

## Agenda Item

### 15.15 Approve Minutes of November 19, 2009, Regular Board Meeting

Meeting: 01/21/2010 ESUHSD REGULAR BOARD MEETING - 4:00 P.M.  
Category: 15. 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, Interim Superintendent  
**SUBJECT:** Approve Minutes of November 19, 2009 Regular Board Meeting

Attached are the minutes of the November 19, 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 November 19, 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.

**Motion:**

Created on 01/08/2010 at 01:24 PM by Mary Gullen. Last update on 01/14/2010 by Mary Gullen.

East Side Union High School District  
**Approved**  
Board of Trustees  
January 21, 2010 *M. Gullen*



**EAST SIDE UNION HIGH SCHOOL DISTRICT  
MINUTES OF THE REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Meeting Held at the Education Center  
November 19, 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 4:07 p.m. by President Martinez-Roach. Member Garcia and Member Nguyen were present. Clerk Biehl arrived at 4:09 p.m. and Vice President Herrera arrived at arrived at 5:00 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: A-B**

*Student A:*

*The Board approved the expulsion of Student A.*

*Vote: 4/0, Vice President Herrera absent*

*Student B:*

*The Board approved the expulsion of Student B.*

*Vote: 4/0, Vice President Herrera absent*

**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**

**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**

<i>Property:</i>	<i>ESUHSD Educational Center, or portion thereof 830 N. Capitol Avenue San Jose, CA 95133</i>
<i>District Negotiators:</i>	<i>Dan Moser, Acting Superintendent Jerry Kurr, Associate Superintendent of Administration and Business Services Rogelio Ruiz, Legal Counsel Real Estate Representatives Sam Swan, Bob Hunt and Andre Hunt</i>
<i>Negotiating Parties:</i>	<i>ESUHSD and Party To Be Determined</i>
<i>Under Negotiation:</i>	<i>Price and Terms</i>

**2.06 Public Employee Performance Evaluation (Government Code Section 54957)**

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

- *Acting Superintendent*
- *Interim Superintendent*
- *Principal (1)*

*Board President previously reported the Board appointment of Dan Moser as Interim Superintendent.*

*Vote: 5/0*

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

**3. 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.

*There were no amendments to the agenda.*

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

**6.01 Recipients of the 100 Black Men of Silicon Valley 2010 Scholarship Awards**

- *Charity Hawkins, Evergreen Valley High School*
- *Samara White, Evergreen Valley High School*
- *Tiana Carter, Mt. Pleasant High School*
- *Camylle Boxtton, Mt. Pleasant High School*
- *Caitlin Cunningham, Piedmont Hills High School*

**7. STUDENT BOARD LIAISONS**

**7.01 Michael Ho, ASB Secretary – Evergreen Valley High School**

**7.02 Cristian Poblano, ASB President – Wm. C. Overfelt High School**

**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.

*Speakers:*

- *Marisa Hanson – ESTA President*
  - *Members of the audience who donated their time to Marisa Hanson*
    - *Al Meza*
    - *Lori Thomas*
    - *Patty Giorgianni*
    - *Ted McLeod*
    - *Kim Schaupp*
    - *Kathy Lair*
    - *Allan Roberts*
    - *Mirra Shernock*
    - *Shawna Forteamo*

- Irene Mashimoto
- Anthony Mendoza
- Dan Campagnolo
- Gil Agoylo
- Marx Advincula
- Traci Verna
- Wil Henninger
- Todd Seal
- Bjorn Berg
- Eleanor Aguirre
- Hong Pun
- Hong-Van Nguyen
- Jerry Dyer
- Jen Black
- Laurie Weckesser
- Victoriano Castillo, Jr.
- John M. Sphar
- Jamie Khuu
- Allana Zacaria
- Rosalind Taylor
- Greg Dunlap
- Elizabeth Gonzales
- Lou Bermingham
- Daniel Carlile
- Collette Copes
- Romana M. Orban
- Brandi Fabricius
- Michael Winsatt
- Bill Kirk
- Rick Caton
- Susie Caton
- Nikki Garcia
- Stephanie Alves
- Frank Alves
- David Trang
- Lynn Johnson
- Jan Gomez
- Robert Rumph
- Ed Guerra
- Natalie Rodriguez
- Jaime Avila
- Lorena R. Cuevas
- Jane Voss
- Sally Lussier
- Ka-Ling Scoppettone

- *Claudio Alvarez, Soccer Field Safety*
- *Marc Bashara, Report from October 31*
- *Wendy Stegeman, Redistricting*
- *Rosalind Taylor, Difference between what School Board gets and what Teachers get*

- Lisa Baker, Athletics
- Kinu Chowdhary, Deficiency of AP Classes
- Esau Herrera, Latino Role Model Conference
- Mehdi Panahi, State of the District Management & whether Students are the Focal Point
- John Sellarole, Superintendent Search
- Tricia Bolster, Why Search externally for Superintendent?

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

**9.01 Migrant Education Presentation – Dan Moser, Acting Superintendent & Robert Ibarra, Coordinator of Professional Development/Migrant Education**

*Presentation by Robert Ibarra, Coordinator of Professional Development/Migrant Education.*

**9.02 Oak Grove High School Presentation - Dan Moser, Acting Superintendent and Carol Blackerby, Interim Principal**

*Presentation by Carol Blackerby, Acting Principal of Oak Grove High School.*

**9.03 Piedmont Hills High School Presentation - Dan Moser, Acting Superintendent and Traci Williams, Piedmont Hills High School Principal**

*Presentation by Traci Williams, Principal of Piedmont Hills High School.*

**9.04 Adopt Resolution #2009/2010-15 to Support the SJ2020 Initiative to Eliminate the Achievement Gap – Dan Moser, Acting Superintendent**

Eddie Garcia, Board Member

*I want to put these comments on the record. I am going to support this because we need to support any initiative that wants to close the achievement gap. However, I think this is a cookie-cutter approach and it doesn't talk about a couple of important major issues that need to be discussed in the achievement gap discussion. One of them is equitable distribution of resources. This is cookie-cutter stuff. We are going to raise the standard, which is great, but what about the equitable distribution of resources to where they are needed. This effort initiative does not address that. The second is, quite frankly, what I call the elephant in the room. The elephant in the room is exactly what Ms. Brazil, Ms. Blackerby and Mr. Smith are doing at Oak Grove, which is the students. Those student comments were powerful and we have got to face and look ourselves in the mirror as a community, not just East Side, but everybody that there are institutional biases out there where people are judged by how they look, where they come from, what they do. If we can't look at ourselves and say "that's true," then we are not being honest with ourselves. This initiative does not address that issue. There's two elephants in the room: The distribution of resources on an equitable basis and us, as a community, looking at ourselves. I am proud to say that from these two presentations today, in addition, to these two study sessions we had, I think this school district is going to go above and beyond San Jose 2020 because we are ready to talk about courageous conversations. With all that said, I am going to support it, but I am not going to make a motion, because I think it is missing a whole bunch.*

*Motion by Member Nguyen, second by Vice President Herrera to adopt as amended Resolution #2009/2010-15 to Support the SJ2020 Initiative to Eliminate the Achievement Gap, which will include English Language Learners in the Resolution.*

*Vote: 4/0, Member Garcia out of room*

**9.05 Adopt Amendment of Board Policy #1312.1 Uniform Complaint Procedures – Dan Moser, Acting Superintendent**

*Motion by Clerk Biehl, second by Member Garcia to adopt as modified the Uniform Complaint Procedures Board Policy as follows:*

- *Correct Board Policy number on agenda and document:  
Change from #1312.1 to #1312.3*
- *Change on page 2 stating where copies are available:  
Copies are available in the Assistant Superintendent's Office and each school site*
- *Add to sections that indicate "Associate Superintendent":  
Associate Superintendent of Instruction or other officer designated by the Board*

*Vote: 5/0*

**9.06 Receive the Third Valenzuela/CAHSEE and Williams Settlement Uniform Complaint Quarterly Report for Period Covering July 1 through September 30, 2009, as required by Education Code 35186 (Williams Settlement Legislation SB550 and AB2727) – Dan Moser, Acting Superintendent**

*Motion by Member Garcia, second by Vice President Hererra to receive the third Valenzuela/CAHSEE and Williams Settlement Uniform Complaint Quarterly Report for period covering July 1 through September 30, 2009, as required by Education Code 35186 (Williams Settlement Legislation SB550 and AB272).*

*Vote: 5.0*

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

**10.01 Receive First Reading to Amend Board Policies 5121 Grades/Evaluation of Student Achievement, 5121.1 Examinations, Finals, and 6146.2 Certificate of High School Equivalency Achievement - Patricia Martinez-Roach, Board President**

*Request made by Clerk Biehl to include the Professional Development team in the discussions with ESTA and the Board on the proposed changes to these policies.*

*Received first reading to amend Board Policies #5121 Grades/Evaluation of Student Achievement #5121.1 Examination, Finals and #6146.2 Certificate of High School Equivalency Achievement.*

**10.02 Receive Second Reading and Adopt Amended Board By Law #9250 Remuneration, Reimbursement and Other Benefits – Dan Moser, Acting Superintendent**

*President Martinez-Roach stated for the record that she will never support option 1.*

*Motion by Clerk Biehl, second by Eddie Garcia to receive the second reading and adopt page one of four and page two of four of Board By Law #9250 Remuneration, Reimbursement and Other Benefits. Page three of four, specifically option 1, of Board By Law #9250 Remuneration, Reimbursement and Other Benefits will be brought back to the Board for further discussion and action.*

*Vote: 5/0*

**10.03 Receive Third Reading and Adopt Amended Board Policy #3350 Travel Expenses – Patricia Martinez-Roach, Board President**

*Motion by Member Garcia, second by Clerk Biehl to receive the third reading and adopt amended Board Policy #3350 Travel Expenses.*

*Vote: 5/0*

**10.04 Receive Second Reading and Adopt Proposed Audit Committee Charter and Related Board Policy Amendments – Member Frank Biehl and Board Secretary J. Manuel Herrera, Ad Hoc Audit Committee**

*Speakers:*

- Wendy Stegeman*
- Jon Reinke*
- Dan Juchau*

*Frank Biehl, Clerk*

*The primary purpose of an audit committee is to improve trust by providing greater transparency over public funds. This independent body will be responsible for ensuring that the appropriate accounting systems with checks and balances are in place and being followed. The Committee will recommend the selection of an independent auditor and oversee that auditor's engagement. Accountants engaged by the Board, the Board makes a decision about who is hired, but they would report directly to the Audit Committee. The Audit Committee would consist of five voting members, which would include two Board Members, one of which would serve as the Chair and the other as the Vice Chair, and three public members. The membership is subject to strict conflict of interest provisions and that's all included in the Charter. The Committee must collectively possess the knowledge and expertise in accounting, auditing, reporting and school finance needed to understand and evaluate district financial statements. It is not the committee who set priorities on what has already been spent in the district. It is not a spending committee. It is a committee to make sure that the accounting procedures are properly in place to account for the money that the district spends; that's their purpose. That's a very, very important purpose and I am sorry that has been something that has been lacking in this district over the years and can now be corrected. We've gone through a series of four meetings in the community. We've received a lot of input. We've had seven revisions of this Charter. We've had it reviewed by Legal Counsel. I think that what we need to do tonight is adopt this proposal and demonstrate to the community this Board's commitment to transparency and accountability. I believe it is*



*the first step in restoring trust in our accounting system and procedures. There is no provision in this current proposal for an internal auditor. That's another discussion that this Board will need to have on another day and there is no provision for this Audit Committee to have any ability to spend any money. All that authority rests with the Board. I do not believe there is any reason why this will create any additional spending at all, unless the Board determines that is necessary in the future, but I don't think that is going to be necessary.*

*I am asking that we take this first step tonight. That we, next week, send out the application form that has been included in here. We do a full open public process, just like we would if we were appointing another Board Member and then hopefully at our December meeting we have the opportunity to appoint the five public members and by February 1 we are up and running with the audit cycle for the following year. We will have an audit presented to the Board in January. This will put us on cycle to follow this procedure for the following year.*

*Motion by Clerk Biehl, second by Vice President Herrera to receive the second reading and adopt the proposed Audit Committee Charter and related amendments to Board Policy #3460 and Board By Law 9200.*

*Vote: 4/1, President Martinez-Roach voting No*

**10.05 Discussion/Consideration/Action to Cancel December 17, 2009, Regular Board Meeting and Move to December 10, 2009, as a Special Board Meeting – Patricia Martinez-Roach, Board President**

*Motion by Vice President Herrera, second by Clerk Biehl to cancel the December 17, 2009, Board meeting, and move the Regular Board Meeting and Annual Organizational Meeting to December 10, 2009, and direct administration to notify the Santa Clara County Office of Education Superintendent of Schools of the change in the Organizational Meeting.*

*Vote: 5/0*

**10.06 Discussion/Action regarding MACSA Academia Calmecac Charter School FCMAT Findings – Patricia Martinez-Roach, Board President**

*Speaker:*

- *Marisa Hanson*

*Patricia Martinez-Roach, Board President*

*I am bringing this item to the Board for the record because the County wanted to know what we have done on this issue. Cathy Grovenburg and Dr. Weis wanted to know what the status was on the repayment.*

*Rogelio Ruiz, Legal Counsel*

*We can address the Special Ed encroachment, but this issue should be a Closed Session discussion item.*

*Discussion item only. No action taken.*

**10.07 Discussion/Action to Appoint Interim Superintendent - Patricia Martinez-Roach, Board President**

*Patricia Martinez-Roach, Board President*

*The Governing Board in Closed Session voted unanimously to appoint Dan Moser as Interim Superintendent for the District. Mr. Moser has been with the district for 36 years as a Teacher, Administrator and, most recently, as Associate Superintendent of Instruction and Human Relations. The Board of Trustees will be conducting a national search to find a Superintendent for the district with the search process to begin in January 2010.*

*Congratulations Mr. Moser!*

**10.08 Discussion/Action regarding Superintendent Search – Patricia Martinez-Roach, Board President**

*Speakers:*

- *Jon Reinke*
- *Dan Juchau*
- *Marisa Hanson*

*Motion by Member Garcia, second by Member Nguyen to direct the Superintendent to research on the variety of options for the Board of Trustees to perform a wide-net national search.*

*Vote: 5/0*

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

**11.01 Expulsion Hearing Committee Panel Personnel for 2009-2010 - Alan Garofalo, Associate Superintendent of Student Services and Facilities**

*Motion by Clerk Biehl, second by Vice President Herrera to approve the Expulsion Hearing Committee Panel Personnel for 2009-2010.*

*Vote: 5/0*

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

**12.01 Approve Provisional Internship Permit Request for Certificated Employee – Dan Moser, Acting Superintendent, and Cathy Giammona, Director of Human Resources**

*Motion by Clerk Biehl, second by Vice President Herrera to approve the provisional internship permit request for certificated employee.*

*Vote: 5/0*

**12.02 Approve Request for Use of Education Code Section 44258.3 – Teachers on Special Assignment Authorizations for the 2009-2010 School Year - Dan Moser, Acting Superintendent, and Cathy Giammona, Director of Human Resources**

*Motion by Vice President Herrera, second by Member Nguyen to approve the request for use of Education Code section 44258.3 Teachers on Special Assignment authorizations for the 2009-2010 school year.*

*Vote: 5/0*

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

**13.01 Adopt Resolution #2009/2010-16 Authorizing a Lease Purchase Agreement for the Purpose of Financing the Solar Renewable Energy Project, Designating the Master Equipment Lease Purchase Agreement as a Tax Exempt Obligation; and Authorizing and Prescribing Other Matters Related Thereto – Jerry Kurr, Associate Superintendent of Administration and Business Services, Alan Garofalo, Associate Superintendent of Student Services and Facilities, and Rogelio Ruiz, Legal Counsel**

*Public hearing held.*

*Motion by Vice President Herrera, second by Member Nguyen to adopt Resolution #2009/2010-16, which will provide solar panels at the six school sites in a total amount not to exceed \$9.1 million and such project will produce an aggregate of 3.7 megawatts of electrical output and to include the analysis presented in agenda item 6.01 presented at the October 20, 2009, Board Meeting. Additionally, this motion adopts the provisions as stated in the public hearing notice attached to the Resolution.*

*Vote: 5/0*

**13.02 Adopt Resolution #2009/2010-17 and Short-Term Financing for Network Infrastructure Upgrade to Accommodate the Increased Demand for Data, Video and Voice Communication Utilized in Classroom Instruction - Jerry Kurr, Associate Superintendent of Administration and Business Services, Alan Garofalo, Associate Superintendent of Student Services and Facilities, and Rogelio Ruiz, Legal Counsel**

*Motion by J. Manuel Herrera, second by Clerk Biehl to adopt Resolution #2009/2010-17 and short-term financing for network infrastructure upgrade to accommodate the increased demand for data, video and voice communications utilized in classroom instruction.*

*Vote: 4/0, Eddie Garcia out of room*

**13.03 Approve the Pricing for the After School Snack Program – Jerry Kurr, Associate Superintendent of Administration and Business Services**

*Motion by Clerk Biehl, second by Member Nguyen to approve the pricing for the after-school snack program.*

*Vote: 5/0*

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

*Patricia Martinez-Roach, Board President*

*For the record, we have not seen the Raiders payment.*

*Motion by Member Nguyen, second by Member Garcia to accept the donations, grants and awards.*

*Vote: 4/0, Vice President Herrera out of room*

**13.05 Accept Warrant Register for the Month of October 2009 - Jerry Kurr, Associate Superintendent of Administration and Business Services**

*Motion by Member Nguyen, second by Clerk Biehl to accept the warrant register for the month of October 2009.*

*Vote: 4/0, Vice President Herrera out of room*

**13.06 Approve Budget Transfers Presented November 19, 2009 - Jerry Kurr, Associate Superintendent of Administration and Business Services**

*Motion by Member Nguyen, second by Member Garcia to approve the budget transfers presented on November 19, 2009.*

*Vote: 4/0, Vice President Herrera out of room*

**13.07 Approve Purchase Orders Presented on November 19, 2009 - Jerry Kurr, Associate Superintendent of Administration and Business Services**

*Motion by Member Nguyen, second by Member Garcia to approve as amended the purchase orders presented on November 19, 2009. Amendment is on page 7, which is the cancellation of purchase order #1304. It is a duplicate of purchase order #1336.*

*Vote: 5/0*

**13.08 Approve Contracts for Professional Services at or below \$50,000 - Jerry Kurr, Associate Superintendent of Administration and Business Services**

*Motion by Clerk Biehl, second by Member Nguyen to approve as amended the contracts for professional services at or below \$50,000. Amendment is a correction to item #B1 on page 3: Change Silver Creek to James Lick.*

*Vote: 5/0*

**13.09 Approve Contracts for Professional Services over \$50,001 - Jerry Kurr, Associate Superintendent of Administration and Business Services**

*Motion by Clerk Biehl, second by Member Nguyen to approve the contracts for professional services over \$50,001.*

*Vote: 5/0*

**13.10 Approve Memoranda of Understanding - Jerry Kurr, Associate Superintendent of Administration and Business Services**

*Motion by Member Nguyen, second by Member Garcia to approve the memoranda of understanding.*

*Vote: 5/0*

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

**14.01 Measures G and E Update - Alan Garofalo, Associate Superintendent of Student Services and Facilities**

*Presentation by SGI and Facilities.*

**14.02 Citizens' Bond Oversight Committee (CBOC) Quarterly Update - Alan Garofalo, Associate Superintendent of Student Services and Facilities, and Jon Reinke, Citizens' Bond Oversight Committee Chairman**

*Presentation by Jon Reinke, Chairman of Citizens' Bond Oversight Committee.*

**14.03 Approve Amended Work Authorization Agreement for Sugimura Finney Architects for Design Work of Board Approved Modernization of Building E and the North Wing Area of Building C at Wm. C. Overfelt High School - Alan Garofalo, Associate Superintendent of Student Services and Facilities, and June Francis Rono, Ph.D., Director of Facilities and Planning**

*Motion by Clerk Biehl, second by Member Nguyen to approve amended work authorization agreement for Sugimura Finney Architects for design work of Board approved modernization of Building E and the north wing area of Building C at Wm. C. Overfelt High School.*

*Vote: 4/0, Member Garcia absent*

- 14.04 Approve Amendment to the Construction Management Services Contract for Facilities Management Planning and Operations, Inc. to Include Board Approved Modernization of Building E and the North Wing Area of Building C at Wm. C. Overfelt High School – Alan Garofalo, Associate Superintendent of Student Services and Facilities, and June Francis Rono, Ph.D., Director of Facilities and Planning**

*Motion by Member Nguyen, second by Vice President Herrera to approve amendment to the construction management services contract for Facilities Management Planning and Operations, Inc. to include Board approved modernization of Building E and the north wing area of Building C at Wm. C. Overfelt High School.*

*Vote: 4/0, Member Garcia absent*

- 14.05 Approve Selection of Environmental Consultant for CEQA Compliance to Conduct an Initial Study of the James Lick New Two Story Building 500 - Alan Garofalo, Associate Superintendent of Student Services and Facilities, and June Francis Rono, Ph.D., Director of Facilities and Planning**

*Motion by Vice President Herrera, second by Clerk Biehl to approve selection of environmental consultants for CEQA compliance to conduct an initial study of the James Lick new two story building 500.*

*Vote: 4/0, Member Garcia absent*

- 14.06 Adopt Resolution #2009/2010-18 to Allow Our District Representative to File New Construction and Modernization Grant Applications with the State Office of Public School Construction (OPSC) to Seek Available State Funding for District School Sites - Alan Garofalo, Associate Superintendent of Student Services and Facilities, and June Francis Rono, Ph.D., Director of Facilities and Planning**

*Motion by Vice President Herrera, second by Clerk Biehl to adopt Resolution #2009/2010-18 to allow our district representatives to file new construction and modernization grant applications with the State Office of Public School Construction (OPSC) to seek available State funding for district school sites.*

*Vote: 4/0, Member Garcia absent*

- 14.07 Adopt Resolution #2009/2010-19 San Jose Conservation Corps and Charter School - Alan Garofalo, Associate Superintendent of Student Services and Facilities**

*Motion by Clerk Biehl, second by Vice President Herrera to adopt Resolution #2009/2010-19 San Jose Conservation Corps and Charter School.*

*Vote: 4/0, Member Garcia absent*

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

*None*

**16. CONSENT CALENDAR ITEMS - ATTACHMENT A**

*Item 16.04 was pulled. Motion to approve the remainder of the consent calendar made by Clerk Biehl, second by Vice President Herrera.*

*Vote: 4/0, Member Garcia absent*

**16.01 Ratify/Approve Classified Personnel Actions Presented November 19, 2009**

**16.02 Ratify/Approve Certificated Personnel Actions Presented November 19, 2009**

**16.03 Ratify/Approve Student Aide Personnel Actions Presented November 19, 2009**

**16.05 Award of Bids**

**16.06 Approve Minutes of October 8, 2009, Regular Board Meeting**

**16.07 Approve Minutes of October 20, 2009, Special Board Meeting**

**Items pulled for discussion/consideration:**

**16.04 Approve School Field Trips**

*Motion by Member Nguyen, second by Clerk Biehl to approve the school field trips.*

*Vote: 4/0, Member Garcia absent*

**17. WRITTEN REPORTS/RECOMMENDATIONS**

**17.01 Develop Fees Report**

*Patricia Martinez-Roach, Board President*

*This item was placed in the wrong section. You are going to have to bring it back next month for approval. I would like a breakdown as to whom is the money from. Who are the developers and the distribution of the funds? It would be helpful to have that information at the next meeting.*

*No action taken on this item.*

**18. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS**

**18.01 Board of Trustees**

▪ *J. Manuel Herrera, Vice President*

*I am going to publicly say that I appreciate the contributions that former Superintendent Bob Nuñez made to our district and our organization during the time that he was here. Thank you.*

▪ Lan Nguyen, Board Member

*Last Saturday there was gang awareness forum/conference held at Yerba Buena High School. It was through a Santa Clara County Superior Court Judge who was an alumni of Yerba Buena High School. That was the first time I attended a conference held for Vietnamese parents and students that has such a high caliber of panel finalists, including a Superior Court Judges, Assistant District Attorney, Captain of the San Jose Police Department, and Deputy Public Defender. There were six people who talked about gang problems, particularly with the Vietnamese-American students. I thought it was a very good forum. It was an eye opening for the parents who attended because a lot of them have children not doing well and not knowing that there are other children/families who have those same concerns and problems and how to appropriately deal with them. I hope that in the future there might be similar forums held for our students or our parents to not only inform and educate parents, but also to not just understand the issue, but what to do when their children get involved in the system.*

• Patricia Martinez- Roach, President

*I just want to report that the Superintendent and I have been meeting with the Latino parents for the last couple of months. Last month, Police Chief Rob Davis was the guest speaker. He spoke to the parents in Spanish; he is quite fluent. It was a wonderful session. The parents enjoyed having him. It was a very open discussion about concerns that the parents have and as a result of that conversation, he wants to continue the dialogue. This past Monday he sent four Captains, which is quite impressive. As a result of that meeting, I have been in contact with Angel Rios and Mario Maciel from the City who are involved in a project that is a 12-week project. We are going to try to coordinate a partnership where the parents don't have to pay \$120 to be a part of the session.*

*When I met with the Vietnamese parents a couple of nights ago, they were very interested also in getting the training.*

*The common theme that I have been getting in meeting with all the groups is safety. They are really concerned about their kids. Are they safe on campus? What are we doing about that? So, we are discussing that.*

*With the Vietnamese parents, it was standing room only at YB. I was very impressed with that. They are asking the Board to consider more bilingual Vietnamese staff and to also have AP level courses.*

*There is a meeting in December with the African American Coalition.*

*I had the pleasure of going to Mt. Pleasant's game last Saturday. It was a lot of fun. I wanted to thank them publicly.*

**18.02 Acting Superintendent**

Dan Moser, Acting Superintendent

*I would like to take this opportunity to congratulate one of our teachers who has been selected for the Outstanding Educator award for District 2, City of San Jose, and that is Carol Evans who is a Science Teacher at Oak Grove High School. Congratulations Carol!*



19. **REPORT CLOSED SESSION ACTION(S)**

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

*See section 2.0 for reporting out of Closed Session items.*

20. **ADJOURNMENT**

**President adjourns the meeting.**

*I want to adjourn this meeting with a moment of silence in memory of all the children who have died of violence, particularly a student of our own who lost his life in a very tragic way. If you could just please give a few moments. Thank you.*

*Motion by Member Nguyen, second by Clerk Biehl to adjourn the meeting. Meeting adjourned at 10:53 p.m. by President Martinez-Roach.*

*Respectfully submitted,*

  
\_\_\_\_\_  
Board Clerk