

EAST SIDE UNION HIGH SCHOOL DISTRICT

Special Meeting of the Board of Trustees

Meeting Held at Education Center

February 27, 2008

East Side Union High School District

APPROVED

Board of Trustees

3-20-08
[Signature]

1) The Special Meeting of the Board of Trustees was called to order at 4:05 p.m. by President Nguyen. Vice President Garcia, Clerk Shirakawa, Member Herrera and Member Biehl were present.

CALL TO ORDER

2) **PLEDGE OF ALLEGIANCE**

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3) **WELCOME AND EXPLANATION TO AUDIENCE**

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

WELCOME AND EXPLANATION

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

CONSIDERATION OF AMENDMENTS

√ *Motion to amend agenda as follows: 8.1 moved to 4.1 due to a scheduling conflict and item 8.4 removed from the agenda and move to the Board Meeting of March 20, 2008, was made by Vice President Garcia seconded by Member Herrera.*

Vote: 5/0

5) **BOARD SPECIAL RECOGNITION (S)**

BOARD SPECIAL RECOGNITIONS

5.1 **Awards were presented to the ESUHSD Fall Sports Champions**

Mt. Pleasant Girls Water Polo Santa Teresa Champions
Oak Grove Girls Volleyball West Valley Champions
Santa Teresa Boys Water Polo Santa Teresa Champions
Oak Grove Football Mt. Hamilton Champions/Central Coast Section Champions

5.2 **Principal Cari Vaeth accepted the award from the Board of Trustees to the Evergreen Valley High School Cougar Math Club.**

The Math Club placed 22nd in the National Ciphering Time Trails, Math Competition

5.3 **An award was presented to Julie Bounds for being the recipient of the Gilbert T. Fretias Annual Memorial Award**

Julie Bounds is a music teacher, Santa Teresa High School

5.4 **An award was presented to Jennifer Fernandes for being the recipient of the KBAY, Teacher of the Month**

Jennifer Fernandes is a Science and Chemistry teacher at Silver Creek High School

<p>6) <u>PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD OF TRUSTEES</u></p> <ul style="list-style-type: none">•John Moore, Julie Bounds Award•Wendy Stegeman, Math Classes•Marisa Hanson, Future Layoffs•Yvette Tran, Academic Master Plan•Brian Uhler, Measure E Funds•Raul Perez, Support for MST Services•Sherri Trujillo, Support for MST Services•Stephanie Blanco, Support for MST Services•Anemarie Abellana, Support for MST Services•Kim Abellana, Support for MST Services•Catherine Ortiz, Support for MST Services•Joe Nguyen, Support for MST Services•Trisha Graves, Support for MST Services•Penny Kelly, Support for MST Services•Jeff Bornefeld, Support for MST Services•Dr. Eury Ramos, Support for MST Services•Greg Barnett, Support for MST Services•Phuong Tran, Support for MST Services•Ana Lomas, Support for MST Services•Marisa Hanson, Support for MST Services•Cindy Bega, CSEA Contract	<p>ORAL COMMUNICATIONS</p>
<p>7) <u>STUDENT BOARD LIAISONS</u></p> <p>7.1 Monica Deleon, ASB President at Santa Teresa High School made a power point presentation.</p> <p>7.2 Belena Andres Garcia and Silverio Rodriguez Olguin, students from Escuela Popular Charter School made a power point presentation.</p>	<p>STUDENT BOARD LIAISON</p>
<p>8) <u>OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION</u></p> <p>8.1 International Baccalaureate Program Presentation – Bettina Lopez, Principal, Michael Winsatt, Coordinator</p> <p style="padding-left: 40px;"><i>√ No action required.</i></p> <p>8.2 Multi Service Team Presentations – Alan Garofalo, Associate Superintendent of Student Services and Facilities</p> <p style="padding-left: 40px;">Rick Chen, MST Coordinator from Independence High School made a presentation. MST coordinators from the 11 high school attended to show their support.</p> <p style="padding-left: 40px;"><i>√ No action required.</i></p> <p>8.3 Hold Public Hearing at 7:00 p.m. – Proposal for Successor Contract</p>	<p>OPERATIONAL ITEMS/ BOARD DISCUSSION AND/OR ACTION</p>

from East Side Union High School District to the California Employee School Association – Jerry Kurr, Associate Superintendent of Administration and Business Services

√ *Hearing was held for Proposal for Successor Contract from East Side Union High School District to the California Employee School Association.*

√ *No action required.*

- 8.4 Tentative Proposed Agreement with East Side Teachers Association/CTA/NEA, August 31, 2008 – August 31, 2009; Ratify/Approve Tentative Agreement – Dan Moser, Associate Superintendent of Instruction and Human Relations

√ *Agenda item pulled.*

- 8.5 Tentative Proposed Agreement with San Jose Federation of Teachers (AFT), July 1, 2007 – June 30, 2010; Ratify/Approve Tentative Agreement – Dan Moser, Associate Superintendent of Instruction and Human Relations

√ *Motion to approve Tentative Proposed Agreement with San Jose Federation of Teachers (AFT), July 1, 2007 – June 30, 2010; Ratify/Approve Tentative Agreement, was made by Member Herrera seconded by Member Biehl.*

Vote: 5/0

- 8.6 Adopt Resolution #2007/2008-24 Declaring March 3-7, 2008, as Week of the School Administrator – Bob Nuñez, Superintendent

√ *Motion to adopt Resolution #2007/2008-24 Declaring March 3-7, 2008, as Week of the School Administrator, was made by Member Biehl seconded by Vice President Garcia.*

Vote: 5/0

- 8.7 Adopt Resolution #2007-2008-25 Governor's Proposed 2008-2009 Budget Proposal – Bob Nuñez, Superintendent

√ *Motion to adopt Resolution #2007-2008-25 Governor's Proposed 2008-2009 Budget Proposal, was made by Member Herrera seconded by Member Biehl.*

Vote: 5/0

- 8.8 Adopt Resolution #2007-2008-26 Recognition of February 2008 as Black History Month – Bob Nuñez, Superintendent
- √ *Motion to adopt Resolution #2007-2008-26 Recognition of February 2008 as Black History Month was made by Member Biehl seconded by Member Herrera.*
Vote: 5/0
- 8.9 Accept Audit Report for June 2007 – Jerry Kurr, Associate Superintendent of Administration and Business Services
- √ *Motion to accept Audit Report for June 2007 was made by Member Biehl seconded by Clerk Shirakawa.*
Vote: 5/0
- 8.10 Approve Provisional Internship Permit Request for Certificated Employees– Dan Moser, Associate Superintendent of Instruction and Human Relations – **Attachment D**
- √ *Motion to approve Provisional Internship Permit Request for Certificated Employees was made by Member Biehl seconded by Vice President Garcia.*
Vote: 5/0
- 8.11 Contracts for Professional Services – Jerry Kurr, Associate Superintendent of Administration and Business Services – **Attachment B**
- √ *Motion to approve Contract for Professional Services, Attachment B, was made by Clerk Shirakawa seconded by Member Herrera.*
Vote: 5/0

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

ATTACHMENT A

- √ *Motion to pull items 9.1, 9.4 and 9.18 and approve the balance of the Consent Calendar was made by Member Herrera, seconded Vice President Garcia.*
Vote: 5/0

(Agenda items in parentheses)

- Ratify and Approve Certificated Personnel Actions Presented February 27, 2008 (9.2)
- Ratify and Approve Student Aide Personnel Actions Presented February 27, 2008 (9.3)
- Approve School Field Trips (9.5)
- Award of Bids (9.6)
- Approve Site Proposals for Expenditures of the 2006 Discretionary Block Grant (Update) (9.7)
- Approve CAHSEE Local Waivers for Special Education Students

(9.8)

- Approval of Consolidated Program Application (CADS) Part II for 2007-2008 (9.9)
- Approve Notice of Completion for the Silver Creek High School New Science Classroom Building (Ralph Larsen & Sons, Inc.) (9.10)
- Approve Notice of Completion for the Fire Alarm Upgrade at Independence High School (Radiant Electric, Inc.) (9.11)
- Approve Notice of Completion for the Football Bleacher Replacement at Mt. Pleasant High School (Robert A. Bothman, Inc.) (9.12)
- Approve Notice of Completion for the Football Bleacher Replacement at Andrew Hill, Piedmont Hills and Santa Teresa High Schools (Robert A. Bothman, Inc.) (9.13)
- Approve Change Order #1 for James Lick, Oak Grove and Yerba Buena High Schools' Ticket Booth and Concession Stand Project (Coulter Construction Inc.) (9.14)
- Approve Change Order #1 for the PE Modernization at James Lick High School (Reinhardt Roofing Inc.) (9.15)
- Approve Change Order #1 for the PE Modernization at James Lick High School (Foothill Air Conditioning & Heating, Inc.) (9.16)
- Approve Change Order #1 for Modernization of Multiple Buildings at Independence High School (IMR Contractors Corporation) (9.17)

Consent Item: 9.1

Superintendent Nuñez made a correction on the 2nd page of Ratify and Approve Classified Personnel Actions presented February 27, 2008. The first name Joseph Burge should read: separation is effected 03/01/2008.

- √ *Motion to approve item 9.1 Ratify and Approve Classified Personnel Actions presented February 27, 2008, as amended was made by Member Biehl, and seconded by Member Herrera.
Vote: 5/0*

Consent Item: 9.4

Member Biehl noted full payment was being made in the Staubach Company. Asked if work had been completed. Questioned when the Board would have the opportunity to look at their report. (Page 16 of Item 9.4)

- √ *Jerry Kurr, Associate Superintendent of Administration and Business Services pulled item the Staubach Company request.*
- √ *Motion to approve item 9.4, Purchase Orders Presented on February 27, 2008, with the exception of Staubach Company was made by Member Biehl, and seconded by Vice President Garcia.
Vote: 5/0*

Consent Item: 9.18

Member Biehl

Correction on the minute's item number 3, Welcome and Explanation to the Audience, it says President Shirakawa, it should read President Nguyen.

- √ *Motion to approve item 9.18, Approve Minutes of Regular Board Meeting Dated January 22, 2008, was approved as amended by Member Biehl, and seconded by Member Herrera.*

Vote: 5/0

Member Biehl noted information regarding Cal Net Appropriation requested at a previous meeting would be provided in a future Friday Letter.

10) **WRITTEN REPORTS**

10.1 Budget Adjustment Report

√ *Report received.*

10.2 Quarterly Report on Santa Clara County Treasury Investment Portfolio Status as of December, 2007

√ *Report received.*

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

11.1 Board of Trustees

Member Herrera
No comments

Member Biehl
I had the opportunity to attend the Best Practices Conference.

Clerk Shirakawa
No comments

Vice President Garcia
I attend the STOP ceremony. I also had the opportunity to attend the Latino Celebration Achievement Awards at Evergreen Valley High School.

President Nguyen
We had the State of the District Ceremony. I feel honored to work with all of these Board members. I feel it is a Strong Board. I hope we have an exciting year.

WRITTEN REPORTS

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

11.1.1 California School Board Delegate Selection

The following delegates were selected by the East Side Union High School District Board of Trustees to serve on the 2008 Delegate Assembly for Region 20 (Santa Clara County)

Frank Biehl (East Side Union High School District)
Cynthia Chang (Los Gatos-Saratoga Union HSD)
Betty Martinez (Mt. Pleasant ESD)
Rudy N. Nasol (Berryessa Union SD)
Kathleen Sullivan (Morgan Hill USD)

√ *Motion to approve Frank Biehl, Cynthia Chang, Betty Martinez, Rudy N. Nasol, and Kathleen Sullivan to the 2008 CSBA Delegate Assembly was made by Member Herrera seconded by Vice President Garcia.*

Vote: 5/0

11.1.2 Member Biehl, MetroEd.

Equalization of funding – Our District entered into an agreement with MetroEd. along with all the other Boards last January. We agreed to an equalization of funding and that each district would be responsible for paying the cost per student, they were sending through MetroEd.

11.2 Superintendent Nuñez

Monday night we had the Academic Master Plan Meeting. I wanted to thank those Board members who attended. We started to engage in the size, program and projects of the schools. We listened to the schools and community members and principals and will be reporting back in August. 73 members attended.

Budget

I hear people really want to know about the budget. There is a meeting tomorrow night. A meeting of the associations, with two Board members and Cabinet. The hope is to start the process. We will have at least two special meetings to see what we will do about our situation. We will be going out to the schools to field questions and provide answers. My hope is the State will decide they cannot make the kind of cut they are talking about to education.

12) CLOSED SESSION

12.1 Expulsions – A-C

*Student A: Approved the expulsion for one academic year.
Vote: 5/0*

*Student B: Approved the expulsion for one academic year.
Vote: 5/0*

CLOSED SESSION

Student C: Approved the suspended expulsion for one academic year.

Vote: 5/0

- 12.2 Public Employee Discipline/Dismissal/Release
(Government Code §Section 54957)

Rogelio Ruiz, District Legal Counsel

The Board by a vote of 5/0 approved Resolution # 2007/2008-27, approving the Non-reelect of 18 Probationary Certificated Teachers for the 2008-2009 school year. Directing the Superintendent to serve notices of "non reelection", no later then March 15, 2008.

- 12.3 Conference with Labor Negotiators
(Government Code §Section 54957.6)

Agency Designated Representative:

Bob Nuñez, Superintendent

Jerry Kurr, Associate Superintendent of Administration and Business Services

Dan Moser, Associate Superintendent of Instruction and Human Relations

Cathy Giammona, Director of Human Resources,

Vida Branner-Siders Director of Compensation and Classified Employee Relations

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

Employee Organizations: East Side Teachers Association (ESTA)

- 12.4 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Subdivision (b) of Section 54956.9 of the Government Code: Claim for damages of R. Becerra

Rogelio Ruiz, District Legal Counsel

The Board by a vote of 5/0 rejected the claim for damages for R. Becerra.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Subdivision (a) of Section 54956.9 of the Government Code: Tessa Cavazos v. East Side Union High School District, et al. (Santa Clara County Superior Court)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code: Four (4) potential cases.

Rogelio Ruiz, District Legal Counsel

The Board by a vote of 5/0, approved the final settlement agreement between the District and Glen and Diane Van Den Bosch regarding the Special Education Program for student, Van Den Bosch. There are no other items to report.

12.5 CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Calero School Site, 420 Calero Avenue, San Jose, CA

District Negotiators: Superintendent Nuñez,
Associate Superintendent Jerry Kurr,
District Counsel Rogelio Ruiz

Negotiating Parties: ESUHSD and Oak Grove Elementary School
District

Under Negotiation: Price and terms for payment.

12.6 PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code §Section 54957)

12.7 Public Employment/Public Employee Appointment (Government
Code §Section 54957)

13) **Report Closed Session Actions (s)**

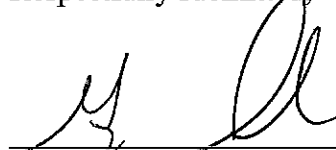
REPORT CLOSED SESSION

14) **Adjournment**

ADJOURNMENT

√ Meeting was adjourned by President Nguyen at 9:29 p.m.

Respectfully submitted,



Clerk of the Board of Trustees