

Agenda Item Details

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| Meeting | Aug 23, 2012 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 |
| Category | 16. ATTACHMENT A - CONSENT CALENDAR |
| Subject | 16.26 Approve Minutes of June 21, 2012, Regular Board Meeting |
| Access | Public |
| Type | Action (Consent) |
| Recommended Action | It is recommended that the Board of Trustees approve the June 21, 2012, Regular Board Meeting minutes as presented. |

Public Content**EAST SIDE UNION HIGH SCHOOL DISTRICT****Item: 16.26**

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

SUBJECT: Approve Minutes of June 21, 2012, Regular Board Meeting

Attached are the minutes of the June 21, 2012, Regular Board Meeting for review and approval by the Board of Trustees.

FISCAL IMPACT:
None


FUNDING SOURCE:
None

RECOMMENDATION:
It is recommended that the Board of Trustees approve the June 21, 2012, Regular Board Meeting minutes as presented.

[BA_20120621_Regular_Minutes.pdf \(412 KB\)](#)

Executive Content

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED August 23, 2012**



Chris D. Funk

**EAST SIDE UNION HIGH SCHOOL DISTRICT
REGULAR MEETING
OF THE
BOARD OF TRUSTEES
Meeting Held at Education Center
June 21, 2012
4:00 p.m.**

1. CALL TO ORDER/ROLL CALL

1.01 Roll Call

The Regular Meeting of the Board of Trustees was called to order at 4:02 p.m. by President Biehl. Vice President Martinez-Roach and Clerk Herrera were present. Member Nguyen arrived at 4:29 p.m. and Member Le arrived at 4:50 p.m.

1.02 Announcement and Public Comment regarding Items to be discussed in Closed Session (Government Code 54957.7)

President Biehl extended a welcome to everyone, explained the format of the meeting, noted that all Board Meetings are recorded and offered the public to comment on item(s) to be discussed in Closed Session.

There were no public speakers.

1.03 Recess to Closed Session in the Superintendent's Conference Room (Open Session will resume at the end of Closed Session at approximately 6:00 p.m.) See item 2 on agenda (Closed Session).

The Board of Trustees recessed to Closed Session in the Superintendent's Conference Room.

2. CLOSED SESSION

2.01 Expulsion(s): None

2.02 Public Employee Performance Evaluation (Government Code Section 54957)

- *Superintendent*
- *Internal Auditor*
- *Associate Superintendent of Business Services*

On a vote of 5/0, the Board approved the performance evaluation of Internal Auditor.

2.03 Public Employment/Public Employee Appointment (Government Code Section 54957)

- *Director 3 – Information Technology*
- *Director 2 – Special Services*
- *Coordinator of Special Services*

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

2.05 Conference with Labor Negotiators (Government Code Section 54957.6)

Agency Designated Representatives:

Dan Moser, Superintendent

Cathy Giammona, Associate Superintendent of Human Resources and Instruction

Marcus Battle, Associate Superintendent of Business Services

Juan Cruz, Assistant Superintendent of Instructional Services

Vida Branner, Director of Compensation and Classified Employee Relations

Cari Vaeth, Director of Human Resources

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

2.06 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 from W. Alexin*
- *Claim for Damages from E. Leon*
- *Claim for Damages from L. Saldivar*
- *Four (4) Potential Cases*

Claim for Damages from W. Alexin

Motion by Clerk Herrera, second by Vice President Martinez-Roach, to reject the claim for damages from W. Alexin

Vote: 3/0, Member Nguyen and Member Le were absent

Claim for Damages from L. Saldivar

Motion by President Biehl, second by Clerk Herrera, to reject the claim for damages from L. Saldivar.

Vote: 3/0, Member Nguyen and Member Le were absent

OPEN SESSION AT APPROXIMATELY 6:00 P.M. – EDUCATION CENTER 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.

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

5. ADOPTION OF AGENDA

For consideration by the Board of Trustees.

There were no changes to the agenda.

6. BOARD SPECIAL RECOGNITION(S)

6.01 Cathy Giammona, Associate Superintendent, Human Resources & Instruction

6.02 Dan Moser, Superintendent

7. STUDENT BOARD LIAISONS

No items on calendar under this section.

8. SPECIAL ORDER OF BUSINESS – OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

The Superintendent and/or Board Member(s) may request that items be considered, discussed, and acted on out of the order indicated on the agenda as per schedule.

There were no items under special order of business.

9. PUBLIC HEARING(S) – OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

No items on calendar under this section.

10. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD OF TRUSTEES

Members of the public may address the Board on any subject not on tonight's agenda; however, provisions of the Brown Act (Government Code section 54954.2(a) and 54954.3) preclude any action. As an unagendized item, no response is required from the Board or District staff and no action can be taken; however, the Board may instruct the Superintendent

to agendize the item for a future meeting. When your name is called, please come to the podium, state your name for the record, and limit your remarks to three (3) minutes.

Persons wishing to address the Board must fill out a gold request form, which is located at the entrance of the Board Room.

There were no public speakers under this section.

11. BOARD OF TRUSTEES/SUPERINTENDENT - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

- 11.01 Presentation, Discussion and/or Action regarding Pilot of Early Alert Program – Juan Cruz, Assistant Superintendent of Instructional Services, Mulugeta Habtegabriel, AASA Co-Chairperson, and Sharon Jackson, AASA Co-Chairperson (10 minutes)**

Public speaker:

- Socorro McCord

Presentation by Mulugeta Habtegabriel, AASA Co-Chairperson; no formal action on item taken by Board

Administration will come back in August or September with a plan on how to expand the early alert pilot program to other ESUHSD sites.

- 11.02 Receive Donation from East Side Education Foundation – Dan Moser Superintendent**

Donation received from the East Side Education Foundation in the amount of \$80,440.

- 11.03 Presentation An Update on Measure E Unfunded Projects Analysis - Marcus Battle, Associate Superintendent of Business Services, and Bob Bush, SGI Bond Project Manager**

Presentation by Bob Bush, SGI Bond Project Manager; no action taken on this item

- 11.04 Presentation and Adoption of Resolution #2011/2012-39A or #2011/2012-39B Ordering an Election to Authorize the Issuance of School Bonds, Establishing Specifications of the Election Order, and Requesting Consolidation with Other Elections Occurring on November 6, 2012 – Marcus Battle, Associate Superintendent of Business Services, Dale Scott, Financial Advisor, and Charles Adams, Jones Hall**

Public speakers:

- Mark Van Den Heuvel
- Jon Reinke
- Sal Ventura

Motion by Clerk Herrera, second by Member Nguyen, to adopt Resolution #2011/2012-39B, alternative #2, with an amendment to include ESUHSD Child Care Centers in the projects list.

Vote: 5/0

11.05 Discussion/Action to Approve App Development and Cooperation Agreement – Dan Moser, Superintendent

Motion by Vice President Martinez-Roach, second by Clerk Herrera, to approve the app development and cooperation agreement as presented.

Vote: 5/0

11.06 Appointment of Board Secretary – Frank Biehl, Board President, and Dan Moser, Superintendent

Motion by President Biehl, second by Clerk Herrera, to appoint Chris D. Funk as Board Secretary, effective July 1, 2012.

Vote: 5/0

11.07 Receive and Adopt Second Reading of Proposed Amended, New, and Deleted 0000 Series Board Policies - Juan Cruz, Assistant Superintendent of Instructional Services, and Dan Moser, Superintendent

Motion by Vice President Martinez-Roach, second by Member Le, to receive and adopt the second reading of the proposed amended, new and deleted 0000 series of Board Policies as presented.

Vote: 5/0

11.08 Receive First Reading of Proposed Amended, New and Deleted 1000 Series Board Policies - Juan Cruz, Assistant Superintendent of Instructional Services, and Dan Moser, Superintendent

Public speaker:

- *Jon Reinke*

Request made to add column to index sheet that indicates reason for deletion of Board Policies.

Received first reading of proposed amended, new and deleted 1000 series of Board Policies.

11.09 Approve Board Member's Attendance and Lawful Expenses to 2012 National Conference on Dialogue & Deliberation - Dan Moser, Superintendent

Motion by Member Nguyen, second by Member Le, to approve Board Member's Attendance and Lawful Expenses to 2012 National Conference on Dialogue and Deliberation.

Vote: 4/0, Vice President Martinez-Roach abstained from vote because she does not have enough information about the organization to determine if the conference is related to educational issues

12. INSTRUCTIONAL SERVICES/STUDENT SERVICES - OPERATIONAL ITEMS/.BOARD DISCUSSION AND/OR ACTION

- 12.01 Approve 2012 Single Plan for Student Achievement - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services, and Tim Nguyen, Coordinator of English Language Learners Supplementary Education**

Motion by Member Nguyen, second by Member Le, to approve the 2012 Single Plan for Student Achievement as presented and authorization for the Superintendent to make modifications as needed.

Vote: 5/0

- 12.02 Approve of Consolidated Program Application (Con App) Part I for 2012-2013 - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services, and Tim Nguyen, Coordinator of English Language Learners Supplementary Education**

Motion by Vice President Martinez-Roach, second by Clerk Herrera, to approve the Consolidated Program Application (Con App) Part 1 for 2012-2013 as presented for submission to the California Department of Education.

Vote: 5/0

- 12.03 Approve Carl D. Perkins 131 Grant 2012-13 Grant Application for East Side Union High School District - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services, and Rich Uribe, Director of Adult Education and Career Services**

Motion by Member Le, second by Vice President Martinez-Roach, to approve the Carl D. Perkins 131 Grant 2012-13 Grant Application for the East Side Union High School District.

Vote: 5/0

- 12.04 Receive and Adopt Second Reading of Proposed Amendments to Board Policies 5127 Graduation Ceremonies and Activities and 6146.1 High School Graduation Requirements - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services**

Motion by Vice President Martinez-Roach, second by Member Le, to receive and adopt the second reading of proposed amendments to Board Policy 5127 Graduation Ceremonies and Activities and Board Policy 6146.1 High School Graduation Requirements.

Vote: 5/0

- 12.05 Receive and Adopt Second Reading of Proposed Amendments to Board Policy 6163.4 Student Use of Technology and Acceptable Use Policy - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Juan Cruz, Assistant Superintendent of Instructional Services**

Motion by Clerk Herrera, second by Member Nguyen, to receive and adopt the second reading of proposed amendments to Board Policy 6163.4 Student Use of Technology and Acceptable Use Policy.

Vote: 5/0

- 12.06 Receive and Adopt Second Reading of Proposed Amendments to Board Policy 5131 Students - Conduct and Proposed Board Policy 5131.2 Students - Bullying - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services, and George Sanchez, Coordinator of Student Services**

Motion by Member Nguyen, second by Member Le, to receive and adopt the second reading of proposed amendments to Board Policy 5131 Students – Conduct and proposed Board Policy 5131.2 Students – Bullying.

Vote: 5/0

13. HUMAN RESOURCES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

- 13.01 Approve Vacation Pay-Outs for Contract Employees Per Contract Terms – Cari Vaeth, Director of Human Resources**

Motion by Member Nguyen, second by Member Le, to approve the vacation pay-outs as presented per affected employees' contract terms.

Vote: 4/0, Vice President Martinez-Roach abstained from vote

- 13.02 Approve Vision Plan for Board Members, Management, and Confidential Employees – Cathy Giammona, Associate Superintendent, Human Resources and Instruction**

Motion by Vice President Martinez-Roach, second by Clerk Herrera, to authorize the District, for 2012-2013 school year only, to absorb the entire premium cost for the vision plan (VSP) for Board Members and all management and confidential staff consistent with the same level of benefits extended to the certificated bargaining unit (ESTA).

Vote: 5/0

13.03 Review, Consideration and Adoption of Resolution #2011/2012-42 Authorizing Elimination and Layoff of Classified Management Services (1.0 FTE)

Public speaker:

- *Jon Reinke*

Motion by President Biehl, second by Clerk Herrera, to adopt Resolution #2011/2012-42 Authorizing the Elimination and Layoff of Classified Management Services (1.0) as presented.

Vote: 5/0

14. BUSINESS SERVICES/STUDENT SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

14.01 Presentation and Adoption of 2012-2013 Budget - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance

Motion by Clerk Herrera, second by Vice President Martinez-Roach, to adopt the 2012-2013 budget and that page 9, which is missing from packet, be updated in BoardDocs/web for public view.

Vote: 5/0

14.02 Approve Authorization for the Superintendent or Designee to Award Summer Projects - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

Motion by Vice President Martinez-Roach, second by Member Le, to approve authorization for the Superintendent or designee to award purchase orders/contracts for the summer projects as presented.

Vote: 5/0

14.03 Approve Authorization for the Superintendent to Award Emergency Projects during the Summer - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

Motion by Member Le, second by Vice President Martinez-Roach, to approve authorization for the Superintendent, after conferring with the Board President, to award emergency projects for unforeseen needs during the summer.

Vote: 5/0

14.04 Adopt Resolution #2011/2012-40 Authorized Signatures - Marcus Battle, Associate Superintendent of Business Services

Motion by Member Le, second by Vice President Martinez-Roach, to adopt Resolution #2011/2012-40 Authorized Signatures.

Vote: 5/0

14.05 Approve Contracts for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

Motion by Clerk Herrera, second by Member Nguyen, to approve contracts for professional services over \$50,000 (attached).

Vote: 5/0

15. FACILITIES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

No items on calendar under this section.

16. ATTACHMENT A – CONSENT CALENDAR ITEMS

Item 16.09 was pulled from the consent calendar for discussion. Motion by Member Le, second by Member Nguyen, to approve the remainder of the consent calendar.

Vote: 5/0

16.01 Ratify/Approve Classified Personnel Actions Presented June 21, 2012

16.02 Ratify/Approve Certificated Personnel Actions Presented June 21, 2012

16.03 Ratify/Approve Student Aide Personnel Actions Presented June 21, 2012

16.04 Approve School Field Trips

16.05 Approve Award of Bids

16.06 Approve Award of Bids for Food Items for Child Nutrition Services

16.07 Approve Award for Request for Proposals for Stores Warehouse Supplies

16.08 Approve Contracts for Professional Services At or Below \$50,000

16.10 Approve Change Orders to Purchase Orders

16.11 Adopt Resolution #2011/2012-41 an Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546

16.12 Approve Minutes of June 7, 2012, Regular Board Meeting

Item pulled from the consent calendar for discussion, consideration and/or action by the Board of Trustees.

16.09 Approve Memoranda of Understanding

Motion by Member Le, second by Clerk Herrera, to approve the memoranda of understanding.

Vote: 4/1, Vice President Martinez-Roach voted no because she have never seen an MOU between a charter school and the District

17. WRITTEN REPORTS/RECOMMENDATIONS

No items on calendar under this section.

18. FUTURE AGENDA ITEMS

18.01 Opportunity for Board of Trustees to request items on future agendas.

- *Parent Involvement Plan – Patricia Martinez-Roach, Board Vice President*
- *Child Development Program – Patricia Martinez-Roach, Board Vice President*
- *Special Education Program Costs – Patricia Martinez-Roach, Board Vice President*
- *Allowable Advertising – Frank Biehl, Board President*
- *Social Networking – Patricia Martinez-Roach, Board Vice President*
- *Accel Program – Van Le, Board Member*
- *Analysis of ESUHSD’s Relationship with MetroED – Patricia Martinez-Roach, Board Vice President*
- *Plan on How to Expand the Early Alert Pilot Program to Other Sites – Patricia Martinez-Roach, Board Vice President*

19. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

19.01 Board of Trustees

Van Le, Board Member

Nothing to report.

Lan Nguyen, Board Member

Nothing to report.

J. Manuel Herrera, Board Clerk

I am handing out more information than you probably need or want. This is a highlight program of facilities and operations and stats that might be of interest to you on MetroED. Some highlights are:

- *East Side continues to have participation in the MetroED Program.*
- *There are 585 students attending day classes.*
- *There are a number of new facilities being constructed that have been put into operation. One being the peer court, which ties into the probation and legal careers program, including forensics and law enforcement program. Students are trained to*

conduct court sessions that are legally binding. It gives our students a lot of insight as to how our justice system works.

You may be aware that Los Gatos-Saratoga, one of the districts in the JPA, voted yesterday to begin the process of withdrawing from MetroED. The reason for that, of which they have to give a year's notice, is that their usage is pretty low. They had 28 students enrolled and only 13 completed the full year. With the State taking revenue from categorical programs, their portion of MetroED monies has to come out of general fund. That is something they are not willing to do given their low usage. However, during this year of notice before it becomes final, MetroED will be conducting an outreach program to increase their usage. It may be that within the year, Los Gatos-Saratoga will revisit the issue and they may not leave; we don't know, but they feel compelled at this point to give legal notice of their intent to withdraw in a year's time.

Other highlight there is that the Superintendent is retiring after this coming year. It is triggering other retirements with opportunities to rebuild the administrative team. There is considerable change going on in MetroED.

Overall, the programs remain strong. They are weathering the fiscal crisis reasonably well.

Patricia Martinez-Roach, Board Vice President

I want to wish those of you who are going on vacation a great summer! I appreciate all the hard work from our Principals.

I wanted to let the Board know that I was really pleased with the Board Retreat that we had a couple of days ago with our incoming Superintendent. I walked away feeling really positive and really appreciative of our good Board and the hard work that we are doing.

Once again, I want to wish Cathy and Dan a goodbye and to enjoy their time off.

Frank Biehl, Board President

Ray and Associates in their contract was willing to give the Board an opportunity to do a self-assessment if they wish to do that. I am going to pass out the information on the self-assessment. I spoke with them and they said if we want to do it in the Fall, we can do it in the Fall. I did not pass it out earlier because I felt we had lots of work to do and if you were going to do it, it seemed more appropriate to tie it to a retreat. Don't worry about the date of May 22. If you feel it is a valuable thing to do, we can make a decision and do it in conjunction with our retreat in the Fall.

I do want to say that we have had an excellent amount of work done by this Board in the last year. We've worked really hard together and I have enjoyed it. I hope that everyone has a good bit of time off over the summer to refresh and rejuvenate and get ready because we are going to have a lot of work to do this Fall. I am going to miss Cathy and Dan.

19.02 Dan Moser, Superintendent

In closing, literally, I would like to take this opportunity to thank our teaching staff and our classified staff. Being the leader is the figurehead and behind the figurehead are, in addition to the Board, teachers and classified staff that makes success possible. I believe that this district is very unique in that always having children in the forefront of their mission. I applaud the efforts of everyone to make me look good; however, more importantly is to provide that education for our children. Thank you.

20. REPORT CLOSED SESSION ACTION(S)

Attorney will report on Closed Session action item(s).

See section 2.0 for reporting out of Closed Session items.

21. ADJOURNMENT

President adjourns the meeting.

Motion by Clerk Herrera, second by Member Nguyen, to adjourn the meeting at 9:16 p.m. in honor and recognition of Dan Moser and Cathy Giammona for their contributions to the East Side Union High School District.

Vote: 5/0

Respectfully submitted,


J. Manuel Herrera, Clerk
East Side Union High School District

Agenda Item Details

Meeting Jun 21, 2012 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 14. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

Subject 14.05 Approve Contracts for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

Access Public

Type Action, Discussion

Recommended Action It is recommended that the Board of Trustees approve the contracts for professional services as recommended on the attachment.

Public Content**EAST SIDE UNION HIGH SCHOOL DISTRICT****Item: 14.05**

TO: Board of Trustees

FROM: Dan Moser, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

SUBJECT: Approve Contracts for Professional Services Over \$50,000

The attached list of Contracts for Professional Services over \$50,000, are being presented for Board review and approval.

FISCAL IMPACT:

As indicated in the attachment

FUNDING SOURCE:

As indicated in the attachment

RECOMMENDATION:


It is recommended that the Board of Trustees approve the contracts for professional services as recommended on the attachment.

[14.05 Contracts Over \\$50K.pdf \(55 KB\)](#)

Executive Content

Last Modified by Betty Banderas on June 15, 2012

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED June 21, 2012**



M. Yuttler

EAST SIDE UNION HIGH SCHOOL DISTRICT
Contracts for Professional Services over \$50,000
Board Meeting of June 21, 2012

1. Alum Rock School District

| Reviewed by: | Contract Period | Fiscal Impact/ Funding Source | School/Department/ Manager |
|---|--|---|--|
| D. Moser J. Cruz S. Vieira D. Bertrand | December 1, 2011 through June 30, 2016 | \$105,000.00 (estimated funding through 2014. CAPP has not finalized funding for the remaining two years) Algebra Formative Grant (CAPP) | Education Center/W.C. Overfelt High School Juan Cruz, Assistant Superintendent of Instruction Vito Chiala, Principal |

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve a Contract Services Agreement with Alum Rock School District for the provision of grant activities as described in the ESUHSD awarded Algebra Formative Grant (CAPP) in an estimated amount of \$105,000.00 for the first two years of the term of the agreement and to delegate authority to the Superintendent or designee to amend said contract on an as needed basis, including funding.

Alum Rock School District was included as part of the grant application that was approved and the compensation will be aligned to budgeted grant activities.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with Alum Rock School District for the provision of grant activities as described in the ESUHSD awarded Algebra Formative Grant (CAPP) in an estimated amount of \$105,000.00 for the first two years of the term of the agreement and to delegate authority to the Superintendent or designee to amend said contract on an as needed basis, including funding.

2. The Bay School

| Reviewed by: | Contract Period | Fiscal Impact/ Funding Source | School/Department/ Manager |
|--|---------------------------------|--|--|
| Carole Hersom Juan Cruz Donna Bertrand | July 1, 2012 – June 30, 2013 | \$342,000.00 Special Education | Education Center, Special Services Carole Hersom, Coordinator |

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into an Agreement with Bay School for the provision of non-public school services for special education students. Educational services shall be consistent with the master contract and specified services per the students' Individual Education Program (IEP) plan.

Selection Process

There was no competitive solicitation done for this type of service.

There is a determination made by the IEP team that ESUHSD is not currently able to meet particular students' educational needs. Recommendations are then presented at the students' IEP meeting. Referrals to Bay School were made at the students' IEP meeting by a District Program Specialist after consultation with the District's Special Services Coordinator.

Bay School is a NPS that offers specialized educational services for this unique group of ESUHSD students. Bay School is one of two local NPSs that offer these unique services and ESUHSD contracts.

RECOMMENDATION

It is recommended that the Board of Trustees approve an Agreement with Bay School for the contract term July 1, 2012 through and including June 30, 2013 for the provision of Non-Public School Services for Special Education Students, and to delegate authority to the Interim Superintendent/ Superintendent or designee to amend said contract on an as needed basis, including funding.

3. County of Santa Clara, Office of the District Attorney

| Reviewed by: | Contract Period | Fiscal Impact/ Funding Source | School/Department/ Manager |
|--|---------------------------------|--|---|
| George Sanchez Juan Cruz Marcus Battle Donna Bertrand | July 1, 2011 – June 30, 2013 | \$100,000.00 (\$50,000.00 annually) SARB | Education Center/ Student Services George Sanchez, Coordinator |

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into an Agreement with the County of Santa Clara, Office of the District Attorney for the provision of truancy abatement services for East Side Union High School students for the term of July 1, 2011 through June 30, 2013.

Selection Process

Not Applicable

RECOMMENDATION

It is recommended that the Board of Trustees approve an Agreement with the County of Santa Clara, Office of the District Attorney for the provision of truancy abatement services for East Side Union High School students for the term of July 1, 2011 through June 30, 2013 in a total contract amount of \$100,000.00.

4. Dale Scott & Company, Inc. (DS&C)

| Reviewed by: | Contract Period | Fiscal Impact/ Funding Source | School/Department/ Manager |
|---------------------|----------------------------------|---|--|
| Marcus Battle | March 1, 2012 – June 30, 2013 | Varies - SEE BELOW Varies –SEE BELOW | Education Center/ Business Services Marcus Battle, Associate Superintendent of Business Services |

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into an Agreement with Dale Scott & Company, Inc. as the ESUHSD's independent financial advisor regarding financial advice, loan restructuring, issuing general obligation bonds, certificates of participation, refunding bonds and/or bonds anticipation notes for the term of March 1, 2012 through June 30, 2013.

Description of potential fees:

- Pre-Election Services – a onetime fee of \$35,000
- Survey Research Services – a onetime fee of \$10,000 plus expenses not-to-exceed \$5,000
- Bond Issuance Services
 - For each series of Bonds with the exception of BANS, a fee of \$85,000 plus .25% of the par amount of Bonds greater than \$10 million.
 - For each series of BANS, a fee of \$42,500 plus .25% of the par amount of Bonds greater than \$10 million.
- Disclosure Services - \$20,000 (does not include ongoing annual continuing disclosure requirements which, if provided to the District by DS&C, will be detailed in a separate agreement or an Addendum to the Agreement)
- Expense – actual plus 5%.
- Potential Termination Fee.

Selection Process

None

RECOMMENDATION

It is recommended that the Board of Trustees approve an Agreement with Dale Scott & Company, Inc. as the ESUHSD's independent financial advisor regarding issuing general obligation bonds, certificates of participation, refunding bonds and/or bonds anticipation notes for the term of March 1, 2012 through June 30, 2013.

5. ENGEO Incorporated

| Reviewed by: | Contract Period | Fiscal Impact/ Funding Source | School/Department/ Manager |
|--|---|---|--|
| K. Lanford M. Battle D. Bertrand J. Unger | June 01, 2011 – August 31, 2012 (no change) | \$49,979.00 (increased amount) Measure E | James Lick High School/Facilities Glenn VanderZee, Principal Kathy Lanford, Assistant Director |

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #2 to the Purchase Order #103173 for the James Lick High School New Two Story Classroom Building 500 Project, (Project No.: E-030-001).

This change order is needed because of additional inspection requirements requested by the District's DSA Inspector for (3) additional full time and potentially (2) additional weeks of part time welding inspection remaining to complete stairway, canopy and miscellaneous structural steel fabrication.

Original Purchase Order was approved for \$60,703.00 + Change Order #1 \$43,078.00 + Change Order #2 \$49,979.00 = the new Purchase Order total of \$153,760.00

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #2 to Purchase Order # 103173 with ENGEO Incorporated in the amount of \$49,979.00 for the James Lick High School New Two Story Classroom Building 500 Project, (Project No.: E-030-001).

6. MAXIM Health Care Services

| Reviewed by: | Contract Period | Fiscal Impact/ Funding Source | School/Department/ Manager |
|--|---------------------------------|--|--|
| Carole Hersom Juan Cruz Donna Bertrand | July 1, 2012 – June 30, 2013 | \$75,000.00 Special Day Class (L/H) | Special Education Carole Hersom, Coordinator |

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve a Contract Services Agreement with MAXIM Health Care Services, Inc. for the purchase of licensed vocational nursing services; and to delegate authority to the Superintendent or designee to amend said contract on an as needed basis, including funding.

Contractor will provide substitute services for 1:1 IEP Para-Educators in the case of their absences. These services are proved to ESUHSD's medically fragile students who have a variety of medical conditions that warrant this service.

Selection Process

There was no competitive solicitation done this year as the year before last the District had contacted a few nursing agencies to request a quote to provide the 1:1 service for this student. None of the vendors contacted were able to provide the District with this type of service. Finally the District was able to receive a quote from a vendor, "Care at Home", to do this work however, at the same time the District had contacted the Director of Nurses for the Santa Clara County Office of Education (SCCOE) to see if she had any vendor recommendations. SCCOE provided us with the name of the vendor SCCOE currently has a contract to provide comparable services: Maxim.

Maxim and "Care at Home" agency offered services at the same rate. Ultimately, Maxim was chosen do to their ready availability of staff to provide this specialized service that was needed by the District.

RECOMMENDATION

It is recommended that the Board of Trustees approve an Agreement with MAXIM Health Care Services for the contract term July 1, 2012 through and including June 30, 2013 for the provision of Non-Public School Services for Special Education Students in an amount of \$75,000.00 and to delegate authority to the Superintendent or designee to amend said contract on an as needed basis, including funding.

7. Spencer Associates

| Reviewed by: | Contract Period | Fiscal Impact/ Funding Source | School/Department/ Manager |
|--|--|---|---|
| K. Lanford M. Battle D. Bertrand J. Unger | October 1, 2011 – September 30, 2013 (change contract period) | \$35,000.00 (increased amount) Measure E | Santa Teresa High School/Facilities Greg Louie, Principal Kathy Lanford, Assistant Director |

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #2 to the Purchase Order #200999 and Amendment #2 to Work Authorization #3 for the Santa Teresa High School Modernization of Buildings 100, 200, 400, 700, 1300 and 1400 Project, (Project No.: E-070-003).

This change order is issued due to the District staff wishes to convert a portion of Building 100 at Santa Teresa High School to counseling offices. Improvements will include new interior finishes, modifications to doors for accessibility, a new HVAC system, new lighting, power, and data, and modifications to the existing fire alarm system. In addition, existing glulam beams in the courtyard will need to be structurally modified for safety purposes.

Original Purchase Order was approved for \$330,000.00 + Change Order #1 \$300.00 + Change Order #2 \$35,000.00 = the new Purchase Order total of \$365,300.00

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #2 to Purchase Order # 200999 and Amendment #2 to Work Authorization #3 with Spencer Associates in the amount of \$35,000.00 for the Santa Teresa High School Modernization of Buildings 100, 200, 400, 700, 1300 and 1400 Project, (Project No.: E-070-003).

7. State of California, California Department of Education

| Reviewed by: | Contract Period | Fiscal Impact/ Funding Source | School/Department/ Manager |
|---|--------------------------------|---|--|
| Juan Cruz Deborah Barnes Donna Bertrand | July 1, 2012 – June 30 2013 | \$610,979.00 – 2553 California State Preschool Program (CSPP) \$541,942.00 – 2296 General Child Care and Development Program (CCTR) (REVENUE CONTRACTS) | Andrew Hill High School Evergreen Valley High School Foothill High School James Lick High School Santa Teresa High School W.C. Overfelt High School Yerba Buena High School Deborah Barnes, Program Manager |

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into Revenue Contracts with the California Department of Education for the funding of six child care centers within ESUHSD. The first contract is for the California State Preschool Program (Contract #CSPP-2553) and the second is the General Child Care & Development Programs (Contract #CCTR- 2296). Both are for the term of July 1, 2012 through and including June 30, 2013.

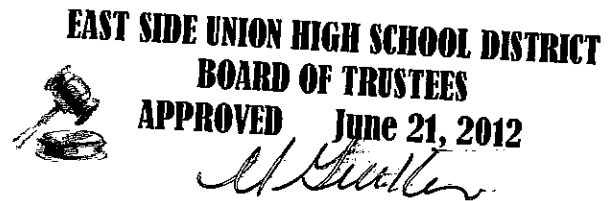
The ESUHSD Child Development Program will operate six child care centers in 2012-13 to service infants, toddlers and pre-schoolers at Andrew Hill, Evergreen Valley, Foothill (Family Learning Center), James Lick, Santa Teresa, W.C. Overfelt, and Yerba Buena High Schools

Selection Process

Not Applicable.

RECOMMENDATION

It is recommended that the Board of Trustees approves the two Contracts with the State of California, Department of Education to receive funding for Child Care Services to be provided by ESUHSD in the amounts of \$610,979.00 for the California State Preschool Program (Contract #CSPP-2553) and \$541,942.00 for the General Child Care & Development Programs (Contract #CCTR-2296). The term of each contract shall be July 1, 2012 through and including June 30, 2013 and to delegate authority to the Superintendent or designee to amend said contracts on an as needed basis, including funding.



Agenda Item Details

Meeting Jun 21, 2012 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 16. ATTACHMENT A - CONSENT CALENDAR

Subject 16.08 Approve Contracts for Professional Services At or Below \$50,000

Access Public

Type Action (Consent)

Recommended Action It is recommended that the Board of Trustees approve the contracts for professional services at or below \$50,000 as listed in the attachment and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 16.08

TO: Board of Trustees

FROM: Dan Moser, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

SUBJECT: Approve Contracts for Professional Services At or Below \$50,000

The attached list of Contracts for Professional Services at or below \$50,000, is being recommended for Board approval and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

FISCAL IMPACT:

As indicated in the attachment

FUNDING SOURCE:

As indicated in the attachment

RECOMMENDATION:

It is recommended that the Board of Trustees approve the contracts for professional services at or below \$50,000 as listed in the attachment and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

[16.08 Contract under \\$50K 6-21-12.pdf \(41 KB\)](#)

Executive Content

Item: 16.08

EAST SIDE UNION HIGH SCHOOL DISTRICT PROFESSIONAL CONTRACT SERVICES At or Below \$50,000 Board Meeting of June 21, 2012

| A. SCHOOL SITES/EDUCATION CENTER | | | | | | |
|---|-------------------------------------|--|---|---|---|---|
| Contractor Name | Reviewed By | Contract Period | Cost/Funding | School/Dept. Manager | Purpose | |
| 1 City of San Jose | M. Battle D. Bertrand | June 1, 2012 – August 11, 2012 | \$25,000.00 (REVENUE) | Silver Creek High School Adolfo Laguna, Principal Donna Bertrand, C.P.M. Coordinator | Grant to fund the summer aquatics program at Silver Creek High School. The program will be run by West Coast Aquatics who already has a contract with the ESUHSD. An amendment will be done to add this program to West Coast's contract. | |
| 2 CPRS | M. Battle D. Bertrand | July 1, 2012 – June 30, 2013 | \$45,000.00 (not-to-exceed) Business Administration | Education Center Business Administration Donna Bertrand, C.P.M. Coordinator | To perform a full walk to wall inventory/audit of all sites owned and operated by ESUHSD. Vendor will reconcile the current ESUHSD Master File, add items as found in the audit, remove items not found, and then a clean file will be uploaded back into QSS for the ESUHSD Administration to manage on a regular basis. | |
| 3 EMQ FamiliesFirst | R. Uribe D. Moser D. Bertrand | July 1, 2011 – December 31, 2011 | \$33,008.00 Special Education | Education Center/ Special Education Carole Hersom, Coordinator | Two proposals were received and CPRS submitted the lowest responsive proposal. To pay for Mental Health Services that were provided to ESUHSD's special education pupils with serious emotional disturbance while under the care of County Mental Health. | |
| 4 Infinity Communications & Consulting, Inc. | M. Cage D. Bertrand M. Battle | July 1, 2012 – June 30, 2013 | \$25,000.00 Operations/Plant Security | Education Center Mac Cage, Interim Director | No solicitation process took place for these services. The pupils receiving this level of service were placed at EMQ by the County Mental Health and the ESUHSD is responsible for the cost of the service. The students are no longer receiving these services from this vendor. To provide continued guidance in the ERATE application process; assist with resolving ERATE compliance issues; and to provide other consultation services on an as needed. | No solicitation process took place for this service. IT would like to continue using this consultant to maintain continuity between ERATE and ESUHSD personnel. |

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|---|--|--|---|---|--|--|
| 5 | Santa Clara County Office of Education (SCCOE) | K. King R. Ibarra J. Cruz D. Bertrand | June 25, 2012 – June 30, 2013 | \$4,000.00 Title II – Innovative Education Strategies | Education Center Robert Ibarra, Coordinator | To provide Professional Development through the SCCOE Curriculum Leadership Council. |
| 6 | School Services of California, Inc. | M. Battle D. Bertrand | July 1, 2012 – June 30, 2013 | \$2,820.00 (estimated) Business Administration | Education Center Business Services Marcus Battle, Associate Superintendent of Business Services | Contractor will provide consultant services and assistance regarding issues of school finance, legislation, school budgeting, general fiscal issues, and miscellaneous expenses as indicated in the contract. Consultant will also provide 2 copies of the CADIE and SABRE reports. |
| 7 | Zaida McCall-Perez | C. Hersom D. Bertrand J. Cruz C. Giammona | July 1, 2011 – June 20, 2013 (no change) | \$14,000.00 (increased amount) State Performance Plan Facilitated Review Grant | Special Education-Health Carole Hersom, Coordinator | Change order #1 to Purchase Order #202879, Amendment #1. This increase is needed due to the fact that the original amount of \$8,000.00 was estimated for one year. Now that the services have been established, we have a better understanding of the costs and need to increase the purchase order to cover the costs for year one and to add funds for year two. The services remain unchanged. |

B. FACILITIES

| | Contractor Name | Reviewed By | Contract Period | Cost/Funding | School/Dept. Manager | Purpose |
|---|------------------------------|--|--|--|--|--|
| 1 | C2G/ Civil Consultants Group | K. Lanford M. Battle D. Bertrand J. Unger | May 11, 2012 – August 31, 2012 (extend contract period) | \$3,600.00 (increased amount) Measure E | Yerba Buena High School/Facilities Tom Huynh, Principal Kathy Lanford Assistant Director | Change Order #1 to Purchase Order # 203196, Amendment #1 for additional Topographic Survey of the property line in order to design perimeter fence needed at Yerba Buena High School Site Lighting, Fencing and Benches Improvement Project, (Project No.: E-060-006) and to extend the contract period through August 31, 2012 so this survey can be performed. Original Purchase Order Amount \$6,500.00 + Change Order #1 \$3,600.00 = a new Purchase Order Total \$10,100.00. |

| | | | | | | |
|---|--------------------------------|--|--|---|---|---|
| 2 | Cleary Consultants, Inc. | K. Lanford M. Battle D. Bertrand J. Unger | April 20, 2012 – February 28, 2013 (no change) | \$2,250.00 (Not to exceed) Measure E | Overfelt Adult Center Center/Facilities Kathy Lanford, Assistant Director | Change Order #1 to Purchase Order # 202883, Amendment #1 to provide additional Geotechnical testing services, requirement of DSA for the Overfelt Adult Education Center New Classroom Facility Increments 1, 2, 3 and 4 Project, (Project No. E-042- 001). Original Purchase Order Amount \$17,550.00 + Change Order #1 \$2,250.00 = a new Purchase Order Total \$19,800.00. |
| 3 | Cleary Consultants, Inc. | K. Lanford M. Battle D. Bertrand A. Arciniega | June 22, 2012 – December 31, 2012 | \$7,200.00 (Not to exceed) Measure E | W.C. Overfelt High School/Facilities Vito Chiala, Principal Kathy Lanford Assistant Director | Provide a Geohazard Investigation for the Classroom Buildings D and J Modernization Projects at W.C. Overfelt High School. The purpose of the investigation will be to explore the soil conditions at the general locations of the two existing buildings, and to develop a geologic and seismic hazards evaluation. |
| 4 | Earth Systems Pacific | K. Lanford M. Battle D. Bertrand J. Unger | June 22, 2012 – September 31, 2012 | \$20,000.00 (Not to exceed) Measure G | Independence, Mt. Pleasant, Silver Creek, W.C. Overfelt and Evergreen Valley High Schools/Facilities Grettel Castro-Stanley, Teresa Marquez, Adolfo Laguna, Vito Chiala, Ana Lomas, Principals Kathy Lanford, Assistant Director | Perform soils engineering observation and testing services during construction of the synthetic turf playfields for the Independence, Mt. Pleasant, Silver Creek, W.C. Overfelt and Evergreen Valley High Schools - New Synthetic Turf and Field Projects , (Project No.: G-065-051, G-035-015, G-055-009, G- 040-015, O-075-004). Two geotechnical companies were solicited; Earth Systems Pacific. submitted the lowest responsive proposal. |
| 5 | Mont-Rose Moving Systems, Inc. | K. Lanford M. Battle D. Bertrand J. Unger | May 25, 2012 – July 31, 2012 (extend contract period) | \$1,341.65 (Not to exceed) Measure E | Yerba Buena High School/Facilities Tom Huynh, Principal Kathy Lanford Assistant Director | Change Order #1 to Purchase Order # 203192, Amendment #1 to provide moving services to relocate the boys' and girls' coach's office furnishings back to the new modernized offices at Yerba Buena High School for the Title IX Interior Modernization Project, (Project No.: E-060-003) and to extend the contract period through July 31, 2012. Original Purchase Order Amount \$2,346.50 + Change Order #1 \$1,341.65 = a new Purchase Order Total \$3,688.15. |

| | | | | | | |
|---|-----------------------------|--|------------------------------------|--|---|--|
| 6 | Underwood & Rosenblum, Inc. | K. Lanford M. Battle D. Bertrand J. Unger | June 22, 2012 – August 31, 2012 | \$6,100.00 (Not to exceed) Measure E | Yerba Buena High School/Facilities Tom Huynh, Principal Kathy Lanford Assistant Director | Provide Topographic Ground Survey and Underground Utility Locating Services needed for the Phase II Yerba Buena High School Modernize/Add to Theater Building 500 Project, (Project No.: E-060-004). |
|---|-----------------------------|--|------------------------------------|--|---|--|