

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

**AGENDA**  
**September 20, 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 5:00 P.M.**

The Regular Board Meeting will begin at 5:00 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)**

Oak Grove High School Robotics Presentation

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

**7. Student Board Liaisons**

Kanika Laroia, ASB President of Evergreen Valley High School  
Anh Vu, ASB President of Yerba Buena High School

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

- 8.1 Hold Public Hearing at 6:10 p.m. To Adopt Resolution # 2007/2008–11 Regarding the Sufficiency of Textbooks and Instructional Materials – Dan Moser, Associate Superintendent of Instruction and Human Relations

- 8.2 Summary Report of Student Achievement 2006-2007 and Program Improvement – Dan Moser, Associate Superintendent of Instruction and Human Relations and Jane Baldi, Director of Testing Evaluation and Research
- 8.3 Academic Master Plan Update – Bob Nuñez, Superintendent, Marie Grey, of Eric Hall & Associates
- 8.4 Land and Facilities Subcommittee Report Regarding Capitol Property and Developer Fees – Bob Nuñez, Superintendent and George Shirakawa, President, Board of Trustees, East Side Union High School District
- 8.5 Adopt Resolution #2007/2008-12 To Authorize the Issuance of School Bonds, Establishing Specifications of the Election Order, and Requesting Consolidation with Other Elections occurring on February 5, 2008 – Bob Nuñez, Superintendent and Jerry Kurr, Associate Superintendent of Administration and Business Services
- 8.6 Fire and Science Academy at James Lick Fire House Presentation; Potential Joint Use Facilities Agreement with the City of San Jose – George Shirakawa, President, Board of Trustees, East Side Union High School District
- 8.7 Career-Technical Education Honors Program & Career-Technical Education Diploma Seal – Alan Garofalo, Assistant Superintendent of Student Services and Facilities, Dr. Geraldine Forte, Director of Career Services, and Brenda Childress of Santa Clara County Construction Careers Association AG
- 8.8 Adopt Resolution #2007/2008-10 - Gann Spending Limit – Jerry Kurr, Associate Superintendent of Administration and Business Services
- 8.9 Unaudited Actuals for 2006-2007 – Jerry Kurr, Associate Superintendent of Administration and Business Services
- 8.10 Adopt Resolution #2007/2008-13 To Authorize Adjustments of Expenditures and Adopt Resolution #2007/2008-14 Revenues Between the Undistributed Reserve – Jerry Kurr, Associate Superintendent of Administration and Business Services
- 8.11 Compensation for Staff not Represented by a Bargaining Unit – Jerry Kurr, Associate Superintendent of Administration and Business Services
- 8.12 Nomination and Election of Alternate to MetroEd Board – George Shirakawa, Board President, East Side Union High School District
- 8.13 Proposed Ground Lease Between Santa Clara County Office of Education and the East Side Union High School District for Facilities Improvements at Foothill High School – Bob Nuñez, Superintendent
- 8.14 Approve Variable Term Waiver Request for a Certificated Employee – Dan Moser, Associate Superintendent of Instruction and Human Relations – **Attachment D**
- 8.15 Approve Provisional Internship Permit Requests for Certificated Employees – Dan Moser, Associate Superintendent of Instruction and Human Relations – **Attachment E**
- 8.16 Contracts for Professional Services – Jerry Kurr, Associate Superintendent of Administration and Business Services – **Attachment B**
- 8.17 Memoranda of Understanding – Jerry Kurr, Associate Superintendent of Administration and Business Services – **Attachment C**
- 8.18 First Reading of 9000 Board Policies – Superintendent Bob Nuñez
- 8.19 Approve Revision of Salary Range for Director of Transportation – Jerry Kurr, Associate Superintendent of Administration and Business Services

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

**10. Written Reports/Recommendation**

- 10.1 Optimizon Copier/Printer Report – Jerry Kurr, Associate Superintendent of Administration and Business Services

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

- 11.1 Board of Trustees
- 11.2 Bob Nuñez, Superintendent
  - Public Library at Independence High School

**12. Closed Session**

- 12.1 EXPULSIONS -none
- 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  
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)  
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 B. Huizar against ESUHSD and Claim for Damages of T. Taylor against ESUHSD, and two potential case.  
  
**CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION**  
(Subdivision (a) of Government Code Section 54956.9)  
Name of case: Tessa Cavazos v. Carol Blackerby and East Side Union High School District;  
Santa Clara County Superior Court
- 12.5 PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
(Government Code § Section 54957)
  - Superintendent
- 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 September 20, 2007
- 9.2 Ratify and Approve Certificated Personnel Actions Presented September 20, 2007
- 9.3 Ratify and Approve Student Aide Personnel Actions Presented September 20, 2007
- 9.4 Approve Job Description and Salary Range for Telecommunications Manager
- 9.5 Purchase Orders Presented September 20, 2007
- 9.6 Budget Transfers Presented September 20, 2007
- 9.7 Award of Bids
- 9.8 Acceptance of Donations/Grants/Awards
- 9.9 Rate of Pay Increase for Campus Police Officers
- 9.10 Approve Notice of Completion for the WC Overfelt High School Transitional Housing Project (Joseph J. Albanese, Inc.)
- 9.11 Approve Notice of Completion for the Multiple Campus Safety Cameras Installation Phase I (Elcor Electric, Inc.)
- 9.12 Approve Notice of Completion for the Multiple Campus Safety Cameras Installation Phase II (Elcor Electric, Inc.)
- 9.13 Approve Change Order #1 for Silver Creek High School Phase 1 - New Science Classroom Building (Mastria Incorporated)
- 9.14 Approve Change Order #1 for Foothill High School Relocatable Classrooms (Ralph Larsen & Son Inc.)
- 9.15 Approve Change Order #1 for Silver Creek High School Phase 1 -New Science Classroom Building (B&B Landscape Contractors, Inc.)
- 9.16 Approve Change Order #1 for Silver Creek High School Phase 1 - New Science Classroom Building (Joseph J. Albanese, Inc.)
- 9.17 Approve Change Order #1 for Silver Creek High School Phase 1- New Science Classroom Building (American Steel & Stairways, Inc.)
- 9.18 Approve Change Order #1 for Silver Creek High School Phase 1 - New Science Classroom Building (Sprig Electric)
- 9.19 Approve Change Order #1 for Silver Creek High School Phase 1 – New Science Classroom Building (Foothill Air Conditioning & Heating, Inc.)

- 9.20 Approve Change Order #1 for Silver Creek High School Phase 2 - Landscape (Beals Martin)
- 9.21 Approve Change Order #1 for Silver Creek High School Phase 2 - Landscape (Joseph J. Albanese, Inc.)
- 9.22 Approve Change Order #1 for Silver Creek High School Phase 2 - Landscape (Jensen Landscape)
- 9.23 Approve Change Order #1 for the Mt. Pleasant/IAC Low Voltage Project (Elcor Electric, Inc.)
- 9.24 Approve Minutes of Regular Board Meeting Dated August 23, 2007