

**EAST SIDE UNION HIGH SCHOOL DISTRICT
Minutes of the Special Meeting of the Board of Trustees
Meeting Held at Education Center
June 22, 2006**

Approved as
AMENDED 8/24/06

- 1) The Special Meeting of the Board of Trustees was called to order at 5:06 p.m. by President Herrera. Vice President Nguyen, Clerk Mann and Member Shirakawa were present. Member Martinez-Roach absent.
- 2) **PLEDGE OF ALLEGIANCE**
- 3) **WELCOME AND EXPLANATION TO AUDIENCE**
President Herrera explained the Special Board Meeting procedures and how citizens can address the Board. Written information regarding items 6.1 and 6.2 were located near the entrance to the Board Room.
- 4) **CONSIDERATION OF PROPOSED AMENDMENTS TO AGENDA**
None.
- 5) **PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD OF TRUSTEES**
 - Ruben Dominguez – Conduct of Member Martinez-Roach
 - Wendy Stegeman – Intervention recommendation on item 6.1
- 6) **OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**
 - 6.1 Review and consideration of conduct of Board Member Martinez-Roach in Open Session at Board Meeting of May 25, 2006 and June 15, 2006; Review and consideration of Board options and powers and Member’s request for retention of outside counsel –Member Shirakawa

CALL TO ORDER

PLEDGE OF ALLEGIANCE

WELCOME AND EXPLANANATION

CONSIDERATION OF PROPOSED AMENDMENTS

ORAL COMMUNICATIONS

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

Member Shirakawa
There was an incident on May 25, 2006, at our Special Board Meeting regarding the California High School Exit Exam. It is unfortunate that Member Martinez-Roach is not present for this meeting. I was contacted by many people who attended this meeting. These people expressed outrage. Again, I did not witness it, but, I did hear what happened. I have sent a statement to all Board Members. I believe this is a Board issue. One of our Board Members made inappropriate remarks to Board Member, Vice President Nguyen. I would like to know our investigation powers, and be provided with this information.

I want to be assured Member Martinez-Roach is treated fairly, respectfully and provided all information in open process.

Due to her absence Member Martinez-Roach requested the following communications be read into the record by President Herrera on her behalf.

Subj: (no subject)
Date: 6/22/06 4:47:26 P.M. Pacific Daylight Time
From: RoachP@esuhsd.org
To: jmanuelherrera@aol.com
CC: rruiz@bwslaw.com, mrtzroach@aol.com

Manuel,
I am formally requesting that the item listed under 6.1 be deferred. I have had a family vacation planned for over a year and I am not feeling well. I will not be back until the end of July, 2006. It would be unfair not to be able to defend myself and/or have legal representation.

I am afraid and fear for my safety; I am very distressed. I don't know what to expect next from George Shirakawa, Jr., Lan Nguyen and Craig Mann. Member Shirakawas' persistence and obvious influence over the majority of the board regarding the alleged changes brought by him are quite disturbing; he was not even at the special meeting of the 25 of May 2006. The serial emails sent from Craig, Lan and George have raised serious questions of Violations of the Brown Act, premeditation and a conspiracy towards me.

Everything I do I do for kids. My only interest is to serve our district. We should all be concerned that any member of a school board would consider their self interest above the interest of our students.

My first amendment rights have been violated. I have endured harassment and intimidation for years by the School Board.

I am confident that in the end I will be vindicated and my record as a Trustee will prove itself. I expect nothing more than a public apology. We have more important business to take care of. Our students.

Should the Board majority take action on the item noted on this agenda, I request that this letter be read into the record and that a legal representation be appointed to represent my interest as a Board Member. It is with a heavy heart that I write this letter and wished that our personal differences would have been resolved in private.

Patricia Martinez-Roach

Vice President Nguyen

I am hoping the Board will authorize an investigation. The persons

who were present deserve an investigation.

Clerk Mann

I was at the meeting. I was approach by parents and staff. I want us to take great care and make sure everyone's due process rights are respected.

President Herrera

Motion that this item be deferred as requested by Member Martinez-Roach.

Vote: 1/3, (Vice President Nguyen, Clerk Mann, and Member Shirakawa voting no to the motion that this items be deferred.)

A motion by Member Shirakawa was made to contact a third party investigator, Hanson Bridgett Marcus Vlahos & Rudy, LLP. "There is information we need back with our options, if founded. If Member Martinez-Roach feels she needs some representation, fine, this will be included in the motion. I have responded to what I have heard and was told. I am going to take the next step. Hanson Bridgett Marcus Vlahos & Rudy, LLP can get down to the truth, and we can get on to other important issues in this district. We cannot ignore this kind of behavior." Motion seconded by Clerk Mann to contact Hanson Bridgett Marcus Vlahos & Rudy, LLP.

President Herrera

For the record, the nature of Member Martinez-Roach's remarks was issued in a very angry and harsh manner. She said, "You should be ashamed of yourself." It can be interpreted in more than one way. It can be interpreted as a verbal assault. My own interpretation is that this was a moment of anger and upset. I do not see this as rising to the level of a formal investigation. Especially, because the Board has not taken any intermediate steps.

*Vote: 3/0 President Herrera abstaining.
Member Martinez-Roach absent.*

6.2 Work Session for General Fund Budget for 2006/2007 –
Superintendent Bob Nuñez

This item was addressed at 6:30 p.m. as posted. There were only two Board Members who could attend this session. President Herrera was advised by Legal Counsel he would have to formally adjourn the Board meeting.

It was noted by President Herrera he would be available to have a budget session with the community after the Board Meeting was

adjourned. There is no intention to take action on this item. Note:
This item was placed on the agenda to give community members a
more detailed observation of the budget and to address the
administration with questions.

13) **ADJOURNMENT**

Motion to adjourn by Clerk Mann, seconded by Member Shirakawa.
Meeting adjourned by President Herrera at 6:40 p.m.

ADJOURNMENT

Respectfully submitted,

Clerk of the Board of Trustees