

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

**AGENDA**  
**December 11, 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 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 4:00 P.M.**

The Special Board Meeting will begin at 4:00 p.m. in the Lounge of the District Office. 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 2 ON AGENDA (CLOSED SESSION)**

**2. Closed Session**

- 2.01 EXPULSIONS – STUDENT A-E
- 2.02 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE  
(*Government Code §Section 54957*)
- 2.03 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)

- 2.04 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code.

Initiation of litigation pursuant to subdivision (c) of Section 54956.9 of the Government Code:  
One potential case

- 2.05 CONFERENCE WITH REAL PROPERTY NEGOTIATORS
- 2.06 PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
(Government Code §Section 54957)
- 2.07 PUBLIC EMPLOYMENT/PUBLIC EMPLOYEE APPOINTMENT  
(Government Code §Section 54957)

### **Open Session 6:00 P.M. – 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.

**5. Annual Organizational Meeting (action items)**

- 5.01 Nomination and Election of Officers
- 5.02 Develop and Approve Schedule of Board Meetings for 2009
- 5.03 Appoint Standing Board Subcommittee
- 5.04 Nomination of One Member of the Board of Trustees to Vote in the Election of the Santa Clara County Committee on School District Organization
- 5.05 Nomination and Election of Santa Clara County Committee on School District Organization
- 5.06 Nomination and Election of Representative to CSBA Delegate Assembly
- 5.07 Nomination and Election of Representative to MetroED Board

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

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

None

**8. Student Board Liaisons**

- 8.01 Katrina Rodarte, ASB Executive Officer – Oak Grove High School
- 8.02 Leslie Vera, Student Representative - KIPP San Jose Collegiate Charter High School

**9. 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.

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

- 10.01 Measure G and Measure E Citizens’ Bond Oversight Committee Report – John Moore, Chairperson of Measure G and Measure E Citizens’ Bond Oversight Committee
- 10.02 Presentation on DAC/DELAC Update – Dan Moser, Associate Superintendent of Instruction and Human Relations and Nguyen Dinh, Administrator of Language and Minority Programs

- 10.03 School Attendance Review Board Overview Presentation – Alan Garofalo, Associate Superintendent of Student Services and Facilities, Ana Lomas, Director of Student Services and George Sanchez, Coordinator of SARB/Safety
- 10.04 Approve First Interim Report – Jerry Kurr, Associate Superintendent of Administration and Business Services
- 10.05 Academic Master Plan Standardization; Cost Estimate for Standardization; Process for Integration of Measure E Bond Projects with Academic Master Plan – Bob Nuñez, Superintendent
- 10.06 Update on Board Selection Process – Bob Nuñez, Superintendent
- 10.07 Approve Extension Agreement – Project Labor Agreement for Measure E Bond Projects – Alan Garofalo, Associate Superintendent of Student Services and Facilities
- 10.08 Approved Proposed Settlement Agreement with City of San Jose re: Payment for Utilities Costs for Existing City Library at Independence High School – Alan Garofalo, Associate Superintendent of Student Services and Facilities
- 10.09 Approval of Ground Lease Agreement for New City Library at Independence High School – Jerry Kurr, Associate Superintendent of Administration and Business Services
- 10.10 Approve 2009 Summer School Program – Dan Moser, Associate Superintendent of Instruction and Human Relations
- 10.11 “Going Green” - Alan Garofalo, Associate Superintendent of Student Services and Facilities and Jerry Kurr, Associate Superintendent of Administration and Business Services
- 10.12 Expulsion Hearing Committee Panel Recommendations for 2008-2009 - Alan Garofalo, Associate Superintendent of Student Services and Facilities
- 10.13 Adopt Resolution #2008/2009-14 Inter-Fund Loan for Cash Flow Purposes – Jerry Kurr, Associate Superintendent of Administration and Business Services
- 10.14 Approve Carl D. Perkins 132 Grant 2008-2009 Grant Application for East Side Adult Education Program - Alan Garofalo, Associate Superintendent of Student Services and Facilities
- 10.15 Approve Request for Use of Education Code Section 44258.3 – Teachers on Special Assignment Authorizations for the 2008-2009 School Year – Dan Moser, Associate Superintendent of Instruction and Human Relations
- 10.16 Approve the Right of Entry for the County of Santa Clara – Jerry Kurr, Associate Superintendent of Administration and Business Services
- 10.17 Approve Variable Term Waiver Requests for Certificated Employees - Dan Moser, Associate Superintendent of Instruction and Human Relations - **Attachment D**
- 10.18 Contracts for Professional Services – Jerry Kurr, Associate Superintendent of Administration and Business Services – **Attachment B**
- 10.19 Memoranda of Understanding – Jerry Kurr, Associate Superintendent of Administration and Business Services – **Attachment C**

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

See Attachment A

**12. Written Reports/Recommendation**

- 12.01 Budget Adjustments
- 12.02 Quarterly Report on Santa Clara County Treasury Investment Portfolio Status as of September 30, 2008
- 12.03 Develop Fee Report
- 12.04 Summary Update on Copiers/Printers
- 12.05 Williams Settlement Annual Report for 2008

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

13.01 Board of Trustees

- Frank Biehl
  - MetroED Board Update
- J. Manuel Herrera
- Patricia Martinez-Roach
  - Board Policy: Revolving Door Prohibition
- Lan Nguyen
- George Shirakawa

13.02 Bob Nuñez, Superintendent

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

**14. Adjournment**

## **Attachment A - Consent Calendar**

**11. 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.**

- 11.01 Ratify and Approve Classified Personnel Actions Presented December 11, 2008
- 11.02 Ratify and Approve Certificated Personnel Actions Presented December 11, 2008
- 11.03 Ratify and Approve Student Aide Personnel Actions Presented December 11, 2008
- 11.04 Purchase Orders Presented December 11, 2008
- 11.05 Award of Bids
- 11.06 Approve School Field Trips
- 11.07 Acceptance of Donations/Grants/Awards
- 11.08 Approve CAHSEE Local Waivers for Special Education Students
- 10.09 Approve Change Order #1 for Andrew Hill High School (KMS Inc.)
- 11.10 Approve Change Order #1 for Apollo High School, Phase II Project (William G. Blomquist, Inc.)
- 11.11 Approve Minutes of October 4, 2008 Special Board Meeting
- 11.12 Approve Minutes of October 23, 2008 Special Board Meeting
- 11.13 Approve Minutes of November 20, 2008 Regular Board Meeting
- 11.14 Approve Minutes of November 25, 2008 Special Board Meeting