grove High School, Music Building “J” Modernization Project (Sterling Environmental) (9.14)
  - Approve Notice of Completion for Yerba Buena High School, Building 200 Modernization Project (George Masker, Inc.) (9.15)
  - Approve Notice of Completion for Yerba Buena High School, Building 200 Modernization Project (Environmental Systems, Inc.) (9.16)
  - Approve Notice of Completion for Yerba Buena High School, Building 200 Modernization Project (Casey-Fogli Concrete Contractors, Inc.) (9.17)
  - Approve Notice of Completion for Yerba Buena High School, Building 200 Modernization Project (Alcal-Arcade Contracting, Inc.) (9.18)
  - Approve Notice of Completion for Yerba Buena High School, Building 200 Modernization Project (American Steel & Stairways, Inc.) (9.19)
  - Approve Notice of Completion for Yerba Buena High School, Building 200 Modernization Project (Gonsalves & Stronk Construction Company, Inc.) (9.20)
  - Approve Change Order #1 for James Lick High School Student Services Building and Streetscape Project (Cal Coast Telecom) (9.21)
  - Approve Change Order #1 for Santa Teresa High School Landscape/Streetscape Project (Dynalectric) (9.22)
  - Approve Change Order #1 for Santa Teresa High School Infrastructure Project (Dynalectric) (9.23)
  - Approve Change Order #8 for Piedmont Hills High School Wings “C”, “D”, and “E” Modernization Project (Morrow Meadows Electric) (9.24)
  - Approve Change Order #9 for Piedmont Hills High School Wings “C”, “D”, and “E” Modernization Project (Ralph Larsen Son, Inc.) (9.25)
  - Approve Change Order #10 for Piedmont Hills High School Wings “C”, “D”, and “E” Modernization Project (De Bella Mechanical) (9.26)
  - Approve Change Order #11 for Piedmont Hills High School Wings

“C”, “D”, and “E” Modernization Project (Kinetics Mechanical)  
(9.27)

- Approve Change Order # 1 for Independence High School  
Gymnasium Floor Replacement Project (H.Y. Floors and Gameline)  
(9.28)
- Approve Change Order #1 for Independence High School  
Gymnasium Renovation Project Robert A. Bothman) (9.29)
- Approve Minutes of Regular Board Meeting Dated December 8, 2005  
(9.30)
  - Approve Minutes of Special Board Meeting Dated December 15,  
2005 (9.30.1)
- Resolution #2005/2006-21 Approving Authority to Enter into  
Contracts to Accommodate Emergency Remediation on Facilities  
throughout the District Due to Recent Storms (9.31)
- Receive Charter Renewal Application for Latino College  
Preparatory Academy (9.32)
- Receive Charter Renewal Application for MACSA Academia  
Calmecac (9.33)
- Approve 2006 Summer School Dates (9.34)
- Adopt Resolution #2005/06-20 Authorizing District Representative to  
File with the Office of Public School Construction (OPSC) (9.35)

*Ratify/Approve Certificated Personnel Actions Presented  
January 19, 2006. (9.4)*

*Member Martinez-Roach said she would be abstaining from  
item (9.4). She indicated she did not approve of the process.*

√ *Motion to approve item (9.4), by Clerk Mann seconded by Vice  
President Nguyen*

*Vote: 3/0*

*1 Abstention by Member Martinez-Roach.*

*Member Shirakawa absent.*

*Memorandums of Understandings (9.11)*

*Member Martinez-Roach indicated under item (9.11), the  
Memorandum of Understanding, item 3, there is a  
recommendation for National University to be housed at  
Yerba Buena High School to provide a very valuable service.  
She was concerned about the use of square footage to an  
outside agency. “We struggle sometimes to have space for our  
own students. I want to make sure this does not impact our  
students.”*

*Alan Garofalo, Assistant Superintendent of Operations,  
indicated this would not impact Yerba Buena High School’s  
students in any way.*

*Member Martinez-Roach asked how many classrooms would*

*be used.*

*Alan Garofalo, Assistant Superintendent of Operations, said we would have to ask Juan Cruz, Principal of Yerba Buena High School's Principal.*

*Member Martinez-Roach said she wants to make sure we don't bump out some of our other programs. "What kind of a long-term commitment is this?"*

*Bob Nuñez, Interim Superintendent, stated this is a two-year program. "Our district needs to provide space for our teachers to earn their credentials."*

*Member Martinez-Roach asked why we were not charging National University.*

*Alan Garofalo, Assistant Superintendent of Operations. said this is "in kind" to provide services for our staff.*

- √ *Motion to approve item (9.11) by Vice President Nguyen seconded by Clerk Mann.  
Vote: 3/0  
1 Abstention by Member Martinez-Roach  
(Member Shirakawa absent.)*

10) **WRITTEN REPORTS**

None.

11) **BOARD OF TRUSTEES/SUPERINTENDENT'S COMMUNICATIONS/COMMENTS**

11.1 Board of Trustees

Member Martinez-Roach

*She commended the Student Board Relation Committee. Ric Abeyta, Assistant Superintendent of Student Services, and Carla Holtclaw made a presentation. They asked students for their recommendations on how to make schools safe. Students asked about the upcoming retreat. This retreat would help students team build with other students from other schools. Member Martinez-Roach did tell the students she was going to commit to this request in case there was going to be a financial impact. Students are requesting a two-day retreat. She invited other Board members to attend this event.*

*She reminded the Board about the district wide issue of what is appropriate for high school performances. "I was surprised at some of performances. I have to remember we are dealing with high*

***WRITTEN REPORTS***

***BOARD/  
SUPERINTENDENT'S  
COMMUNICATIONS/  
COMMENTS***

*schools. Parents do have the right to ask if we do have policies that are being followed. I want students to have a positive experience.” She asked for the Interim Superintendent to come back with a report.*

Bob Nuñez, Interim Superintendent

*The Superintendent indicated that he would follow through with the request.*

Member Martinez-Roach

*Member Martinez-Roach stated, “This is a friendly reminder, I have asked and I am still waiting for an expense report for the legal expenses in this district. I don’t know what the delay is. I would appreciate this report at the next Board Meeting. It must be available somewhere. Just print it out, put it under “Reports”, and makes it available.”*

Bob Nuñez, Interim Superintendent

*Interim Superintendent Bob Nuñez indicated the report was provided two month ago, another report would be provided.*

Member Martinez-Roach

*Member Martinez-Roach stated it has not been on the agenda. Maybe it was just sent.*

President Herrera

*President Herrera said, “That’s a different matter. You have requested the information and we have been provided the information, but you have never said anything about placing it on the agenda.”*

Member Martinez-Roach

*“I would like to have this on the agenda as a report. How much money we have spent on legal fees in this district. I want to know and it’s no secret we need to know how much we are spending.”*

President Herrera

*“We’ll try to work it in the agenda, in the near future and bring that back.”*

Member Martinez-Roach

*“Not the near future I want to ... it’s public information.”*

President Herrera

*It won’t be in a half a year ...*

*The issue is not if it’s accessible to the public, it’s available to everyone, but when we try to put agendas together that are workable, we have to prioritize items and choose what is more*

*urgent. A discussion on this item should occur in maybe the next meeting, or two or three. We'll go with according to what our demands are on the agenda."*

Member Martinez-Roach

*"Manuel, I have every right to request this information. I want it at the next Board Agenda Meeting."*

President Herrera

*"You cannot singly determine if this is to be placed on the agenda. The Board as a whole needs to determine."*

Member Martinez-Roach

*"Yes, I can. As a duly elected member of this community I have every right to do so and I expect to have it on the next agenda. I want it summarized per law firm how much money we have spent."*

Clerk Mann

*"It would be simple to present it under, "Written Reports." "It was produced a couple of months ago."*

Vice President Nguyen.

*"I remember looking at it in Closed Session."*

Member Martinez-Roach

*"Closed Session, that's my point."*

Clerk Mann

*"I was going to ask Interim Superintendent, "When you were planning on bringing back an administration recommendation on the report from the Demographer?"*

Alan Garofalo, Assistant Superintendent of Operations

*That is on the agenda for next month.*

President Herrera

*It was recommended by President Herrera to retitle this topic under item 7, as "Student Board Liaisons."*

*There is ongoing work with the City Convening Task Force on the Evergreen Area and how any future development and growth may impact schools as part of this task force process. President Herrera and Alan Garofalo, Assistant Superintendent of Operations, has been attending these meetings. At a prior meeting, it was decided that President Herrera and Clerk Mann would also convene a process, specifically addressing the East Side portion of school impact. The City would like to hear from the East Side community. President Herrera would like to have a community meeting in early*

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*February. They will be keeping the Board apprised.*

*“It’s to look at the future development in the East Side School District, including the possibly of new schools. The committee will come back to the Board with their report.”*

Member Martinez-Roach

*“So, your asking us for something you’ve already decided to do?”*

President Herrera

*“This was a decision that was made at a prior meeting. This has to do with the proposed commercial development and future development.”*

Member Martinez-Roach

*“I’m in the Evergreen Neighborhood Group. I know we have had tons of meetings.”*

President Herrera

*“These are totally different.”*

Member Martinez-Roach

*“So, you are talking about having more meetings.”*

President Herrera

*“We are talking about this District having a process with regards of new development. That’s what we are going to sit down and talk about. This is the time.”*

Member Martinez-Roach

*“I’m concerned about the expense, if you are thinking about a mass mailing.”*

Vice President Nguyen

*“I’m okay, as long as we have a report.”*

President Herrera

*A report will be made to the Board before it goes to the City.*

*He believes it is time to have a discussion on some guiding framework on the performances at the school sites. This is because of the comments and emails. A discussion on what is acceptable and what is not needs to be discussed. He recommended that the administration engage with interested members of the community and school sites to bring a process and recommendation.*

11.2 Bob Nuñez, Interim Superintendent

*“Student achievement,” Linda Gubman, Interim Assistant Superintendent of Instructional Services has asked to be put on the agenda at each meeting to report on Program Improvement.*

*We have been looking at the theatrical program and it is a topic at our next Principals’ Meeting. We will also be discussing the IPC Program.*

12) **CLOSED SESSION**

12.1 Expulsions – A - D

Student A: Expulsion approved for one academic year.

**Vote: 3/0**

(Clerk Mann and Vice President Nguyen were absent.)

Student B: Expulsion approved for one academic year.

**Vote: 3/0**

(Clerk Mann and Vice President Nguyen were absent.)

Student C: Expulsion approved for one academic year.

**Vote: 4/0**

(Clerk Mann not absent.)

Student D: Expulsion approved for one academic year.

**Vote: 3/0**

(Clerk Mann and Vice President Nguyen were absent.)

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:

Interim Superintendent Bob Nuñez

Employee Organizations:

East Side Teachers Association (ESTA)

California School Employees Association (CSEA)

American Federation of Teachers (AFT)

12.4 Anticipated Litigation (*Government Code § Section 54956.9*)  
Conference with Legal Counsel – ANTICIPATED LITIGATION,  
Significant Exposure to litigation pursuant to subdivision (b) of  
§Section 54956.9 statement threatening litigation. (1 potential case)  
Conference with Legal Counsel – PENDING LITIGATION,

***CLOSED SESSION***

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- 12.5 Public Employee Performance Evaluation  
(Government Code §Section 54957)
- 12.6 Public Employment/Transfer (Government Code §Section 54957)  
- *Interim Superintendent's Contract*

*Nothing reported out of Closed Session.*

**ADJOURNMENT**

On a motion that was seconded by a member of the Board, the meeting was adjourned by Board President Herrera at 7:50 p.m.

***ADJOURNMENT***

Respectfully submitted,

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Clerk of the Board of Trustees