

## Agenda Item

### 15.05 Approve Minutes of April 15, 2010, Regular Board Meeting

Meeting: 06/22/2010 ESUHSD REGULAR BOARD MEETING - 5:00 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 April 15, 2010, Regular Board Meeting

Attached are the minutes of the April 15, 2010, 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 April 15, 2010, 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 06/04/2010 at 09:45 AM by Mary Gullen. Last update on 06/18/2010 by Mary Gullen.

East Side Union High School District  
**Approved**  
Board of Trustees -  
June 22, 2010



**EAST SIDE UNION HIGH SCHOOL DISTRICT  
REGULAR MEETING  
OF THE  
BOARD OF TRUSTEES  
Meeting Held at the Education Center -- Board Room  
April 15, 2010  
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 4:05 p.m. by President Garcia. Clerk Martinez-Roach, and Member Biehl were present. Vice President Nguyen arrived at 4:07 p.m. and Member Herrera arrived at 4:20 p.m.*

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

*President Garcia 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 Expulsion(s): Students A-G**

*Student A:*

*Motion by Member Biehl, second by Clerk Martinez-Roach, to approve the expulsion of Student A.*

*Vote: 5/0*

*Student B:*

*Motion by Clerk Martinez-Roach, second by Member Herrera, to suspend the expulsion of Student B.*

*Vote: 5/0*

*Student C:*

*Motion by Member Herrera, second by Clerk Martinez-Roach, to approve the expulsion of Student C.*

*Vote: 5/0*

*Student D:*

*Motion by Vice President Nguyen, second by Member Biehl, to approve the expulsion of Student D.*

*Vote: 5/0*

*Student E:*

*Motion by Vice President Nguyen, second by Member Biehl, to approve the expulsion of Student E.*

*Vote: 5/0*

*Student F:*

*Motion by Clerk Martinez-Roach, second by Vice President Nguyen, to approve the expulsion of Student F.*

*Vote: 5/0*

*Student G:*

*Motion by Clerk Martinez-Roach, second by Member Biehl, to expunge the expulsion from the official transcript of Student G upon satisfaction of all conditions of his expulsion, effective the last grading period of this semester.*

*Vote: 5/0*

**2.02 Public Employee Discipline/Dismissal/Release (Government Code Section 54957)**

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

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

**2.05 Conference with Labor Negotiators (Government Code Section 54957.6)**

*Agency Designated Representatives:*

*Dan Moser, Interim Superintendent*

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

*Cathy Giammona, Interim Associate Superintendent of Human Resources and Instruction*

*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)*

**2.06a Conference with Legal Counsel – Existing Litigation  
Subdivision (a) of Section 54956.9 of the Government Code: One (1) Case**

- Kinetics Mechanical Services, Inc. vs. East Side Union High School District, Santa Clara County Superior Court, Case No. 109CV141312

**2.06b Conference with Legal Counsel – Anticipated Litigation  
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code:**

- **Claim for Damages of R. Hudson and one (1) additional potential case**

*Motion by Clerk Martinez-Roach, second by Member Biehl, to approve the claim for damages of R. Hudson.*

Vote: 5/0

**2.06c Conference with Legal Counsel – Anticipated Litigation  
Significant exposure to litigation pursuant to subdivision (c) of Section 54956.9 of the Government Code: One (1) potential case**

**2.07 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, Interim Superintendent Jerry Kurr, Associate Superintendent of Administration and Business Services Rogelio Ruiz, Legal Counsel Patti McKernan, Legal Counsel Real Estate Representatives Sam Swan, Bob Hunt and Andre Hunt</i>
<i>Negotiating Parties:</i>	<i>ESUHSD, Santa Clara Valley Water District, and Other Parties To Be Determined</i>
<i>Under Negotiation:</i>	<i>Price and Terms</i>

**OPEN SESSION AT APPROXIMATELY 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 Garcia 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.**

*Interim Superintendent Moser requested that items 11.03, 11.04, and 14.03 be pulled from the agenda.*

*Motion by Clerk Martinez-Roach, second by Vice President Nguyen, to pull items 11.03, 11.04 and 14.03 from the agenda.*

*Vote: 4/0, Member Herrera out of room.*

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

6.01 **Cesar Chavez Grand Prize Winners**

- **Writing: Lani Ly, Independence High School**
- **Art: Grace Nguyen, Evergreen Valley High School**
- **Multimedia: Alex Huang, Oak Grove High School**

6.02 **Visual Arts Lifetime Achievement Award**

- **Phil Neiderhoff, Retired ESUSHD Art Teacher**

7. **STUDENT BOARD LIAISONS**

7.01 **Nikita Kadam, ASB President – Mt. Pleasant 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:*

- *Juan Estrada – Saving Counselor Positions*
- *Oscar Rios – Suggestion of \$20 Donation for Education of Students for 2010-2011*
- *Fabiola Linares – Saving Counselor Positions*
- *Carmen Vidrio – Teachers & Counselors*
- *Gricelda Heredia – Saving Counselor & Psychologist Positions*
- *Gladys Palko – Teacher & Counselor Cuts*
- *Julio Salcedo – Saving Counselor Positions*
- *Irma Morron – Teachers & Counselors*
- *David Lazcon – Against Shortage of High School Counselors*
- *Ron Keffen – Cutting of Programs & Activities*
- *Bjorn Berg – Address Board on Behalf of Activities Directors*
- *Nikita Kadam – Activities*
- *Marc Bashara – 14 Page District Update & a Question*
- *Christian Gil & John A. Aguinaldo – Effects of Budget Cuts on Students*
- *Jonathan Cann – A-05 is Important*

- *Sheanna Pheap – Save Our Schools*
- *Jennifer Torres – Budget Cuts*
- *Nicole Rodriguez – Budget Cuts*
- *Students of Independence High School – Save Our School*
- *Shawn Nguyen – Public Comment*
- *John Prieto – Expulsion*
- *Janine Khrista Andres – Save Our Schools Activities*
- *Jessica Li – Save Activities*
- *Katha Joshipura – Save Activities*
- *Lori Ortega – Budget*
- *MyMy Nguyen – Importance of School Activities*
- *Davain Martinez – Importance of School Activities*
- *Toan Bui – Importance of School Activities*
- *Johnson Tang & Alan Tang – Importance of School Activities*
- *Kelsey Chan – Importance of School Activities*
- *Ray Raymundo - Importance of School Activities*
- *Camille Cayabyab - Importance of School Activities*
- *Yetlanezi Carrillo – Counselors*
- *Celia Lopez – Counselors*
- *Ezequil Araujo – Counselors*
- *Crisanta Raras – Student Support Centers*
- *Patrick Ngo – Cuts to MSTs & Counselors*
- *Lien Nguyen – Activities*
- *Amy Doan – Save Our Activities*
- *Wen Soon – Saving Our Schools*
- *Cassey Dela Pena – Save Our Activities*
- *Rick Shinn – Student Activities*
- *Askari Gonzalez – Budget Cuts*
- *Clayton McChesney – Budget Cuts*
- *Joe Armas – Effective Means to Stop the Proposed Cuts*
- *Vivian Vu – ASB Activities, Vietnamese Program*
- *Brandon Huynh – Saving Our School’s Budget, Activities, Expanding Our Classes, Staff*
- *Jennifer Phan – iMatter*
- *Jenelle Armas – Budget Cuts*
- *Nhat-Dang Do – Budget Cuts for Activities*
- *Blake Lohero – Colleges want Kids with Extracurricular Activities*
- *Omar Gutierrez – Address Board on Behalf of CSEA*
- *Christina Nguyen – Saving Our Activities*
- *Casey McConville – Saving Activities*
- *Jimmy Trieu Dang – Saving Activities*
- *Melanie Licea – Saving Activities*
- *Israel Davis – Saving Activities*
- *Jessica Huang – Saving Activities*
- *Ashley Sayat – Saving Activities*
- *Elena Quach – Saving Activities*
- *Cam Nguyen – Saving Activities*

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

**9.01 Yerba Buena High School Presentation – Cathy Giammona, Interim Associate Superintendent, Human Resources and Instruction, and Juan Cruz, Principal**

*Presentation item only.*

**9.02 Vietnamese Language Textbook Presentation - Cathy Giammona, Interim Associate Superintendent, Human Resources and Instruction, and Nguyet Dinh, Administrator of Language Minority Programs**

*Speakers:*

- *Loi Truong*
- *Hieu Nguyen*
- *Xuan Phan*

*Motion by Clerk Martinez-Roach, second by Member Herrera, that the Board of Trustees continue to support the Vietnamese Bilingual Program.*

*Vote: 5/0*

**9.03 Master Plan for English Learners (ELs) Presentation - Cathy Giammona, Interim Associate Superintendent, Human Resources and Instruction, and Nguyet Dinh, Administrator of Language Minority Programs**

*Motion by Member Biehl, second by Vice President Nguyen, to approve the revision of the Master Plan for English Learners (ELs).*

*Vote: 5/0*

**9.04 Approve New Textbooks:**

- **Process of Technology**
- **Engineering Graphics & Design**

**- Cathy Giammona, Interim Associate Superintendent, Human Resources and Instruction**

*Motion by Member Biehl, second by Vice President Nguyen, to approve the new textbooks:*

- *Process of Technology*
- *Engineering Graphics & Design*

*Vote: 5/0*

**9.05 Amend Date for 2010 Summer School Program - Cathy Giammona, Interim Associate Superintendent, Human Resources and Instruction, and Tim Nguyen, Coordinator of English Language Learners Supplementary Education**

*Motion by Member Herrera, second by Vice President Nguyen, to approve the amended date for 2010 Summer School Program.*

*Vote: 5/0*

**9.06 Approve Adult Education Summer School Program – Cathy Giammona, Interim Associate Superintendent, Human Resources and Instruction**

*Motion by Member Herrera, second by Vice President Nguyen, to approve the Adult Education Summer School Program.*

*Vote: 5/0*

**9.07 Receive the First Valenzuela/CAHSEE and Williams Settlement Uniform Complaints Quarterly Report for Period Covering January 1 through March 31, 2010 as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727) - Cathy Giammona, Interim Associate Superintendent, Human Resources and Instruction**

*Motion by Clerk Martinez-Roach, second by Member Herrera, to receive the first Valenzuela/CAHSEE and Williams Settlement uniform complaints quarterly report for the period covering January 1 through March 31, 2010 as required by Education Code 35186 (Williams Settlement Legislation SB550 and AB2727).*

*Vote: 5/0*

**9.08 Discussion and/or Action regarding the Comparison of Educational Models on Calero Presentation - Cathy Giammona, Interim Associate Superintendent, Human Resource and Instruction, and Vicki Ponticelli, Coordinator of Testing, Evaluation and Research**

*Speakers:*

- *Jo Kawanen*
- *Bob Nuñez*

*Item carried to May Board meeting.*

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

**10.01 Approve Proposed Modernization Plan for Calero High School - Alan Garofalo, Associate Superintendent of Student Services and Facilities, and June Francis Rono, Ph.D., Director of Facilities and Planning**

*Speaker:*

- *Bob Nuñez*

*Item carried to May Board meeting.*



**10.02 Approve Proposal for Services for the Development and Implementation of a  
Approve an Agreement with Tramutola and EMC Research, for the Provision of  
Consultant Services and Conducting a Survey Regarding Possible Parcel Tax to be  
placed on the November 2010 Ballot**

*Motion by Clerk Martinez-Roach, second by Vice President Nguyen, to approve an agreement with Tramutola and EMC Research, for the term of April 16, 2010, through and including December 31, 2010, for the provision of consultant services and conducting a survey regarding a possible parcel tax to be placed on the November 2010 Ballot.*

*Vote: 5/0*

**10.03 Discussion and/or Action Regarding Input from Community Meetings Concerning  
Proposed Layoffs and Budget Shortfall - Dan Moser, Interim Superintendent**

*Speaker:*

- *Julio Pardo*

*Discussion item only.*

**10.04 Receive Third Reading and Adopt Amended Board By Law #9250  
Remuneration, Reimbursement and Other Benefits - Dan Moser,  
Interim Superintendent**

*Speaker:*

- *Julio Pardo*

*Motion by Clerk Martinez-Roach, second by Vice President Nguyen, to approve as amended striking the language on page 3, section "Benefits for Retired Board Members."*

*Vote: 5/0*

**10.05 Adopt Resolution #2009/2010-40 Declaring May 2-8, 2010, as California  
Teacher Appreciation Week and May 12, 2010, as California Day of the  
Teacher – Dan Moser, Interim Superintendent**

*Motion by Clerk Martinez-Roach, second by Member Herrera, to adopt Resolution #2009/2010-40 declaring May 2-8, 2010, as California Teacher Appreciation Week and May 12, 2010, as California Day of the Teacher.*

*Vote: 5/0*

**10.06 Adopt Resolution #2009/2010-41 Declaring May 16-22, 2010, as Classified School Employees Week – Dan Moser, Interim Superintendent**

*Speakers:*

- *Julio Pardo*
- *Omar Gutierrez*

*Motion by Clerk Martinez-Roach, second by Member Biehl, to adopt Resolution #2009/2010-41 declaring May 16-22, 2010, as Classified School Employees Week.*

*Vote: 5/0*

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

**11.01 Presentation of New Legislation Affecting Athletics Coaches Training - Alan Garofalo, Associate Superintendent of Student Services and Facilities, Ed Buller, Athletic Director, and Lindy Bonetti, Heart Strong Crisis Training**

*Presentation item only.*

**11.02 Accept 2010-2011 Comprehensive School Safety Plans - Alan Garofalo, Associate Superintendent of Student Services and Facilities**

*Motion by Clerk Martinez-Roach, second by Member Biehl, to accept the 2010-2011 comprehensive school safety plans.*

*Vote: 5/0*

**11.03 Approve Carl D. Perkins 131 Grant 2010-2011 Grant Application for East Side Union High School District - Alan Garofalo, Associate Superintendent of Student Services and Facilities, and Cari Vaeth, Director of Adult Education and Career Services**

*Item pulled from the agenda.*

**11.04 Approve Carl D. Perkins 132 Grant 2010-2011 Grant Application for East Side Adult Education Program - Alan Garofalo, Associate Superintendent of Student Services and Facilities, and Cari Vaeth, Director of Adult Education and Career Services**

*Item pulled from the agenda.*

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

**12.01 Approve Adult Education Calendar for the 2010-2011 School Year – Dan Moser, Interim Superintendent; Cathy Giammona, Interim Associate Superintendent, Human Resources and Instruction and Cari Vaeth, Director, East Side Adult Education and Career Services**

*Motion by Clerk Martinez-Roach, second by Member Herrera, to approve the Adult Education Calendar for the 2010-2011 school year.*

*Vote: 5/0*

- 12.02 Receive and Sunshine the Initial Proposal for Successor Contract: From San Jose Federation of Teachers Local 957, AFT, AFL-CIO to East Side Union High School District - Dan Moser, Interim Superintendent, and Cathy Giammona, Interim Associate Superintendent, Human Resources and Instruction**

*Initial proposal for successor contract from San Jose Federation of Teachers, Local 957, AFT, AFL-CIO, to the East Side Union High School District was received.*

- 12.03 Approve Classified Management Job Description and Salary Range for Internal Auditor - Dan Moser, Interim Superintendent, and Cathy Giammona, Interim Associate Superintendent, Human Resources and Instruction**

*Motion by Member Biehl, second by Vice President Nguyen, as amended to approve the classified management job description and salary range for Internal Auditor, with the amendment to strike the word "departmental activities" from the job description.*

*Vote: 5/0*

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

- 13.01 Adopt Resolution #2009/2010-42 Declaring April 27, 2010, as School Bus Driver Day - Jerry Kurr, Associate Superintendent of Administration and Business Services**

*Motion by Clerk Martinez-Roach, second by Member Herrera, to adopt Resolution #2009/2010-42 declaring April 27, 2010, as School Bus Driver Day.*

*Vote: 5/0*

- 13.02 Approval of Lease Agreements with T-Mobile (OG), Verizon (ST), and Clearwire (MP, EV, YB, OG, AH) for Cellular and Wireless Communication Antennas at School Sites - Jerry Kurr, Associate Superintendent of Administration and Business Services, and Rogelio Ruiz, Legal Counsel**

*Motion by Member Herrera, second by Vice President Nguyen, to approve the lease agreements with Clear Wireless LLC for Cellular and Wireless Communication Antennas Sites: Andrew Hill, Evergreen Valley, Mt. Pleasant, Oak Grove, and Yerba Buena High Schools.*

*Vote: 4/1, Clerk Martinez-Roach voting No due to her safety concerns about the towers*

- 13.03 Approve Use of East Side Union High School District Logo by Banc of America Public Capital Corp's Energy Services Group - Jerry Kurr, Associate Superintendent of Administration and Business Services**

*Motion by Member Herrera, second by Vice President Nguyen, to approve the use of East Side Union High School District's logo by Banc of America Public Capital Corp's Energy Services Group.*

*Vote: 5/0*

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

*Speaker:*

- *Julio Pardo*

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

*Vote: 5/0*

**13.05 Accept Warrant Register for the Month of March 2010 - Jerry Kurr, Associate Superintendent of Administration and Business Services**

*Motion by Member Herrera, second by Vice President Nguyen, to accept the warrant register for the month of March 2010.*

*Vote: 4/1, Clerk Martinez-Roach voting No due to the amount spent on legal expenses*

**13.06 Approve Budget Transfers Presented April 15, 2010 - Jerry Kurr, Associate Superintendent of Administration and Business Services**

*Motion by Member Herrera, second by Member Biehl, to approve the budget transfers presented on April 15, 2010.*

*Vote: 5/0*

**13.07 Approve Purchase Orders Presented April 15, 2010 - Jerry Kurr, Associate Superintendent of Administration and Business Services**

*Motion by Member Biehl, second by Vice President Nguyen, to approve purchase orders presented on April 15, 2010.*

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

**13.08 Approve Change Orders to Purchase Orders Presented April 15, 2010 - Jerry Kurr, Associate Superintendent of Administration and Business Services**

*Motion by Vice President Nguyen, second by Member Biehl, to approve the change orders to purchase orders presented April 15, 2010.*

*Vote: 5/0*

**13.09 Approve and/or Ratification of Leased Portables Housed at Various School Sites – Jerry Kurr, Associate Superintendent of Administration and Business Services**

*Speaker:*

- *Bob Nuñez*

*Motion by Member Herrera, second by Vice President Nguyen, to the leased portables housed at various school sites.*

*Vote: 4/1, Clerk Martinez-Roach Abstained from vote*

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

*Motion by Vice President Nguyen, second by Member Biehl, to approve the contracts for professional services at or below \$50,000.*

*Vote: 5/0*

**13.11 Approve Contracts for Professional Services over \$50,000 - Jerry Kurr, Associate Superintendent of Administration and Business Services**

*Speaker:*

- *Bob Nuñez*

*Motion by Member Herrera, second by Vice President Nguyen, to approve as amended the contracts for professional services over \$50,000 , with the amendment specifically removing items #3 Facilities Management Planning and Operations, Inc., and #4 Sugimura Finney Architects.*

*Vote: 5/0*

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

*Motion by Member Herrera, second by Member Biehl, to approve the memoranda of understanding.*

*Vote: 5/0*

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

**14.01 Measure G and Measure E Citizens' Bond Oversight Committee Interim Update – Jon Reinke, Chairperson of Measure G and Measure E Citizens' Bond Oversight Committee**

*Presentation item only.*

**14.02 Approve Participation for Earth Day Network Project at James Lick High School - Alan Garofalo, Associate Superintendent of Student Services and Facilities, and Glenn VanderZee, Principal, James Lick High School**

*Motion by Member Biehl, second by Member Herrera, to approve participation in the Earth Day Network Project at James Lick High School.*

*Vote: 5/0*

**14.03 Approve Proposed Measure E Bond Program Budget Reconciliation and Status Review of Current Projects - Alan Garofalo, Associate Superintendent of Student Services and Facilities, and June Francis Rono, Ph.D., Director of Facilities and Planning**

*Item pulled from the agenda.*

**15. ATTACHMENT A – CONSENT CALENDAR ITEMS**

*Motion by Member Herrera, second by Vice President Nguyen, to approve the entire consent calendar.*

*Vote: 5/0*

**15.01 Ratify/Approve Classified Personnel Actions Presented April 15, 2010**

**15.02 Ratify/Approve Certificated Personnel Actions Presented April 15, 2010**

**15.03 Ratify/Approve Student Aide Personnel Actions Presented April 15, 2010**

**15.04 Approve Field Trips**

**15.05 Award of Bids**

**15.06 Approve Change Order #1 for Piedmont Hills High School, Title IX Softball Field Improvements Project (Jensen Corporation Landscape Contractors, Inc.)**

**15.07 Approve Change Order #1 for William C. Overfelt High School and Yerba Buena High School, Kitchen Renovation Project (Calstate Construction, Inc.)**

**15.08 Approve Minutes of February 18, 2010, Regular Board Meeting**

**15.09 Approve Minutes of March 4, 2010, Regular Board Meeting**

**16. WRITTEN REPORTS/RECOMMENDATIONS**

**None**

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

**17.01 Board of Trustees**

**Lan Nguyen, Vice President**

*I want to thank the Board for attending the Vietnamese Student Recognition event.*

**Patricia Martinez-Roach, Clerk**

*I want to express a concern about Mr. Poizner who wrote a book about Mt. Pleasant. My concern is that I went to his website and wanted to see what he has... I am never going to buy the book. I had to read some of the text and I was really troubled by the many names that he referenced in the book. Immediately my concern had to do with student confidentiality. Are these student names real? We really need to look at the issue of confidentiality. I would never allow anyone to discuss my student in a book without permission. I am very troubled by that. He has exploited the spirit of education.*

**Response by Legal Counsel Patricia McKernan to Clerk Martinez-Roach's concern**

*You are right, it is confidential information. I don't know if the names are fictitious or not. We would certainly have to look at it.*

**J. Manuel Herrera, Board Member**

*The Board needs to revise its policy on procedures around public comment when we have an overflowing crowd. Today we had 2 ½ hours of unscheduled public comment. All of it, which is welcomed, but it needs to be managed. Perhaps with an approach when we can see 60+ speakers signed up, that in the first hour it is limited to one or two minutes, but if it goes beyond the first hour, then we keep reducing the time available to individuals. People can say what they need to say in less time if given less time, but I believe we have to manage this more.*

**Response by Eddie Garcia, President**

*I think the management of it, the speakers are respectful, were respectful, the crowd is respectful. I believe it is their right as citizens of this community to come and talk. I think the last two times it was managed well. This is a very emotional time. There was not one time tonight or last month where I thought anything was going to get out of control. I thought it was completely respectful on both sides. As one Board Member, 60, 100 sounds crazy, but that is what we are here for.*

**Response by J. Manuel Herrera, Board Member**

*Mr. Garcia I agree with everything that you said. I think people can be heard, but when we are faced with numbers of speakers at that scale, they will work within the boundaries that the Board sets.*

**Response by Eddie Garcia, President**

*Here's my concern Mr. Herrera: I think you are absolutely right. The last meeting we set it at one minute because there were a whole bunch of speakers. This time it was at two minutes. Both times it went about 2 ½ hours. I would rather that we make a decision at the onset and not half way through as you suggested. That is an unfairness issue and an inequality issue. I agree with you, but let's make a decision as a Board at the onset with the lay of the land. I wouldn't support changing midstream.*

**Frank Biehl, Member**

*I do think at some time we can review the agenda and move some things under consent because we don't spend any time on them. If, legally, we can move them on consent and then pull them if a Board Member has a question on it, that might save us 10 minutes or so.*

**Eddie Garcia, President**

*Two meetings ago, Mr. Nguyen asked about a retreat and we did talk about it briefly. The consensus, after talking to some of the Board Members is to wait until mid June after this budget is passed. That way we have a sense what we are looking at and then we can get back on track.*

**17.02 Dan Moser, Interim Superintendent**

*I would like to congratulate James Lick, Yerba Buena and William C. Overfelt for receiving the summer grants from the City of San Jose. Congratulations to those three schools!*

**18. 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.*

**19. ADJOURNMENT**

**President adjourns the meeting.**

*President Garcia adjourned the meeting at 12:00 a.m.*

*Respectfully submitted,*



Board Clerk



## Agenda Item

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

Meeting: 04/15/2010 ESUHSD REGULAR BOARD MEETING - 4:00 P.M.  
 Category: 13. Business Services - Operational Items/Board Discussion and/or Action  
 Agenda Type: Action  
 Public Access: Yes

#### Agenda Item Content



### EAST SIDE UNION HIGH SCHOOL DISTRICT

**TO:** Board of Trustees  
**FROM:** Dan Moser, Interim Superintendent  
**PREPARED BY:** Jerry Kurr, Associate Superintendent of Administration and Business Services  
**SUBJECT:** Approve Contracts for Professional Services at or below \$50,000

The following Contracts for Professional Services are recommended for Board approval.

#### A. Education Center/School Sites

#	Contractor Name	Reviewed by	Contract Period	Cost/Funding Source	School/ Dept. Manager	Purpose
1	San Jose State University Event Center	T. Marquez C. Giammona J. Kurr D. Bertrand	February 3, 2010 – June 12, 2010	\$10,740.00 Principal Fund	Mt. Pleasant High School T. Marquez	Facility rental for Mt. Pleasant High School's 2010 graduation ceremony.
2	San Jose State University Event Center	B. Lopez C. Giammona J. Kurr D. Bertrand	February 3, 2010 – June 12, 2010	\$10,740.00 Principal Fund	Andrew Hill High School B. Lopez	Facility rental for Andrew Hill High School's 2010 graduation ceremony.
3	San Jose State University Event Center	J. Cruz C. Giammona J. Kurr D. Bertrand	February 3, 2010 – June 12, 2010	\$10,740.00 Principal Fund	Yerba Buena High School J. Cruz	Facility rental for Yerba Buena High School's 2010 graduation ceremony.
4	San Jose State University Event Center	T. Williams C. Giammona J. Kurr D. Bertrand	February 3, 2010 – June 12, 2010	\$10,740.00 Principal Fund	Piedmont Hills High School T. Williams	Facility rental for Piedmont Hills High School's 2010 graduation ceremony.
5	Shelly Davis, M.A., J.D.	C. Hersom C. Giammona D. Bertrand	July 1, 2009 – June 30, 2010	\$5,500.00 Special Services	Education Center Special Services C. Hersom	Consultant to provide non-public school services for 2 special education students to include 1:1 intervention services in social skills and behavioral regulation as decided at both students' Individual Education Program (IEP) meeting by the IEP teams.

East Side Union High School District

**Approved**

Board of Trustees

April 15, 2010

						started at the feeder elementary school district.
6	Leader Services, LDP Inc.	C. Hersom C. Giammona D. Bertrand	July 1, 2009 – June 30, 2010	\$19,000.00  Medi-Cal Reimbursement	Education Center Special Services  C. Hersom	Contractor to provide LEA Medi-Cal billing funds recovery. They will provide training, counseling, toll free telephone support, input data in a timely manner and provide reports both monthly and quarterly as needed. Contractor will receive up to 9% of recovered Medi-Cal billings.  No solicitation process took place in selecting this vendor.
7	Patrick Clyne M.D.	C. Hersom C. Giammona D. Bertrand	July 1, 2009 – June 30, 2010	\$2,500.00 (estimated annual usage)  Medi-Cal Reimbursement	Education Center Special Services  C. Hersom	Consultant to review the referral protocol for speech and language therapy services for ESUHSD. The Consultant will complete the review of the Physician Based Standard and approve this instrument as a protocol for referral of students for speech and language therapy services. This fulfills the requirements for participation in the LEA Medi-Cal Billing Option Program.
8	North Valley School	C. Hersom C. Giammona D. Bertrand	July 1, 2009 – June 30, 2010	\$41, 872.99  Tuition	Education Center Special Services  C. Hersom	Due to the specialized educational services required to appropriately serve emotionally disturbed (ED) student residing in the ESUHSD, North Valley School is a non public school (NPS) offering such services to meet the unique needs of this student. The determination has been made that ESUHSD cannot meet the student's educational needs and that North Valley School's unique program is appropriate for the individual student.  No solicitation process took place nor can a solicitation process take place. North Valley School was selected due to Santa Clara County Mental Health placing this student in residential placement in Lodi, CA. This is the school which provides the educational services for students with severe emotional disturbances. Since this student is a resident of our District, the District is responsible for the educational component.
9	Keenan & Associates	J. Kaufman J. Kurr D. Bertrand	July 1, 2009 – June 30, 2011	\$18,500.00  Self Insurance Fund– Property/Liability- Fixed Charges/ Other	Education Center Risk Management  J. Kurr J. Kaufman	Follow-up audit and safety inspection program for 2009-10 & 2010-11 that meets Northern California ReLiEF guidelines. This audit is required to meet our obligations under our JPA.  ESUHSD did not do a solicitation process as this is the vendor that has been selected by the JPA and

						services are provided in accordance with their bylaws and requirements.
10	Jay Gluckman/ Science Unlimited	G. Castro-Stanley G. Forte C. Vaeth	March 4, 2010 – June 10, 2010	\$1,500.00  Academy- Electronics	Independence High School  G. Castro-Stanley	Contractor to provide hands-on projects, curriculum development and professional development to support career technology education at the Electronics Academy. Support will include projects in the following areas: robotics, computer programming, and basic principles of mechanical and electrical engineering. Consumables are included in the costs.
11	Parent Institute for Quality Education (PIQE)	T. Marquez C. Giammona D. Bertrand	April 20, 2010 – June 15, 2010	\$6,500.00  EIA	Mt. Pleasant High School  T. Marquez	Contractor will provide parent training course for the parents of the children enrolled in Mt. Pleasant. The training is designed to develop skills and techniques which will enable parents to address the educational needs of their school-aged children.
12	WestEd/ California Healthy Kids Survey (CHKS) Regional Center	K. King A. Garofalo D. Bertrand	April 15, 2010 – June 30, 2010	\$5,000.00 not-to-exceed  EIA  County of Santa Clara, Public Health Dept. may be donating funds to ESUHSD to support this effort.	Education Center Student Services and Instructional Services  Kirsten King	Provide training technical assistance, answer sheets, scanning and reports for administration of the state mandated confidential non-identifying student surveys regarding student behavior (substance abuse, nutrition, sexual activity, etc), and provide a district contract person.  No solicitation process took place. This is mandated for those schools receiving Title IV funds.
13	Western Governors University (WGA)	C. Giammona D. Bertrand	July 1, 2009 – until terminated	Revenue Contract  University will pay District Staff (Teachers) for services rendered in accordance with the Agreement.	District Wide  C. Giammona	The Agreement establishes the formal relationship whereby ESUHSD will provide teaching experience to University students. ESUHSD's teachers who participate will be compensated at the rate stipulated in the Agreement.
14	Santa Clara University	C. Giammona D. Bertrand	March 15, 2010 – June 15, 2010	Revenue Contract  University will pay Special Ed. Student Teachers \$200 per full day assignment	District Wide  C. Giammona	The Agreement establishes the formal relationship whereby ESUHSD will provide teaching experience to University students. ESUHSD's teachers who participate will be compensated at the rate stipulated in the Agreement.

**B. Facilities**

#	Contractor Name	Reviewed by	Contract Period	Cost/Funding Source	School/ Dept. Manager	Purpose
1	Verde Design	K. Lanford A. Garofalo	April 10, 2009 – October 31, 2012	\$12,100.00  Measure E	Education Center Facilities  A. Garofalo	Title IX Dugouts & Fencing Improvements at the Softball Fields located at Evergreen Valley, Mt. Pleasant, Oak Grove, and Silver Creek High Schools (originally Board approved on April 9, 2009). This change order #2 is issued for the following reasons: 1) Original project included Evergreen Valley High School, but now the scope has changed to delete Evergreen Valley and adding Andrew Hill High School. 2) Increase PO #905008 by \$12,100 (original amount \$24,300, plus 10% added for expenses for a total PO of \$26,730). The increased amount is for additional services to include electrical engineering design services to add power to the new batting cages.  No solicitation efforts required for this transaction.
2	Verde Design	K. Lanford A. Garofalo	April 10, 2009 – October 31, 2012	\$5,900.00  Measure E	Education Center Facilities  A. Garofalo	Title IX Scoreboard Projects located at Independence, James Lick & Oak Grove High Schools (originally Board approved on April 9, 2009). This change order #2 to PO# 905009 is issued to settle cost for the additional services required for DSA approval. Original amount \$19,775, plus 10% added for expenses for a total PO of \$21,730.50.  No solicitation efforts required for this transaction.
3	Cody Anderson Wasney	A. Garofalo	April 16, 2010 – June 30, 2010	\$8,800.00  Measure E	Education Center Facilities  A. Garofalo	The two story classroom building 500 wing at James Lick High School (originally Board approved on April 9, 2009). This Change Order # 1 – to PO#95106 is issued to provide additional services for the demolition of building 500. Services to include: generate demolition package, coordination with abatement, pre-bid walk through, attend job site meetings, 10% for expenses as needed.  Original amount of PO was \$667,233, plus 10% added for expenses for a total PO of \$733,956.30.  No solicitation efforts required for this transaction.

4	Aedis	A.Garofalo	February 19, 2008 – June 30, 2009	\$10,327.20 Measure G	Education Center Facilities A. Garofalo	Andrew Hill High School Streetscape project (originally Board approved April 17, 2008). The original PO's #806072 and #806073 (expenses) and contract are closed. The new PO is required because of extended contract administration time and gate design modifications. Costs were not previously submitted for Board approval. (Reference attached ASA's)  No solicitation efforts required for this transaction.
5	Aedis	A. Garofalo	September 12, 2008 - June 30, 2009	\$7,803.00 Measure E	Education Center Facilities A. Garofalo	Evergreen Valley High School Kiln project (originally Board approved October 23, 2008). Request is for a new PO due to the fact that the original PO's #902709 and #902712 are closed and the contract has expired. The new PO is required because of design changes required due to a last minute change of the Kiln. (Reference ASA #1)  No solicitation efforts required for this transaction.
6	RMA Group	K. Lanford A. Garofalo	April 16, 2010 – June 30, 2010	\$16,434.00 Measure E	Education Center Facilities A. Garofalo	Title IX Scoreboard Project for Independence, James Lick, and Piedmont Hills High Schools special inspection consultant during construction.  Proposals were solicited from three known consultants. RMA Group provided a complete response for the lowest price.
7	Cleary Consultants	K. Lanford A. Garofalo	April 16, 2010 – June 30, 2010	\$5,940.00 Measure E	Education Center Facilities A. Garofalo	Title IX Scoreboard Project for Independence, James Lick, and Piedmont Hills High Schools Geo-technical consultant during construction. (Cost includes 10% for approved expenses).  Proposals were solicited from three known consultants. Cleary Consultants provided a complete response for the lowest price.

**FISCAL IMPACT:** As listed above

**FUNDING SOURCE:** As listed above

**RECOMMENDATION:** Recommend approval and ratification of contracts for professional services as listed above.

**Additional Executive Content**

**Action Agenda Details**  
**Motion:**

## Agenda Item

### 13.11 Approve Contracts for Professional Services over \$50,000 - Jerry Kurr, Associate Superintendent of Administration and Business Services

Meeting: 04/15/2010 ESUHSD REGULAR BOARD MEETING - 4:00 P.M.  
 Category: 13. Business Services - Operational Items/Board Discussion and/or Action  
 Agenda Type: Action  
 Public Access: Yes

**East Side Union High School District  
 Approve as Amended**

**Except #3 and #4 -- PULLED**

Board of Trustees

April 15, 2010



#### Agenda Item Content:



## EAST SIDE UNION HIGH SCHOOL DISTRICT

**TO:** Board of Trustees

**FROM:** Dan Moser, Interim Superintendent

**PREPARED BY:** Jerry Kurr, Associate Superintendent of Administration and Business Services

**SUBJECT:** Approve Contracts for Professional Services over \$50,000

The following Contracts for Professional Services over \$50,000 is being recommended for Board approval.

#### 1. Kleinfelder

Reviewed by:	Contract Period	Cost/Fund Source	School/Dept. Manager
Jerry Kurr John Lawrence Donna Bertrand	January 22, 2010 through and including January 21, 2011	\$53,484.00  School Facilities Fund	Education Center Jerry Kurr John Lawrence

The District is requesting authorization from the Board of Trustees to issue Amendment #1 to Contract Services Agreement and Change Order #1 to Purchase Order #002183, with Kleinfelder for the contract term January 22, 2010, through and including January 21, 2011. Services are for the provision of special inspection, materials and testing services related to the installation of photovoltaic systems at the six listed high schools and other related services as needed. Contractor will also provide geotechnical observation and consultation during construction of solar panels drilled pier foundations at the six listed high schools and other related services as needed.

Schools include Andrew Hill, Evergreen Valley, Foothill, Independence, Santa Teresa, and W. C. Overfelt.

#### Reason for the Amendment/Change Order

The original Contract Services Agreements were approved by the Board of Trustees at the January 18, 2010, Board meeting in the amount of \$52,975 and \$13,800 for a total of \$66,775. The original contracts were based on a set of assumptions regarding the production schedule to manufacturing the T-Structures and the written requirements from DSA. However, since that time, the production schedule has slipped, which has delayed the project and DSA has added additional requirements significantly increasing the number of inspections.

#### Selection Process

The process was completed under the original Board approval of January 21, 2010. Three consultants were solicited and Kleinfelder was selected based on their rates being the lowest of the three proposals.

**RECOMMENDATION:** It is recommended that the Board of Trustees approve Amendment #1 to Contract Services Agreement and Change Order #1 to Purchase Order #002183, with Kleinfelder for the contract term January 22, 2010, through and including January 21, 2011. Services are for the provision of special inspection, materials and testing services related to the installation of photovoltaic systems at the six listed high schools and other related services as needed. Contractor will also provide Geotechnical Observation and consultation during construction of solar panels drilled pier foundations at the six listed high schools and other related services as needed.

**2. Verde Design, Inc.**

Reviewed by:	Contract Period	Cost/Fund Source	School/Dept. Manager
A. Garofalo J. Rono, Ph.D. D. Bertrand	April 16, 2010 through and including June 30, 2012	\$74,250.00 (which includes 10% for expenses)  Measure E	Education Center Alan Garofalo June Rono, Ph.D.

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Work Authorization Agreement with Verde Design, Inc. for the term of April 16, 2010 through June 30, 2012, for the provision of Architectural Design Services for the James Lick High School Title IX Field Improvement Project.

**Reason for the Purchase of Outside Services.**

This project is the result of recent site priority evaluation pertaining to Title IX compliance, as was earlier identified in the Bond Program budget presentation. The project has been determined to be an immediate need, due to safety and equity concerns. Also clarified during the budget presentation is the understanding that the funding of this effort is available from the uncommitted campus allocation, and has been approved as a priority by the Principal, Glenn VanderZee.

One overriding consideration is to maintain the reliable level of design and construction results that have been realized across the District, including James Lick High School. Verde Design, Inc. has been retained for the majority of recent field and outdoor athletic facility work with the District.

**Selection Process**

Verde Design, Inc. has proven to be a qualified consultant and designer, specializing in field design work, and is the only A/E firm in the qualified pool specializing in athletic fields. ESUHSD has employed their services for several other field, scoreboard, and dugout projects. The project schedules and budgets have been adhered to, with satisfactory results. This project was developed quickly out of a recent Title IX compliance and safety concern, thus necessitating the selection of a known, qualified consultant.

**RECOMMENDATION:** This item is contingent on the approval of revised Measure E budget, presented as item 14.03. It is recommended that the Board of Trustees enter into a Work Authorization Agreement with Verde Design, Inc. for the term of April 16, 2010, through June 30, 2012, for the provision of architectural design services for the James Lick High School Title IX Field Improvement Project.

**3. Facilities Management Planning and Operations, Inc.**

Reviewed by:	Contract Period	Cost/Fund Source	School/Dept. Manager
A. Garofalo J. Rono, Ph.D. D. Bertrand	April 16, 2010 through and including April 15, 2013	\$427,500.00  Measure E	Education Center Calero School Alan Garofalo June Rono, Ph.D.

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Contract for Construction Management Services for Facilities Management Planning and Operations, Inc. for the Calero High School Modernization Project. This approval is contingent upon the Board authorizing Facilities to move forward with the Calero project as defined in item 10.01.

**Reason for the Purchase of Outside Services.**

N/A

**Selection Process**

The District completed a formal Request for Qualifications (RFQ), RFQ-02-08-09, which went to the Board for approval of the recommended "Measure E & G Pre-Approved Construction Management Firms (CM) List" on March 10, 2009. With this list in place, the District then requests from all four of the pre-approved firms to submit a "Construction Management Selection Questionnaire (CMSQ)" which will include the cost and project team being proposed. In this case, back on June 9, 2009, Facilities requested CMSQ from three of the four firms. At that time Facilities Management Planning and Operations, Inc. was selected to be recommended to the Board for approval. However, at that time and at subsequent meetings this project was removed from the Board agenda.

For this Board meeting, purchasing requested that new proposals be obtained due to the age of the old proposals and the fact that the hard cost had increased significantly which would affect the cost proposals previously submitted. Facilities was able to secure two new proposals but the third vendor was not able to provide a new proposal "given the time frame in which it is required".

**RECOMMENDATION:** It is recommended that the Board of Trustees enter into an Agreement with Facilities Management Planning and Operations, Inc., for the Term April 16, 2010 through and including April 15, 2013, for the Provision of Construction Management Services for the Calero High School Modernization Project contingent upon the Board authorizing Facilities to move forward with the Calero Project as defined in item 10.01.

*passed*  
**4. Sugimura Finney Architects**

Reviewed by:	Contract Period	Cost/Fund Source	School/Dept. Manager
A. Garofalo J. Rono, Ph.D. D. Bertrand	April 16, 2010 through and including April 15, 2013	\$641,250.00  Measure E	Education Center Calero School Alan Garofalo June Rono, Ph.D.

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Work Authorization Agreement for Architectural Design Services with Sugimura Finney Architects for the Calero High School Modernization Project. This approval is contingent upon the Board authorizing Facilities to move forward with the Calero Project as defined in item 10.01.

**Reason for the Purchase of Outside Services.**

N/A

**Selection Process**

The District completed a formal Request for Qualifications (RFQ), RFQ-03-07-08, which went to the Board for approval of the recommended pool of District Architects on June 19, 2008. With this list in place, the District requested three Architectural firms to provide an "Architect Selection Questionnaire (ASQ)" which includes a cost and project team proposal.

In this case, back on June 9, 2009, Facilities requested ASQ's from three firms. At that time Sugimura Finney Architects was selected to be recommended to the Board for approval. However, at that time and at subsequent meetings this project was removed from the Board agenda.



For this Board meeting, Purchasing Department requested that new proposals be obtained due to the age of the old proposals and the fact that the hard cost had increased significantly which would affect the cost proposals previously submitted. New proposals were obtained and Sugimura Finney Architects is still the recommended Architect based on the new proposals obtained.

**RECOMMENDATION:** It is recommended that the Board of Trustees enter into a Work Authorization Agreement for Architectural Design Services with Sugimura Finney Architects for the Calero High School Modernization Project for the term of April 16, 2010, through and including April 15, 2013. This approval is contingent upon the Board authorizing Facilities to move forward with the Calero Project as defined in item 10.01.

**5. Pine Hill School**

Reviewed by:	Contract Period	Cost/Fund Source	School/Dept. Manager
C. Hersom D. Bertrand	July 1, 2009 through and including June 30, 2010	\$250,000.00 (increase amount) Tuition	Education Center Special Services Carole Hersom

The District is requesting authorization from the Board of Trustees to issue Amendment #1 to Contract Services Agreement and Change Order #1 to Purchase Order #001057, with Pine Hill School for the contract term July 1, 2009, through and including June 30, 2010. Services are for the provision of Special Education Services to East Side Union High School District special education students per their IEP requirements.

**Reason for the Purchase of Outside Services.**

The original Contract Services Agreements were approved by the Board of Trustees at the August 20, 2009 Board meeting in the amount of \$205,659.20. The original Contracts were based on a specific number of students who had already been placed at Pine Hill School. However, since that time, the number of students referred and placed at Pine Hill School has increased and the funding needs to increase in order to pay for the services to be provided to these additional students.

**Selection Process**

No solicitation process has taken place either at the initiation of this contract nor at this time. Students are referred and placed to alternative schools based on IEP hearings. ESUHSD is required to pay the school portion of the placement. Therefore, no solicitation process can take place for these types of placements.

**RECOMMENDATION:** It is recommended that the Board of Trustees approve Amendment #1 to Contract Services Agreement and Change Order #1 to Purchase Order #001057, with Pine Hill School for the contract term July 1, 2009, through and including June 30, 2010. Services are for the provision of Special Education Services to East Side Union High School District special education students per their IEP requirements.

**Additional Executive Content**

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