

EAST SIDE UNION HIGH SCHOOL DISTRICT
Regular Meeting of the Board of Trustees
Independence High School
Large Gymnasium
1776 Educational Park Drive
San Jose, CA 95133

AGENDA
March 10, 2011

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) 347-5011. 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 4:00 P.M.

The Regular Board Meeting will begin at 4:00 p.m. in the large gymnasium at Independence High School. 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 C-05 Conference Room at Independence High School.

1. Call to Order/ Roll Call

1.01 Roll Call

1.02 Announcement and Public Comment regarding Items to be discussed in Closed Session
(*Government Code §54957.7*)

1.03 Recess to Closed Session in the C-05 Conference Room (Open Session will resume at the end of Closed Session in the large gymnasium at approximately 6:00 p.m.)
SEE ITEM 2 ON AGENDA (CLOSED SESSION)

2. Closed Session

2.01 Expulsion(s): A-C

2.02 Public Employment/Public Employee Appointment
(*Government Code Section 54957*)

- *Associate Superintendent of Business Services*
- *Interim Associate Superintendent of Business Services*

2.03 Public Employee Discipline/Dismissal/Release
(*Government Code Section 54957*)

2.04 Public Employee Performance Evaluation
(Government Code Section 54957)

2.05 Conference with Labor Negotiators
(Government Code Section 54957.6)

Agency Designated Representatives:

Dan Moser, Superintendent

Cathy Giammona, Associate Superintendent of Human Resources and Instruction

Vida Branner, Director of Compensation and Classified Employee Relations

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

2.06 Conference with Legal Counsel – Existing Litigation
Subdivision (a) of Section 54956.9 of the Government Code: Two (2) Cases

- *Kinetics Mechanical Services, Inc. vs. East Side Union High School District, Santa Clara County Superior Court, Case No. 109CV141312*
- *Geraldine Forte vs. East Side Union High School District, U.S. District Court for the Northern District of California, San Jose Division, Case Number CV 10-01368 HRL*

2.07 Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code:

- *Claim of Bruce Flyn Associates, Inc. and Bruce Flyn and One (1) Other Potential Case*

Open Session at approximately 6:00 P.M. – Independence High School Large Gymnasium

3. Pledge of Allegiance

4. 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 large gymnasium.

5. Consideration of Proposed Amendments to Agenda

6. Public Members who wish to Address the Board of Trustees

Persons wishing to address the Board must fill out a gold request form, which is located at the entrance of the large gymnasium.

7. Board of Trustees/ Superintendent - Operational Items/Board Discussion and/or Action

- 7.01 Review, Consideration and Adoption of Resolution #2010/2011-28 Authorizing Reduction in Classified Workforce – Dan Moser, Superintendent
- 7.02 Review, Consideration and Adoption of Resolution #2010/2011-29 Authorizing Reduction in Certificated Workforce – Dan Moser, Superintendent
- 7.03 Hold Public Hearing at Approximately 6:15 p.m. – Proposed Adoption of the Initial Proposal for Successor Contract: From East Side Union High School District to San Jose Federation of Teachers Local 957, AFT, AFL-CIO - Dan Moser, Superintendent; and Cathy Giammona, Associate Superintendent, Human Resources and Instruction
- 7.04 Hold Public Hearing at Approximately 6:20 p.m. – Proposed Adoption of the Initial Proposal for Successor Contract: From East Side Union High School District to East Side Teachers Association - Dan Moser, Superintendent; and Cathy Giammona, Associate Superintendent, Human Resources and Instruction
- 7.05 Hold Public Hearing at Approximately 6:30 p.m. - Receive and Sunshine the Initial Proposal for Successor Contract: From East Side Teachers Association to East Side Union High School District - Dan Moser, Superintendent; and Cathy Giammona, Associate Superintendent, Human Resources and Instruction
- 7.06 Approve Employment Contract for Interim Associate Superintendent of Business Services – Dan Moser, Superintendent
- 7.07 Approve Second Interim Financial Report for 2010/2011 – Dan Moser, Superintendent, and Hardy Childers, Interim Associate Superintendent of Business Services
- 7.08 Board Audit Committee Update, Discussion and/or Action - Frank Biehl, Audit Committee Chair, and Patricia Martinez-Roach, Audit Committee Vice Chair

8. Board of Trustees/Superintendent Communications/Comments

- 8.01 Board of Trustees
- Lan Nguyen, President
 - Frank Biehl, Vice President
 - MetroED
 - Van Le, Clerk
 - Patricia Martinez-Roach, Member
 - J. Manuel Herrera, Member

8.02 Dan Moser, Superintendent

9. Report Closed Session Action(s)

10. Adjournment