

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

AGENDA
October 23, 2008

AMENDED

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 24 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 5:00 P.M.

The Regular Board Meeting will begin at 5:00 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

- 1.01 Roll Call
- 1.02 Announcement and Public Comment regarding Items to be discussed in Closed Session (*Government Code §54957.7*)
- 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 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)

- 5.01 Recipients of the 100 Black Men of Silicon Valley 2009 Scholarship Awards
 - Henri M. Battiste, Evergreen Valley High School
 - Sifon U. Ndon, Piedmont Hills High School
- 5.02 Third Place in the 2008 International Botball Competition
 - Evergreen Valley High School Robotics Team
- 5.03 Gold Medal Award from the Columbia Scholastic Press Association
 - Evergreen Valley High School Yearbook "Wired"
- 5.04 Student Athlete of the Week
 - Samantha McCluskey, Mt. Pleasant High School
- 5.05 49ers Coach of the Month
 - Jeff Borges, Andrew Hill High School Varsity Football Coach
- 5.06 Recognition by Association of California School Administrators (ACSA) for Program Improvement
 - Foothill High School
- 5.07 Recognition by The ING Group for Excellence in Cultural Diversity in Education
 - Elizabeth Dinh

6. Student Board Liaisons

- 6.01 Vivian Nguyen, ASB President – Andrew Hill High School
- 6.02 Samantha Luu, ASB President – Piedmont Hills High School

7. 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.

8. Operational Items/Board Discussion and/or Action

- 8.01 Presentation on Latino Leadership Alliance – Andres Quintero on behalf of Councilmember Forrest Williams
- 8.02 State Budget Update – Jerry Kurr, Associate Superintendent of Administration and Business Services
- 8.03 District’s Plan to Address Potential Impact of Resolution #2007/2008-40 Declaring Intention to Reimburse Certain Expenditures from Proposed Tax Exempt Financing – Alan Garofalo, Associate Superintendent of Facilities and Student Services and Lance Jackson, SGI Construction Management
- 8.04 Academic Master Plan Next Steps – Bob Nuñez, Superintendent, Linda Gubman, Consultant, Carol Blackerby, Consultant and Eric Hall, Eric Hall & Associates
- 8.05 Compensation of Staff not Represented by a Bargaining Unit – Bob Nuñez, Superintendent
- 8.06 Approve Job Description and Salary Range for Low Voltage Systems Technician - Jerry Kurr, Associate Superintendent of Administration and Business Services
- 8.07 Summary Report of Student Achievement 2007-2008 and Program Improvement – Dan Moser, Associate Superintendent of Instruction and Human Relations and Kirsten King, Coordinator of Testing, Evaluation and Research
- 8.08 ESUHSD Education Foundation Update; Appoint Board Member to Serve as Representative to Foundation – Cindy Chavez, California Leadership Services, LLC & Rogelio Ruiz, Legal Counsel
- 8.09 Approve Carl D. Perkins 2008-2012 Local Plan for Career Technical Education – Alan Garofalo, Associate Superintendent of Student Services and Facilities
- 8.10 Hold Public Hearing at Approximately 7:30 p.m. to Approve Plan for Implementation of Course Sequencing as Required by AB 2448 – Alan Garofalo, Associate Superintendent of Student Services and Facilities
- 8.11 Approve Plan for Implementation of Course Sequencing as Required by AB 2448 – Alan Garofalo, Associate Superintendent of Student Services and Facilities
- 8.12 Adopt Resolution #2008/2009-05 to Authorize Adjustments of Expenditures and Adopt Resolution #2008/2009-06 to Authorize Adjustments to Revenues between Undistributed Reserve – Jerry Kurr, Associate Superintendent of Administration and Business Services
- 8.13 Adopt Resolution 2008/2009-09 Requesting the Board of Supervisors of Santa Clara County to Issue and Sell GOB, 2002, Measure G, Series H, in the Aggregate Principal Amount not to Exceed \$18,002,731, in the Name and on Behalf of the District – Jerry Kurr, Associate Superintendent of Administration and Business Services
- 8.14 Adopt Resolution #2008/2009-10 to the Contract between the Department of Rehabilitation and East Side Union High School District – Dan Moser, Associate Superintendent of Instruction and Human Relations
- 8.15 Adopt Resolution #2008/2009-11 Approving Authorization to Enter into Services to Accommodate Emergency Remediation on School Facilities at Andrew Hill High School for Health and Safety Reasons – Jerry Kurr, Associate Superintendent of Administration and Business Services
- 8.16 Approve Variable Term Waiver Request for Certificated Employee – Dan Moser, Associate Superintendent of Instruction and Human Relations – **Attachment D**
- 8.17 Approve Provisional Internship Permit Requests for Certificated Employees - Dan Moser, Associate Superintendent of Instruction and Human Relations - **Attachment E**
- 8.18 Contracts for Professional Services – Jerry Kurr, Associate Superintendent of Administration and Business Services – **Attachment B**
- 8.19 Memoranda of Understanding – Jerry Kurr, Associate Superintendent of Administration and Business Services – **Attachment C**

8.20 Re-Adopt Board By-Law 9270 Conflict of Interest – Bob Nuñez, Superintendent and Jerry, Kurr, Associate Superintendent of Administration and Business Services

9. Attachment A - Consent Calendar Items

See Attachment A

10. Written Reports/Recommendation

10.01 Budget Adjustments

11. Board of Trustees/Superintendent Communications/Comments

11.01 Board of Trustees

- Eddie Garcia, Vice President
- Frank Biehl, Member
 - MetroEd Board Update
- George Shirakawa, Clerk
- J. Manuel Herrera, Member
- Lan Nguyen, President

11.02 Bob Nuñez, Superintendent

12. Closed Session

12.01 EXPULSIONS – STUDENT A-B

12.02 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
(Government Code §Section 54957)

12.03 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 Instruction 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)

12.04 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Section 54969.9 of the Government Code: One (1) potential case.

12.05 CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: A portion (approximately eight acres) of Assessor's Parcel Number 484-17-031.

District Negotiators: Bob Nuñez, Superintendent
Jerry Kurr, Associate Superintendent of Administration and Business Services

Negotiating Parties: Rogelio Ruiz, Legal Counsel

Under Negotiation: ESUHSD and Alum Rock Union Elementary School District
Property Exchange Terms

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

- *Superintendent*

12.07 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.**
- 9.01 Ratify and Approve Classified Personnel Actions Presented October 23, 2008
 - 9.02 Ratify and Approve Certificated Personnel Actions Presented October 23, 2008
 - 9.03 Ratify and Approve Student Aide Personnel Actions Presented October 23, 2008
 - 9.04 Purchase Orders Presented October 23, 2008
 - 9.05 Award of Bids
 - 9.06 Approve School Field Trips
 - 9.07 Approve Change Order #1 for Phase III Additions and Modernization at Andrew Hill High School – Electrical (Cupertino Electric, Inc.)
 - 9.08 Approve Change Order #1 for Phase III Additions and Modernizations at Andrew Hill High School – Grading and Paving (Joseph J. Albanese, Inc.)
 - 9.09 Approve Change Order #1 for Phase III Additions and Modernizations at Andrew Hill High School – Metal Framing and Drywall (D & R Paquette)
 - 9.10 Approve Change Order #1 for Phase III Additions and Modernizations at Andrew Hill High School – Sitework, Utilities and Demo (Joseph J. Albanese, Inc.)
 - 9.11 Approve Change Order #1 for Phase III Additions and Modernizations at Andrew Hill High School – Structural Steel (Concord Iron Works)
 - 9.12 Approve Change Order #1 for Santa Teresa High School – HVAC Replacement Project (Foothill Air Conditioning and Heating, Inc.)
 - 9.13 Approve Minutes of Regular Board Meeting dated August 21, 2008