

**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Special Meeting of the Board of Trustees**  
**830 N. Capitol Ave, San Jose, CA 95133**

**Amended**

**AGENDA**  
**February 27, 2008**

In compliance with the Americans with Disabilities Act, if you need special assistance, disability-related modifications or accommodations, including auxiliary aids or services, in order to participate in the public meeting of the Board of Trustees, please contact the office of the District Superintendent at (408) 347-5010. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Upon request, the District shall also make available this agenda and all other public records associated with this meeting in appropriate alternative formats for persons with a disability.

**Closed Session will begin at 4:00 P.M.**

The Special Board Meeting will begin at 4:00 p.m. in the Board Room. Anyone wishing to address the Board regarding Closed Session items may speak at this time. The Board will then adjourn to Closed Session in the Superintendent's Conference Room.

**1. Call to Order/ Roll Call**

- 1.1 Roll Call
- 1.2 Announcement and Public Comment regarding Items to be discussed in Closed Session (*Government Code §54957.7*)
- 1.3 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 12 ON AGENDA (CLOSED SESSION)**

**Open Session 6:00 P.M. – Board Room**

**2. Pledge of Allegiance**

**3. 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.

**4. Consideration of Proposed Amendments to Agenda**

**5. Board Special Recognition(s)**

**5.1 Fall Sports Champions**

Mt. Pleasant Girls Water Polo Santa Teresa Champions  
Oak Grove Girls Volleyball West Valley Champions  
Santa Teresa Boys Water Polo Santa Teresa Champions  
Oak Grove Football Mt. Hamilton Champions/Central Coast Section Champions

**5.2 Evergreen Valley High School Places 22<sup>nd</sup> in National Math Contest**

Coach Garry Redillas

5.3 **Gilbert T. Fretias Annual Memorial Award**  
Julie Bounds, Music Teacher, Santa Teresa High School

5.4 **KBAY, Teacher of the Month**  
Jennifer Fernandes, Science and Chemistry Teacher, Silver Creek High School

**6. Public Members Who Wish to Address the Board of Trustees**

**7. Student Board Liaisons**

- 7.1 Student, Santa Teresa High School ASB President
- 7.2 Student, Escuela Popular Charter School

**8. Operational Items/Board Discussion and/or Action**

- 8.1 International Baccalaureate Program Presentation – Bettina Lopez, Principal, Michael Winsatt, Coordinator
- 8.2 Multi Service Team Presentations – Alan Garofalo, Associate Superintendent of Student Services and Facilities
- 8.3 Hold Public Hearing at 7:00 p.m. – Proposal for Successor Contract from East Side Union High School District to the California Employee School Association – Jerry Kurr, Associate Superintendent of Administration and Business Services
- 8.4 Tentative Proposed Agreement with East Side Teachers Association/CTA/NEA, August 31, 2008 – August 31, 2009; Ratify/Approve Tentative Agreement – Dan Moser, Associate Superintendent of Instruction and Human Relations
- 8.5 Tentative Proposed Agreement with San Jose Federation of Teachers (AFT), July 1, 2007 – June 30, 2010; Ratify/Approve Tentative Agreement – Dan Moser, Associate Superintendent of Instruction and Human Relations
- 8.6 Adopt Resolution #2007/2008-24 Declaring March 3-7, 2008, as Week of the School Administrator – Bob Nuñez, Superintendent
- 8.7 Adopt Resolution #2007-2008-25 Governor’s Proposed 2008-2009 Budget Proposal – Bob Nuñez, Superintendent
- 8.8 Adopt Resolution #2007-2008-26 Recognition of February 2008 as Black History Month – Bob Nuñez, Superintendent
- 8.9 Accept Audit Report for June 2007 – Jerry Kurr, Associate Superintendent of Administration and Business Services
- 8.10 Approve Provisional Internship Permit Request for Certificated Employees– Dan Moser, Associate Superintendent of Instruction and Human Relations – **Attachment D**
- 8.11 Contracts for Professional Services – Jerry Kurr, Associate Superintendent of Administration and Business Services – **Attachment B**

**9. Attachment A - Consent Calendar Items**

See Attachment A

**10. Written Reports/Recommendation**

- 10.1 Budget Adjustment Report
- 10.2 Quarterly Report on Santa Clara County Treasury Investment Portfolio Status as of December, 2007

**11. Board of Trustees/Superintendent Communications/Comments**

- 11.1 Board of Trustees
  - 11.1.1 California School Board Delegate Selection
  - 11.1.2 Frank Biehl, MetroEd.

- 11.2 Bob Nuñez, Superintendent  
•Academic Master Plan

**12. Closed Session**

12.1 EXPULSIONS – A-C

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: Bob Nuñez, Superintendent  
Jerry Kurr, Associate Superintendent of Administration and Business Services  
Dan Moser, Associate Superintendent of Instructional Services and Human Relations  
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)

12.4 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Subdivision (b) of Section 54956.9 of the Government Code: Claim for damages of R. Becerra

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Subdivision (a) of Section 54956.9 of the Government Code: Tessa Cavazos v. East Side Union High School District, et al. (Santa Clara County Superior Court)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code: **Four (4)** potential cases.

12.5 CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Calero School Site, 420 Calero Avenue, San Jose, CA  
District Negotiators: Superintendent Nunez, Associate Superintendent Jerry Kurr,  
District Counsel Rogelio Ruiz  
Negotiating Parties: ESUHSD and Oak Grove Elementary School District  
Under negotiation: Price and terms for payment.

12.6 PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
(Government Code § Section 54957)

12.7 PUBLIC EMPLOYMENT/PUBLIC EMPLOYEE APPOINTMENT  
(Government Code § Section 54957)

**13. Report Closed Session Action(s)**

**14. Adjournment**

## **Attachment A - Consent Calendar**

**9. Superintendent asserts that the attached Business Transactions, Personnel Actions, Maintenance of Records, Approvals and Recommendations Requiring Board Action have been carried out to the best of his knowledge in accordance with the law.**

- 9.1 Ratify and Approve Classified Personnel Actions Presented February 27, 2008
- 9.2 Ratify and Approve Certificated Personnel Actions Presented February 27, 2008
- 9.3 Ratify and Approve Student Aide Personnel Actions Presented February 27, 2008
- 9.4 Purchase Orders Presented February 27, 2008
- 9.5 Approve School Field Trips
- 9.6 Award of Bids
- 9.7 Approve Site Proposals for Expenditures of the 2006 Discretionary Block Grant (Update)
- 9.8 Approve CAHSEE Local Waivers for Special Education Students
- 9.9 Approval of Consolidated Program Application (CADS) Part II for 2007-2008
- 9.10 Approve Notice of Completion for the Silver Creek High School New Science Classroom Building (Ralph Larsen & Sons, Inc.)
- 9.11 Approve Notice of Completion for the Fire Alarm Upgrade at Independence High School (Radiant Electric, Inc.)
- 9.12 Approve Notice of Completion for the Football Bleacher Replacement at Mt. Pleasant High School (Robert A. Bothman, Inc.)
- 9.13 Approve Notice of Completion for the Football Bleacher Replacement at Andrew Hill, Piedmont Hills and Santa Teresa High Schools (Robert A. Bothman, Inc.)
- 9.14 Approve Change Order #1 for James Lick, Oak Grove and Yerba Buena High Schools' Ticket Booth and Concession Stand Project (Coulter Construction Inc.)
- 9.15 Approve Change Order #1 for the PE Modernization at James Lick High School (Reinhardt Roofing Inc.)
- 9.16 Approve Change Order #1 for the PE Modernization at James Lick High School (Foothill Air Conditioning & Heating, Inc.)
- 9.17 Approve Change Order #1 for Modernization of Multiple Buildings at Independence High School (IMR Contractors Corporation)
- 9.18 Approve Minutes of Regular Board Meeting Dated January 22, 2008