

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

AGENDA
June 16, 2011

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 (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-D*

2.02 Public Employee Performance Evaluation
(*Government Code Section 54957*)

2.03 Public Employment/Public Employee Appointment
(*Government Code Section 54957*)

- *Associate Superintendent of Business Services*
- *Principal (2)*
- *Temporary Director of Facilities*

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:

- *Two (2) 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 Danae Stahlnecker – National Merit Scholarship Winner

6.02 Retiring Administrators

- *Thelma Boac, Principal – Silver Creek High School*
- *John Duran, Principal – Santa Teresa High School*
- *Richard Esparza, Associate Principal – James Lick High School*
- *Chris Schroeder, Associate Principal – Mt. Pleasant High School*

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 Presentation on Achievement Gap for African American Students - Patricia Martinez-Roach, Board Member; Mulugeta Habtegabriel, Co-Chairperson of African American Student Advocates; and Sharon Jackson, Co-Chairperson of African American Student Advocates

9.02 Hold Public Hearing at Approximately 6:30 p.m. Regarding the Proposed Budget Adoption for 2011/2012. The Proposed Budget is available for Inspection at the District Office (Business Services Dept.) - Hardy Childers, Interim Associate Superintendent of Business Services

9.03 Presentation of Proposed Budget Adoption for 2010/2011 - Hardy Childers, Interim Associate Superintendent of Business Services

9.04 Presentation and Discussion regarding Campus Safety Program – George Sanchez, Coordinator of Student Services, and Dan Moser, Superintendent

9.05 Discussion and/or Action regarding Budget Alternatives for Campus Safety Program – Dan Moser, Superintendent

9.06 Discuss Legal Expenses for 2010/2011 – Van Le, Board Clerk

9.07 Hold Public Hearing at Approximately 6:45 p.m. Regarding Intent to Lease District Property for Cellular and Wireless Communication Antennas - Hardy Childers, Interim Associate Superintendent of Business Services

9.08 Adopt Resolution #2010/2011-43 Intent to Lease District Property for Cellular and Wireless Communication Antenna Sites - Hardy Childers, Interim Associate Superintendent of Business Services

9.09 Hold Public Hearing at Approximately 7:00 p.m. regarding the Proposed Use of Tier III Categorical Program Funds as Unrestricted Funds (Education Code Section 42605(c2)) - Hardy Childers, Interim Associate Superintendent of Business Services

- 9.10 Approve Use of Tier III Categorical Program Funds as Unrestricted Funds (Education Code Section 42605(c2)) - Hardy Childers, Interim Associate Superintendent of Business Services
- 9.11 Approve Employment Contract for Associate Superintendent of Business Services – Dan Moser, Superintendent
- 9.12 Board Audit Committee Update, Discussion and/or Action and Receive Minutes of April 16, 2011, Board Audit Committee Meeting - Frank Biehl, Audit Committee Chair and Patricia Martinez-Roach, Audit Committee Vice Chair
- 9.13 Discuss Board By Law #9320 Meetings and Notices and Board By Law #9322 Agenda/Meeting Materials - Dan Moser, Superintendent

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

- 10.01 Discuss and/or Approve Program Improvement Year 4 School Alternative Governance Plans - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Kirsten King, Director of Instructional Services
- 10.02 Approve the Appointment of Representatives to the South East Special Education Local Planning Areas Community Advisory Council Meetings - Cathy Giammona, Associate Superintendent, Human Resources and Instruction
- 10.03 Approve Carl D. Perkins 132 Grant 2011-12 Grant Application for East Side Union High School District - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Cari Vaeth, Director of Adult Education and Career Services
- 10.04 Accept Safety Plan Goals Assessment for 2010-2011 - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and George Sanchez, Coordinator of Student Services
- 10.05 Approve Inter-District Attendance Agreements with Milpitas Unified School District and San Francisco Unified School District - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and George Sanchez, Coordinator of Student Services

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

No items on calendar under this section.

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

- 12.01 Adopt Resolution #2010/2011-44 an Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546 - Hardy Childers, Interim Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator
- 12.02 Approve Contracts for Professional Services over \$50,000 - Hardy Childers, Interim Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator
- 12.03 Approve Delegation of Authority to Award Public Works Contract - Hardy Childers, Interim Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator
- 12.04 Receive Second Reading and Adopt Board Policy #3350 Travel Expenses - Hardy Childers, Interim Associate Superintendent of Business Services

12.05 Receive First Reading of Board Policy #3105 Fund Balance (GASB 54) - Hardy Childers, Interim Associate Superintendent of Business Services

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

13.01 Review, Discuss and/or Action of Capital Fund Projects - Hardy Childers, Interim Associate Superintendent of Business Services and John Lawrence, Assistant Director of Maintenance and Operations

13.02 Extension of Measure G Program Management Agreement - Dan Moser, Superintendent

13.03 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 Correspondence from Glen Wetzel: Request to Place Matter on Board Agenda – Glen Wetzel, Parent/Community Member

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 16, 2011
- 14.02 Ratify/Approve Certificated Personnel Actions Presented June 16, 2011
- 14.03 Ratify/Approve Student Aide Personnel Actions Presented June 16, 2011
- 14.04 Approve School Field Trips
- 14.05 Approve Permanent Textbook Adoption for Careers in Focus and Energy, Power and Transportation
- 14.06 Approve Permanent Course Adoption for Aerospace Engineering, Digital Electronics, Elements of Human/Family Service, Genres of Composition, Introduction to Energy Management and Environmental Careers, Introduction to Engineering Design, Manufacturing I & II and Principles of Engineering
- 14.07 Approve Contracts for Professional Services at or Below \$50,000
- 14.08 Approve Memoranda of Understanding
- 14.09 Approve Budget Transfers Presented June 16, 2011
- 14.10 Approve Purchase Orders Presented June 16, 2011
- 14.11 Approve Change Orders to Purchase Orders Presented June 16, 2011
- 14.12 Accept Donations, Awards and Grants
- 14.13 Accept Warrant Register for the Month of May 2011