

Agenda Item

16.06 Approve Minutes of August 20, 2009, Regular Board Meeting

Meeting: 10/08/2009 ESUHSD REGULAR BOARD MEETING - 4:00 P.M.
Category: 16. 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: Dan Moser, Acting Superintendent
SUBJECT: Approve Minutes of August 20, 2009, Regular Board Meeting

Attached are the minutes of the August 20, 2009, Regular Board meeting for review and approval by the Board of Trustees.

FISCAL IMPACT: None

FUNDING SOURCE: None

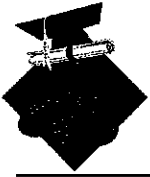
RECOMMENDATION: It is recommended that the Board of Trustees approve the August 20, 2009, Board meeting minutes as presented.

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 10/02/2009 at 08:24 PM by Mary Guillen. Last update on 10/07/2009 by Mary Guillen.

East Side Union High School District
Approved
Board of Trustees
October 8, 2009 



**EAST SIDE UNION HIGH SCHOOL DISTRICT
MINUTES OF THE REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES
Meeting Held at the Education Center
August 20, 2009
4:00 p.m.**

1. CALL TO ORDER/ROLL CALL

1.01 Roll Call

The Regular Meeting of the Board of Trustees was called to order at 4:04 p.m. by President Martinez-Roach. Clerk Biehl, Member Nguyen and Member Garcia were present. Vice President Herrera arrived at 4:05 p.m.

1.02 Announcement and Public Comment regarding Items to be discussed in Closed Session (Government Code 54957.7)

President Martinez-Roach extended a welcome to everyone, explained the format of the meeting, noted that all Board Meetings are recorded and offered the public to comment on item(s) to be discussed in Closed Session.

There were no public speakers regarding Closed Session items.

1.03 Recess to Closed Session (Open Session will resume at the end of Closed Session in the Board Room at approximately 6:00 p.m.) See item 2 on agenda (Closed Session).

The Board of Trustees recessed to Closed Session.

2. CLOSED SESSION

2.01 Expulsions - NONE

2.02 Public Employee/Discipline/Dismissal/Release/Complaints/Administrative Leave/Discipline (Government Code Section 54957)

2.03 Conference with Labor Negotiators (Government Code Section 54957.6)

Agency Designated Representatives:

Dan Moser, Acting Superintendent

Jerry Kurr, Associate Superintendent of Administration and Business Services

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)

2.04a Conference with Legal Counsel – EXISTING LITIGATION

Subdivision (b) of Section 54956.9 of the Government Code:

- *Claim for damages of R. Campos*

2.04b 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

2.05 Conference with Real Property Negotiators

2.06 Public Employee Performance Evaluation (Government Code Section 54957)

2.07 Public Employment/Public Employee (Government Code Section 54957)

3. OPEN SESSION 6:00 P.M. – EDUCATION CENTER BOARD ROOM

3.01 Pledge of Allegiance

4. WELCOME AND EXPLANATION TO AUDIENCE

Information explaining Board meeting procedures and how citizens can address the Board will be read. Written information is located near the entrance to the Board Room.

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

5. CONSIDERATION OF PROPOSED AMENDMENTS TO AGENDA

For consideration by the Board of Trustees.

Request by Acting Superintendent Dan Moser to:

- *Move item 13.06, section A.12, to item 10.04*
- *Move item 17.01 to 13.08*

Motion by Vice President Herrera, second by Member Nguyen to move item 13.06, section A.12, to item 10.04 and to move item 17.01 to 13.08.

Vote: 5/0

6. **BOARD SPECIAL RECOGNITION(S)**

6.01 **Presentation of Check by Save Our Sports (SOS) Committee to East Side Union High School District**

The Save Our Sports Committee presented the East Side Union High School District a check in the amount of \$115,000.

7. **STUDENT BOARD LIAISONS**

None

8. **PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD OF TRUSTEES**

Persons wishing to address the Board must fill out a "gold" request form, which is located at the entrance of the Board Room.

- *Wendy Stegeman – Read Letter from Hahn Nguyen re: Bob Nuñez*
- *Ralph Giannini – Back to School Meeting: Saving Money*

9. **INSTRUCTIONAL SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**

9.01 **Approve New Textbooks: Access: Introduction to Travel and Tourism, Cengage Delmar Learning; Hospitality and Tourism, Glencoe/McGraw Hill; Graphics Design Solutions, Thomson Delmar Learning - Dan Moser, Acting Superintendent and Robert Ibarra, Coordinator of Professional Development**

Motion by Vice President Herrera, second by Clerk Biehl to approve new textbooks: Access: Introduction to Travel and Tourism, Cengage Delmar Learning; Hospitality and Tourism, Glencoe/McGraw Hill; Graphics Design Solutions, Thomson Delmar Learning.

Vote: 5/0

9.02 **Approve New Course: Psychology and Education - Dan Moser, Acting Superintendent and Robert Ibarra, Coordinator of Professional Development**

Motion by Clerk Biehl, second by Member Garcia to approve new course: Psychology and Education.

Vote: 5/0

10. **SUPERINTENDENT/BOARD OF TRUSTEES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**

10.01 **Approve Retainer Agreement for Independent Investigation/Legal Services with the Law Office of Hanson Bridgett, LLP – Dan Moser, Acting Superintendent**

Dan Moser, Acting Superintendent

At the July 28 Board Meeting, under Board direction, legal counsel was requested to select an independent investigator to investigate potential issues of employee discipline in connection with Santa Clara County Office of Education's review dated July 16, 2009. I bring to you a retainer from Hanson Bridgett for your consideration and approval. The firm

has over 40 years of experience specializing in public agency law to include workplace investigations. I see out in the audience Mr. Mike Moye who will be, if you engage, in this retainer the investigator.

J. Manuel Herrera, Board Vice President

Madame Vice President, I just wanted to say publicly that at the last meeting I was resisting and rejecting publicly the idea of hiring a firm and thought that we could handle everything with a FCMAT investigation, but I've since come to understand that there are unique issues related to personnel law with some aspects to all of the inquiries that are now in motion. FCMAT will be conducting a broader organizational systems-oriented and whatever issues that may generate to the extent that any further investigation involving Superintendent Nuñez. The need to resolve some of the issues for him as an executive, as a staff member, I've become persuaded that, in fact, we do need to work with legal counsel because of the unique nature of risks for the District, protections for any employee, case law around personnel. It is best to have an investigation done for some aspects of this by an attorney. Reluctantly, I will be supporting this motion.

Frank Biehl, Board Clerk

Madame President, I just want to make sure that this is a law firm that does not currently have any relationship to the District and is currently not under a contract with the District. It is a disinterested party that has a solid reputation in education law and personnel law and that is why they are being recommended?

Dan Moser, Acting Superintendent

Yes to all of your questions; absolutely.

Patricia Martinez-Roach, Board President

I just want to go on record stating that this is the same law firm that investigated me back in 2006. Although, I don't feel there is a conflict of interest, I do have some concerns. I am going to be abstaining for that purpose. For the record, I was cleared of any wrongdoing.

Motion by Member Garcia, second by Clerk Blehl to approve retainer agreement for independent investigation/legal services with the Law Office of Hanson Bridgett, LLP.

Vote: 4/0/1; President Martinez-Roach abstained

10.02 Approve Retainer Agreement for Counsel Legal Services for 2009-2010 with the Law Offices of Rehon & Roberts – Dan Moser, Acting Superintendent

No action; discussion item only

Patricia Martinez-Roach, Board President

For the record, it needs to be stated that Rogelio Ruiz is no longer working for Garcia, Calderon and Ruiz. He is now working for Rehon and Roberts.

My concern has to do with the budget issue. We have spent just this year \$1 million in attorney fees. The majority of the monies have gone to our current law firm representing us where Rogelio used to work. I am really concern about that. At the last Board Meeting there was concern from the Board regarding retaining another attorney, which was already on retainer, but I think that I heard some of the Board Members expressing concern about

that. I am just trying to understand the rationale of how we could hire yet another law firm and how can we respond to the public, students and all the teachers with all the cuts, more legal services. I am concerned about that. I am not going to be supporting that because I don't think it is fiscally responsible for this District to do so. I have an issue that one day he is working for the firm and now he is working for somebody else. Unbeknownst to be, I got an e-mail. It was like a shock. I just don't feel comfortable with it. I am not going to be supporting it. I want that on the record, Mary, please.

Eddie Garcia, Board Member

Do we need to clarify in any motion that Mr. Ruiz and his firm will take the lead interfacing with this Board?

Nitasha Sawhney, Legal Counsel

There are many ways this District's do that. Assuming that the Board approves this contract, you will have approved a contract for lead counsel and I think that it's described as outside general counsel. That will leave you with this retainer agreement as approved. You also have a previous retainer agreement that also has general counsel services involved. I believe that the District Board can direct the Superintendent. The Superintendent can direct counsel to take on any legal matters as you wish. The contracts themselves do not require that any one firm handle any particular matter.

Frank Biehl, Board Clerk

My intent, and I should include it in the motion, is to reaffirm the Board position that Rogelio Ruiz would remain the general counsel through the new firm. That would be my choice. That is what I would like to see tonight, is that he remain the lead counsel. I think it is important that we make it clear tonight, which firm is the lead counsel. That doesn't mean we won't be working with the other firm, but I think we need to have that clarification.

Patricia Martinez-Roach, Board President

It is number one. I think it describes it. It says, "The client engages the firm to represent the client as chief legal counsel/outside general counsel for the client." I think that answers your question.

Frank Biehl, Board Clerk

Does it answer it or does it leave it vague between two firms?

Nitasha Sawhney, Legal Counsel

This is definitely a retainer agreement for outside general counsel. The vagueness arises in that you also have an existing agreement that also calls for general counsel.

Lan Nguyen, Board Member

Your explanation earlier falls back on the responsibility or duty of the Superintendent to decide on which law firm he would call for to serve as general counsel. The general counsel generally reports and works for the Board. If we delegate or ask the Superintendent to take the responsibility to decide on which general counsel and what capacity, would there be a problem with that?

Nitasha Sawhney, Legal Counsel

You have many options. Yes, it can simply be delegated to the Superintendent. In many districts that is how it works. Your counsel always works for the Board. If you have one law firm or you have five law firms, all of your law firms work for the Board. The agreement

with Rehon can be that they will be the Board's counsel, that they will attend the Board meetings, that all of the District's work will go through that firm. All of those things are absolutely possible and you can have, if you choose to agendize a separate item, to make those lines more clear. That's also another option.

Patricia Martinez-Roach, Board President

Just for clarity, the contract does not have the broader spectrum, correct? It is specific and we could not add anything that is not on the agenda.

Nitasha Sawhney, Legal Counsel

Approval of this agreement is an outside general counsel agreement. Yes, your counsel will be able to attend Board Meetings and be counsel to the Board.

Public speaker:

- John Moore

J. Manuel Herrera, Vice President

Members of the Board, I will be abstaining from this vote.

Motion by Member Nguyen, second by Clerk Biehl to approve the retainer agreement for counsel legal services for 2009-2010 with the Law Offices of Rehon & Roberts and that Rogelio Ruiz be designated as the lead general counsel.

Vote: 3/1/1; President Martinez-Roach voting No; Vice President Herrera abstained

10.03 Report on Legal Services – Dan Moser, Acting Superintendent

Patricia Martinez-Roach, Board President

We have spent almost \$3 million in the last three years in legal expenses. Just that last year alone, it has been almost \$1 million or, actually, it is more than \$1 million. It am talking total cumulative; all the law firms. My bottom line is that we need to do better. We should try to use County Counsel. I think they have the lowest fees in the area. That would be my preference. I know this is not for action and this is just for discussion.

Eddie Garcia, Board Member

I remember the report that came out from the Santa Clara County Grand Jury. I remember being happy after I read the newspaper article that East Side, in fact, Mr. Nguyen said the cheapest is one way of saying it, but one of the most prudent. We live in a litigious society. We are in one of the most litigious times in our Country right now. Campbell Union has 7,800 students. According to the Grand Jury report, they spent \$1.5 million in attorneys fees last year. That comes out to \$214 per student. East Side, during the same review period, spent about \$676,000 at \$25 per student at a 26,000 student district. We, by far, despite the litigious society we are in, are the most prudent and cheapest school district when it comes to paying for attorneys. I am proud of that; I am glad of that. I think this is great information. You brought up County Counsel. The Grand Jury did recommend County Counsel, however, I work for the County of Santa Clara, and I know County Counsel very well. One, there is no education division, whatsoever. They do not have education experience. Two, they are not the lowest in the County. In fact, the firm we have sitting at this dais and the firm we just hired are 10% lower than the County.

Patricia Martinez-Roach, Board President

It should be noted that Garcia, Calderon and Ruiz made \$2,200,000 that last three years.

Frank Biehl, Board Clerk

I want to thank you for bringing this forward. I am pleased to see that the contract that we just entered into previously, the lead attorney will be sitting at the dais at no charge. I think it is good to bring it forward, take a look at it, and look at it again. I think we should review this annually to make sure our legal fees are staying within line.

10.04 Approve Contract for Professional Services, specifically Item A.12

Per approved amendment to the agenda (item 5.0), item moved from 13.06, specifically A.12, on the agenda in order for contracts related to attorneys in one area on the agenda.

Motion by Member Nguyen, second by Member Garcia to approve the Item 13.06, A.12, contract with Miller, Brown and Dannis Law Firm.

Vote: 5/0

11. STUDENT SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

None

12. HUMAN RESOURCES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

12.01 Hold Public Hearing Approximately 6:30 p.m. - Receive Initial Proposal for Successor Contract: From CSEA to ESUHSD; From ESUHSD to CSEA - Jerry Kurr, Administration and Business Services and Vida Branner-Siders, Director of Compensation/Classified Employee Relations

Public hearing held.

Public speakers:

- *Cindy Bega*
- *Susan Flores*

12.02 Adopt ESUHSD Initial Bargaining Proposal for the Upcoming Successor Agreement with Calif. School Employees Association - Jerry Kurr, Associate Superintendent of Admin. and Business Services and Vida Branner-Siders, Director of Compensation/Classified Employee Relations

Motion by Member Nguyen, second by Clerk Biehl to adopt ESUHSD initial bargaining proposal for the upcoming successor agreement with California School Employees Association

Vote: 5/0

13. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

- 13.01 Resolution #2009/2010-02 Authorizing Filing of Application for Qualified School Construction Bond ("QSCB") Allocation with the California Department of Education - Jerry Kurr, Associate Superintendent of Administration and Business Services**

Motion by Vice President Herrera, second by Member Garcia to adopt Resolution #2009/2010-02 Authorizing Filing of the Application for Qualified School Construction Bond ("QSCB") Allocation with the California Department of Education.

Vote: 5/0

- 13.02 Adopt Resolution #2009/2010-03 Inter-Fund Temporary Transfers for Cash Flow Purposes - Jerry Kurr, Associate Superintendent of Administration and Business Services**

Public speaker:

- *John Moore*

Request by Board President Martinez-Roach to note the following for the record:

Concern was raised about the possibility of having to borrow from Measure G and Measure E Bond funds. Should there be a need to borrow from Bond funds, administration is to come back to the Board for consideration.

Motion by Vice President Herrera, second by President Martinez-Roach to adopt Resolution #2009/2010-03 Inter-Fund Temporary Transfers for Cash Flow Purposes.

Vote: 5/0

- 13.03 Adopt Resolution #2009/2010-04 to Authorize Adjustments of Expenditures and Adopt Resolution #2009/2010-05 to Authorize Adjustments of Revenues between Undistributed Reserve - Jerry Kurr, Associate Superintendent of Administration and Business Services**

Item pulled

- 13.04 Acceptance of Donations, Grants and Awards - Jerry Kurr, Associate Superintendent of Administration and Business Services**

Motion by Vice President Herrera, second by Member Nguyen to accept donations, grants and awards.

Vote: 5/0

13.05 Approve Purchase Orders Presented on August 20, 2009 - Jerry Kurr, Associate Superintendent of Administration and Business Services

A request was made that administration bring back a policy to the Board of Trustees for discussion.

Motion by Clerk Biehl, second by Member Garcia to approve purchase orders presented August 20, 2009.

Vote: 5/0

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

Public speaker:

- *Julio Pardo*

Motion by Clerk Biehl, second by Member Nguyen to approve contracts for professional services, except item A.12, which was considered by the Board of Trustees as a separate agenda item: item 10.04.

Vote: 5/0

A request was made that administration bring back a policy to the Board of Trustees for discussion.

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

Motion by Clerk Biehl, second by Vice President Herrera to approve the memoranda of understanding.

Vote: 4/0; Member Garcia out of room

13.08 Warrant Register Issued for the Month of July 2009 - Jerry Kurr, Associate Superintendent of Administration and Business Services - ATTACHMENT C

Per approved amendment to the agenda (item 5.0), item moved from 17.01 on the agenda for the Board's consideration for approval.

Motion by Vice President, second by Member Garcia to receive the warrant register issued for month of July 2009.

Vote: 5/0

14. FACILITIES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

- 14.01 Citizens' Bond Oversight Committee 3rd Quarter Report - Alan Garofalo, Associate Superintendent of Student Services and Facilities, and John Moore, Chairperson of Citizens' Bond Oversight Committee**

Presentation by John Moore, Chairperson of the Measure G and Measure E Citizens' Bond Oversight Committee.

15. ADULT EDUCATION - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

- 15.01 Approve Carl D. Perkins 1132 Grant 2009-2010 Grant Application for East Side Adult Education Program - Alan Garofalo, Associate Superintendent of Student Services and Facilities and Cari Vaeth, Director of Adult Education**

Motion #1

Motion by Vice President Herrera, second by Member Garcia to approve Carl D. Perkins 1132 Grant 2009-2010 Grant Application for East Side Adult Education Program.

Vote: 5/0

16. CONSENT CALENDAR ITEMS - ATTACHMENT A

Items 16.01, 16.07, 16.09 and 16.12 were pulled. Motion to approve the remainder of the consent calendar made by Clerk Biehl, second by Member Garcia.

Vote 4/0; Vice President Herrera out of room

- 16.02 Ratify/Approve Certificated Personnel Actions Presented August 20, 2009**

- 16.03 Ratify/Approve Student Aide Personnel Actions Presented August 20, 2009**

- 16.04 Ratify Awarding the Request for Proposals (RFP), RFP-01-09-10, for the Purchase of Food Service Equipment for Yerba Buena & W.C. Overfelt High Schools**

- 16.05 Ratify Awarding the Request for Proposals (RFP), RFP-05-08-09, for the Purchase of Security Guard Services for the Adult Education Program**

- 16.06 Ratify Awarding the Bid Award B-16-08-09 for Food and Nutrition Services**

- 16.08 Approve Minutes of June 4, 2009, Regular Board Meeting**

- 16.10 Approve Minutes of June 25, 2009, Special Board Meeting**

- 16.11 Approve Minutes of July 31, 2009, Special Board Meeting**

Items pulled for discussion/consideration:

16.01 Ratify/Approve Classified Personnel Actions Presented August 20, 2009

Public speaker:

- *Cindy Bega*

Motion by Vice President Herrera, second by Member Garcia to ratify/approve the classified personnel actions presented August 20, 2009.

Vote: 4/0; Member Nguyen out of room

16.07 Award of Bids

Public speaker:

- *Heather Lopez*

Motion by Clerk Biehl, second by Member Garcia to approve the award of bids.

Vote: 5/0

16.09 Approve Minutes of June 18, 2009, Regular Board Meeting

Motion by Clerk Biehl, second by Member Nguyen to approve the minutes of June 18, 2009, regular Board Meeting as amended to include great concerns by Board President Martinez-Roach that Board Members, Superintendent and administration being part of the Foundation, page 5 of the minutes.

Vote: 5/0

16.12 Approve Minutes of July 31, 2009, Special Board Meeting

Item pulled

17. WRITTEN REPORTS/RECOMMENDATIONS

17.01 Warrant Register Issued for the Month of July 2009

Per approved amendment to the agenda (item 5.0), item moved to 13.08 on the agenda.

18. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

18.01 Board of Trustees

▪ *J. Manuel Herrera, Vice President*

I just want to publicly convey to the administration a letter that I received and other Board Members may or may not have received a company, Solar Power Partners, that want to bring to the District a proposal for solar energy project. They make the point in their letter that the District ought to be working with more than just one partner. I don't know how to evaluate a letter like this. I am going to publicly turn it over to administration.

- Frank Biehl, Member

MetroED – The MetroED meeting last night was productive. Things seem to be moving along well. Construction projects are well underway. They recently instituted a new procedure for the approval of their Superintendent's credit card expenditures.

I attended a Cities, Counties, Schools partnership summit in Sacramento on July 17 and 18. Over 500 local California officials from schools, counties and cities attended. We heard presentations from the Bay Area Council on the advisability of having a constitutional convention in order to address the issues at the State right now. California Forward presented information on how they think they would use an initiative process to make primary reform in the State government. We also heard from Bill Leonard, State Board of Equalization, who urged some caution about grabbing onto great reforms when you don't know exactly what is going to happen. We met in groups of about 25 people each during the day to determine what our priorities were. We were each given the opportunity to vote for three areas that we thought were our priorities and what we found was, above and beyond everything, everyone there overwhelmingly felt we needed to protect local revenue sources from diversion or borrowing from the State, that we needed to reform State term limits with the Legislature because we found that we have a Legislature that is very inattentive because they are only there for six years in the assembly and eight years in the Senate. They are always focused on running for the next election and then we have no institutional memory of what's going on over there. So, in essence, a lobbyist and the administration tend to be the ones running the show now. They also felt strongly that we needed to reduce the 2/3 majority required to raise local revenue, local taxes and that they felt when there were new programs brought on by the State or by the initiative process, they needed to identify funding for those programs before they were brought on board. Most agreed that there was a need for fundamental realignment of the relationship between resources, responsibilities, and accountability between the State and local government. They want to return things back to the local level and to give taxing authority back at the local level where people have a sense of control over. The other interesting piece of information is that we had polling information that was presented to us during our working dinner meeting. We found that a very strong majority of people were willing to change the 2/3 vote requirement for local revenue issues, but were very hesitant to change the 2/3 requirement for revenue being raised at the State legislature. In general, there is a distrust of State government, but there is still remains a trust of local government. That was the message. I will follow through on this in future meetings and report back to you.

- Eddie Garcia, Member

We have had a very difficult and challenges last few weeks, but the most important this that I have been advocating is that on Tuesday we are going to have 26,000 students come to get educated and our number one priority is that. Despite the chaos and the craziness over the last few weeks, we really need to keep an eye on the prize, which are those students. I want to commend Mr. Moser who was given a high, high level task of making sure that happens. Thank you, Mr. Moser, for stepping up, not only during a difficult time, but making that happen. I just happened to be driving by James Lick today and saw a long line of students. I drove up and sure enough students were going to get their class schedule for Tuesday. I spent a few minutes with Mr. VanderZee, but what I walked away with was, "That's what we are here for." They were excited, they were chatty, and they were seeing old friends. Everything that we are all about was happening today and I feel a little more comfortable that at the end of the day, that's what we are doing. I just want to say as one Board Member, "Thank you to

everybody, administration, staff, Mr. Moser and your leadership.” Let’s just have a great start to school and do what we do best and we are going to work through all these other issues. We are going to work through them. We need to make sure that the students are our first priority and I think that is happening right now. Thank you very much.

- Patricia Martinez- Roach, President

We have a wonderful District with a great community that cares about us.

FCMAT will be beginning their investigation starting Monday from the County.

18.02 Acting Superintendent

We’ve had lots of discussion with the County and other interested citizens regarding foster children and in regards to providing partial credit. I wanted to acknowledge that we are working on that particular item through our administrative regs. Our policies cover our ability to do that and we will have that at a future meeting.

While we are getting ready for the youngsters on Tuesday, there are two items. One is to compliment ESTA and CSEA for their patience as we have been dealing with the effects of our layoff, particularly with our certificated staff. Marisa has been very helpful to us to be able to locate many of the teachers that were laid off so that we could tell them that they had their jobs back. We appreciate your efforts Marisa, ESTA, for keeping us to the task. Also, we have had hundreds of teachers over the past two to three weeks being trained as we go into the new year and we realize that we need to continue in our investment in providing the best training possible for our teachers.

I would like to compliment Adult Ed for their opening this past week. I appreciate being invited to say a few words. I wish them well as they figure out, together, the issues that we have pending there.

Lastly, we have one of our own that is being honored this Saturday and would like to acknowledge that. The South Bay Association of Black Social Workers will be presenting awards to various members of our community, and, of course for us, they are honoring Jeff Moore.

19. REPORT CLOSED SESSION ACTION(S)

Attorney will report on closed session action item(s).

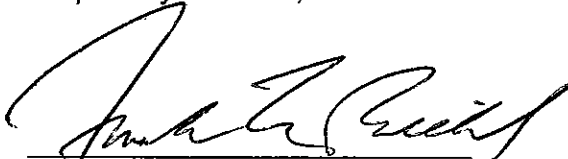
There were no items reported out of Closed Session.

20. ADJOURNMENT

President adjourns the meeting.

Meeting adjourned at 8:37 p.m. by President Martinez-Roach.

Respectfully submitted,



Board Clerk

Date 8/20/2009

To: East Side Union High School District Board of Trustees

From: Frank Biehl, Trustee

Sub: Cities, Counties and Schools Partnership, Summit, Sacramento, July 17- 18, 2009

Attendance: Over 500 California local government officials

Meeting highlights:

Presentations on State Constitutional and Fiscal Reform Movements

Bay Area Council – Constitutional Convention

California Forward – Initiative Process

Bill Leonard, State Board of Equalization Member- Urged caution

Consensus reached on reform principals:

Groups of approximately 25 participants each met on the second day to zero in on the few priorities among the many suggestions. After lively small group discussion each School Board Trustee, City Council Member and County Supervisor cast three votes to determine priorities.

The votes in general suggested that restoring local control is the key reform. Specifically the top results were as follows:

- Protect local revenue sources from diversion or borrowing by the state
- Reform state term limits
- Reduce the two-thirds majority required for local taxes
- Require new funding sources be identified for any new state programs

Most agreed that there was a need for the fundamental realignment of the relationship of resources, responsibilities and accountability between the state and local government.

Polling information presented during a working dinner found that voters were inclined to favor reducing the two-thirds majority requirement for local revenue issues but were not supportive of changing the two-thirds rule statewide.

**Attachment A
Item 18.0
Comments by Clerk Biehl**