

Agenda Item Details

Meeting Apr 16, 2013 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 16. CONSENT/ACTION CALENDAR

Subject 16.25 Approve Minutes of March 7, 2013, Regular Board Meeting

Access Public

Type Action (Consent)

Recommended Action It is recommended that the Board of Trustees approve the March 7, 2013, Regular Board Meeting minutes as presented.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT**Item: 16.25**

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

SUBJECT: Approve Minutes of March 7, 2013, Regular Board Meeting

Attached are the minutes of the March 7, 2013, 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 March 7, 2013, Regular Board Meeting minutes as presented.

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED APRIL 16, 2013**



A handwritten signature in blue ink, likely of the Superintendent, Chris D. Funk.

Executive Content

**EAST SIDE UNION HIGH SCHOOL DISTRICT
REGULAR MEETING
OF THE
BOARD OF TRUSTEES**

Meeting Held at Education Center

March 7, 2013

5:30 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 5:38 p.m. by President Biehl. Vice President Herrera, Clerk Le, Member Nguyen and Member Carrasco were present.

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

President Biehl 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.

1.03 Recess to Closed Session in the Superintendent's Conference Room. Open Session will resume in the Board Room at approximately 6:15 p.m. The Board intends to resume Closed Session at approximately 7:00 PM after consideration of Open Session agenda items. See item 2 on agenda (Closed Session).

The Board of Trustees recessed to Closed Session in the Superintendent's Conference Room.

2. CLOSED SESSION

2.01 Expulsion(s): *None*

2.02 Public Employee Performance Evaluation (Government Code Section 54957)

2.03 Public Employment/Public Employee Appointment (Government Code Section 54957)

- *Senior Manager of Internal Controls*

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

Motion by Member Nguyen, second by Vice President Herrera, to adopt Resolution #2012/2013-23 authorizing the release of six (6) temporary certificate employees for the 2013-2014 school year and directing the Superintendent to serve those with written notices of the release as required by law.

Vote: 5/0

Motion by Member Nguyen, second by Clerk Le, to adopt Resolution #2012/2013-24 authorizing the release of a certificate administrator, Principal, and the release of a certificated administrator, Assistant Principal, and directing the Superintendent to serve the employees with written notice of their release by March 15, 2013.

Vote: 5/0

2.05 Conference with Labor Negotiators (Government Code Section 54957.6)

Agency Designated Representatives:

Chris D. Funk, Superintendent

Marcus Battle, Associate Superintendent of Business Services

Juan Cruz, Assistant Superintendent of Instructional Services

Cari Vaeth, Director of Human Resources

Vida Branner, Director of Compensation and Classified Employee Relations

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

Unrepresented Organizations:

Administrators

Managers

Confidentials

**2.06 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*

**2.07 Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9**

- *One (1) Potential Case*

OPEN SESSION AT APPROXIMATELY 6:15 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 Biehl extended a welcome to everyone, explained the format of the meeting and noted that all Board Meetings are recorded.

5. ADOPTION OF AGENDA

For consideration by the Board of Trustees.

There were no changes to the agenda.

6. SPECIAL ORDER OF BUSINESS – OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

6.01 The Superintendent and/or Board Member(s) may request that items be considered, discussed, and acted on out of the order indicated on the agenda as per schedule.

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

Members of the public may address the Board on any subject not on tonight's agenda; however, provisions of the Brown Act (Government Code section 54954.2(a) and 54954.3) preclude any action. As an unagendized item, no response is required from the Board or District staff and no action can be taken; however, the Board may instruct the Superintendent to agendize the item for a future meeting. When your name is called, please come to the podium, state your name for the record, and limit your remarks to three (3) minutes.

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

Speaker:

- *Christopher Davis, AFT Co-President - Introduction*

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

8.01 Discussion and/or Action regarding 2013 California School Boards Association (CSBA) Delegate Assembly Election - Frank Biehl, Board President

Motion by President Biehl, second by Vice President Herrera, to approve the following candidates for submission of the official 2013 delegate assembly ballot to CSBA:

- *Daniel Cohen*
- *Albert Gonzalez*
- *Van Le*
- *George Sanchez*

Vote: 5/0

8.02 Discussion and/or Action to Revise Manager of Internal Controls Job Description – Chris D. Funk, Superintendent

Motion by Vice President Biehl, second by Vice President Herrera, to approve the amended Senior Manager of Internal Controls job description.

Vote: 5/0

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

9.01 Discussion and/or Action to Ratify/Approval of Certificated Personnel Actions presented March 7, 2013 - Cari Vaeth, Director, Human Resources

Motion by President Biehl, second by Vice President Herrera, to ratify/approve the certificated personnel actions presented March 7, 2013.

Vote: 5/0

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

10.01 Discussion and/or Action of Second Interim Financial Report - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance

Motion by Vice President Herrera, second by President Biehl, to approve the Second Interim Financial Report.

Vote: 5/0

10.02 Adopt Resolution #2012/2013-22 Declaring an Emergency and Authorizing Superintendent or His Designee to Enter into Contracts for the Repair and Remediation of Fire Damage at Independence High School – Marcus Battle, Associate Superintendent of Business Services

Motion by Clerk Le, second by Vice President Herrera, to adopt Resolution #2012/2013-22 declaring an emergency pursuant to Public Contract code section 1104 and 20113 and authorizing the Superintendent or his designee to enter into contracts for the repair and remediation of the fire damage at B Villa at Independence High School.

Vote: 5/0

10.03 Discussion and/or Action of Award of Bids – Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

Motion by President Herrera, second by Clerk Le, to approve the award of bids.

Vote: 5/0

For the record, Board President Biehl clarified that this item is specific to e-rate acceptance for telecommunication services.

Resume Closed Session at Approximately 7:00 PM

The Regular Board Meeting will resume Closed Session at approximately 7:00 p.m. in the in the Superintendent's Conference Room.

Resume Open Session at Approximately 9:00 PM

The Regular Board Meeting will resume Open Session at approximately 9:00 p.m. in the Board Room of the Education Center.

11. FUTURE AGENDA ITEMS

11.01 Opportunity for Board of Trustees to request items on future agendas.

Request(s):

Item	Requestor
<i>School Supplies</i>	<i>Board Vice President Herrera</i>
<i>Board Policy regarding Safety Procedures</i>	<i>Board Clerk Le</i>

11.02 Future Items:

Board President Frank Biehl:

Item	Date (tentative)	Type
<i>Parent Involvement Plan</i>	<i>March 21, 2013</i>	<i>Board Policy</i>

Board Clerk Van Le:

Item	Date (tentative)	Type
<i>Review of Safety Procedures</i>	<i>March 21, 2013</i>	<i>Board Policy</i>

Board Member Nguyen:

Item	Date (tentative)	Type
<i>Review of Procurement and Bidding Process</i>	<i>April 18, 2013</i>	<i>Presentation</i>

12. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

12.01 Board of Trustees

Lan Nguyen

I just want to share that I felt that the last session, the Study Session, was very productive, one of the best that I had; it was very productive.

Magdalena Carrasco, Board Member

I agree with that statement. It was put together very well.

Frank Biehl, Board President

I think the Board is working really well together with the Superintendent as a Board as a whole. I am very pleased with how we are heading on things.

12.02 Chris D. Funk, Superintendent

I am just very appreciative of the fact that the Board is extremely engaged. I really appreciate everyone's engagement.

13. 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.

14. ADJOURNMENT

President adjourns the meeting.

President Biehl adjourned the meeting in loving memory of Jeanette Carol Bruntz, April 12, 1951, to January 31, 2013.

Respectfully submitted,



Board Clerk