

EAST SIDE UNION HIGH SCHOOL DISTRICT
Minutes of the Regular Meeting of the Board of Trustees
Meeting Held at Education Center
September 20, 2007

APPROVED
Board of Trustees

10-18-07
[Signature]

1) The Regular Meeting of the Board of Trustees was called to order at 5:08 p.m. by President Shirakawa. Vice President Nguyen, Clerk Herrera, Member Biehl and Member Garcia were present.

CALL TO ORDER

2) **PLEDGE OF ALLEGIANCE**

PLEDGE OF ALLEGIANCE

3) **WELCOME AND EXPLANATION TO AUDIENCE**

President Shirakawa extended a welcome to the audience, explained the format of the meeting, and noted that all Board Meetings are recorded.

WELCOME AND EXPLANATION

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

No amendments to the agenda.

CONSIDERATION OF AMENDMENTS

5) **BOARD SPECIAL RECOGNITION(S)**

Oak Grove High School Robotics

A presentation was made by advisor/teacher Jeanne Romanoff. Student from the Oak Grove Robotics attended the Robotics and Differentiated Instruction for Students with Learning Disabilities, Special Education 2007 National Conference on Robotics: Botball on July 9-13 in Hawaii. The Botball team has won many prestigious awards.

BOARD SPECIAL RECOGNITIONS

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

- Kurt Kanavel, Santa Teresa High School Field Use
- John Moore, Santa Teresa High School Field Use
- Mark Tafolla Young, Williams Act Textbook Resolution
- Rita Defilippis, Friends Outside, Special Education
- Dennis De la Cruz, YB Special Education Program
- Nora De Queiroz, YB Special Education Program
- Luz De la Cruz, YB Special Education Program
- Marisa Hanson, Math Results
- Bonnie Mace, Capitol Property/Developer Fees
- John Moore, Capitol Property
- Roland Smith, Authorize the Issuance of School Bond
- Ralph Giannini, Bond Election
- Bonnie Mace, Land and Facilities Subcommittee
- Dave Tang, Bond Measure
- John Moore, Land and Facilities Subcommittee

ORAL COMMUNICATIONS

7) **STUDENT BOARD LIAISONS**

Yerba Buena High School's Vice President Ana Ramirez made a presentation about Yerba Buena High School. Over 100 parents participated in "Back to

STUDENT BOARD LIAISONS

School Night". Yerba Buena's Football team is doing well. Students are very excited about the construction that is happening on their campus.

Evergreen Valley High School's Associate Student Body President Kanaka Laroia made a presentation about information and events happening this year at Evergreen Valley High School.

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

- 8.1 Hold Public Hearing at 6:10 p.m. To Adopt Resolution # 2007/2008-11 Regarding the Sufficiency of Textbooks and Instructional Materials – Dan Moser, Associate Superintendent of Instruction and Human Relations

Member Garcia

How do we measure the target we are supposed to meet with regards to textbooks in the classroom?

Dan Moser, Associate Superintendent of Instruction and Human Relations

We ask our Subject Area Coordinators (SACs) to take an inventory in the Spring of how many textbooks are in the classroom and what will be needed in the fall. SACs will submit a purchase order request.

Member Garcia

So what I understand is, what we are doing tonight is, approving and adopting what we have. We have allocation and the resources to meet those sufficiencies when we find them.

Dan Moser Associate Superintendent of Instruction and Human Relations

That is correct.

Member Biehl

I want to understand by voting for this resolution tonight, I am certifying that the District has surveyed teachers and principals and are absolutely assured students have their books. Who certifies that students have their books?

Dan Moser, Associate Superintendent of Instruction and Human Relations

One process is that teachers will have a survey and teachers will complete that survey. We are depending that the supplies we have will meet the needs of our students. I do agree, we do need to tighten the process.

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

√ *Motion to adopt Resolution #2007/2008-11 Regarding the Sufficiency of Textbooks and Instructional Materials was made by Clerk Herrera seconded by Member Garcia.*
Vote: 5/0

- 8.2 Summary Report of Student Achievement 2006-2007 and Program Improvement – Dan Moser, Associate Superintendent of Instruction and Human Relations and Jane Baldi, Director of Testing Evaluation and Research

A report was presented by Jane Baldi, Director of Testing Evaluation and Research.

√ *No action necessary.*

- 8.3 Academic Master Plan Update – Bob Nuñez, Superintendent, Marie Grey, of Eric Hall & Associates

Marie Grey made a presentation updating the Board on the Academic Master Plan Progress.

Marie Grey, Consultant

We have started collecting data. I am going out to school sites to meet students, teacher, parents, meeting community members, and staff members. I am trying to get them to think where we are at, what is working and what is not working. I am having them dream of where they want to be.

A timeline was handed out.

ATTACHMENT 1

Next Wednesday, September 26, 2007, is our next Academic Master Plan Meeting. You will get an update after this meeting. Final report will be submitted to the School Board on December 13, 2007.

Member Biehl

What will be the elements of this report?

Marie Grey, Consultant

It is difficult to say what the final report will be like. We will make some recommendations. In the end we will have a plan that we all can agree upon.

Vice President Nguyen

The Board was hoping to have a framework. "What can we expect next?" "I would like it put on paper so people can see where we are going."

Superintendent Nuñez

A final product will be ready December 13. We will come back every month and tell you where we are at.

√ *No action necessary.*

- 8.4 Land and Facilities Subcommittee Report Regarding Capitol Property and Developer Fees – Bob Nuñez, Superintendent and George Shirakawa, President, Board of Trustees, East Side Union High School District

Superintendent Nuñez

We are currently looking at the Capitol property. We are looking at our developer fees. RGA is a company that has done a study with us before. Nothing will happen until we come back to the Board. We will be asking for input from our community members as well as staff. My hope is very soon.

President Shirakawa

This community will have ample time to address this issue. This will obviously be in the best interest of the kids. I do want to pursue as a Board member with the City anything we can do to increase the value of our property and make it the most valuable to us. This is a working committee. No decision making will be done.

Member Biehl

It is appropriate that we look at this and evaluated the land. I am very please that the Board is looking at this topic.

President Shirakawa

Regarding developer fees this district has done a good job. We will never stop negotiating.

√ *No action necessary.*

- 8.5 Adopt Resolution #2007/2008-12 To Authorize the Issuance of School Bonds, Establishing Specifications of the Election Order, and Requesting Consolidation with Other Elections occurring on February 5, 2008 – Bob Nuñez, Superintendent and Jerry Kurr, Associate Superintendent of Administration and Business Services

President Shirakawa

I appreciate you preparation. I think we all understand what our needs are. If everyone gets behind us I am very confident we will be successful in this.

√ *Motion to adopt Resolution #2007/2008-12 To Authorize the Issuance of School Bonds, Establishing Specifications of the Election Order, and Requesting Consolidation with Other Elections occurring on February 5, 2008 was made by Vice President Nguyen, seconded by Member Garcia.*
Vote: 5/0

- 8.6 Fire and Science Academy at James Lick Fire House Presentation; Potential Joint Use Facilities Agreement with the City of San Jose – George Shirakawa, President, Board of Trustees, East Side Union High School District

President Shirakawa

I think there is a great opportunity for us to partner with the City of San Jose. I think this is a great program that would attract students. I want the Board to know this is a capitol investment. The benefit to us is the possibility of having classrooms on this facility. Just being at a fire station in our City and our students having access to this is invaluable.

There was recommendation to direct the Superintendent to return at a future meeting with an analysis and information on how the District can come up with a partnership with the City, including the District's investment to place a classroom at the site.

√ *Motion to receive Fire and Science Academy at James Lick Fire House Presentation; Potential Joint Use Facilities Agreement with the City of San Jose and Superintendent Nuñez, return with more information and an analysis of the program, was made by Clerk Herrera, seconded by Member Biehl.*
Vote: 5/0

- 8.7 Career-Technical Education Honors Program & Career-Technical Education Diploma Seal – Alan Garofalo, Assistant Associate Superintendent of Student Services and Facilities, Dr. Geraldine Forte, Director of Career Services, and Brenda Childress of Santa Clara County Construction Careers Association

Brenda Childress of Santa Clara County Construction Careers Association, S4CA, made a presentation regarding the Construction Technology Academy and PreEngineering Magnet Certification Process.

√ *Motion to receive Career-Technical Education Honors Program & Career-Technical Education Diploma Seal was made by Vice President Nguyen, seconded by Member Biehl.*
Vote: 5/0

- 8.8 Adopt Resolution #2007/2008-10 - Gann Spending Limit – Jerry Kurr, Associate Superintendent of Administration and Business Services
- √ *Motion to adopt Resolution # 2007-2008-10 Gann Spending Limit was made by Member Biehl, seconded by Clerk Herrera.
Vote: 5/0*
- 8.9 Unaudited Actuals for 2006-2007 – Jerry Kurr, Associate Superintendent of Administration and Business Services
- √ *Motion to approve Unaudited Actuals for 2006-2007 was made by Clerk Herrera, seconded by Member Garcia.
Vote: 5/0*
- 8.10 Adopt Resolution #2007/2008-13 To Authorize Adjustments of Expenditures and Adopt Resolution #2007/2008-14 Revenues Between the Undistributed Reserve – Jerry Kurr, Associate Superintendent of Administration and Business Services
- √ *Motion to adopt Resolution #2007/2008-13 To Authorize Adjustments of Expenditures and adopt Resolution #2007/2008-14 Revenues between the Undistributed Reserve was made by Clerk Herrera, seconded by Vice President Nguyen.
Vote: 5/0*
- 8.11 Compensation for Staff not Represented by a Bargaining Unit – Jerry Kurr, Associate Superintendent of Administration and Business Services
- √ *Motion to approve Compensation for Staff not Represented by a Bargaining Unit, was made by Member Biehl, seconded by Clerk Herrera.
Vote: 5/0*
- 8.12 Nomination and Election of Alternate to MetroEd Board – George Shirakawa, Board President, East Side Union High School District
- √ *Motion to nominate and elect Member Biehl as the alternate to MetroEd Board, was made by Member Garcia, seconded by President Shirakawa.
Vote: 5/0*
- 8.13 Proposed Ground Lease Between Santa Clara County Office of Education and the East Side Union High School District for Facilities Improvements at Foothill High School – Bob Nuñez, Superintendent
- √ *Motion to approve Ground Lease Between Santa Clara County Office of Education and the East Side Union High School District for Facilities Improvements at Foothill High School was*

*made by Member Garcia, seconded by Vice President Nguyen.
Vote: 5/0*

- 8.14 Approve Variable Term Waiver Request for a Certificated Employee—
Dan Moser, Associate Superintendent of Instruction and Human
Relations – **Attachment D**

√ *Motion to approve Variable Term Waiver Request for a
Certificated Employee, Attachment D, was made by Clerk
Herrera, seconded by Member Garcia.
Vote: 5/0*

- 8.15 Approve Provisional Internship Permit Requests for Certificated
Employees – Dan Moser, Associate Superintendent of Instruction and
Human Relations – **Attachment E**

√ *Motion to approve Provisional Internship Permit Requests for
Certificated Employees, Attachment E, was made by Clerk
Herrera, seconded by Vice President Nguyen.
Vote: 5/0*

- 8.16 Contracts for Professional Services – Jerry Kurr, Associate
Superintendent of Administration and Business Services –
Attachment B

√ *Motion to approve as amended, Contract for Professional
Services, Attachment B, was made by Member Garcia,
seconded by Clerk Herrera.
Vote:5/0*

- 8.17 Memoranda of Understandings – Jerry Kurr, Associate Superintendent
of Administration and Business Services –**Attachment C**

Superintendent Nuñez

*I would like to pull #14, Page 3 of 5, Santa Clara County District
Attorney's Office Truancy Abatement Collaborative.*

Member Biehl

*I would ask that you pull # 17; because it involves MACSA and my wife
works for MACSA and that could be a potential conflict.*

√ *Motion to approve MACSA Intervention Center, was made by
Member Garcia, seconded by Vice President Nguyen.
Vote: 4/0 One abstention by Member Biehl.*

√ *Motion to approve Memoranda of Understandings, Attachment
C as amended, was made by Member Garcia, seconded by
Vice President Nguyen.*

Vote: 5/0

- 8.18 First Reading of 9000 Board Policies – Superintendent Bob Nuñez

Superintendent Nuñez

Every month you will be receiving policies for a first reading and another for the second reading. Please send your revisions to me. I will come back with the second reading next month. We are using the California School Board Association format. Since the 9000 Policies deal with the Board, I would send the comments and suggested revisions to the Board President or myself.

√ No action required.

- 8.19 Approve Revision of Salary Range for Director of Transportation – Jerry Kurr, Associate Superintendent of Administration and Business Services

√ Motion to approve the Revision of Salary Range for Director of Transportation was made by Clerk Herrera by, seconded by Member Garcia.

Vote: 5/0

9) ATTACHMENT A/CONSENT CALENDAR APPROVAL OF AGENDA

√ Request to pull items 9.1 and 9.9. Motion to approve the Consent Calendar as amended was made by Vice President Nguyen, seconded by Clerk Herrera.

Vote: 5/0

(Agenda items in parentheses)

- Ratify and Approve Certificated Personnel Actions Presented September 20, 2007 (9.2)
- Ratify and Approve Student Aide Personnel Actions Presented September 20, 2007 (9.3)
- Approve Job Description and Salary Range for Telecommunications Manager (9.4)
- Purchase Orders Presented September 20, 2007 (9.5)
- Budget Transfers Presented September 20, 2007 (9.6)
- Award of Bids (9.7)
- Acceptance of Donations/Grants/Awards (9.8)
- Approve Notice of Completion for the WC Overfelt High School Transitional Housing Project (9.10)
- Approve Notice of Completion for the Multiple Campus Safety Cameras Installation Phase I (Elcor Electric, Inc.) (9.11)
- Approve Notice of Completion for the Multiple Campus Safety Cameras Installation Phase II (9.12)
- Approve Change Order #1 for Silver Creek High School Phase 1 - New Science Classroom (9.13)

ATTACHMENT A

- Approve Change Order #1 for Foothill High School Relocatable Classrooms (Ralph Larsen & Son Inc.) (9.14)
- Approve Change Order #1 for Silver Creek High School Phase 1 - New Science Classroom (9.15)
- Approve Change Order #1 for Silver Creek High School Phase 1 - New Science Classroom (9.16)
- Approve Change Order #1 for Silver Creek High School Phase 1 - New Science Classroom (9.17)
- Approve Change Order #1 for Silver Creek High School Phase 1 - New Science Classroom (9.18)
- Approve Change Order #1 for Silver Creek High School Phase 1 - New Science Classroom (9.19)
- Approve Change Order #1 for Silver Creek High School Phase 2 - Landscape (Beals Martin) (9.20)
- Approve Change Order #1 for Silver Creek High School Phase 2 - Landscape (Joseph J. Albanese, Inc.) (9.21)
- Approve Change Order #1 for Silver Creek High School Phase 2 - Landscape (Jensen Landscape) (9.22)
- Approve Change Order #1 for the Mt. Pleasant/IAC Low Voltage Project (Elcor Electric, Inc.) (9.23)
- Approve Minutes of Regular Board Meeting Dated August 23, 2007 (9.24)

Superintendent Nuñez

I would like to pull 9.1 just to modify it, and pulling 9.9.

Jerry Kurr, Associate Superintendent of Administration and Business Services

Yes, item 9.1, under employee separation, I would like to remove the name Alfredo Grimaldo.

• Ratify and Approve Classified Personnel Actions Presented September 20, 2007 (9.1)

- √ *Motion to approve item 9.1, Ratify and Approved Classified Personnel Actions Presented on September 20, 2007, as amended was made by Clerk Herrera, seconded by Member Biehl.
Vote: 5/0*

• Rate of Pay Increase for Campus Police Officers (9.9)

- √ *Motion to approve item 9.9, Rate of Pay Increase for Campus Police Officers, was made by Member Biehl, seconded by Vice President Nguyen.
Vote: 5/0*

10) WRITTEN REPORTS

- 10.1 Optimizon Copier/Printer Report – Jerry Kurr, Associate Superintendent of Administration and Business Services

Report received.

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

- 11.1 Board of Trustees

Member Garcia

I participated in an event at Overfelt High School last week. It was a partnership with Overfelt High School students and the City of San Jose. "Just Say No" news conference. I wanted to commend Vito Chiala, Principal, the staff, and the student for their participation.

Member Biehl

I attended a planning meeting for the new public library on the grounds of Independence High School. I went to a ceremony at the National Hispanic University, along with Mr. Nuñez, that dealt with the unveiling of a commemorative stamp marking the historic Mendez vs. Westminster Case. This ruled against segregated schools of children of Mexican ancestry in California and set the stage for Brown vs. Board of Education Supreme Court decision. This ended segregation in public schools. I attended "Open House" at Evergreen Valley High School, and Yerba Buena High School.

President Shirakawa

I have talked to many people and have been told this is one of the smoothest openings of the school year that we have ever had in the District. I attended Yerba Buena High School on the first day of school. Congratulation to Mr. Cruz, Principal, and his staff for doing an outstanding job. I have been to a number of football games. Mt. Pleasant wants their football field. Please email to Grettel or me, indicating when the field is going to be taken care of.

Lan Nguyen

I was also there at there first day at Yerba Buena High School. I was surprisingly shocked that the first day of school was so quite. Everyone was in class. I do appreciate all the updates the Superintendent has been providing through emails.

Clerk Herrera

I am going to be initiating walking on to campuses and visiting different school site. I would like to visit with our students up and personal. I am going to start with my amateur Overfelt High School. This is their 40th anniversary.

WRITTEN REPORTS

BOARD/
SUPERINTENDENT'S
COMMUNICATIONS/
COMMENTS

11.2 Superintendent Nuñez
In my three years, this has been the smoothest start of a school year. The teachers and the classified staff at our schools did an exceptional job. I do want to single out Principals, as a whole, they have the toughest job. As you know we have a lot of new Principals this year.

At two school sites we had two students pass away. Vito Chiala, and Bettina Lopez did extremely well making sure those student on those sites were taken care of and also providing services. There will be a brand new public library built at Independence High School. The library will be facing Overfelt Gardens. We will get back the library building on campus. That is another asset we will have to look at. We will get it back between 12 and 18 months.

12) **CLOSED SESSION**

CLOSED SESSION

12.1 Expulsions – None

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

Jerry Kurr, Associate Superintendent of Administration and Business Services

Dan Moser, Associate Superintendent of Instruction and Human Relations

Cathy Giammona, Director of Human Resources, Vida Branner-Siders

Director of Compensation and Classified Employee Relations

Employee Organizations:

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: Claim for damages of B. Huizar, against ESUHSD and Claim for damages of T. Taylor against ESUHSD and two potential cases.

√ *Motion of a vote of 5/0 rejected the tort claim of B. Huizar and T. Taylor.*

**CONFERENCE WITH LEGAL COUNSEL--EXISTING
LITIGATION**

(Subdivision (a) of Government Code Section 54956.9)

Name of case: Tessa Cavazos v. Carol Blackerby and East Side

Union High School District; Santa Clara County Superior Court

No Action

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

•*Superintendent*

No Action

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

- 13) Report Closed Session Actions (s)

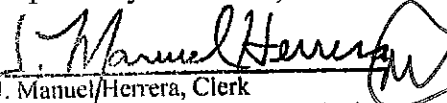
REPORT CLOSED SESSION

- 14) Adjournment

ADJOURNMENT

√ Motion to adjourn by Clerk Herrera, seconded by Member Garcia,
meeting was adjourned by President Shirakawa at p.m.9:35p.m.

Respectfully submitted,


I. Manuel/Herrera, Clerk
East Side Union High School District
Clerk of the Board of Trustees

Attachment 1



Eric Hall & Associates LLC
Helping your school facility program measure up

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*East Side Union
 High School District*

East Side Union High School District Academic Master Planning (AMP) Action Plan and Calendar of Events

Dates in 2007:	Action to be taken:	Result:
June 20	1. Meeting with Principals	Explained AMP purpose and process and answered questions.
June 20	2. Site visits scheduled	Began meeting with principals at sites.
June 20, 21	3. Visit sites to look at meet with principals, learn about each site, walk the campus, collect pertinent data reports	By the end of the day on the 20 th , had met with administrators at nine of the twelve sites and briefly walked campuses.
August 30 September 20 September 27 October 4 October 18 October 25	4. Meetings with Cabinet	August 30-progress report

August 31	<p>5. Meeting with ESTA President Marisa Hanson and Dan Moser</p> <p>6. Attended meeting with community member Cindy Chavez, as well as key people from district regarding setting up a Foundation</p>	<p>5. Discussed and shared classroom observation form and teacher survey</p> <p>6. Participated in discussion with group about overlap between surveys of AMP process and Cindy's process for gathering information</p>
September 19	7. Attend ESTA Assembly to be introduced, explain AMP and answer questions	
September 26, 27	8. Visit remaining three high schools, meet with Charter Schools and SNB's	
September 26, 2007 October 24, 2007 November 28, 2007	9. Working meetings with the AMP Committee	
October 23	10. Attend Principals/Instruction meeting	
October 4, 5, 15, 16, 17, 18, 22, 23, 24, 25	<p>11. Site visits to walk campuses, look at programs and facilities</p> <p>12. Interviews with students</p> <p>13. Interviews with parents</p> <p>14. Interviews with teachers and classified staff</p>	



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To be determined	15. Interviews with community members/organizations: a. 9-20-07 meet with PACT	
June 21 September 20 October 18 November 15	16. Updates to the Board	June 21 – shared AMP process
October 29 through November 16	17. Compilation and analysis of data collected. Recommendations and preliminary report finished.	
November 27	18. Working session with site leadership teams – administrators/teacher and classified leaders	
November 29	19. Working meeting with Cabinet	
December 13	20. Final report to the School Board	



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