

# Approved As Amended

Board Meeting of January 25, 2007  
Agenda Item: 9.11  
Attachment A

**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
Minutes of the Regular Meeting of the Board of Trustees  
Meeting Held at Education Center  
November 16, 2006

**APPROVED**  
Board of Trustees

*1-25-07*

1) The Regular Meeting of the Board of Trustees was called to order at 4:06 p.m. by President Herrera. Clerk Mann and Member Martinez-Roach were present. Vice President Nguyen arrived at 4:08 p.m. Member Shirakawa arrived at 4:10 p.m.

**CALL TO ORDER**

2) **PLEDGE OF ALLEGIANCE**

**PLEDGE OF ALLEGIANCE**

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 A special recognition was made to the Victor & Luz Estrella Family for their contributions to the community and the students of the East Side Union High School District. The Estrella Family was recognized in 1997 and received the Hispanic Foundation of Silicon Valley La Familia Award. The family received a recognition award from the East Side Union High School District's Board of Trustees.

4.2 East Side Union High School District received the Activate American Award from the YMCA at the Awards of Excellence Recognition Luncheon on November 14, 2006. Julie Kasberger, Director of Child Nutrition, Board Member Martinez-Roach and Alecia Myers, Subject Area Coordinator received the award on behalf of the district.

5) **CONSIDERATION OF PROPOSED AMENDMENTS TO THE AGENDA**

**CONSIDERATION OF AMENDMENTS**

√ *Motion to move agenda item 8.7 to 8.1, renumbering 8.1 through 8.7 was made by Clerk Mann and seconded by Vice President Nguyen .  
Vote: 4/0 (Member Shirakawa recused himself from discussion on this item.*

6) **PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD OF TRUSTEES**

**ORAL COMMUNICATIONS**

- Don McKell, ESTA President, Member Martinez-Roach Recognition
- Tapan Mehta, Boundary Changes
- Lou Kvitck, Election Results; Congratulations to Craig Mann; Thank you to Member Martinez-Roach.
- Ed Wong, Congratulations to New Members of the Board; Thank you to Member Martinez-Roach

- Dave Tang, Boundary Changes
- Frank Biehl, Thank you to Member Martinez Roach for her 21 years of service.
- John Moore, Thank you to Member Martinez-Roach
- Ying Khong, Boundy Changes
- Ed Wong, Parent, Evergreen/East Hills Vision Strategy Task Force
- Lou Kvitek, Evergreen/East Hills Vision Strategy Task Force
- Patrick Hendry, Evergreen/East Hills Vision Strategy Task Force
- Loretta Mosley, Evergreen/East Hills Vision Strategy Task Force
- David Tang, Evergreen/East Hills Vision Strategy Task Force
- Frank Biehl, Parent, Evergreen/East Hills Vision Strategy Task Force
- Bill Brockmeyer, Parent, Evergreen/East Hills Vision Strategy Task Force
- Dan Goult, Evergreen/East Hills Vision Strategy Task Force
- Mike Ivy, Parent, Evergreen/East Hills Vision Strategy Task Force
- Bonnie Mace, Parent, Evergreen/East Hills Vision Strategy Task Force
- Jim Zito, Evergreen/East Hills Vision Strategy Task Force
- John Moore, Community Member, Evergreen/East Hills Vision Strategy Task Force
- Sherry Gilmore, Evergreen/East Hills Vision Strategy Task Force
- Don McKell, 8.6 Board Vacancy, Extending Timeline
- Cecil Lawson, 8.6 Board Vacancy, Extending Timeline
- Frank Biehl, 8.6 Board Vacancy, Extending Timeline
- Roland Smith, 8.6 Board Vacancy, Extending Timeline
- Ruben Dominguez, 8.6 Board Vacancy, Extending Timeline
- John Reinke, 8.6 Board Vacancy, Extending Timeline
- Ruben Dominguez, 8.8 Resolution 2006/2007-15

7) **STUDENT BOARD LIAISONS**

1. Hong Le, ASB President from Independence High School made a school presentation. Students had a successful Homecoming events. Over 800 students attended the Homecoming Dance.
2. Liza De Los Reyes, ASB President from William C. Overfelt High made a school presentation. Homecoming events were successful. Staff is conducting workshops for seniors who will be continuing school.

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

- 8.1 Evergreen/East Hills Vision Strategy Task Force – Bob Nuñez, Superintendent

Member George Shirakawa recused himself from discussion on this item. (Left Board Room)

***STUDENT BOARD LIAISONS***

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

Superintendent Nuñez

*This does not require action tonight. We need to take a look at an overall master plan. We need to include community members.*

*This item was a discussion item only. At the Special Board Meeting of December 14, 2006, the Superintendent will share date(s) for study session(s), a district master plan and timeline.*

- 8.2 Latino Student Coalition East Side Union High School District Presentation –Bob Nuñez, Superintendent and Dr. Aurora Quevedo, Director of Student Services

Superintendent Nuñez presented an award to students who attended the Association of Mexican American Educator Conference (AMAE) in Ontario, CA. on November 2-5, 2006. A presentation was made by the Dr. Aurora Quevedo. Parents and student were honored for their participation.

- 8.3 Further Discussion Re: Teacher Classroom Supply Relief Fund – Board of Trustees, Jerry Kurr, Interim Assistant Superintendent of Business Services

√ *Motion to approve Teacher Classroom Supply Relief Fund was made by Clerk Mann, seconded by Vice President Nguyen .  
Vote: 4/0*

*•Member Martinez-Roach was feeling ill and excused herself from the meeting.*

- 8.4 Adopt Resolution #2006/2007-11 Authorizing the Sale of Limited Obligation Bonds to Refinance Certain Post-Employment Retirement Benefit Obligations of the District, Approving the Final Form of Related Financing Documents and Approving Official Actions – Jerry Kurr, Interim Assistant Superintendent of Business Services

√ *Motion to Adopt Resolution #2006/2007-11 Authorizing the Sale of Limited Obligation Bonds to Refinance Certain Post-Employment Retirement Benefit Obligations of the District, Approving the Final Form of Related Financing Documents and Approving Official Actions, was made by Clerk Mann, seconded by Member Shirakawa.  
Vote: 4/0*

- 8.5 Adopt Resolution 2006/2007-14 – Establishing the Public Retirement System and Approving By-Laws –Jerry Kurr, Interim Assistant Superintendent of Business Services

- √ *Motion to Adopt Resolution 2006/2007-14 – Establishing the Public Retirement System and Approving By-Laws was made by Clerk Mann, seconded by Vice President Nguyen.  
Vote: 4/0*

- 8.6 Approve Non-Bargaining Unit Revised Certificated Management Salary Schedule for 2006-2007 – Jerry Kurr, Interim Assistant Superintendent of Business Services

- √ *Motion to Approve Non-Bargaining Unit Revised Certificated Management Salary Schedule for 2006-2007 was made by Clerk Mann, seconded by Member Shirakawa.  
Vote: 4/0*

- 8.7 Pending Board Vacancy; Appointment of District Citizens Advisory Committee Re: Provisional Appointment to the Board – Bob Nuñez, Superintendent

The Board approved the *District Citizens Advisory Committee*.  
The committee will consist of the following panel members:

- *Don McKell, ESTA President*
- *Filiberto Zamora, CSEA President*
- *Jennifer Lewis, AFT President*
- *Vito Chiala, ACSA President*
- *Betty Banderas, Confidential Employees Representative*
- *Julie Pratico, Andrew Hill School Site Council President*
- *Shelly Moneymaker, Piedmont Hills School Site Council President*
- *Angie Nunn, Silver Creek School Site Council President*
- *Sara Przemielewski, Wm. C. Overfelt School Site Council President*
- *Andrew Mann, Evergreen Valley High School ASB President*
- *Hong Le, Independence High School ASB President*
- *Chalesea Schuler, Mt. Pleasant High School ASB President*
- *Amie Sulaiman, Oak Grove High School ASB President*
- *Amelia Yeh, Santa Teresa High School ASB President*
- *Harriet Arnold, African American Community Coalition*
- *Juan Estrada, Latino Parent Coalition*
- *Representative from Asian Community*
- *Bob Nuñez, Superintendent*
- *Alan Garofalo, Assistant Superintendent of Operations*
- *Jerry Kurr, Interim Assistant Superintendent of Business Services*
- *Linda Gubman, Assistant Superintendent of Human Resources*

Vice President Nguyen

*I would like to extend the timeline.*

√ *Motion to approve Appointment of District Citizens Advisory Committee Re: Provisional Appointment to the Board was made by Clerk Mann, seconded by Member Shirakawa.*  
*Vote: 4/0*

~~√ *Motion to extend the timeline to 2 weeks to Appointment of District Citizens Advisory Committee Re: Provisional Appointment to the Board was made by Vice President Nguyen, seconded by Member Shirakawa.*~~  
~~*Vote: 2/1, President J. Herrera, voting no*~~  
~~*1 abstention by Clerk Mann*~~  
~~*Motion fails for lack of majority vote*~~

√ *Motion to extend the timeline to 2 weeks to Appointment of District Citizens Advisory Committee Re: Provisional Appointment to the Board was made by Vice President Nguyen, seconded by Member Shirakawa for discussion.*  
*Vote: 2/1, President Herrera and Vice President Lan Nguyen, voting-yes. Clerk Mann voting no.*  
*1 abstention by Member Shirakawa*  
*Motion fails for lack of majority vote*

8.8 Adopt Resolution 2006/2007-15 – Supporting the Intent of Assembly Bill 1802 to Provide Increased Counseling Services to the Students of East Side Union High School District – Jerry Kurr, Interim Assistant Superintendent of Business Service

√ *Motion to Adopt Resolution 2006/2007-15 – Supporting the Intent of Assembly Bill 1802 to Provide Increased Counseling Services to the Students of East Side Union High School District was made by Clerk Mann, seconded by Member Shirakawa.*  
*Vote: 4/0*

8.9 Summary Report of Student Achievement 2005-2006 – Patricia Martinez-Roach, Board Member

√ *Item carried due to absence of Member Martinez-Roach.*

8.10 Receive Williams Settlement Uniform Complaint Report for Period Covering July 1, 2006, through September 30, 2006, as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727) – Patricia Martinez-Roach, Board Member

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√ *Item carried due to absence of Member Martinez-Roach.*

Adopt Resolution #2006/2007-12 – Transfer of Territory to San Jose Unified School District and Resolution #2006/2007-16 Transfer of Territory to East Side Union High School District – Alan Garofalo, Assistant Superintendent of Operations

8.11

√ *Motion to Adopt Resolution #2006/2007-12 – Transfer of Territory to San Jose Unified School District and Resolution #2006/2007-16 Transfer of Territory to East Side Union High School District was made by Clerk Mann, seconded by Member Shirakawa.*

*Vote: 4/0*

8.12

Adopt Resolution #2006/2007-13 – To Allow Our District Representative to File Modernization Application with OPSC to Seek Available State Funding for the Independence High School Fire Alarm Project – Alan Garofalo, Assistant Superintendent of Operations

√ *Motion to Adopt Resolution #2006/2007-13 – To Allow Our District Representative to File Modernization Application with OPSC to Seek Available State Funding for the Independence High School Fire Alarm Project was made by Clerk Mann, seconded by Vice President Nguyen.*

*Vote: 4/0*

8.13

Adopt Resolution #2006/2007-09 – An Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546 – Jerry Kurr, Interim Assistant Superintendent of Business Services

√ *Motion to Adopt Resolution #2006/2007-09 – An Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546 was made by Clerk Mann, seconded by Member Shirakawa.*

*Vote: 4/0*

8.14

Approve Variable Term Waiver Requests for Certificated Employees – Jerry Kurr, Interim Assistant Superintendent of Business Services – **Attachment D**

√ *Motion to Approve Variable Term Waiver Requests for Certificated Employees, Attachment D, was made by Clerk Mann, seconded by Member Shirakawa.*

*Vote: 4/0*

- 8.15 Approve Provisional Internship Permit Requests for Certificated Employees – Jerry Kurr, Interim Assistant Superintendent of Business Services – **Attachment E**

√ *Motion to Approve Provisional Internship Permit Requests for Certificated Employees, Attachment E, was made by Clerk Mann, seconded by Member Shirakawa.*  
*Vote: 4/0*

- 8.16 Contracts for Professional Services – Jerry Kurr, Interim Assistant Superintendent of Business Services – **Attachment B**

√ *Motion to approve Contracts for Professional Services, Attachment B, was made by Clerk Mann, seconded by Member Shirakawa.*  
*Vote: 4/0*

- 8.17 Approve Request for Use of Education Code 44258.7 – Teacher on Special Assignment for 2006/2007 School Year – Jerry Kurr, Interim Assistant Superintendent of Business Services

√ *Motion to Approve Request for Use of Education Code 44258.7 – Teacher on Special Assignment for 2006/2007 School Year was made by Clerk Mann, seconded by Member Shirakawa.*  
*Vote: 4/0*

- 8.18 Memoranda of Understandings – Jerry Kurr, Interim Assistant Superintendent of Business Services – **Attachment C**

√ *Motion to approve Memoranda of Understandings, Attachment C was made by Clerk Mann, seconded by Vice President Nguyen.*  
*Vote: 4/0*

9) **ATTACHMENT A/CONSENT CALENDAR APPROVAL OF AGENDA**

√ *Motion to approve the entire Consent Calendar was made by Clerk Mann, seconded by Vice President Nguyen.*  
*Vote: 4/0*

(Agenda items in parentheses)

- Ratify/Approve Classified Personnel Actions Presented  
November 16, 2006 (9.1)
- Ratify/Approve Certificated Personnel Actions Presented  
November 16, 2006 (9.2)
- Ratify/Approve Student Aide Personnel Actions Presented  
November 16, 2006 (9.3)
- Purchase Orders Presented November 16, 2006 (9.4)
- Budget Transfers Presented November 16, 2006 (9.5)

**ATTACHMENT A**

- Acceptance of Donations (9.6)
- Approve School Field Trips (9.7)
- Local Agreement for Child Development Services: Instructional Materials Contract CIMS-6630 (9.8)
- Approve Job Description and Salary Range for Assistant Director of Construction/Facilities (9.9)
- Approve Change Order #1 for Evergreen Valley High School Track and Field Improvements Project (Robert A. Bothman, Inc.) (9.10)
- Approve Notice of Completion for Andrew Hill Baseball Irrigation Improvements Project (Eggli Landscape Contractors, Inc.) (9.11)
- Approve Notice of Completion for James Lick High School Student Services/Streetscape Project (B & B Landscaping Contractors, Inc.) (9.12)
- Approve Notice of Completion for James Lick High School Student Services/Streetscape Project (Foothill AC & Heating) (9.13)
- Approve Notice of Completion for James Lick High School Student Services/Streetscape Project (O.C. Jones & Sons) (9.14)
- Approve Notice of Completion for James Lick High School Student Services/Streetscape Project (Redwood City Electric Inc.) (9.15)
- Approve Notice of Completion for James Lick High School Student Services/Streetscape Project (Mastria) (9.16)
- Approve Notice of Completion for James Lick High School Student Services/Streetscape Project (Allied Environmental) (9.17)
- Approve Notice of Completion for Evergreen Valley High School New Wainscot/Wall Repair at Various Hallways Project (Miller Paneling Specialties) (9.18)
- Approve Notice of Completion for Roof Replacement at Various Sites Project (Andy's Roofing Co. Inc.) (9.19)
- Proposed Safety Drills for 2006/2007 (9.20)
- Approve Minutes of Regular Board Meeting Dated October 26, 2006(9.21)

10) **WRITTEN REPORTS**

- 10.1 Quarterly Report on Santa Clara County Treasury Investment Portfolio Status as of September 30, 2006 – Jerry Kurr, Interim Assistant Superintendent of Business Services

*Report received.*

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

- 11.1 Board of Trustees

*Clerk Mann*

*Congratulation to all the victors. Friday the 24<sup>th</sup> of November will be your first real day you will succeed here.*

***WRITTEN REPORTS***

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



Member Shirakawa

*Congratulated Frank Biehl and J. Manuel Herrera on their election. I wanted to thank Patricia Martinez-Roach for her service to the community.*

President J. Manuel Herrera

*At the December 7, 2006, Board meeting there will be a special reception and acknowledgement for Craig Mann and Patricia Martinez-Roach. Also, a swearing in ceremony for Frank Biehl, George Shirakawa, and myself, for the new terms we will be entering.*

11.2 Superintendent Nuñez

*The students who attended the trip in Ontario, California, did an outstanding job. I am very proud of them.*

12) CLOSED SESSION

**CLOSED SESSION**

12.1 Expulsions – A-G

*Student A: Expulsion approved for one academic year.  
Vote: 5/0*

*Student B: Expulsion approved for one academic year.  
Vote: 5/0*

*Student C: Expulsion approved suspended academic year.  
Vote: 5/0*

*Student D: Expulsion approved for one academic year.  
Vote: 5/0*

*Student E: Expulsion approved for one academic year.  
Vote: 5/0*

*Student F: Expulsion approved for one academic year.  
Vote: 5/0*

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

12.3 Conference with Labor Negotiators  
(Government Code §Section 54957.6)  
Agency Designated Representative: Bob Nuñez, Superintendent and  
Linda Gubman, Interim Superintendent of Instructional Services  
American Federation of Teachers (AFT)  
California School Employees Association (CSEA)  
Employee Organizations: 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: 1 potential case

12.5 PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
(Government Code §Section 54957)

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

•Approved Karen Mazza as Director of English Language Learners  
Education/Supplementary English

*Vote: 4/0 Member Patricia Martinez-Roach abstaining*

•Approved Linda Gubman as Assistant Superintendent of Human  
Resources

*Vote: 4/0 Member Patricia Martinez-Roach abstaining*

13) Report Closed Session Actions (s)

**REPORT CLOSED SESSION**

14) Adjournment

**ADJOURNMENT**

Meeting was adjourned by Board President Herrera at 9:00 p.m.

Respectfully submitted,

  
Clerk of the Board of Trustees