

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

**AGENDA**  
**May 24, 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 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**

- 1.1 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)**

- 5.1 Silver Creek High School Japanese Program
  - National Award at the Japanese Bowl in Washington D.D.
- 5.2 Botball/Robotics Recognitions
  - Evergreen Valley High School
  - Foothill High School
  - Independence High School
  - Oak Grove High School
- 5.3 Spring Sports League Champions
  - Badminton, Independence High School, Mt. Hamilton Athletic League Champions
  - Softball, Silver Creek High School, West Valley Athletic League Champions
  - Boys' Swimming, Evergreen Valley High School, Santa Teresa Athletic League Champions
  - Girls' Swimming, Evergreen Valley High School, Santa Teresa League Athletic League Champions

- Boys' Track, Mt. Pleasant High School, Mt. Hamilton Athletic League Champions
- Girls' Track, Mt. Pleasant High School, Mt. Hamilton Athletic League Champions
- Boys' Track, Andrew Hill High School, West Valley Athletic League Champions

5.4 Superintendent's Cabinet Awards

- Operations Division
- Human Resources Division
- Business Services
- Student Services
- Instructional Services

6. **Student Board Liaisons**

- 6.1 Presentation by Yadira Villegas, ASB President at Foothill High School

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

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

- 8.1 ESTA Safety Report Survey – Bob Nuñez, Superintendent, and Don McKell, ESTA President
- 8.2 Schools Safety Plan Report 2007-2008 – Carol Blackerby, Interim Director of Student Services
- 8.3 Status of Measure G – Alan Garofalo, Assistant Superintendent of Operations and John Moore, Measure G, Chairperson Citizens Bond Oversight Committee
- 8.4 Adopt Resolution #2006/2007-39 No Child Left Behind Reauthorization – Bob Nuñez, Superintendent
- 8.5 Adopt Resolution #2006/2007-41 An Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546 – Jerry Kurr, Interim Assistant Superintendent of Business Services
- 8.6 Adopt Resolution #2006/2007-40 Requesting the Board of Supervisors of Santa Clara County to Issue and Sell General Obligation Bonds, 2002 Election, Series G, in the Aggregate Principal Amount of not to Exceed \$21,000,000, in the Name and on Behalf of the District – Jerry Kurr, Interim Assistant Superintendent of Business Services
- 8.7 Adopt Resolution #2006/2007-42 Providing for the Issuance and Sale of 2007 General Obligation Refunding Bonds, Series B in the Maximum Principal Amount of \$25,000,000 to Refund Outstanding General Obligation Bonds, 2002 Election, Series B – Jerry Kurr, Interim Assistant Superintendent of Business Services
- 8.8 Adopt Resolution #2007/2008-43 Providing for the Issuance and Sale of 2007 General Obligation Refunding Bonds, Series A in the Maximum Principal Amount of \$20,000,000 to Refund Outstanding General Obligations Bonds, 1991 Election, Series B, and 1999 Refunding General Obligations Bonds – Jerry Kurr, Interim Assistant Superintendent of Business Services
- 8.9 ESUHSD Career and Technical Education Plan 2007-2012 for Proposition 1D Facilities Modernization Application Status 2007-2012 – Bob Nuñez, Superintendent
- 8.10 Update on Academic Master Plan – Bob Nuñez, Superintendent
- 8.11 First Reading Attendance Board Policy #5113 and Administrative Regulations #150 – Jerry Kurr, Interim Assistant Superintendent of Business Services
- 8.12 Adopt Resolution #2006-2007-38 To Hire on a Short Term Basis One (1) Employee as a Staff Secretary – Student Services Division – Linda Gubman, Assistant Superintendent of Human Resources
- 8.13 Contracts for Professional Services – Jerry Kurr, Interim Assistant Superintendent of Business Services – **Attachment B**
- 8.14 Memoranda of Understanding – Jerry Kurr, Interim Assistant Superintendent of Business Services – **Attachment C**

9. **Attachment A - Consent Calendar Items**  
See Attachment A

10. **Written Reports/Recommendation**

- 10.1 Board Policies Update – Bob Nuñez, Superintendent

**11. Board of Trustees/Superintendent Communications/Comments**

- 11.1 Board of Trustees
- 11.2 Bob Nuñez, Superintendent

**12. Closed Session**

- 12.1 Expulsions A through K
  
- 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 and  
Linda Gubman, Assistant Superintendent of Human Resources  
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 E. Smith against ESUHSD, Claim for Damages of K.  
Gamboa against ESUHSD, Claim for Damages of T. Tran against ESUHSD, Claim for Damages  
of Duquette against ESUHSD, Claim for Damages of C. Hudspeth against ESUHSD.
  
- 12.5 PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
(*Government Code § Section 54957*)
  
- 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 May 24, 2007
  - 9.2 Ratify and Approve Certificated Personnel Actions Presented May 24, 2007
  - 9.3 Ratify and Approve Student Aide Personnel Actions Presented May 24, 2007
  - 9.4 Approve Collective Bargaining Agreement with California School Employees Association (CSEA), Local 187 – Effective July 1, 2005 to June 30, 2008
  - 9.5 Declaration of Need for Fully Qualified Educators
  - 9.6 Approve Request for Reduced Workload Program for 2007/2008
  - 9.7 Purchase Orders Presented May 24, 2007
  - 9.8 Budget Transfers Presented May 24, 2007
  - 9.9 Award of Bids
  - 9.10 Acceptance of Donations/Grants/Awards
  - 9.11 Approve School Field Trips
  - 9.12 Approve CAHSEE Local Waivers for Special Education Students
  - 9.13 Approve Minutes of Board Meeting Dated April 26, 2007
  - 9.14 Approve Curriculum for all Low Functioning and Autistic Classrooms at East Side Union High School District
  - 9.15 Approve Certification of Completion for Non-Diploma Bound Low Functioning and Autistic Students Completing the Post-Senior High School Program
  - 9.16 Approve the Appointment of Mrs. Dianne Lemke, parent, to represent East Side Union High School District at the South East Special Education Local Planning Areas (SELPA) Community Advisory Council (CAC) Meetings
  - 9.17 Approve Change Order #1 for the Silver Creek High School Classroom Project (Reinhardt Roofing, INC. – Roofing Portion)
  - 9.18 Approve Change Order #1 for the W.C. Overfelt High School Transitional Housing Project (Cramer Partitions)
  - 9.19 Approve Change Order #1 for the W.C. Overfelt High School Transitional Housing Project (Radiant Electric, Inc.)

- 9.20 Approve Change Order #1 for the W.C. Overfelt High School Additions & Modernization S & T Project (Western Roofing Services)
- 9.21 Approve Change Order #1 for the W.C. Overfelt High School Additions & Modernization S & T Project (American Steel & Stairways, Inc.)
- 9.22 Approve Change Order #1 for the W.C. Overfelt High School Additions & Modernization S & T Project (Cupertino Electric, INC.)
- 9.23 Approve Change Order #1 for the W.C. Overfelt High School Additions & Modernization S & T Project (WKW Mechanical Contractors, Inc.)
- 9.24 Approve Change Order #1 for the W.C. Overfelt High School Additions & Modernization S & T Project (Joseph J. Albanese)
- 9.25 Approve Change Order #1 for the W.C. Overfelt High School Additions & Modernization S & T Project (Ralph Larsen & Son, Inc.)
- 9.26 Approve Notice of Completion for Independence High School Villa D Modernization Project (Beal Martin & Associates)
- 9.27 Approve the Application for the Community-Based English Tutoring Plan (CBET)