


**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
Special Meeting of the Board of Trustees  
Meeting Held at Education Center  
January 22, 2008

East Side Union High School District  
**APPROVED AS AMENDED**  
Board of Trustees  
2-27-08  


1) The Special Meeting of the Board of Trustees was called to order at 4:07 p.m. by President Nguyen. Vice President Garcia, Clerk Shirakawa, and Member Biehl were present. Member Herrera arrived at 4:10 p.m.

*CALL TO ORDER*

2) **PLEDGE OF ALLEGIANCE**

*PLEDGE OF ALLEGIANCE*

3) **WELCOME AND EXPLANATION TO AUDIENCE**

President Shirakawa 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*

No amendments to the agenda.

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

5.1 Ed Buller, 2007 State Coach of the Year.

Special recognition was given to Ed Buller by the Board of Trustees.

*BOARD SPECIAL RECOGNITIONS*

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

*ORAL COMMUNICATIONS*

- Zinia Tuli, Californians for Justice
- John Moore, General Obligation Bond Projects
- John Moore, Partnership with City of San Jose Parks and Recreation

7) **STUDENT BOARD LIAISONS**

*STUDENT BOARD LIAISON*

7.1 **Mayra Marrufo**, student at James Lick High School ASB President made a power point presentation.

7.2 **Hakeem Oladunjoye**, student at Leadership Public Charter School made a power point presentation.

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

*OPERATIONAL ITEMS/  
BOARD DISCUSSION  
AND/OR ACTION*

8.1 Nomination and Appointment MetroED - Alternate – Bob Nuñez, Superintendent

√ *Motion to nominate and appoint Vice President Garcia as alternate representative to the MetroED Board of Trustees was made by - Member Biehl, seconded by Member Herrera.*

*Vote: 5/0*

- 8.2 Nomination and Appointment of a Representative to the Santa Clara County School Board Association – Bob Nuñez, Superintendent
- √ *Motion to nominate and appoint Member Biehl as representative to the Santa Clara County School Board Association was made by – Member Herrera, seconded by Vice President Garcia.*  
*Vote: 5/0*
- 8.3 Proposed Procedures for Setting Priorities of General Obligation Bond Projects – Bob Nuñez, Superintendent
- √ *Motion to change the language from school site committee to School Site Councils, which includes representation from administration, staff, parents, students and community at large to approve the procedure for setting priorities of General Obligation Bond Projects was made by Member Biehl, seconded by Member Herrera.*  
*Vote: 5/0*
- 8.4 Possible Partnership with City of San Jose Parks and Recreation, Use of District Fields – Alan Garofalo, Associate Superintendent of Student Services and Facilities
- Schools involved would be Independence High School, William C. Overfelt High School and Mt. Pleasant High School.
- √ *No action required. Advisory only.*
- 8.5 Contracts for Professional Services – Jerry Kurr, Associate Superintendent of Administration and Business Services –  
**Attachment B**
- It was recommended by Member Biehl to provide the Board with a written report on item A. School Sites/Education Center, number 5, CALNET 2/MSA 1 AT&T on the February 27, 2008 Board meeting.
- √ *Motion to approve Contract for Professional Services, Attachment B, was made by Member Herrera seconded by Vice President Garcia.*  
*Vote: 5/0*

8.6 Memoranda of Understandings – Jerry Kurr, Associate Superintendent of Administration and Business Services –Attachment C

√ *Motion to approve Memoranda of Understandings, Attachment C was made by Member Herrera seconded by Member Biehl.  
Vote: 5/0*

8.7 Alum Rock Union Elementary School District Properties Including Land Located at Cesar Chavez Elementary, Ocala Middle School and Joseph George Middle School, San Jose, CA; Selection of District Negotiators – Bob Nuñez, Superintendent

√ *Motion to select the Superintendent and his team to negotiate Alum Rock Union Elementary School District Properties, including land located at Cesar Chavez Elementary, Ocala Middle School, and Joseph George Middle School, San Jose, CA., was made by Member Biehl, seconded by Vice President Garcia.  
Vote: 5/0*

9) ATTACHMENT A/CONSENT CALENDAR APPROVAL OF AGENDA

ATTACHMENT A

√ *Motion to approve the entire Consent Calendar was made by Member Herrera, seconded by Clerk Shirakawa.  
Vote: 5/0*

(Agenda items in parentheses)

- Ratify and Approve Classified Personnel Actions Presented December 13, 2007 (9.1A)
- Ratify and Approve Classified Personnel Actions Presented January 22, 2008 (9.1B)
- Ratify and Approve Certificated Personnel Actions Presented January 22, 2008 (9.2)
- Ratify and Approve Student Aide Personnel Actions Presented January 22, 2008 (9.3)
- Purchase Orders Presented January 22, 2008 (9.4)
- Acceptance of Donations/Grants/Awards Presented January 22, 2008 (9.5)
- Approve School Field Trips (9.6)
- Approve Updated Multimedia Arts II Course Description (9.7)
- Approve Job Description Coordinator of Migrant Education (9.8)
- Approve Notice of Completion for the WC Overfelt New Science Classroom Building – Increment 1 (El Camino Paving, Inc.) (9.9)
- Approve Notice of Completion for the WC Overfelt New Science Classroom Building – Increment 1 (Cupertino Electric, Inc.) (9.10)
- Approve Notice of Completion for the Track & Field Improvements at James Lick, Oak Grove, and Yerba Buena High Schools (OC Jones & Sons, Inc.) (9.11)
- Approve Notice of Completion for the New Bleachers at James Lick, Oak Grove, and Yerba Buena High Schools (Southern Bleacher

- Construction Company, Inc.) (9.12)
- Approve Notice of Completion for the Silver Creek High School Ph I New Science Classroom Building (Sposeto Engineering, Inc.) (9.13)
- Approve Notice of Completion for the Foothill High School Library Building D (Blach Construction Company) (9.14)
- Approve Change Order #1 for Silver Creek High School New Science Classroom Building (Ralph Larsen & Sons, Inc.) (9.15)
- Approve Change Order #1 for the Fire Alarm Upgrade at Independence High School (Radiant Electric, Inc.) (9.16)
- Approve Change Order #1 for Football Bleacher Replacement at Mt. Pleasant High School (Robert A. Bothman, Inc.) (9.17)
- Approve Change Order #1 for Football Bleacher Replacement at Andrew Hill, Piedmont Hills and Santa Teresa High Schools (Robert A. Bothman, Inc.) (9.18)
- Approve Minutes of Special Board Meeting Dated December 13, 2007 (9.19)
- Approve Minutes of Regular Board Meeting Dated December 13, 2007 (9.20)
- Modify and Corrected Minutes for October 18, 2007 (9.21)

10) WRITTEN REPORTS

- 10.1 Budget Adjustment Report – Jerry Kurr, Associate Superintendent of Administration and Business Services

*Report received.*

- 10.2 Approve Audit Report for June 2007

*√ Motion to bring this item to the February 27, 2008, Board Meeting.*

- 10.3 Receive Williams Settlement Uniform Complaints Report for Period covering October 1 through December 31, 2007 as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727) – Dan Moser, Associate Superintendent of Instruction and Human Relations

*Report received.*

- 10.4 Quarterly Safety Report, Second Quarter 2007 – Alan Garofalo, Associate Superintendent of Student Services

*Report received.*

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

- 11.1 Board of Trustees

*WRITTEN REPORTS*

*BOARD/  
SUPERINTENDENT'S  
COMMUNICATIONS/*

Clerk Shirakawa

*Eddie Garcia and I have an on going Comet/Raider feud. It's going to continue throughout the whole year. So I want to give you advance notice.*

Eddie Garcia

*Let me clarify that Mr. Shirakawa, you have an ongoing feud. 1980 is done.*

Eddie Garcia

*Board Member Herrera, Dan Moser and I, had an initial brain storming session on how to organize our achievement gap committee. We got a good start. Mr. Moser is going to start reaching out to the stake holders which is everyone in this room and others to start developing a concept of how we want to move forward. One thing we absolutely agreed on was this has to be very inclusive, we want to hear as many voices as possible, and we are going to address this issue in the most comprehensive and efficient way we can.*

Member Herrera

*No comments.*

Member Biehl

*No comments.*

President Nguyen

*We have so many functions. I am trying to go to as many as I can. The Martin Luther King, Jr. contest/award ceremony was amazing. The students that won came from many cultural and ethnic backgrounds. It was a great opportunity for these students not only to participate, but to actually win something. It is great for students to learn what Dr. Martin Luther King has done for us.*

11.2 Superintendent Nuñez

*I love attending all the events. We did not bring back the 6000 board policies for the second reading today because of the shortness of the break. If anyone has any questions about these policies, please give Mr. Moser a call. We will be bringing back these policies in March. Our developer fees process consultants, Gonzales and Associates will get the process ready for us to look at. A sub group from the State Board came and met ant National Hispanic University to talk about the 98 school districts that are in PI. East Side is that district in this county. I listen to all the person talk about all the things we have done and continue to more forward.*

*I was impressed by those persons presenting from this county. The principals, Vito, Juan, Bettina, and Glen, you did an exceptional job of bring down to the school level what we have been doing. Dan Moser*

COMMENTS

*did an exceptional job. Jane I was quite impressed how "in sink" you were with the data.*

*When I listen to all the superintendents that were there they were impressed about what we are doing at East Side Union High School District. Other districts commented they did not have the staff and time to do what we are doing. Frank Biehl spoke from his heart about we are trying to do here. We had every aspect covered. To all of you that presented, you did an exceptional job.*

12)

**CLOSED SESSION**

**CLOSED SESSION**

12.1 Expulsions – A-C

*Student A: Approved the expulsion for one academic year.  
Vote: 4/0 Member Herrera absent.*

*Student B: Approved the expulsion for one academic year.  
Vote: 4/0 Member Herrera absent.*

*Student C: Approved the expulsion 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

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

Tessa Cavazos v. East Side Union High School District, et al. (Santa Clara County Superior Court)

12.5 CONFERENCE WITH REAL PROPERTY NEGOTIATORS

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

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

Negotiating Parties: ESUHSD and Oak Grove Elementary School District

Under Negotiation: Price and terms for payment.

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

• *Superintendent*

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

13) Report Closed Session Actions (s)

Nothing reported out 12.2 - 12.7.

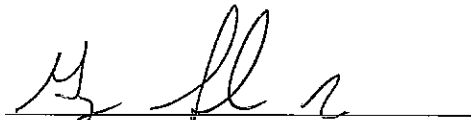
14) Adjournment

√ Meeting was adjourned by President Nguyen at 7:28 p.m.

*REPORT CLOSED SESSION*

*ADJOURNMENT*

Respectfully submitted,



Clerk of the Board of Trustees