

EAST SIDE UNION HIGH SCHOOL DISTRICT
Minutes of the Regular Meeting of the Board of Trustees
Meeting Held at Education Center
November 10, 2005

APPROVED
Board of Trustees
12-8-05
[Signature]

1) The Regular Meeting of the Board of Trustees was called to order at 4:03 p.m. by President Herrera. Vice President Shirakawa, and Member Nguyen were present.
Clerk Martinez-Roach arrived at 4:06 p.m.; Member Mann arrived at 4:10 p.m.

CALL TO ORDER

2) **PLEDGE OF ALLEGIANCE**

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3) **WELCOME AND EXPLANATION TO AUDIENCE**

President Herrera extended a welcome to the audience, explained the format of the meeting, and noted that all Board Meetings are recorded.

**WELCOME AND
EXPLANANATION**

4) **BOARD SPECIAL RECOGNITION(S)**

**BOARD SPECIAL
RECOGNITIONS**

4.1 Special recognition to Mr. Bill Kindricks, President/Chairperson of the 100 Black Men of Silicon Valley, Inc. Students from East Side Union High School District were awarded scholarships at the 11th Annual Scholarship and Awards Gala on Saturday, October 15, 2005. Student and scholarship recipients who attended this event were also recognized. Felton Owen has been the Chairperson of this event for the last 11 years.

- Edward Youngblood, Santa Teresa High School
- Andrea Erving, Evergreen Valley High School
- Oluoma Kas-Osoka, Andrew Hill High School
- Arthur Gray III, Evergreen Valley High School

5) **CONSIDERATION OF PROPOSED AMENDMENTS TO THE AGENDA**

**CONSIDERATION OF
AMENDMENTS**

APPROVAL OF PROPOSED AMENDMENTS TO THE AGENDA

**APPROVAL OF
AMENDMENTS**

6) **PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD OF TRUSTEES**

ORAL COMMUNICATIONS

- Michele Manja - Student Safety at Oak Grove High School
- Tracy Glover - Student Safety at Oak Grove High School
- Willy McCoy - Student Safety at Oak Grove High School
- John Moore - Measure G
- Don McKell - Public Address/Fair ESTA Contract

- Allan Roberts - ESTA Contract
 - Debra Walkins – Santa Clara Co. California Alliance of Black Educators
 - Leon Beauchman - Santa Clara Co. California Alliance of Black Educators
 - Rufus White - Santa Clara Co. California Alliance of Black Educators
 - Beverly Green – Santa Clara Co. California Alliance of Black Educators *
 - Brenda Ray - Santa Clara Co. California Alliance of Black Educators *
 - Deborah Raymond -Santa Clara Co. Calif. Alliance of Black Educators *
 - Angela Summers - District Policies
 - Gail Noble - Santa Clara Co. California Alliance of Black Educators
 - Bill Johnson - Santa Clara Co. California Alliance of Black Educators
 - Sergeant Byron Lam - Military Recruitment Policy
 - Mark Phelan - Military Recruitment Policy
 - 1st Lieutenant Todd A. Miller - Military Recruitment Policy
 - Bill Ferguson - Military Recruitment Policy
 - David Wald - Military Recruitment Policy
 - Rubi Welch - Military Recruitment Policy
 - Captain Will Griffin - Military Recruitment Policy
 - Nick Leon - Military Recruitment Policy
 - John Moore - Military Recruitment Policy
 - Barbara Hansen - Community Day School
 - John Tweten - Community Day School
 - Mike Medina - Community Day School
 - Kate O’Laughlin - Community Day School
 - Ruben Dominguez - Community Day School
 - Ruben Dominguez - Professional Contract Services
- *=*Waived to Mr. Leon Beachman*

7) **STUDENT ACHIEVEMENT/BOARD DISCUSSION AND/OR ACTION**

1. Student representative Hector Vega, Senior Class President from James Lick High School indicated that teachers have high expectations from students. James Lick High School has improved STAR testing and CAHSEE Testing. School spirit is good. Sports field is being remodeled. Great staff.
2. Student representative Lenin Gomez, a senior, from Foothill High School thanked the staff at Foothill High School. Lenin is getting ready to attend college.

8) **OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**

- 8.1 James Lick High School Presentation on School Assistance Intervention Team (SAIT) Final Progress Report – Presentation by Dr. Aurora Quevedo, Director of English Language Learners, Linda Aceves, Assistant Superintendent of Santa Clara County Office of Education, and Bill Rice, Principal of James Lick High School.

Mr. Rice pointed out books was bought and alien through the entire school. A Remedial Reading Program has been developed. Time

STUDENT ACHIEVEMENT

***OPERATIONAL ITEMS/
BOARD DISCUSSION
AND/OR ACTION***

and money has been used on much needed staff development. There a goal to bring all students up 30 points in the Academic Performance Index Score. Mr. Rice accredits this to the collaborative effort of County Office of Education, District, and school site.

President Herrera

James Lick High School is on the front line of Public Education. He believes James Lick High school is honorable of its successes.

Motion to approve Final Progress Report by Member Mann, second by Clerk Martinez-Roach.

Vote: 5/0

- 8.2 Presentation by Foothill High School Student and Staff on Student Achievement.

A presentation of student achievement was made by the students, staff and parents of the School Site Council. Foothill is a school that was created for students who are not doing well in a comprehensive high school. Foothill receives student from 11 high schools. The staffs are well trained. Seventy percent of the staff has earned a Master Degrees.

President Herrera

Congratulations to the staff and students for doing a superior presentation.

Member Martinez-Roach

Moved by the students and their presentations.

- 8.2 Presentation by James Lick High School on Student Achievement.
This item was combined with Item 8.1.

- 8.4 Submission of Andrew Hill Charter School Petition
Item pulled.

- 8.5 District Safety Update – Ric Abeyta, Assistant Superintendent of Student Services
Item carried to December 8, 2005 Board Meeting

- 8.6 Military Recruitment Policy Amended, First Reading – Ric Abeyta, Assistant Superintendent of Student Services

Discussion

Member Mann

Disagreed with prohibiting recruiters to coach club/sports, and students not having access to ASVAB Testing. Member Mann gave due respect to all service men who attended and addressed the

Board.

Vice President Shirakawa

Embarrassed with the first draft. Felt not enough work was put into the policy proposal. He is not convinced there is a problem with Military Recruitment. Believes too much time is spent on this issue and believes there are other important issues that need to be addressed. Unless this policy proposal is "cleaned up", he will not support it.

Member Nguyen

This topic received a lot of negativity by the press. Member Nguyen indicate the district needs to find a middle road to make sure we are doing everything we can to protect our students, but at the same time, not deny access to services and information to our students. The proposal needs revisions. Not ready for a vote.

President Herrera

The way the policy was presented, he did not believe it was ready for a vote. The policy needs more work. President Herrera indicated that research be done on what policies are for all career-orientated people. Wants the administration to come back with a standardized policy, and make sure No Child Left Behind is being implemented. He wants like the administration is communicating with our parents. Recommendation is to bring a revised draft back to the Board when the revisions are made on this policy.

Clerk Martinez-Roach

Needs clarification on proposed policy. She thanked speakers who expressed concern on the proposed policy. Reminded the Board this issue is about choice and privacy. Clerk Martinez-Roach indicated the proposal "Looks like a good template". She would like the proposal back with protocol on visitors on campus. Does not want military recruiters to mix with student on campus without parental permission. Parent should know when recruiters are on campus. ROTC "hardware" is allowed on Oak Grove campus. She would like for this to be explained on the "sunshine" draft. The policy needs to be included in other languages and to make sure parents understand the "Opt Out" provision. Parents need to know by signing this form, there may be impact on receiving information from other career/college organizations.

President Herrera

Sensed this policy will not have a majority vote right now. Standardize framework by any individual or organization offering a career path must sign in with school office. Policy for implementing our legal requirement for No Child Left Behind. The privacy right of parents need to be upheld. Administration asked to go back and

work on this policy. Asked Clerk Martinez-Roach and Member Mann were asked to work with administration in refining this policy. (Screening this policy before it return back to the Board for vote.) Clerk Martinez-Roach and President Herrera will work with administration on the policy and bring it back to the Board at a later date.

- 8.7 Approve Revised Silicon Valley Advisors LLC Contract Extension – North Capitol Property – Alan Garofalo, Chief Operations Officer

Item was carried over to December 8, 2005 Board Meeting

- 8.8 Presentation on District Demographics by Tom Williams, Enrollment Projection Consultant Company

Item was carried over to December 8, 2005 Board Meeting

- 8.9 Amend Retainer Agreement with Burke, Williams & Sorensen, LLP

Item was carried over to December 8, 2005 Board Meeting

- 8.10 Alternative Education-Community Day School – President Herrera

President Herrera

President Herrera attended a PACT meeting. He would like the Board to know about the State funding per student (\$11,000). He is asking administration to look at the assessment and funding sources for a Community Day School. The downside is that we would only be able to service 159 students. If the district does not service these students then the County may. If County does not, then a Charter School may service these students. Bring it back after the assessment.

Clerk Martinez-Roach

She would like to know what happened to the students at the Cadet Academy? She would like the item brought back after an assessment is made.

- 8.11 Superintendent Recruitment Process – President Herrera

Clerk Martinez Roach

Would like for Board to start the process right away.

Member Mann

Board needs to get started with the recruitment process by January. Did like the idea of two panels; a Board Panel as well as Community Panel, which includes a representative from East Side Teachers Association, California School Employees Association,

American Federation for Teachers, community, parents and students. He would like for the Board to consider California School Board Association to help with the search.

Member Nguyen

Does not recommend spending too much money on the search. California School Board Association knows the process. At the end of the search last year, some individuals were not happy. A January timeline is good.

Vice President Shirakawa

California School Board Association is a creditable organization.

President Herrera

The Board will start the process. The Board will use California School Board Association as a good medium/source for recruitment. Downside is a search will cost. Administration is requested to bring back the cost figures for using California School Board Association at the next meeting.

Motion to initiate the recruitment process for Superintendent by Member Mann, second by Vice President Shirakawa.

Vote: 5/0

8.12 Board Retreat – Clerk Martinez Roach

Clerk Martinez-Roach

Expressed her disappointment and lack of consideration for canceling the Board Retreat.

8.13 Charter School Renew Process – Lynda Remley, Coordinator of Testing & Evaluation, GATE and Grants

Motion to approve Charter School Renew Process by Member Mann, seconded by Member Nguyen

Vote: 5/0

9) ATTACHMENT A/CONSENT CALENDAR APPROVAL OF AGENDA

Item: (9.7), was pulled for discussion/approval.

Motion to approve by Member Mann, second by Member Nguyen to approve the remainder of the Consent Items as amended.

Vote: 4/0 (Clerk Martinez-Roach left the room.)

(Agenda items in parentheses)

- Approve Purchase Orders Presented November 10, 2005 (9.1)
- Approve Budget Transfers Dated November 10, 2005 (9.2)
- Approve Classified Personnel Actions Dated November 10, 2005

ATTACHMENT A

-
- (9.3)
 - Approve Certificated Personnel Actions Presented November 10, (9.4)
 - Approve Student Aide Personnel Actions Dates November 10, 2005 (9.5)
 - Approve Acceptance of Gifts/Grants/Donations (9.6)
 - Approve Award of Bids (9.8)
 - Memorandum of Understanding (9.9)
 - Approve School Field Trips (9.10)
 - Approve Variable Term Waiver Request for Certificated Employees (9.11)
 - Approve Change Order #1 for Silver Creek High School Fire Alarm Upgrade (Phase II) (9.12)
 - Approve Change Order #1 for Independence High School Villa A Modernization (9.13)
 - Approve Change Order #1 for Piedmont Hills High School, Santa Teresa High School and Andrew Hills High Schools Track and Field Project (9.14)
 - Approve Change Order #1 for Oak Grove High School Music Building J Modernization Project (Evans Brothers) (9.15)
 - Approve Change Order #4 for Yerba Buena High School Building 200 Modernization Project (Sasco Electric) (9.16)
 - Approve Change Order #5 for Yerba Buena High School 200 Modernization Project (Environmental Systems) (9.17)
 - Approve Change Order #6 for Yerba Buena High School Building 200 Modernization Project (George E. Masker Painting) (9.18)
 - Approve Change Order #7 for Yerba Buena High School Building 200 Modernization Project (ALCAL Roofing) (9.19)
 - Approve Change Order #8 for Yerba Buena High School Building 200 Modernization Project (American Steel & Stairways) (9.20)
 - Approve Change Order #9 for Yerba Buena High School Building 200 Modernization Project (Casey-Fogli Concrete) (9.21)
 - Approve Notice of Completion Piedmont Hills High School, Santa Teresa High School and Andrew Hill High Schools Track and Field Project (9.22)
 - Adopt Resolution #2005/2006-16 An Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546 (9.23)
 - Approve Hourly Wage Rate for Special Education Students Working in the State Funded Workability I Program (9.24)
 - Approve Minutes of October 6, 2005, Special Board Meeting (9.25)
- ✓ *Motion to approve item (9.7) as amended by Member Mann second by Member Nguyen*
Vote: 4/0 (Clerk Martinez-Roach left the room.)

10) WRITTEN REPORTS

- 10.1 Quarterly Report on Santa Clara County Treasury Investment Portfolio Status as of September 30, 2005.
- 10.2 No Child Left Behind (NCLB) Compliance Progress Report – Cathy Giammona, Director of Human Resources

11) BOARD OF TRUSTEES/SUPERINTENDENT'S COMMUNICATIONS/COMMENTS

11.1 Board of Trustees

President Herrera

Was very inspired by the student presenters from Foothill High School.

Clerk Martinez-Roach

Reported the Student Relations Board Meeting was held on November 7, 2000 at Independence High School. Over 60 students attended this meeting. The students were concerned about the "Opt Out Option". Another topic of discussion was "freak dancing".

Clerk Martinez-Roach asked for a GOB Report. She does not believe the schools are getting their "fair share" of money. A new Master Plan needs to be in place. Clerk Martinez-Roach also asked for a cost of attorney fees for the last year.

11.2 Superintendent

Interim Superintendent Bob Nuñez assured Clerk Martinez-Roach, GOB Report and a report on attorney fees for the last year will be presented at the December 8, 2005, Board Meeting.

12) CLOSED SESSION

- 12.1 Expulsions – A through J Approved
 - Student A
Vote: 5/0
 - Student B
Vote: 5/0
 - Student C
Vote: 5/0
 - Student D
Vote: 5/0

WRITTEN REPORTS

*BOARD/
SUPERINTENDENT'S
COMMUNICATIONS/
COMMENTS*

CLOSED SESSION

Student E
Vote: 5/0

Student F
Vote: 5/0

Student G
Vote: 5/0

Student H
Vote: 5/0

Student I
Vote: 5/0

Student J
Vote: 5/0

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

12.3 Conference with Labor Negotiators
(Government Code §Section 54957.6)
Agency Designated Representatives:
Interim Superintendent Bob Nuñez
Employee Organizations:
East Side Teachers Association (ESTA)
California School Employees Association (CSEA)
American Federation of Teachers (AFT)

12.4 Anticipated Litigation (*Government Code § Section 54956.9*)
Conference with Legal Counsel – ANTICIPATED LITIGATION,
Significant Exposure to litigation pursuant to subdivision (b) of
§Section 54956.9 statement threatening litigation. (1 potential case)
Conference with Legal Counsel – PENDING LITIGATION,
No action

12.5 Public Employee Performance Evaluation
(Government Code §Section 54957)

12.6 Public Employment/Transfer (Government Code §Section 54957)
- *Interim Superintendent's Contract*

•Appointment of Paul Mansignh Villa Principal at

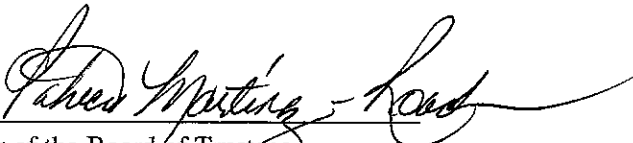
Independence High School

ADJOURNMENT

On a motion that was seconded by a member of the Board, the meeting was adjourned by Board President Herrera at 10:12 p.m.

ADJOURNMENT

Respectfully submitted,


Clerk of the Board of Trustees