

Agenda Item

15.07 Approve Minutes of May 10, 2010, Special 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 May 10, 2010, Special Board Meeting

Attached are the minutes of the May 10, 2010, Special Board meeting for review and approval by the Board of Trustees.

FISCAL IMPACT: None

FUNDING SOURCE: None

RECOMMENDATION: It is recommended that the Board of Trustees approve the May 10, 2010, Board meeting minutes as presented.



BA_20100510 Regular Minutes.pdf

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 06/15/2010 at 09:34 AM by Mary Guillen. Last update on 06/18/2010 by Mary Guillen.

East Side Union High School District

Approved

Board of Trustees

June 22, 2010

A handwritten signature in cursive script, appearing to read 'M. Guillen'.



**EAST SIDE UNION HIGH SCHOOL DISTRICT
SPECIAL MEETING
OF THE
BOARD OF TRUSTEES
Meeting Held at the Education Center -- Board Room
May 10, 2010
5:00 p.m.**

1. CALL TO ORDER/ROLL CALL

1.01 Roll Call

The Special Meeting of the Board of Trustees was called to order at 5:02 p.m. by President Garcia. Vice President Nguyen, Clerk Martinez-Roach, and Member Biehl were present. Member Herrera arrived at 5:10 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 6:30 p.m.) See item 2 on agenda (Closed Session).

The Board of Trustees recessed to Closed Session.

2. CLOSED SESSION

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

2.02 Public Employee Performance Evaluation (Government Code Section 54957)

- Associate Superintendent of Student Services and Facilities
- Associate Superintendent of Administration and Business Services

**2.03 Conference with Legal Counsel – Existing Litigation
Subdivision (a) of Section 54956.9 of the Government Code: Two (2) Cases**

- Geraldine Forte vs. East Side Union High School District,
U.S. District Court for the Northern District of California, San Jose Division,
Case Number CV 10-01368 HRL
- Michelle Reyna vs. East Side Union High School District et al,
Case Number 109CV154425

2.04 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)

OPEN SESSION AT APPROXIMATELY 6:30 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.

None

6. 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.

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

7.01 Consideration and Adoption, Rejection or Modification of May 5, 2010 Proposed Decision of Administrative Law Judge regarding Reduction in Particular Kinds of Service (Office of Administrative Hearings Case No. 2010030281) – Dan Moser, Interim Superintendent

Motion by Member Herrera, second by Member Biehl, to adopt the May 5, 2010, proposed decision of the Administrative Law Judge regarding the Reduction in Particular Kinds of Service (Office of Administrative Hearings Case No. 2010030281).

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

7.02 Accept Superintendent's Recommendation to Dismiss Employees Due to Reduction in Particular Kinds of Service and Direct Superintendent to Issue Final Termination Notices in Accordance with the Board's Certificated Layoff Decision and the Requirements of the Education Code - Dan Moser, Interim Superintendent

Speakers:

- Xuan Chau
- Tran To
- Vui Nguyen
- Cindy Vu
- Tran Le
- Ngoc Anh Ngo
- Dien Quang
- Gabby Rodriguez
- Sandy Moreno
- Tan Ly
- Marisa Hanson
- Isabel Valtierra
- Sarai Valtierra
- Ric Reyes

Motion by Member Biehl, second by Member Herrera, to accept the Interim Superintendent's recommendation to dismiss employees due to reduction in particular kinds of service and direct the Interim Superintendent to Issue final termination notices in accordance with the Board's certificated layoff decision and the requirements of the Education Code.

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

Patricia Martinez-Roach, Clerk

For the record, tonight's recommendation to eliminate positions is unacceptable. The district failed in bringing a recommendation that was going to be sound. There could have been other cuts in other areas that would not have directly affected student learning.

7.03 Contract for Associate Superintendent of Student Services and Facilities – Dan Moser, Interim Superintendent

Motion by Member Biehl, second by Vice President Nguyen, to extend the employment contract for the Associate Superintendent of Student Services and Facilities through June 30, 2011, and subject to the same terms and conditions as specified in the current contract with an amendment to the contract to include a 60-day buy-out clause.

Vote: 4/1, Clerk Martinez Voting No

7.04 Contract for Associate Superintendent of Administration and Business Services – Dan Moser, Interim Superintendent

Motion by Vice President Nguyen, second by Member Biehl, to extend the employment contract for the Associate Superintendent of Administration and Business Services through December 31, 2010, and subject to the same terms and conditions as specified in the current contract with an amendment to the contract to include a 60-day buy-out clause.

Vote: 4/1, Clerk Martinez Voting No

8. REPORT CLOSED SESSION ACTION(S)

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

No items reported out of Closed Session.

9. ADJOURNMENT

President adjourns the meeting.

President Garcia adjourned the meeting at 7:37 p.m.

Respectfully submitted,



Board Clerk