

Agenda Item

11.12 Approve Minutes of October 23, 2008 Special Board Meeting

Meeting: 12/11/2008 ESUHSD SPECIAL BOARD MEETING - 4:00 P.M.
Category: 11. Consent Calendar Items - ATTACHMENT A
Agenda Type: Action (Consent)
Public Access: Yes

Agenda Item Content



EAST SIDE UNION HIGH SCHOOL DISTRICT

TO: Board of Trustees
FROM: Bob Nuñez, Superintendent
SUBJECT: Approve Minutes of October 23, 2008 Special Board Meeting

Attached are the minutes of the October 23, 2008, Special Board meeting for review and approval by the Board of Trustees.

FISCAL IMPACT: None

FUNDING SOURCE: None

RECOMMENDATION: It is recommended that the Board of Trustees approve the October 23, 2008, Board meeting minutes as presented.

Additional Executive Content

Our adopted rules of Parliamentary Procedure, Robert's Rules, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all Board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.

Created on Today at 09:22 AM by Betty Banderas. Last update on 12/08/2008 by Betty Banderas.

**EAST SIDE UNION HIGH SCHOOL DISTRICT
Minutes of the Special Meeting of the Board of Trustees
Meeting Held at Education Center
October 23, 2008**

1. CALL TO ORDER/ROLL CALL

The Regular Meeting of the Board of Trustees was called to order at 5:04 p.m. by Vice President Garcia. Clerk Shirakawa, Member Biehl and Member Herrera were present. President Nguyen arrived at 5:24 p.m.

2. PLEDGE OF ALLEGIANCE

3. WELCOME AND EXPLANATION TO AUDIENCE

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

4. CONSIDERATION OF PROPOSED AMENDMENTS TO AGENDA

None

5. BOARD SPECIAL RECOGNITION(S)

- 5.01 Recipients of the 100 Black Men of Silicon Valley 2009 Scholarship Awards
- Henri M. Battiste, Evergreen Valley High School
 - Sifon U. Ndon, Piedmont Hills High School
- 5.02 Third Place in the 2008 International Botball Competition
- Evergreen Valley High School Robotics Team
- 5.03 Gold Medal Award from the Columbia Scholastic Press Association
- Evergreen Valley High School Yearbook "Wired"
- 5.04 Student Athlete of the Week
- Samantha McCluskey, Mt. Pleasant High School
- 5.05 49ers Coach of the Month
- Jeff Borges, Andrew Hill High School Varsity Football Coach
- 5.06 Recognition by Association of California School Administrators (ACSA) for Program Improvement
- Foothill High School
- 5.07 Recognition by the ING Group for Excellence in Cultural Diversity in Education
- Elizabeth Dinh

6. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD OF TRUSTEES

- Brenda Koehler – Medical Concern for Students
- Vincent Bontilan – Independence High School Booster Club
- Wm. Derek Grasty – Math Teaching Accountability Materials
- Marisa Hanson – Budget
- Cindy Bega – Career Technical Education

CALL TO ORDER

PLEDGE OF ALLEGIANCE

WELCOME AND EXPLANATION

CONSIDERATION OF AMENDMENTS

SPECIAL RECOGNITION(S)

ORAL COMMUNICATIONS

- *Julio Pardo – Classified Personnel Moves*

7. STUDENT BOARD LIAISONS

*Vivian Nguyen, ASB President – Andrew Hill High School
Samanta Luu, ASB President – Piedmont Hills High School*

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

- 8.01 Presentation on Latino Leadership Alliance –
Andres Quintero on Behalf of Councilmember
Forrest Williams**

*Presentation made by Andres Quintero, Latino Leadership
Alliance regarding a partnership with Latinos in the Latino
Youth Leadership Project.*

- 8.02 State Budget Update – Jerry Kurr, Associate
Superintendent of Administration and Business
Services**

*State budget update presented by Associate
Superintendent Kurr.*

No action on this item.

- 8.03 District’s Plan to Address Potential Impact of
Resolution #2008/2009-40 Declaring Intention to
Reimburse Certain Expenditures from Proposed Tax
Exempt Financing – Alan Garofalo, Associate
Superintendent of Student Services and Facilities and
Lance Jackson, SGI Construction Management**

*Presentation by Lance Jackson, SGI Construction
Management, Inc.*

- 8.04 Academic Master Plan Next Steps – Bob Nuñez,
Superintendent, Linda Gubman, Consultant,
Carol Blackerby, Consultant and Eric Hall,
Eric Hall & Associates**

Superintendent Nuñez

*In the interest of time, if there is something to hand out,
what we are really trying to say is that we are coming back
in November. We are going through a process in getting
more input from both team members and the school sites
and community. I watched Cindy stand back there for the
longest time and even though we did not move her item
up, I would like to get to her quickly. If you don’t mind,
Mary can hand out the written report. If there aren’t any
questions, we can bring back a full report with
recommendations in November.*

**STUDENT BOARD
LIAISONS**

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

8.05 Compensation of Staff not Represented by a Bargaining Unit – Bob Nuñez, Superintendent

Superintendent Nuñez

I know that there have been at least conversation, if not direct negotiations, because there are, in fact roll over contracts in place. I wanted to make sure one of the things we indicated is that the group that is not represented, which are administrators, managers and confidential employees, we are not doing anything at this point. We are waiting until the mid year cuts are announced and taking a look at what the real impact is. I think at a meeting that both Jerry and Bruce Berg presented, Jerry indicated there is a COLA, there was a deficit. So, in essence, this District received less than what they have in years past. We are all in sort of a wait mode.

8.06 Approve Job Description and Salary Range for Low Voltage Systems Technician – Jerry Kurr, Associate Superintendent of Administration and Business Services

Motion to approve job description and salary range for Low Voltage Systems Technician made by Member Herrera, second by Member Biehl.

Vote : 5/0

8.07 Summary Report of Student Achievement 2007-2008 and Program Improvement – Dan Moser, Associate Superintendent of Instruction and Human Relations, and Kirsten King, Coordinator of Testing, Evaluation and Research

Presentation/summary report by Coordinator King.

No action on this item.

8.08 ESUHSD Education Foundation Update; Appoint Board Member to Serve as Representative to Foundation – Cindy Chavez, California Leadership Services, LLC and Rogelio Ruiz, Legal Counsel

Cindy Chavez

Just a quick update. The draft Master Plan is what we are going to use to guide us to identify key Foundations. The second thing we are doing is dry runs on some of our campuses with people who can give us money or with people who are already with Foundations and letting us practice. What we are trying to learn is how do we bring someone on the campus, focus our ask, and do all the processes. I want to acknowledge the folks at James Lick and Independence. We are going to do three more; two with Foundations and one with a potential individual donor. The feedback I got from the person I took out is that it was very good. It was more strategic like he was really excited and really bought in. He loved the kids. I got a chance to

sit with that person and get more recommendations in people who would make large donations and who he could help us ask. It went really well. The only other thing I wanted to mention is that we are working right now on the collateral materials because what we are going to have to do is go out and ask our initial Board Members, now that I have a Liaison. These are people who really love the school aren't going to care what the logo is and all of that, but fairly soon we are going to need professional materials to deal with our big asks and also with the Foundation. We've begun that work as well. I'm excited. I'm ready to go. Bob, I also want to compliment your office staff. They've been helpful.

*Motion to appoint Vice President Eddie Garcia to serve as representative to the ESUHSD Education Foundation made by Member Herrera, second by Member Biehl.
Vote: 5/0*

- 8.09 Approve Carl D. Perkins 2008-2012 Local Plan for Career Technical Education – Alan Garofalo, Associate Superintendent of Student Services and Facilities**

*Motion to approve the Carl D. Perkins 2008-2012 Local Plan for Career Technical Education made by Clerk Shirakawa, second by Member Biehl.
Vote: 5/0*

- 8.10 Hold Public Hearing at Approximately 7:30 p.m. to Approve Plan for Implementation of Course Sequencing as required by AB 2448 – Alan Garofalo, Associate Superintendent of Student Services and Facilities**

Public hearing to approve plan for implementation of course sequencing as required by AB 2448 held.

- 8.11 Approve Plan for Implementation of Course Sequencing as required by AB 2448 – Alan Garofalo, Associate Superintendent of Student Services and Facilities**

No action necessary on this item; only public hearing as identified in item 8.10.

- 8.12 Adopt Resolution #2008/2009-05 to Authorize Adjustments of Expenditures and Adopt Resolution #2008/2009-06 to Authorize Adjustments of Revenues between Undistributed Reserve – Jerry Kurr, Associate Superintendent of Administration and Business Services**

Motion to adopt Resolution #2008/2009-05 to authorize adjustments of expenditures and adopt Resolution #2008/2009-06 to authorize adjustments of revenues

between undistributed reserve made by Member Herrera, second by Vice President Garcia.
Vote: 5/0

- 8.13 Adopt Resolution #2008/2009-09 Requesting the Board of Supervisors of Santa Clara County to Issue and Sell General Obligation Bonds, 2002 Election, Series H, in the Aggregate Principal Amount not to Exceed \$18,002,731.80 in the Name and on Behalf of the District - Jerry Kurr, Associate Superintendent of Administration and Business**

Motion to adopt Resolution #2008/2009-09 requesting the Board of Supervisors of Santa Clara County to issue and sell General Obligation Bonds, 2002 Election, Series H, in the aggregate principal amount not to exceed \$18,002,731.80 in the name and on behalf of the District made by Member Herrera, second by Member Biehl.
Vote: 5/0

- 8.14 Adopt Resolution #2008/2009-10 to the Contract Between the Department of Rehabilitation and East Side Union High School District – Dan Moser, Associate Superintendent of Instruction and Human Relations**

Motion to adopt Resolution #2008/2009-10 to the contract between the Department of Rehabilitation and East Side Union High School District made by Member Biehl, second by Member Herrera.
Vote: 5/0

- 8.15 Adopt Resolution #2008/2009-11 Approving Authorization to Enter Into Services to Accommodate Emergency Remediation on School Facilities at Andrew Hill High School for Health and Safety Reasons - Jerry Kurr, Associate Superintendent of Administration and Business Services**

Motion to adopt Resolution #2008/2009-11 approving authorization to enter into services to accommodate emergency remediation on school facilities at Andrew Hill High School for health and safety reasons made by Member Herrera, second by Member Biehl.
Vote: 5/0

- 8.16 Approve Variable Term Waiver Request for Certificated Employee - Dan Moser, Associate Superintendent of Instruction and Human Relations - ATTACHMENT D**

Motion to approve the variable term waiver request for certificated employee made by Vice President Garcia, second by Clerk Shirakawa.
Vote: 5/0

8.17 Approve Provisional Internship Permit Requests for Certificated Employees - Dan Moser, Associate Superintendent of Instruction and Human Relations - ATTACHMENT E

Motion to approve the provisional internship permit requests for certificated employees made by Vice President Garcia, second by Member Herrera.

Vote: 5/0

8.18 Contracts for Professional Services - Jerry Kurr, Associate Superintendent of Administration and Business Services - ATTACHMENT B

Motion to approve the contracts for professional services made by Member Biehl, second by Clerk Shirakawa.

Vote: 5/0

8.19 Memoranda of Understanding - Jerry Kurr, Associate Superintendent of Administration and Business Services - ATTACHMENT C

Motion to approve the memoranda of understanding made by Vice President Garcia, second by Member Biehl.

Vote: 5/0

9. ATTACHMENT A – CONSENT CALENDAR ITEMS

Item 9.01 was pulled. Motion to approve the remainder of the consent calendar made by Vice President Garcia, second by Member Herrera.

Vote: 5/0

(Agenda items in parenthesis)

- Ratify and Approve Certificated Personnel Actions Presented October 23, 2008 (9.02)
- Ratify and Approve Student Aide Personnel Actions Presented October 23, 2008 (9.03)
- Purchase Orders Presented October 23, 2008 (9.04)
- Award of Bids (9.05)
- Approve School Field Trips (9.06)
- Approve Change Order #1 for Phase III Additions and Modernizations at Andrew Hill High School – Electrical (Cupertino Electric, Inc.) (9.07)
- Approve Change Order #1 for Phase III Additions and Modernizations at Andrew Hill High School – Electrical (Cupertino Electric, Inc) (9.08)
- Approve Change Order #1 for Phase III Additions and Modernizations at Andrew Hill High School – Metal Framing and Drywall (D & R Paquette) (9.09)
- Approve Change Order #1 for Phase III Additions and Modernizations at Andrew Hill High School – Sitework, Utilities and Demo (Joseph J. Albanese, Inc.) (9.10)
- Approve Change Order #1 for Phase III Additions and Modernizations at Andrew Hill High School – Structural Steel (Concord Iron Works) (9.11)

ATTACHMENT A

- Approve Change Order #1 for Santa Teresa High School – HVAC Replacement Project (Foothill Air Conditioning and Heating, Inc.) (9.12)
- Approve Minutes of Regular Board Meeting dated August 21, 2008 (9.13)
- Motion to approve item 9.01 Ratify and Approve Classified Personnel Actions Presented October 23, 2008, by Clerk Shirakawa, second by Vice President Garcia.
Vote: 5/0

10. WRITTEN REPORTS/RECOMMENDATIONS

10.01 Budget Adjustments

Report received.

11. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

11.01 Board of Trustees

- *Eddie Garcia, Vice President*
I've had an opportunity to visit some of our Back-to-School Nights. Every time I get to go back and visit one of our schools it just gives me more faith that we are all on the right track and that we've got a great District. I just want to say thank you to everyone and keep up the great job you are doing.
- *Frank Biehl, Member*
The Santa Clara County School Boards Association had their fall dinner on Wednesday night. It was held over at MetroED on the CCOC campus. All the food was prepared by the students at CCOC. There were displays from each of the student areas in the social area we have out in front. The President of the California School Boards Association speaking and we also had the County Superintendent of Schools present as well. It was a good meeting. Half the students preparing the catering and cooking were East Side students. They did a great job. They had only been in those classes for seven weeks. It was a big challenge for them and they did a great job. The food was better than what you get at most catering events.
- *George Shirakawa, Clerk*
I'm in the middle of a campaign as you know and have been making many phone calls. Many are happy with East Side. They have many anecdotal concerns with their children obviously, but for the most part, they are a positive response about East Side Union High School District. I just wanted everybody to know that because it is a reflection on our district. Literally, I've talked to hundreds of voters and it's pretty much universal because part of my contact is introducing myself and who I am.

WRITTEN REPORTS

BOARD/SUPERINTENDENT COMMENTS

- *J. Manuel Herrera, Member*
I wanted to put some comments on the record about Camp Everytown. Simply because it was referenced more than once tonight. There is a strong constituency in this community for Camp Everytown. Most strongly among the students. If they were to know it was at risk, they would match 2:1, 3:1, any staff member who would think differently. There is similarly a strong constituency among staff members. This program has been going on for about 10-12 years now every year. There is research that was conducted by our own faculty during a Masters Program that a number of staff members did their thesis on the Camp Everytown Program. If you read that it goes beyond opinion, deep research, that the impact on these students lives. The California Foundation has designated a wellness foundation that has designated just one of the model programs of the State for addressing diversity and safe campuses and non-violence. It is a transformative program and if you read even just the last report submitted for the end of the 07-08 school year, you'll see in the words of staff and students what is happening through this program which is extraordinary. For a cost of approximately \$300 per participant, four days, three nights at a residential camp it is a super bargain. To frame it as a \$150,000 and put it against – everything is valuable in our school system. Nothing deserves to be cut back and I don't think it is appropriate or fair or correct to frame it in that kind of fashion. Should that ever come for any public consideration, I guarantee you that this place will be full, including parents. We've had kids who have been gang-banging and in their own words they "turned around" through the power and impact of this program. It is not just a recreation camp that kids go to; it's an amazingly powerful program. I am always going to be an advocate for it because I have directly experienced it. Thank you.

11.02 Superintendent

This is the fourth district I have been in. I thank those persons that stayed that did not have to and also those that stayed because you had to. George, when you are out in the community, what is reflected is, I think, is the commitment of you folks. The time you spend on some of the topics here tell me that you are interested in what is good for students at the same time caring about the adults that are providing the services to those students. I am thankful that I have Board Members that provide that kind of service for this community.

12. CLOSED SESSION

CLOSED SESSION

12.01 EXPULSIONS – STUDENT A - B

Student A

On a vote of 4/0, the Board voted to approve the expulsion of Student A. President Nguyen was not present for the vote.

Student B

On a vote of 4/0, the Board voted to approve the expulsion of Student B. President Nguyen was not present for the vote.

12.02 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

(Government Code §Section 54957)

**12.03 CONFERENCE WITH LABOR NEGOTIATORS
(Government Code §Section 54957.6)**

Agency Designated Representatives:

Bob Nuñez, Superintendent

*Jerry Kurr, Associate Superintendent of Administration and
Business Services*

*Dan Moser, Associate Superintendent of Instructional
Services 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)

East Side Teachers Association (ESTA)

12.04 CONFERENCE WITH LEGAL COUNSEL

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED
LITIGATION**

Significant exposure to litigation pursuant to subdivision (b)
of Section 54969.9 of the Government Code:

One (1) potential case

**12.05 CONFERENCE WITH REAL PROPERTY
NEGOTIATORS**

Property: A portion (approximately eight acres) of Assessor's
Parcel Number 484-17-031.
District: Bob Nuñez, Superintendent
Negotiators: Jerry Kurr, Associate Superintendent of
Administration and Business Services
Rogelio Ruiz, Legal Counsel
Negotiating Parties: ESUHSD and Alum Rock Union Elementary
School District
Under Negotiation: Property Exchange Terms

**12.06 PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code § Section 54957)**

- *Superintendent*

**12.07 PUBLIC EMPLOYMENT/PUBLIC EMPLOYEE
APPOINTMENT (Government Code § Section 54957)**

13. REPORT CLOSED SESSION ACTION(S)

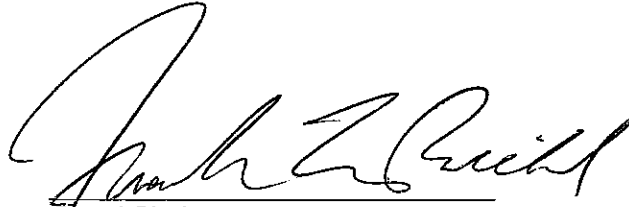
**REPORT CLOSED
SESSION ACTION(S)**

14. ADJOURNMENT

Meeting adjourned at 10:08 p.m. by President Nguyen.

ADJOURNMENT

Respectfully submitted,


Board Clerk