

EAST SIDE UNION HIGH SCHOOL DISTRICT
Regular Meeting of the Board of Trustees
Meeting Held at Education Center
March 20, 2008

East Side Union High School District

APPROVED
Board of Trustees

4-17-08 [Signature]

1) The Special Meeting of the Board of Trustees was called to order at 5:04 p.m. by President Nguyen. Vice President Garcia, Member Biehl were present. Clerk Shirakawa, Member Herrera arrived at 5:10 p.m.

CALL TO ORDER

2) **PLEDGE OF ALLEGIANCE**

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3) **WELCOME AND EXPLANATION TO AUDIENCE**

President Nguyen 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**

**CONSIDERATION OF
AMENDMENTS**

None

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

**BOARD SPECIAL
RECOGNITIONS**

5.1 **Outstanding Student Activities Program Award**

Santa Teresa High School is the recipient of the California of Directors Activities/California Association of Student Leaders, Outstanding Student Activities Program for the 2007-2008 school years.

5.2 **East Side Union High School District Winter Sports Champions**

Girls Basketball, Mt. Hamilton League, Evergreen Valley High School
Girls Basketball, Santa Teresa League, Silver Creek High School
Boys Basketball, Mt. Hamilton League, Piedmont Hills High School
Boys Basketball, Santa Teresa League, Silver Creek High School
Boys Basketball, West Valley League, Independence High School
Boys Soccer, Mt. Hamilton League, W.C. Overfelt High School
Boys Soccer, Santa Teresa League, Andrew Hill High School
Wrestling, Mt. Hamilton League, Oak Grove High School
Girls Soccer, West Valley League, W.C. Overfelt High School
Academic Achievement Award for 4.0 Latino Students –
Bob Nuñez, Superintendent, Dr. Ana Lomas, Director of Student Services

189 Latino students were recognized for their academic achievement.

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

ORAL COMMUNICATIONS

- Jerry Dyer, District Employment Reductions
- Jenny Ludwig, District Employment Reductions
- Vicki Winsted, District Employment Reductions

- Janice Mallard, Budget Cuts
- Marisa Hansen, ESTA Contract
- Julie Pratico, District Employment Reductions
- Chris Evans, District Employment Reductions
- Vivian Vu, Budget Cuts
- Vivian Quong, Budget Cuts
- Nick Leon, Budget Cuts
- Gary Berg, Budget Cuts
- Joseph Albers, Budget Cuts/PI Plan
- Cindy Bega, Budget Cuts
- Eleanor Aguirre, Budget Cuts
- Angela Ettinger, Budget Cuts
- Debra Watkins, Budget Cuts
- Dave Castro, Budget Cuts

7) **STUDENT BOARD LIAISONS**

- 7.1 Timothy Zaccheo , ASB President at Mt. Pleasant High School made a power point presentation.
- 7.2 Students Claudia Ruiz, Carolina Martinez, Pedro Martinez and Brittney De Leon from MACSA Charter School made a power point presentation.

STUDENT BOARD LIAISON.

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

- 8.1 East Side Union High School District Foundation Presentation – Jerry Kurr, Associate Superintendent of Administration and Business Services, Julie Kasberger, Director of General Services, and Cindy Chavez, Consultant, California Leadership Services

Julie Kasberger, Director of General Services, and Cindy Chavez, Consultant, California Leadership Services made a presentation. This foundation will help bring revenues to East Side Union High School District.

Attachment 1

√ No action required.

- 8.2 Approve Second Interim Report 2007-2008 – Jerry Kurr, Associate Superintendent of Administration and Business Services

*√ Motion to approve Second Interim Report 2007-2008, was made by Vice President Garcia seconded by Member Herrera.
Vote:5/0*

- 8.3 Adopt Resolution #2007/2008-35 Certifying Results of General Obligation Bond Election Held on February 5, 2008 – Jerry Kurr, Associate Superintendent of Administration and Business Services

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

√ *Motion to adopt Resolution #2007-2008-35 Certifying Results of General Obligation Bond Election held on February 5, 2008, was made by Member Herrera seconded by Vice President Garcia.*
Vote: 5/0

Superintendent Nuñez

Now that you have certified the election, before we can move on, we will need to put in place the Bond Oversight Committee. We will be bringing this item back in April.

- 8.4 Board Discussion, Project Labor Agreement for Future Measure E Projects – George Shirakawa, Member Board of Trustees, Clerk, and Bob Nuñez, Superintendent

√ *Motion that the administration be directed by the Board to come back with a specific Project Labor Agreement for Measure E, that the Board can review and take action on, was made by Clerk Shirakawa seconded by Member Herrera.*
Vote: 5/0

- 8.5 Adopt Resolution #2007/2008-36 An Itemized List of Surplus/ Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546 – Jerry Kurr, Associate Superintendent of Administration and Business Services

√ *Motion to adopt Resolution #2007/2008-36 An Itemized List of Surplus/ Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546 was made by Member Biehl seconded by Vice President Garcia.*
Vote: 5/0

- 8.6 Tentative Proposed Agreement with East Side Teachers Association/ CTA/NEA, August 31, 2008 – August 31, 2009; Ratify/Approve Tentative Agreement – Dan Moser, Associate Superintendent of Instruction and Human Relations

√ *Motion to approve Tentative Proposed Agreement with East Side Teachers Association/ CTA/NEA, August 31, 2008 – August 31, 2009; Ratify/Approve Tentative Agreement, was made by Member Herrera seconded by Member Biehl.*
Vote: 5/0

- 8.7 Approve 6000 Board Policies – Bob Nuñez, Superintendent
- √ *Motion to approve 6000 Board Policies as amended was made by Member Biehl seconded by Vice President Garcia.*
Vote: 4/0 Member Herrera out of room for this vote.
- 8.8 Approve Variable Term Waiver Requests for a Certificated Employees – Dan Moser, Associate Superintendent of Instructional Services and Human Relations – **Attachment D**
- √ *Motion to approve Variable Term Waiver Requests for Certificated Employees, Attachment D, was made by Vice President Garcia seconded by Member Biehl.*
Vote: 5/0
- 8.9 Approve Provisional Internship Permit Requests for Certificated Employees – Dan Moser, Associate Superintendent of Instructional Services and Human Relations – **Attachment E**
- √ *Motion to approve Provisional Internship Permit Requests for Certificated Employees, Attachment E, was made by Member Biehl seconded by Member Herrera.*
Vote: 5/0
- 8.10 Memoranda of Understanding – Jerry Kurr, Associate Superintendent of Administration and Business Services – **Attachment C**
- √ *Motion to approve Memoranda of Understanding, Attachment C, was made by Vice President Garcia seconded by Clerk Shirakawa.*
Vote: 5/0
- 8.11 Contracts for Professional Services – Jerry Kurr, Associate Superintendent of Administration and Business Services – **Attachment B**
- √ *Motion to approve Contract for Professional Services, Attachment B, was made by Member Herrera seconded by Vice President Garcia.*
Vote: 5/0

9) ATTACHMENT A/CONSENT CALENDAR APPROVAL OF AGENDA

- √ *Motion approve the entire Consent Calendar was made by Vice President Garcia, seconded Member Biehl.*
Vote: 5/0

ATTACHMENT A

(Agenda items in parentheses)

- Ratify and Approve Classified Personnel Actions Presented March 20, 2008 (9.1)
- Ratify and Approve Certificated Personnel Actions Presented March 20, 2008 (9.2)
- Ratify and Approve Student Aide Personnel Actions Presented March 20, 2008 (9.3)
- Purchase Orders Presented March 20, 2008 (9.4)
- Approve School Field Trips (9.5)
- Award of Bids (9.6)
- Acceptance of Donations and Grants (9.7)
- Approve Distribution of "Go For It" Scholarship Fund (9.8)
- Accept Grant from California Department of Education for East Side's Child Development Program (9.9)
- Approve the application for the Community-Based English Tutoring Plan (CBET) for 2008-09 (9.10)
- Approve CAHSEE Local Waivers for Special Education Student (9.11)
- Approve Notice of Completion for James Lick, Oak Grove and Yerba Buena High Schools' Ticket Booth and Concession Stand Project (Coulter Construction Inc.) (9.12)
- Approve Notice of Completion for the PE Modernization at James Lick High School (Reinhardt Roofing Inc.) (9.13)
- Approve Notice of Completion for the PE Modernization at James Lick High School (Foothill Air Conditioning & Heating, Inc.) (9.14)
- Approve Notice of Completion for Modernization of Multiple Buildings at Independence High School (IMR Contractor Corporation) (9.15)
- Approve Change Order #1 for New Science Building, Increment 1 at WC Overfelt High School (Ferma Corporation) (9.16)
- Approve Change Order #1 for James Lick PE Building Modernization (BCI Builders) (9.17)
- Approve Change Order #1 for James Lick PE Building Modernization (Mastria Incorporated) (9.18)
- Approve Change Order #1 for James Lick PE Building Modernization (Sprig Electric) (9.19)
- Notice of Completion for the New Science Building, Increment 1 at WC Overfelt High School (Ferma Corporation) (9.20)
- Approve Minutes of Regular Board Meeting Dated February 27, 2008 (9.21)
- Approve Minutes of Special Board Meeting Dated March 11, 2008 (9.22)

10) WRITTEN REPORTS

- 10.1 Budget Adjustment 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 Herrera

No comments.

Member Biehl

I went to the Andrew Hill High School, band competition at Evergreen Valley High School. And this week Evergreen Valley High School's wind ensemble played at Carnegie Hall. Great things happening in the Arts in our district.

Clerk Shirakawa

Mr. Shirakawa challenged Mr. Garcia's request to march to Sacramento and speak with legislators regarding budget cuts.

Vice President Garcia

No comments.

President Nguyen

11.1.2 Member Biehl, MetroEd.

The good news is that the Superintendent from MetroEd., Paul Hay has found a way to allocate an additional 217 ROP ADA funding to the East Side Union High School District, which would bring about funding equalization. If this is adopted this proposal would save East Side close to 500 (five hundred) thousand dollars this year and would create long term stability to MetroEd. and it's programs and CCOC. The bad news is the Campbell Superintendent and their chief financial officer has failed to agree to this proposal and leaves the executive committee deadlock. There seems to be some old business, and we are currently trying to work through that.

Mr. Biehl met with Diane Gordon, Campbell Representative. Ms. Gordon suggested there be a joint Board and Executive Committee workshop to try and get everything worked out. To make sure that both staff and Board members were communicating. This workshop has been tentatively set for April 21, 2008, at 3:00 p.m. The key issue still remains to be the allocation of the ROP ADA to the districts participating in MetroEd.

- 11.2 Superintendent Nuñez

WRITTEN REPORTS

BOARD/
SUPERINTENDENT'S
COMMUNICATIONS/
COMMENTS

Budget

I agree with what everyone says about which positions should not be reduced. I understand what my job really is between now and the end of the school term. It is to find money and to bring everybody back that we can. I'm thankful for a Cabinet that is supportive, for legal council that is helping me look at everything 3, 4 or 5 time and a Board that is open to looking at a new way. This crisis is going to be solved in Sacramento, but needs to be resolved here first.

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: One (1) potential case.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Subdivision (a) of Section 54956.9 of the Government Code: Claim for damages of I. Rodriguez

12.5 CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Calero School Site, 420 Calero Avenue, San Jose, CA

District Negotiators: Superintendent Nunez, Associate Superintendent Jerry Kurr, District Counsel Rogelio Ruiz

Negotiating Parties: ESUHSD and Oak Grove Elementary School District

Under Negotiation: Price and terms for payment.

Property: Alum Rock Union Elementary School District surplus properties located at Cesar Chavez Elementary (4 acres), Ocala Middle School (13 acres) and Joseph George Middle School (6 acres), San Jose, CA

District Negotiators: Superintendent Nunez, Associate Superintendent Jerry Kurr, Associate Superintendent Alan Garofalo

Negotiating Parties: ESUHSD and Alum Rock Union Elementary School District

Under Negotiation: Price and terms for payment.

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

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

13) **Report Closed Session Actions (s)**

Rogelio Ruiz, District Legal Counsel
No close session items or actions to report.

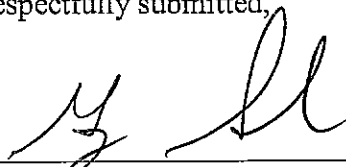
14) **Adjournment**

√ Meeting was adjourned by President Nguyen at 9:08 p.m.


REPORT CLOSED SESSION

ADJOURNMENT

Respectfully submitted,



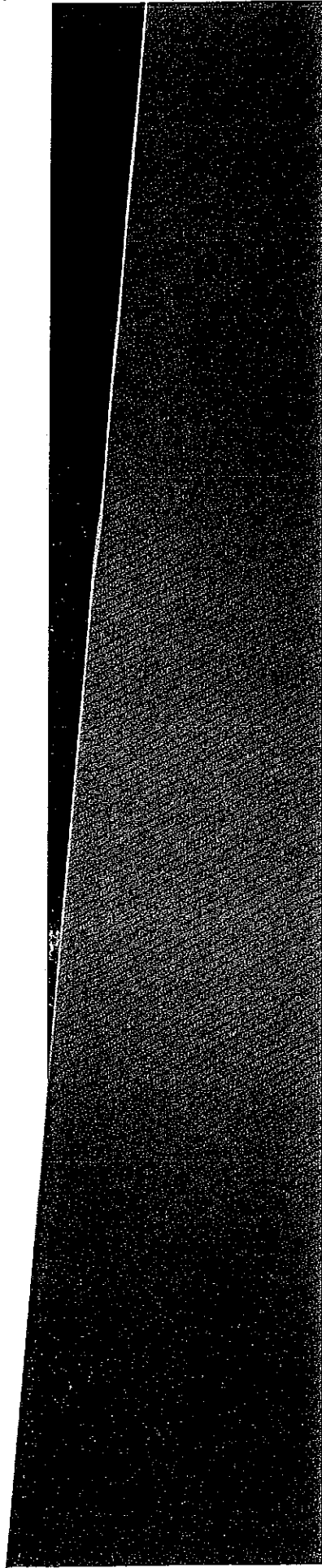
Clerk of the Board of Trustees

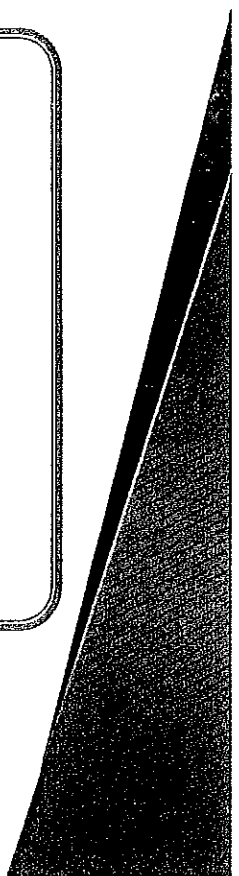
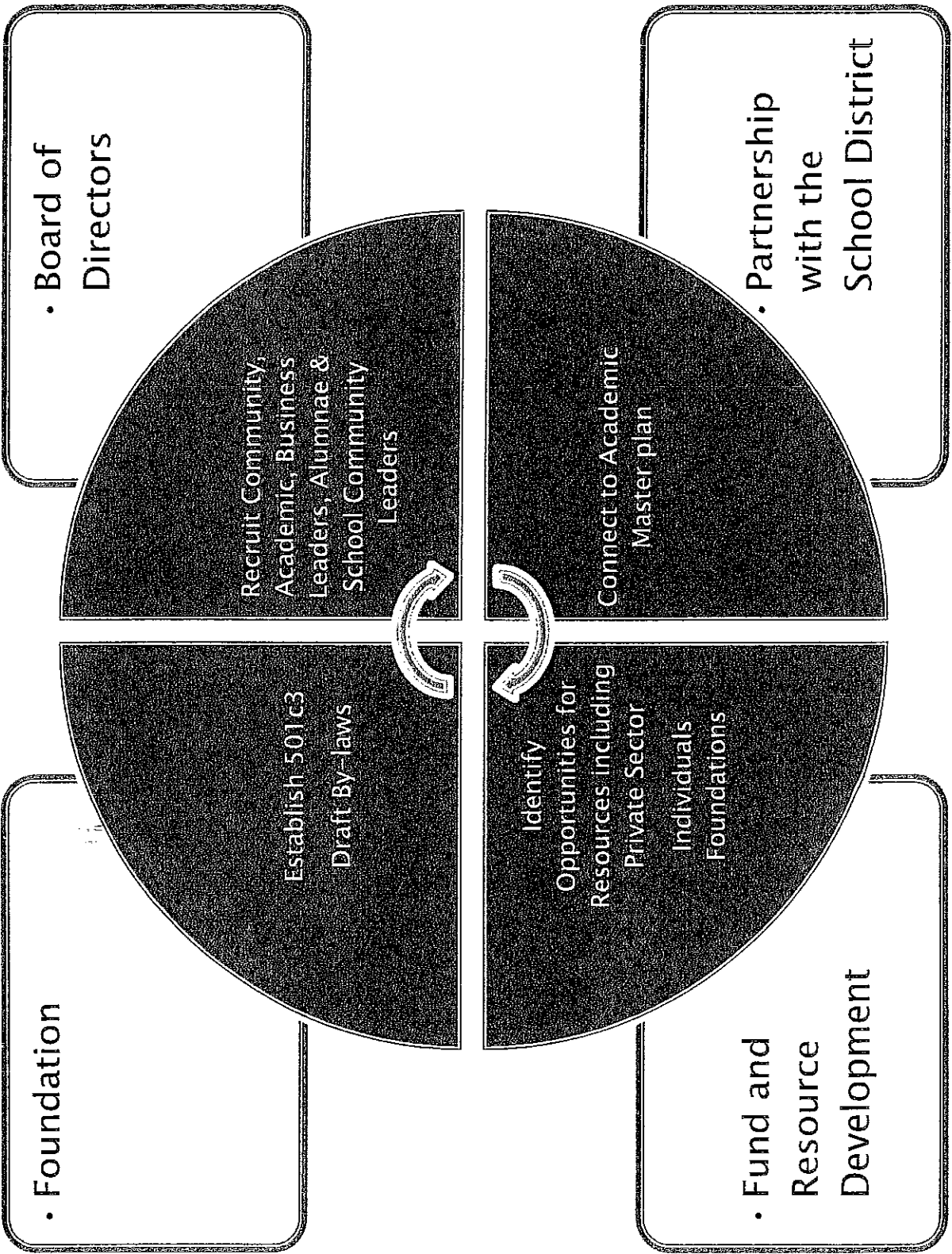
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East Side Union High School District Foundation

A Pathway to Student Success

Attachment 1





East Side Union High School District Foundation Update

- ▶ Foundation Status ▶ Fund Development
- ▶ Foundation Board ▶ Program
Members Development
- ▶ Partnership Community
Development Outreach

California Leadership Services, LLC

The following team was pulled together by California Leadership Services, LLC to lay the groundwork for the Eastside Union High School District Foundation

Cindy Chavez, Principal, California Leadership Services, LLC

Michael K. O'Farrell, Former, Vice President Global Community Affairs, Applied Materials

Lynda Greene, Principal, Lynda Cannon Greene Educational Consultant

Michael Bernier, Research Assistant



Input and Board Recommendations & Next Steps

- Potential Board Members
- Possible Funders
- Areas Most In Need of Funding
- Next Steps

