

Board Meeting of August 26, 2004

Agenda Item: 9.5

ATTACHMENT A

**EAST SIDE UNION HIGH SCHOOL DISTRICT
Minutes of the Regular Meeting of Board of Trustees
Meeting Held at Education Center
June 17, 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 4:06 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. Superintendent was not present Board Presidentwannounced Dr. Zendejas was out due to a family emergency.

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

- Bilingual Certifications

5) CONSIDERATION OF PROPOSED AMENDMENTS TO THE AGENDA

Motion by Member Roach, second Clerk Mann to move item 8.2 to 8.1 **Vote 5/0**

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

- Marx Advincula
- Lina Salgado
- Julie Pratico
- Fil Zamora
- Dennis Umphress
- Cheryl Platon
- Duc T. Hoang - Parent
- Mary Espinosa
- Don Mckell
- Ruben Dominguez
- Bill Kendricks - did not speak
- Bart Charlow - did not speak
- Rick Callender
- Tommy Fulcher
- Robert Brown

7) STUDENT ACHIEVEMENT/BOARD DISCUSSION AND/OR ACTION

None

8) OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

- 8.1 Presentation of Survey Results Regarding Parcel Tax Election - Mr. Dale Scott
- 8.2 Hold Public Hearing 6:15 P.M.. Regarding Calling an Election for Parcel Tax **Public Hearing opened there were three speakers on this Pubic Hearing Motion by Member Herrera to move item 9.12 from the consent calendar to 8.2 for action, second by Clerk Mann Vote: 5/0**

CALL TO ORDER

*ADJOURNED TO
CLOSED SESSION*

*RECONVENED FROM
CLOSED SESSION*

PLEDGE OF ALLEGIANCE

*WELCOME AND
EXPLANANATION*

SPECIAL RECOGNITIONS

*CONSIDERATION OF
AMENDMENTS*

ORAL COMMUNICATIONS

APPROVED
Board of Trustees
08/26/2004
mfg

Motion by Member Herrera authorizing the calling of a Parcel Tax Election at \$50.00 per parcel for the November 2004 election approving Resolution #2003/2004-32, second Clerk Mann Vote: 5/0

*OPERATIONAL ITEMS/BOARD
DISCUSSION AND/OR ACTION*

- 8.3 Adopt 2004/2005 Budget - Motion to approve by Clerk Mann, second by Vice President Shirakawa Vote: 4/1, Member Roach Voting No
- 8.4 Review Previously Approved List of Architects, Construction Management and Program Management Firm.
- 8.5 Review Previously Approved List of Approved Law Firms- **Vice President Shirakawa noted the Board is the only body who is authorized to select Legal Firms for the District . Vice President Shirakawa is requesting to be brought back to the August meeting a simple list from 7/1/03 - 6/30/04 all monies spent on Legal fees, the list is to contain Name of firm, description of service performed also cost each firm is charging. President Ramirez stated that they have been in communications with Burke Williams & Sorenson and the understanding is there are two different processes one is: To review current list of firms, and have open discussion about each firm and to decide to give a recommendation to the Superintendent if there will be an approved list of firms or if the district will be using only one legal firm Also, regarding the concerns about the current firm Burke Williams and Sorenson the Board will evaluate this firm in closed session. Member Roach wanted to be on the record indicating her objection of the Board negotiating a contract with Burke Williams & Sorenson law firm without Board Approval. President Ramirez called on Burke Williams, Sorenson representative Mr. Ruiz to clarify. Mr. Ruiz noted there was no contract being negotiated, the company only provided the information requested by the Board at the last meeting of the types of services the company is providing the district it's expertise, and on what basis the firm has been providing legal services to the district since January of 2003. No contract is being negotiated and what was distributed to the Board was a copy of the proposal for General Counsel Services that was presented to the Board in January of 2003.**
- 8.6 Student Dress and Grooming Administrative Regulation-Motion to approve by Clerk Mann, second Vice President Shirakawa Vote: 5/0

9) **ATTACHMENT A/CONSENT CALENDAR**

APPROVAL OF AGENDA

Items: (9.1), (9.2), (9.7), (9.8), (9.18), (9.21), (9.23), (9.24), (9.25) were pulled for discussion/approval. Item (9.12) was pulled and approved under section 8.2 An Emergenci item is added to the consent agenda to be 9.26, Motion by Member Herrera, second Clerk Mann 5/0

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 17, 2004 (9.3)
- Approve Certificated Personnel Actions Dated June 17, 2004 (9.4)
- Approve Minutes of Board Meeting Dated June 17, 2004 (9.5)
- Approve Field Trips (9.9)
- Approve Tentative Agreement Between East Side Teachers' Association and East Side Union High School District (9.10)
- Adopt Resolution # 2003/2004-31 Itemized List of Surplus Property for Sale, Donation and/or Disposal per education Code Sections 17545 and 17546 (9.11)
- Approval for Two New Courses of Study: International Relations and Medical Terminology (9.13)
- Reapplication for funding the Community-Based English Tutoring (CBET) Program for 2004-2005 (9.14)
- Approval of Consolidated Program Application (SIDE—100)—Part 1 for 2004-05 (9.15)
- Approve Change Order #1 C1 Building Fire Repair for Independence High School (9.16)
- Approve Evergreen Community College Lease Agreement for Interim Housing (Biotech Academy) To Reduce Overcrowding at Evergreen Valley High School (9.17)
- Authorize Superintendent or Designee to Award Bids for Summer Projects (9.19)
- Approve Memorandum of Understanding between East Side Union High School District and Cathedral of Faith (9.20)

ATTACHMENT A

- Adopt Resolution #2003/2004-33 Resolution of East Side Union High School District Regarding or Elimination of Services (9.22)
- Emergency Item: Motion by member Herrera, second Clerk Mann to add item to the consent calendar as an emergency item **Vote of 5/0** Grant Proposal for Project Hope (9.26)
- ✓ **Motion to approve item (9.1) by Vice President Shirakawa, second Clerk Mann**
Vote:5/0
- ✓ **Motion to approve item 9.7 by Member Mann, second Vice President Shirakawa,**
Vote:4/1 Member Roach Voting No
- ✓ **Motion to approve item (9.8) by Vice President Shirakawa, second Clerk Mann**
Vote:4/0 (Member Herrera out of the room)
- ✓ **Motion to approve item (9.18) by Member Roach second Clerk Mann**
Vote:4/0 (Member Herrera out of room)
- ✓ **Motion to approve item (9.21) by Clerk Mann, second Vice President Shirakawa**
Vote:4/0 (Member Herrera out of the room)
- ✓ **Motion to approve item (9.23) by Clerk Mann, second Vice President Shirakawa**
Vote:4/0 (Member Herrera out of the room)
- ✓ **Motion to approve item (9.24) by Clerk Mann, second Vice President Shirakaw**
Vote:4/1 Member Roach voting No
- ✓ **Motion to approve item (9.25) by Clerk Mann, second Vice President Shirakawa**
Vote: 4/1 Member Roach voting No
- ✓ **Motion to approve emergency item (9.26) by Clerk Mann, second Vice President Shirakawa**
Vote: 5/0

WRITTEN REPORTS**BOARD/SUPERINTENDENT
COMMENTS****10) WRITTEN REPORTS**

- 10.1 Report on the Status of Certificated Grievances

11) BOARD OF TRUSTEES/SUPERINTENDENT'S COMMENTS

- 11.1 Board of Trustees - Martinez-Roach, congratulations on graduations
- 11.2 Art Darin asking to change August meeting to August 19th
Member Herrera stated the reasons the original date was moved due to the fact that one member was not able to attend. He suggested there be a special meeting called for August to deal with only the items of a time sensitive nature

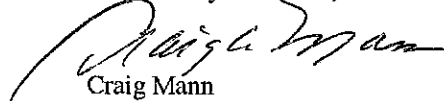
CLOSED SESSION**12) CLOSED SESSION**

- 12.1 Expulsions – A 5/0 Vote, to expell and took action to suspend expulsion - Student B 5/0 Vote, to expell for 1 academic year
- 12.5 Public Employee Performance Evaluation (Government Code §Section 54957)
Superintendent, Deputy Superintendent, Chief Interim Financial Officer, Chief Academic Officer, Chief Operations Officer, Chief Human Resources, Chief Safety, Security a Student Services Officer
On a vote of 5/0 Board to action to extend Contract for the Superintendent for 1 additional year to July 31, 2007 with all other contractual terms to remain the same.
- 12.6 Public Employment/Transfer (Government Code §Section 54957)

ADJOURNMENT

On motion by Member Heerrera second by Vice President Shirakawa the meeting was adjourned at 9:45 P.M.

Respectfully submitted,



Craig Mann
Board Clerk