

**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Minutes of the Regular Meeting of the Board of Trustees**  
**Meeting Held at Education Center**  
**May 11, 2006**

1) The Regular Meeting of the Board of Trustees was called to order at 4:07 p.m. by Vice President Nguyen. Clerk Mann, Member Martinez-Roach and Member Shirakawa were present.  
President Herrera arrived at 4:20 p.m.

***CALL TO ORDER***

2) **PLEDGE OF ALLEGIANCE**

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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 Math, Engineering, Science, and Achievement (MESA) – Superintendent Nuñez, Dr. Ana Lomas, Director of Professional Development.

Congratulations to Raquel Ornelas, for being selected as the 2006 MESA Advisor of the Year. Yesenia Guerrero, Assistant Director of the MESA School Program at San Jose State University, recognized East Side Union High School District students for being a medalist at MESA Day competition on Saturday, March 11, 2006. The students won a variety of awards in the areas of Geometry, Algebra 2, Trigonometry, and Bridge Design. The following students were recognized for their outstanding achievement.

Lillian Tran	Hernan Murillo	Jayson Huynh
Thomas Le	Norita Mengu	Thao Quang
Theresa Mai	Christopher Dang	Lumens Nguyen
Nancy Martinez	Jonathan Lopez	Justin Daquina
Tina Nguyen	Mildred Guerra	Laura Quintana

4.2 Black Student Union Presentation – Linda Gubman, Interim Assistant Superintendent of Instructional Services

District wide student members of the Black Student Union surprised Superintendent Bob Nuñez with a plaque in recognition of his outstanding support of their organization.

<p>5) <b><u>CONSIDERATION OF PROPOSED AMENDMENTS TO THE AGENDA</u></b></p>	<p><i>CONSIDERATION OF AMENDMENTS</i></p>
<p>No amendments</p>	
<p>6) <b><u>PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD OF TRUSTEES</u></b></p>	<p><i>ORAL COMMUNICATIONS</i></p>
<ul style="list-style-type: none"> <li>•Rev. Christopher Thompson, African American Student Conference</li> <li>•Douglas Nguyen, Student, Andrew Hill High School Fireworks Display</li> <li>•Harry Adjei, Student, Independence H.S. Basketball Coach</li> <li>•Heart Ilaoa, Student, Independence H.S. Basketball Coach</li> <li>•Ezriel Labio, Student, Independence H.S. Basketball Coach</li> <li>•Nathan Belete, Student, Independence H.S. Basketball Coach</li> <li>•Alan Thep, Student, Independence H.S. Basketball Coach</li> <li>•Ashley Abraham, Student, Independence H.S. Basketball Coach</li> <li>•Phong Vo, Student, Independence H.S. Basketball Coach</li> <li>•Lawrence Avamolifun, Parent, California Exit Exam “Walking the Stage”.</li> <li>•Christina Pizarro, Student, California Exit Exam</li> <li>•Crystal Romero, Student, California Exit Exam</li> <li>•Rachel Stanek, Teacher, California Exit Exam</li> <li>•Tere Barbella, Teacher, Ballroom Dance Program at Andrew Hill H.S.</li> <li>•Adrian Flores, Ballroom Dance Program at Andrew Hill H.S.</li> <li>•John Reinke, Parent, Santa Teresa Principal Appointment</li> <li>•Kirk Kanavel, Parent, Santa Teresa Soccer Playing Field</li> <li>•Dorothy Hines, Teacher, Thanks to Superintendent Nunez for the Eunice Shriver Special Ed. Students.</li> <li>•Mike Reed, Activities Director at Santa Teresa H.S., Wellness Policy</li> <li>•Jon Reinke, Parent, Wellness Policy</li> <li>•Don McKell, ESTA, Wellness Policy</li> <li>•John Moore, Fireworks Request</li> </ul>	
<p>7) <b><u>STUDENT ACHIEVEMENT/BOARD DISCUSSION AND/OR ACTION</u></b></p>	<p><i>STUDENT ACHIEVEMENT</i></p>
<p>1. Student Representative Amie Sulaimam, Vice President of Community Affairs from Oak Grove High School made a presentation. Amie will also serve as next years ASB President.</p>	
<p>Oak Grove High School students have just completed STAR testing. Students had a successful senior prom and play production. Oak Grove High School has an excellent athletic program.</p>	
<p>2. Student Representative Rei Calma, 2006-2007, ASB President, from Silver Creek High School made a presentation. Silver Creek will be receiving a new science building. Jr. Prom was at the YMCA. Senior Prom was in San Francisco on a boat.</p>	
<p>8) <b><u>OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION</u></b></p>	<p><i>OPERATIONAL ITEMS/ BOARD DISCUSSION AND/OR ACTION</i></p>
<p>8.1 Charter School Renewal for MACSA Academia Calmecac – Linda Gubman, Interim Assistant Superintendent of Instructional Services</p>	
<p>√ <i>Motion to approve Renewal for MACSA Academia Calmecac, by</i></p>	

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*Clerk Mann seconded by Member Shirakawa*  
*Vote: 5/0*

- 8.2 First Reading of the Local School Wellness Policy – Patricia Martinez-Roach, Member of Board of Trustee, Julie Kasberger, Director of Child Nutrition Services, Ana Lomas, Director of Professional Development, Alecia Myers, SAC Physical Education Health and Committee

A presentation was given by the committee. A special thank you to Member Martinez-Roach for attending all the meetings and supporting this policy. A Senate Bill needs to be presented by July 2007.

Member Martinez-Roach

*Thank you to committee members Julie Kasberger, Director of Child Nutrition and Holly Weber, Santa Clara County Child Nutrition. I am committed to supporting this item, but I want to make it clear, it will have a fiscal impact. I would like to recommend we accept this as our first reading.*

- 8.3 Adopt Resolution #2005-2006-36 – re Opposition to HR4437 – Patricia Martinez-Roach, Member of Board of Trustees, Rick Abeyta, Assistant Superintendent of Student Services

Member Martinez-Roach

*I would like to make one change in the resolution. Change the word “children” to “youngster”.*

- √ ***Motion to adopt Resolution #2005-2006-36 – re Opposition to HR4437 - by Member Martinez-Roach, seconded by Member Shirakawa***  
*Vote: 5/0*

- 8.4 California High School Exit Exam (CAHSEE) Waivers for Special Education Students – Linda Gubman, Interim Assistant Superintendent of Instructional Services

Education code allows for a waiver to be processed and approved by the Board for those special education students who take either one or both parts of the CAHSEE with an equivalent of a passing score. SB517 allows for exemption of special education students for this year.

- √ ***Motion to approve California High School Exit Exam (CAHSEE) Waiver for Special Education Students by Clerk Mann, seconded by Vice President Nguyen.***  
*Vote: 5/0*

- 8.5 Request for Waiver of Board Policy 5142.1, Pertaining to Fire Prevention and Safety Compliance at Andrew Hill High School, for Fireworks Show on May 16, 2006 – Alan Garofalo, Assistant Superintendent of Operations

Superintendent Nuñez motioned to pull this item. The individuals requesting the waiver cancelled their request.

Member Shirakawa

*I want to address this item. I would like to see the community get more support regarding events like this. I would like to bring back this policy, in the future, for another vote. I believe there was a mistake made when this policy was passed. The Board has a right to act on this item. If items are placed on the agenda and the majority of the Board which to consider the items it may be addressed.*

Member Martinez-Roach

*I find it troubling that we would consider this item of fireworks. My other concern is state and church.*

- √ ***Motion to approve Request for Waiver of Board Policy 5142.1, Pertaining to Fire Prevention and Safety Compliance at Andrew Hill High School, for Fireworks Show on May 16, 2006, by Member Shirakawa, seconded by Clerk Mann that this items is acted on today.***

***Vote: 4/0 (Patricia Martinez-Roach voting no.)***

- 8.6 Contract for Professional Services – Jerry Kurr, Interim Assistant Superintendent – Attachment B

Number 5 Que Huong Radio, \$1,5000. To disseminate district and school information to limited English families from Vietnam. This items is paid from Restricted Categorical Funds.

Member Martinez-Roach

*I am wondering why they are charging for a public announcement? I would like to have this item back at our next Board Meeting so we can establish a policy and a protocol.*

- √ ***Motion to approve Contract for Professional Services dated May 11, 2006, by Clerk Mann, seconded by Member Shirakawa.***

***Vote: 4/0 (Member Martinez-Roach abstention.)***

- 8.7 Memorandum of Understandings – Jerry Kurr, Interim Assistant Superintendent – Attachment C

√ *Motion to approve Memorandum of Understanding dated May 11, 2006, by Clerk Mann, seconded by Member Shirakawa.  
Vote: 5/0*

- 9) **ATTACHMENT A/CONSENT CALENDAR APPROVAL OF AGENDA**  
*Item 9.7 were pulled by Superintendent Bob Nuñez. Superintendent Bob Nuñez indicated CSEA has a later date to ratify this agreement so they would like to bring this back to the June 1, 2006 Board Meeting.*

*ATTACHMENT A*

√ *Motion by Clerk Mann, seconded by Vice President Nguyen to approve the remainder of the Consent Items as amended.  
Vote: 5/0*

(Agenda items in parentheses)

- Ratify/Approve Classified Personnel Actions Presented May 11, 2006 (9.1)
- Ratify/Approve Certificated Personnel Actions Presented May 11, 2006(9.2)
- Ratify/Approve Student Aide Personnel Actions Presented May 11, 2006 (9.3)
- Approve Provisional Internship Permit Request for Certificated Employee (9.4)
- Declaration of Need for Fully Qualified Educators (9.5)
- Approve Request for Reduced Workload Program for the 2006-2007 School Year (9.6)
- Purchase Orders Presented May 11, 2006 (9.8)
- Budget Transfers Presented May 11, 2006 (9.9)
- Award of Bids (9.10)
- Acceptance of Donations/Grants/Awards (9.11)
- Approve Distribution of Scholarship Funds (9.12)
- Selection of Tax Deferred Services (TDS) for Common Remitting/457 Plan Effective July 1, 2006 (9.13)
- Adopt Resolution #2005/2006-37 An Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546 (9.14)
- Approve Minutes of Regular Board Meeting Dated March 9, 2006 (9.15)
- Approve Minutes of Special Board Meeting Dated March 16, 2006 (9.15.1)
- Approve Updated Five-Year Deferred Maintenance Plan (9.16)
- Approve Notice of Completion for Santa Teresa High School Landscape/Streetscape (Dolan Concrete) (9.17)
- Approve Notice of Completion for Santa Teresa High School Landscape/Streetscape (El Camino Paving) (9.18)
- Approve Notice of Completion for Santa Teresa High School Landscape/Streetscape (Central Fence) (9.19)
- Approve New Novels for Instruction (9.20)

Course of Study Name Change Update - PE Course 1, PE  
Course 2 (9.21)  
Adopt Resolution #2005/2006-38 Approve Funding for the Child  
Development Grant Award- Linda Gubman, Interim Assistant  
Superintendent of Instructional Services (9.22)  
Approve School Field Trips (9.23)

10) **WRITTEN REPORTS**

10.1 Measure G General Obligation Bond Fund Agreed-Upon Procedures  
Report, June 30, 2006 – Bob Nuñez, Superintendent

*Member Martinez-Roach would like to bring this item back for  
discussion to the June 1, 2006, Board Meeting.*

10.2 Receive Williams Settlement Uniform Complaint Report for Period  
Covering January 1, 2006 through March 31, 2006 – Linda Gubman,  
Interim Assistant Superintendent of Instructional Services

10.3 Energy Report – Alan Garofalo, Assistant Superintendent of  
Operations

*Member Martinez-Roach would like to bring this item back for  
discussion to the June 1, 2006, Board Meeting.*

10.4 2006-2007 Comprehensive School Safety Plans – Ric Abeyta,  
Assistant Superintendent of Student Services

10.5 Quarterly Report on Santa Clara County Treasury Investment  
Portfolio Status as of March 31, 2006 – Jerry Kurr, Interim Assistant  
Superintendent of Business Services

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

11.1 Board of Trustees

Member Martinez-Roach

*Student Board Relations meeting was held at Overfelt High School.  
This is a wonderful hard working group. I will miss them during the  
summer.*

Clerk Mann

*I attended the graduation for 36 of our employees who received their  
Masters in Education Leadership. It was good to see professional  
development in action.*

Lan Nguyen

*Last Saturday I had an opportunity to attend the first Educational  
Summit. This was an exciting event. Thank you to those who gave*

**WRITTEN REPORTS**

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

*their input on how to improve the district and the educational system.*

11.2 Superintendent Bob Nuñez

*This is Teacher Appreciation Week. I would like to say thank you. In honor of "Teacher Appreciation Week," teachers were invited to join the Superintendent and Assistant Superintendents for cake at their sites.*

12) **CLOSED SESSION**

12.1 Expulsions – A

Student A: Expulsion approved for one academic year.

**Vote: 4/0**

(President Herrera not present.)

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

**No Action**

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

Agency Designated Representative: Superintendent Bob Nuñez  
Employee Organizations: East Side Teachers Association (ESTA)  
California School Employees Association (CSEA)  
American Federation of Teachers (AFT)

**No Action**

12.4 Public Employment Performance Evaluation (Government Code §Section 54957)

•Superintendent

**No Action**

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

•Associate Principal (4)

Vote :5/0 Angela Cornelius as Associate Principal

Vote: 5/0 Ron Cueba as Associate Principal

Vote: 5/0 Jesus Marron as Associate Principal

•Associate Principal (3)

Vote: 4/1 Richard Frias as Principal

(Member Martinez-Roach voting nay.)

Vote: 5/0 John Duran as Principal

Vote: 5/0 Cecille Bell as Principal

13) **ADJOURNMENT**

**CLOSED SESSION**

**ADJOURNMENT**

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Motion to adjourn by President Herrera seconded by Clerk Mann, the meeting was adjourned by Board President Herrera at 8.25 p.m.

Respectfully submitted,

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Clerk of the Board of Trustees