

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

AGENDA
February 19, 2009

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 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 2 ON AGENDA (CLOSED SESSION)

2. Closed Session

- 2.01 EXPULSIONS – *None*

- 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: Claim for damages of Marisa Mares/Jose Mares and one (1) 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. **Consideration of Proposed Amendments to Agenda**
- 6. **Board Special Recognition(s)**
None
- 7. **Student Board Liaisons**
None
- 8. **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.
- 9. **Instructional Services - Operational Items/Board Discussion and/or Action**
 - 9.01 Summer School Presentation – Dan Moser, Associate Superintendent of Instruction and Human Relations, & Tim Nguyen, Coordinator of English Language Learners and Supplementary Education
 - 9.02 Approve Consolidation Program Application Part II for 2008-2009 - Dan Moser Associate Superintendent of Instruction and Human Relations
 - 9.03 Accept Valenzuela/CAHSEE Williams Fourth Quarter Report – Dan Moser Associate Superintendent of Instruction and Human Relations
- 10. **Student Services - Operational Items/Board Discussion and/or Action**
 - 10.01 Receive First Reading of New Board Policy #5353 Pertaining to Student Lockers – Alan Garofalo, Associate Superintendent of Student Services and Facilities
- 11. **Human Resources - Operational Items/Board Discussion and/or Action**
 - 11.01 Receive First Reading of 4000 Board Policy Series, Part 2 – Dan Moser, Associate Superintendent of Instruction and Human Relations
 - 11.02 Approve Provisional Internship Permit Requests for Certificated Employees – Dan Moser, Associate Superintendent of Instruction and Human Relations
 - 11.03 Approve Variable Term Waiver Requests for Certificated Employees – Dan Moser, Associate Superintendent of Instruction and Human Relations – **ATTACHMENT D**
 - 11.04 Adopt Resolution #2008/2009-21 Declaring the Observance of Cesar Chavez Day on March 30, 2009 – Dan Moser, Associate Superintendent of Instruction and Human Relations
- 12. **Business Services - Operational Items/Board Discussion and/or Action**
 - 12.01 Approve Purchase Orders Presented on February 19, 2009 – Jerry Kurr, Associate Superintendent of Administration and Business Services
 - 12.02 Approve Contracts for Professional Services - Jerry Kurr, Associate Superintendent of Administration and Business Services - **ATTACHMENT B**

- 12.03 Approve Memoranda of Understanding - Jerry Kurr, Associate Superintendent of Administration and Business Services - **ATTACHMENT C**
- 12.04 Adopt Resolution #2008/2009-17 An Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546 - Jerry Kurr, Associate Superintendent of Administration and Business Services
- 12.05 Discussion on Contracts and MOUs: Elimination of Services - Jerry Kurr, Associate Superintendent of Administration and Business Services
- 12.06 Report on Charter School Financing - Jerry Kurr, Associate Superintendent of Administration and Business Services
- 12.07 Presentation on Purchasing Process for Bidding and Acquisition of Goods and Services - Jerry Kurr, Associate Superintendent of Administration and Business Services
- 12.08 Award the Request for Proposals (RFP), RFP 01-08-09, for the Student Information System (SIS) and to Enter into a Five-Year Contract with Infinite Campus - Jerry Kurr, Associate Superintendent of Administration and Business Services
- 12.09 Approve Refundable Deposits for Energy Credit Applications not to Exceed the Amount of \$200,000 – Jerry Kurr, Associate Superintendent of Administration and Business Services

13. Facilities - Operational Items/Board Discussion and/or Action

- 13.01 Measure G and Measure E Citizens' Bond Oversight Committee Report – John Sellarole, Member of Measure G and Measure E Citizens' Bond Oversight Committee
- 13.02 Approve the Merging of Measure G and Measure E Citizens' Bond Oversight Committees to Form One Committee – Alan Garofalo, Associate Superintendent of Student Services and Facilities
- 13.03 Approval of Measure E Prioritization List – Alan Garofalo, Associate Superintendent of Facilities and Student Services

14. Adult Education - Operational Items/Board Discussion and/or Action

- 14.01 Adopt Resolution #2008/2009-18 Declaring March 9-13, 2009, as California Adult Education Week - Alan Garofalo, Associate Superintendent of Student Services and Facilities

15. Superintendent/Board of Trustees - Operational Items/Board Discussion and/or Action

- 15.01 Parcel Tax – Patricia Martinez-Roach, Board President
- 15.02 Adopt Board of Trustees Retreat Goals - Patricia Martinez-Roach, Board President
- 15.03 Need for and Calendar Special Board Meeting - Patricia Martinez-Roach, Board President
- 15.04 MetroED – Frank Biehl, Board Member, and Bob Nuñez, Superintendent
 - Funding Model for 2009-2010
 - Review of Joint Partnership Agreement (JPA)
- 15.05 Receive First Reading to Amend Board By Law 9270 Conflict of Interest - Patricia Martinez-Roach, Board President
- 15.06 2009 CSBA Delegate Assembly Election - Bob Nuñez, Superintendent
- 15.07 Adopt Resolution #2008/2009-19 Declaring March 1-7, 2009, as Week of the School Administrator - Bob Nuñez, Superintendent
- 15.08 Adopt Resolution #2008/2009-20 Recognition of February 2009 as National African American History Month - Bob Nuñez, Superintendent

16. Attachment A - Consent Calendar Items

See Attachment A – Administration recommends approval of the consent items shown on Attachment A.

17. Written Reports/Recommendation

- 17.01 Receive Budget Adjustments Update
- 17.02 Receive Quarterly Report on Santa Clara County Treasury Investment Portfolio Status as of December 31, 2008

18. Board of Trustees/Superintendent Communications/Comments

18.01 Board of Trustees

- J. Manuel Herrera, Vice President
- Frank Biehl, Clerk
 - MetroED Board Update
- Lan Nguyen, Member
- Eddie Garcia, Member
- Patricia Martinez-Roach, President

18.02 Bob Nuñez, Superintendent

19. Report Closed Session Action(s)

20. Adjournment

Attachment A - Consent Calendar

- 16. 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.**
- 16.01 Ratify and Approve Classified Personnel Actions Presented February 19, 2009
 - 16.02 Ratify and Approve Certificated Personnel Actions Presented February 19, 2009
 - 16.03 Ratify and Approve Student Aide Personnel Actions Presented February 19, 2009
 - 16.04 Approve School Field Trips
 - 16.05 Acceptance of Donations, Grants and Awards
 - 16.06 Approve CAHSEE Local Waivers for Special Education Students
 - 16.07 Approve Change Order #1 for Andrew Hill High School Phase III Additions and Modernizations (Beals Martin, Inc.)
 - 16.08 Approve Change Order #1 for Andrew Hill High School Phase III Additions and Modernizations (Andy's Roofing Company)
 - 16.09 Approve Change Order #1 for Andrew Hill High School Phase III Additions and Modernizations (Joseph J. Albanese, Inc.)
 - 16.10 Approve Change Order #1 for Andrew Hill High School Phase III Additions and Modernizations (Mastria, Inc.)
 - 16.11 Approve Change Order #1 for Andrew Hill High School Phase III Additions and Modernizations (Shooter & Butts, Inc.)
 - 16.12 Approve Change Order #1 for Yerba Buena High School Modernization (Valhalla Builders)
 - 16.13 Approve Change Order #1 for Andrew Hill High School Phase III Additions and Modernizations (Thermal Mechanical)
 - 16.14 Notice of Completion for Andrew Hill High School Phase III Additions and Modernizations Project (Shooter & Butts, Inc.)
 - 16.15 Notice of Completion for Independence High School HVAC Roofing Modernization Project (Kinetics Mechanical Service, Inc.)
 - 16.16 Approve Minutes of January 8, 2009, Special Board Meeting
 - 16.17 Approve Minutes of January 15, 2009, Regular Board Meeting