

**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Minutes of the Regular Meeting of Board of Trustees**  
**Meeting Held at Education Center**  
**June 3, 2004**

The Regular Meeting of the Board of Trustees was called to order at 4:02 P.M. By President Ramirez, Clerk Mann, Member Herrera and Member Martinez-Roach were present. Vice President Shirakawa arrived at 4:25 P.M.

The Board adjourned to Closed Session to hear Update On Existing Litigation, Potential Litigation (Educ. Sec. 54856.9), Update on ESTA Grievance, Personnel Assignments-Performance Audit, Public Employee Employment/Appointments/Contracts, Release/Suspension/Dismissal/Termination of Certificated Employees, Suspension/Dismissal/Termination of Classified Employees, Employee Negotiations - ESTA, CSEA, Confidential, Administration, Superintendent's Report on Anticipated Litigation/Business Contract.

1) **BOARD RECONVENED FROM CLOSED SESSION**

Called to order at 6:03 P.M. All members were present

2) **PLEDGE OF ALLEGIANCE**

3) **WELCOME AND EXPLANATION TO AUDIENCE**

President Ramirez extended a welcome to the audience, explained the format of the meeting, and noted that all board meetings are recorded.

4) **SPECIAL RECOGNITIONS**

- Style Volunteers
- Students of the Year

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

NONE

**APPROVAL OF PROPOSED AMENDMENTS TO THE AGENDA**

On a Motion by Clerk Mann second Member Roach to approve agenda as is **Vote: 5/0**

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

- Duc T. Hoang —Regarding son at IHS
- Silver Creek High School Staff -Regarding Science Clerk Typist
- Dolores Marquez - Parent IHS school congratulating Music instructor/band
- Angela Rojas - CFJ
- Dennis Umphress - Capitol Ave Property/Purchase Orders/Budget Transfers
- Dave Castro - Special Education
- Don McKell-Special Education/Mandrin Language
- Bart Charlow - Camp Anytown

7) **STUDENT ACHIEVEMENT/BOARD DISCUSSION AND/OR ACTION**

7.1 Student Representative from Andrew Hill High School

*CALL TO ORDER*

*ADJOURNED TO  
CLOSED SESSION*

*RECONVENED FROM  
CLOSED SESSION*

*PLEDGE OF ALLEGIANCE*

*WELCOME AND  
EXPLANATION*

*SPECIAL RECOGNITIONS*

*CONSIDERATION OF  
AMENDMENTS*

*ORAL COMMUNICATIONS*

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

- 8.1 Hold Public Hearing 6:30 P.M. on Tentative Contract Agreement with American Federation of Teachers (AFT), July 1, 2004– June 30, 2007, in Compliance with AB1200  
**Public Hearing opened there were no speakers on this Pubic Hearing**
- 8.2 Presentation of 2004/2005 Preliminary Budget-Doug Emerson  
**Member Roach asking if there would be a possibility of having monitors available for the Board to be able to follow all presentations.**  
**Member Herrera suggesting to have a seperate work session early next year to be able to discuss the process of the Budget .**  
**Member Roach asking for a clear document that shows all reductions, how reductions were balanced and how reductions will impact the schools.**
- 8.3 Silicon Valley Advisors Update/Recommendations on Capitol Ave. Property  
Mr. Ed Alvarez listed the advantages and disadvantages of selling of Property.  
**Motion by Member Herrera to authorize the Superintendent to take next steps to bring back financial analysis to first meeting in August with dollar amount for all different sceneries of land use of 830 N. Capitol Ave, second Clerk Mann Vote 4/1 Member Roach - Voting No**
- 8.4 Special Education Reduction of General Fund Encroachment Plan  
**Motion to approve 8.4 by Clerk Mann, second by Vice President Shirakawa to Vote 5/0**

OPERATIONAL ITEMS/BOARD  
DISCUSSION AND/OR ACTION**9) ATTACHMENT A/CONSENT CALENDAR****APPROVAL OF AGENDA**

*Items: (9.1), (9.2), (9.7), (9.13), (9.15), (9.18), (9.20) were pulled for discussion/approval.*  
**Motion by Member Herrera second Clerk Mann, to approve the remainder of Consent Items as amended, Vote 5/0**

*(Agenda items in parentheses)*

- Approve Classified Personnel Actions Dated June 3, 2004 **(9.3)**
- Approve Certificated Personnel Actions Dated June 3, 2004 **(9.4)**
- Approve Minutes of Board Meeting Dated June 3, 2004 **(9.5)**
- Accept Grants/Gifts/Donation **(9.6)**
- Award Bids **(9.8)**
- Approve Field Trips - **None (9.9)**
- Ratify Tentative Agreement with San Jose Federation of Teachers (FT), July 1, 2004—June 30, 2007, in Compliance with AB1200 **(9.10)**
- Approve Requests for Reduced Workload Program for 2004-2005 School Year **(9.11)**
- Approve Budget Transfer of \$2,600,000 from Special Reserve Fund 17 to Unrestricted General Fund 03 **(9.12)**
- Approve Change Order #1 for Oak Grove High School Pool Renovation Project **(9.14)**
- Approve Amendment to Board Policy 5127: Graduation Requirements; Section 4, ADD SECTION 4.2.3: Voluntary Participation in Bilingual Certification Program for Graduating Seniors **(9.16)**
- Approve Declaration of Need for Fully Qualified Educators **(9.17)**
- Approve Board of Trustees Calendar for 2004/2005 School Year **(9.19)**

✓ **Motion to approve item (9.1) by Vice President Shirakawa, second by Clerk Mann Vote: 5/0**

✓ **Motion to approve item (9.2) by Clerk Mann, second by Vice President Shirakawa Vote: 4/1 Member Herrera out of the room**

✓ **Motion to approve item (9.7) by Clerk Mann, second Vice President Shirakawa, Vote: 5/0 as amended: Superintendent requesting correction to SJSU Agreement**

ATTACHMENT A

- √ Motion to approve item (9.13) by Clerk Mann second Vice President Shirakawa  
Vote:4/0/1 Member Roach Abstained
- √ Motion to *to defer for 2 weeks and review* item (9.15) by Vice President Shirakawa,  
second by Clerk Mann Vote:4/1 Member Roach voting No
- √ Motion to approve item (9.18) by Member Roach second Clerk Mann  
Vote:5/0 Item pulled to be brought back to June 17th meeting.
- √ Motion to approve item (9.20) by Member Roach second Vice President Shirakawa  
Vote:5/0

#### 10) WRITTEN REPORTS

- 10.1 Progress Update on Audit Recommendation

*WRITTEN REPORTS*

#### 11) BOARD OF TRUSTEES/SUPERINTENDENT'S COMMENTS

- 11.1 Board of Trustees  
**Vice President Shirakawa asking the Superintendent to donate some money to the IHS band The Superintendent will donate some Pepsi money to Independence Band**
- Member Martinez-Roach- **Report on Metro Ed - Mr. Hallet is recovering from surgery, No major updates**
- Member Martinez-Roach- **Student Board Meeting- Students bringing up the bathrooms at the schools**
- Member Martinez-Roach- **Requesting the Superintendent to review the contract for Sodexho America and investigate where we can save money**
- 11.2 Superintendent- **Introduced New Chiefs, thanked Aurora Quevedo for her work on the Bilingual recognitions for students. Camp Anytown evaluation/information will be coming to you from all schools**

*BOARD/SUPERINTENDENT  
COMMENTS*

#### 12) CLOSED SESSION

- 12.1 Expulsions – A 4/0 Vote, **Vice President Shirakawa absent**
- 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: Superintendent, Dr. Zendejas Employee Organization: East Side Teachers Association
- 12.4 Anticipated Litigation (Government Code Section 54956.9)  
Conference with Legal Counsel – **ANTICIPATED LITIGATION**, Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 statement threatening litigation. (1) Potential case
- 12.5 Public Employee Performance Evaluation (Government Code §Section 54957)
- 12.6 Public Employment/Transfer (Government Code §Section 54957)
- 12.7 Liability Claims (*Government Code Section 54956.9b*)

*CLOSED SESSION*

#### ADJOURNMENT

On motion by Clerk Mann second by Vice President Shirakawa the meeting was adjourned at 10:10 P.M.

Respectfully submitted,

Craig Mann  
Board Clerk