

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

AGENDA
May 14, 2008

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 24 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.

Written notice is hereby given in accordance with Government Code Section 54956 that a Special Meeting of the Governing Board of the East Side Union High School District shall be held:

Date: Wednesday, May 14, 2008
Time: 12:00 p.m.
Place: East Side Union High School District - Lounge
830 N. Capitol Avenue
San Jose, CA 95133

Members of the public shall have an opportunity to address the Board of Trustees on the agenda items identified below. *[Government Code §Section 54954.3]*

The business to be transacted at the Special Board Meeting shall be limited to the following:

CLOSED SESSION 12:00 P.M.

The Special Board Meeting will begin at 12:00 p.m. in the Lounge of the East Side Union High School District. 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 section 54957.7)
- 1.3 Recess to Closed Session (Open Session will resume at the end of Closed Session in the Lounge at approximately 12:10 p.m.)
SEE ITEM 7 ON AGENDA (CLOSED SESSION)

OPEN SESSION 12:10 P.M.

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 will be located near the entrance to the Lounge.

4. **Consideration of Proposed Amendments to the Agenda**

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

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

6.1 Reduction in Force: Issuance of Final Layoff Notices to Certificated Employees

Adopt Resolution No. 2007/2008-47

Board action directing Superintendent to issue final layoff notices to certificated employees affected by reduction in force. - Bob Nuñez, Superintendent

7. **Closed Session**

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

8. **Report Closed Session Action(s)**

9. **Adjournment**

EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of May 14, 2008
Agenda Item: 6.1

TO: Board of Trustees
FROM: Bob Nuñez, Superintendent
SUBJECT: Issuance of Final Layoff Notices to Certificated Employees

On March 11, 2008, the Board adopted Resolution #2007/2008-30 to reduce particular kinds of services and directed the Superintendent to issue preliminary layoff notices to certificated employees affected by those reductions.

Following the adoption of Resolution #2007/2008-30, Administration has determined that it will not be necessary to reduce the following services:

- School Site Counselors (13 FTE)
- Advisors (9 FTE)
- Career Vocational Specialist (1 FTE)
- Teacher on Special Assignment/Data Director Support (1 FTE)
- Teacher on Special Assignment/Math Recovery (1 FTE)
- Teacher on Special Assignment/Post-senior Workability (1 FTE).

Consequently, I have withdrawn the preliminary layoff notices served upon the individuals who would have been affected by a reduction in these services. The remaining services to be reduced include:

- Librarians (8.8 FTE)
- Planetarium Director (1 FTE)
- Teacher on Special Assignment/Community Day School (1 FTE)
- Drafting Occupations Teacher (1 FTE)

I have determined that it will be necessary to reduce librarian services by 8.8 FTEs instead of 11 FTEs as previously indicated in Resolution #2007/2008-30. The librarians affected by this reduction are eleven senior employees who will exercise their reemployment rights and will be assigned to a .2 FTE librarian assignment and .8 FTE classroom assignment. The Planetarium Director affected by this reduction is also a senior employee with reemployment rights who shall be assigned to a classroom position. These employees have signed a stipulation agreeing to these assignments and waiving their right to a hearing in this matter.

The other employees affected by these reductions have waived their right to a hearing and will be afforded any reemployment rights to which they are entitled.

As required by Education Code Section 44955, employees who will be laid off from their positions for the 2008-2009 school year must be given a final notice of termination of services before May 15, 2008.

RECOMMENDATION

Direct the Superintendent to issue a final notice of termination of services before May 15, 2008, to certificated employees affected by the approved reduction in services.

**EAST SIDE UNION HIGH SCHOOL DISTRICT
ISSUANCE OF FINAL LAYOFF NOTICES**

RESOLUTION NO. 2007/2008-47

WHEREAS, the Governing Board is authorized under Education Code Section 44949 and 44955 to reduce particular kinds of services;

WHEREAS, on March 11, 2008, the Governing Board adopted Resolution #2007/2008-30 to reduce particular kinds of services and directed the Superintendent to send layoff notices to all employees affected by the reduction;

WHEREAS, the Superintendent sent appropriate notices to all employees affected by the reduction of particular kinds of services in accordance with relevant provisions of the Education Code and afforded the employees all rights to which they were entitled;

WHEREAS, the Superintendent has determined that it will not be necessary to reduce the following particular kinds of services for the 2008-09 school year as previously listed in Resolution #2007/2008-30:

School Site Counselors

Advisors

Career Vocational Specialist

Teacher on Special Assignment
Data Director Support

Teacher on Special Assignment
Math Recovery

Teacher on Special Assignment
Post-senior and Workability

WHEREAS, the Superintendent has withdrawn the Accusations served upon individuals who would have been affected by a reduction in the services listed above;

WHEREAS, the Superintendent has determined that it will be necessary to reduce librarian services by 8.8 FTEs instead of 11 FTEs as previously listed on Resolution #2007/2008-30 and that this shall be achieved through a .80 FTE reduction in assignment for eleven librarians.

WHEREAS, the District must implement the remaining reductions in the following services listed in Resolution #2007/2008-30:

Particular Kind of Service	Number of Full-time Equivalent Positions (“FTEs”)
Librarians	8.8 FTEs
Planetarium Director	1 FTE
Teacher on Special Assignment Community Day School	1 FTE
Drafting Occupations Teacher	1 FTE

WHEREAS, all certificated employees affected by these reductions have waived their right to a hearing;

WHEREAS, the Superintendent recommends, pursuant to Education Code section 44955, that a final notice of termination of services be served upon the affected certificated employees before May 15, 2008, to achieve these reductions.

NOW THEREFORE, IT IS HEREBY RESOLVED THAT:

The Board accepts the Superintendent’s March 11, 2008 recommendations for reductions in particular kinds of services with these modifications.

Pursuant to Education Code Section 44955, the Governing Board hereby directs the Superintendent to serve upon the affected certificated employees a final notice of termination of services before May 15, 2008.

Adopted by the East Side Union High School District Governing Board on May 14, 2008.

By the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Clerk of the Governing Board of the
East Side Union High School District