



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting	May 15, 2014 - ESUHSD REGULAR BOARD MEETING - 4:30 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	16. BOARD OF TRUSTEES/SUPERINTENDENT - CONSENT/ACTION CALENDAR
Subject	16.04 Approve Minutes of April 17, 2014, Regular Board Meeting
Access	Public
Type	Action (Consent)
Recommended Action	It is recommended that the Board of Trustees approve the April 17, 2014, Regular Board Meeting minutes as presented.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 16.03

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

SUBJECT: Approve Minutes of April 17, 2014, Regular Board Meeting

Attached are the minutes of the April 17, 2014, 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 April 17, 2014, Regular Board Meeting minutes as presented.

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES**

APPROVED

May 15, 2014

Executive Content



EAST SIDE UNION HIGH SCHOOL DISTRICT
REGULAR MEETING
OF THE
BOARD OF TRUSTEES
Meeting Held at Education Center – Board Room
April 17, 2014
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 4:07 p.m. by President Herrera. Vice President Le, Member Nguyen, and Member Biehl were present. Clerk Carrasco arrived at 4:15 p.m.

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

President Herrera 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.

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): A**

*Student A:
Motion by Member Nguyen, second by Member Biehl, to approve the expulsion of Student A.*

Vote: 5/0

Student B:

Motion by Member Biehl, second by Clerk Carrasco, to approve not accepting the recommendation to expel from expulsion panel Student B.

Vote: 5/0

Student C:

Motion by Vice President Le, second by Member Nguyen, to approve the expulsion of Student C.

Vote: 5/0

Student D:

Motion by Vice President Le, second by Clerk Carrasco, to approve the expulsion of Student D.

Vote: 5/0

2.02 Public Employee Performance Evaluation (Government Code Section 54957)

- *Senior Manager of Internal Controls*
- *Superintendent*

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

- *Title: Director of Curriculum and Instruction & Professional Development*
- *Title: Director of Student Services*
- *Title: Manager of Classified Personnel*

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:

Chris D. Funk, Superintendent

Marcus Battle, Associate Superintendent of Business Services

Juan Cruz, Assistant Superintendent of Instructional Services

Cari Vaeth, Director of Human Resources

Vida Branner, Director of Compensation and Classified Employee Relations

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

Unrepresented Organizations:

Administrators

Managers

Confidentials

**2.06 Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (d)(2) of Government
Code Section 54956.9**

- *Two (2) Potential Cases*

**2.07 Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to subdivision (d)(4) of Government Code
Section 54956.9**

- *One (1) Potential Case*

**2.08 Conference with Legal Counsel – Existing Litigation
Existing Litigation Subdivision (a) of Government Code Section 54956.9**

- *Cato v. East Side Union High School District
(Santa Clara County Superior Court Case No.: 1-11-CV-204232)*
- *Cal-Pacific Construction, Inc. v. East Side Union High School District
(Santa Clara County Superior Court Case No.: 114CV259895)*

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 Herrera 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.

Items 13.01 and 15.02 were pulled from the agenda. The remainder of the agenda was adopted as presented.

6. BOARD SPECIAL RECOGNITION(S)

6.01 California Language Teacher Association’s (CLTA) Teacher of the Year: Marcelo Leal

6.02 Apollo High School - Selected by State Schools Chief Tom Torlakson as One of Twenty-Four Model Continuation High Schools in the State for 2014

6.03 Andrew Hill High School Robotics Team

7. **Student Board Liaisons**

7.01 **James Lick High School**

- **Cyril Garcia, Student Representative**
- **Reyna Rivera, Student Representative**

7.02 **Santa Teresa & Phoenix High Schools**

- **Kyle Worden, ST Student Representative**
- **Salvatore Giannone, ST ASB President**
- **Emily Godkin, ST ASB Secretary**
- **Kaila Grieve, ST ASB Treasurer**
- **Stephanie Robles, Phoenix Senior**
- **Valerie Parr, Phoenix Senior**

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

8.01 **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.**

8.02 **Presentation regarding MetroED Regional Occupational Program (ROP) - Alyssa Lynch, Superintendent, MetroED**

Presentation; no action on this item

8.03 **Discussion and/or Action to Adopt Resolution #2013/2014-22 Authorizing the Issuance and Sale of 2014 General Obligation Refunding Bonds in the Principal Amount Not to Exceed \$50,000,000 for the Purpose of Refunding Outstanding General Obligation Bonds of the District - Marcus Battle, Associate Superintendent of Business Services, Dale Scott, Dale Scott & Company, and Charles Adams, Jones Hall**

Motion by Member Nguyen, second by Vice President Le, to adopt the proposed Resolution #2013/2014-22 Authorizing the Issuance and Sale of 2014 General Obligation Refunding Bonds in the Principal Amount Not to Exceed \$50,000,000 for the Purpose of Refunding Outstanding General Obligation Bonds of the District.

Vote: 5/0

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

9.01 **Hold Public Hearing at Approximately 6:05 p.m. regarding the Proposed Adoption of the Initial Proposal for Contract Reopeners for 2014-2015: From the East Side Union High School District to the California School Employees Association, Chapter 187 - Cari Vaeth, Director, Human Resources and Vida L. Branner, Director of Compensation and Classified Employee Relations**

Public hearing held

There were no public speakers on this item.

9.02 Hold Public Hearing at Approximately 6:10 p.m. to Receive and Sunshine the Initial Proposal for Contract Reopeners for 2014-2015: From the California School Employees Association, Chapter 187, to the East Side Union High School District - Cari Vaeth, Director, Human Resources and Vida L. Branner, Director of Compensation and Classified Employee Relations

Public hearing held

Public speaker:

- *Angie Nunn, CSEA President*

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.

Any person may address the Board on any item on the meeting agenda. Persons wishing to address the Board must fill out a gold request form, which is located at the entrance of the Board Room.

Public speaker(s):

- *Leota Kuzma – Counseling Office at Independence High School*
- *Gricelda Heredia – Silver Creek High School Needs*
- *Angelica Huizar – Counselors at Evergreen Valley High School*
- *Araceli Manzo – AVID*
- *Silvia Espinoza – Evergreen Valley High School Needs*
- *Marisa Hanson, ESTA President – Charter Schools at Independence High School*
- *Zacary E. Wilson – Retain MST Coordinators*
- *Rick M. Shinn – Retain MST Coordinators*
- *Laura Burns – Retain MST Coordinators*
- *Jennifer Nguyen – Retain MST Coordinators*
- *Dieu Huynh - Retain MST Coordinators*
- *Anthony Phan - Retain MST Coordinators*
- *Alyssa Aguirre – Retain MST Coordinators*
- *Johnson Tran - Retain MST Coordinators*
- *Marie Milner - Retain MST – Removal (Retain)*
- *Joshua Greene – MST Concerns (Retain)*
- *Cristina Hostia-Solorio - Retain MST Coordinators*
- *Mary McElroy – Health/Safety Concerns*

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

11.01 **Discussion and/or Action to Approve Metropolitan Education District (MetroED) Funding Agreement between the Metropolitan Education District (MetroED) and East Side Union High School District - Chris D. Funk, Superintendent**

Motion by Member Biehl, second by Clerk Carrasco, to approve the Funding Agreement between the East Side Union High School District and Metropolitan Education District (MetroED) for the 2014-2015 school year.

Vote: 5/0

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

12.01 **Discussion and/or Receipt of Charter School Petition Alpha: Cindy Avitia High School submitted by the Alpha Public Schools - Juan Cruz, Assistant Superintendent of Instructional Services**

Motion by Member Biehl, second by Vice President Le, to receive the charter school petition Alpha: Cindy Avitia High School submitted by the Alpha Public Schools.

Vote: 5/0

12.02 **Discussion and/or Action to Approve Distribution of "Go For It" Scholarship Funds - Juan Cruz, Assistant Superintendent of Instructional Services**

Motion by Vice President Le, second by Member Biehl, to approve the distribution of "Go For It" Scholarship funds.

Vote: 5/0

12.03 **Discussion and/or Action to Approve California Interscholastic Federation (CIF) Application for Renewal of 2014-2015 Multi-School Membership - Juan Cruz, Assistant Superintendent of Instructional Services**

Motion by Vice President Le, second by Member Biehl, to approve the California Interscholastic Federation (CIF) Application for Renewal of 2014-2015 Multi-School Membership.

Vote: 5/0

13. **BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**

13.01 **Discussion and/or Action to Receive First Reading of New Board Policy #3312.1 Contract Change Orders - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, Andre Bell, Assistant Director of Capital Accounting and Purchasing, Janice Unger, Capital Projects Purchasing Manager, and Donna Bertrand, C.P.M., Contracts Administration Coordinator**

Item pulled from the agenda

13.02 Discussion and/or Action to Adopt Resolution #2013/2014-23 to Hire Short-Term Non-Certificated Summer Staff - Marcus Battle, Associate Superintendent of Business Services, and Vida Branner, Director of Compensation and Classified Employee Relations

Motion by Member Nguyen, second by Vice President Le, to adopt Resolution #2013/2014-23 to Hire Short-Term Non-Certificated Summer Staff.

Vote: 5/0

13.03 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

Motion by Member Nguyen, second by Vice President Le, to approve the Contract(s) for Professional Services over \$50,000 as recommended (attached) and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

Vote: 5/0

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

14.01 Discussion and/or Action to Approve Variable Term Waiver Requests for Certificated Employees - Cari Vaeth, Director, Human Resources

Motion by Vice President Le, second by Clerk Carrasco, to approve the variable term waiver requests for the certificated employees as specified.

Vote: 5/0

14.02 Ratify/Approve the Adult Education Calendar for the 2014-2015 School Year - Cari Vaeth, Director, Human Resources

Motion by Clerk Carrasco, second by Member Biehl, to approve the adult education calendar for the 2014-2015 school year.

Vote: 5/0

14.03 Discussion and/or Action Regarding the Approval of the Proposed Classified Job Description and Salary Range for Parent Involvement Specialist - Cari Vaeth, Director, Human Resources and Vida L. Branner, Director of Compensation and Classified Employee Relations

Motion by Member Biehl, second by Member Nguyen, to approve the classified job description and salary range for Parent Involvement Specialist.

Vote: 5/0

14.04 Discussion and/or Action Regarding the Approval of the Memorandum of Understanding Between the East Side Union High School District and the Administrators Collaborative of East Side (ACES) - Cari Vaeth, Director, Human Resources

Public speaker:

- *Tom Huynh, ACES President*

Motion by Member Nguyen, second by Vice President Le, to approve the Memorandum of Understanding between the East Side Union High School District and the Administrative Collaborative of East Side (ACES).

Vote: 5/0

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

15.01 Discussion and/or Action to Ratify CUPCCAA Informal Bond Project(s)- Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director of Capital Accounting and Purchasing, and Janice Unger, Capital Projects Purchasing Manager

Motion by Vice President Le, second by Clerk Carrasco, to ratify the CUPCCAA Informal Project(s) as presented.

Vote: 5/0

15.02 Discussion and/or Action to Approve Final Facility Sublease Agreement, Development Agreement and Related Agreements with Educare of Silicon Valley and Franklin McKinley School District for Early Childhood Education Program Facilities for ESUHSD Programs - Marcus Battle, Associate Superintendent of Business Services

Item pulled from the agenda

Consent / Action Calendar Sections 16-20

All items listed under the Consent/Action Calendar are considered by the Board to be routine and will be enacted in one motion. There will be no discussion of these items prior to the time the Board considers the motion, unless members of the Board or the Superintendent request specific items to be discussed and/or removed from the Consent/Action Calendar.

Superintendent asserts that the following 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.

Motion by Member Nguyen, second by Clerk Carrasco, to approve the entire consent/action calendar, sections 16-20, as presented.

Vote: 5/0

16. Board of Trustees / Superintendent - Consent / Action Calendar

16.01 Ratify/Approve Board Member(s) Lawful Expenses/Mileage to Conferences/ Workshops/Meetings

16.02 Approve Minutes of March 6, 2014, Regular Board Meeting

17. Instructional Services / Student Services - Consent / Action Calendar

17.01 Approve School Field Trips

17.02 Receive/Accept the First Valenzuela/CAHSEE and Williams Settlement Uniform Complaint Quarterly Report for Period Covering January 1, 2014, through March 31, 2014, as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727)

18. Business Services - Consent / Action Calendar

18.01 Approve Award of Bid(s)

18.02 Approve Contract(s) for Professional Services At or Below \$50,000

18.03 Approve Memoranda of Understanding

18.04 Approve Budget Transfers

18.05 Approve Purchase Orders

18.06 Approve Change Orders to Purchase Orders

18.07 Accept Report of Credit Card Purchases for Statement Dated January 22, 2014

18.08 Accept Warrant Register for the Month of March 2014

18.09 Acceptance of Donations, Grants and Awards

18.10 Adopt Resolution #2013/2014-24 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546

19. Human Resources - Consent / Action Calendar

19.01 Ratify/Approve Classified Personnel Actions Presented April 17, 2014

19.02 Ratify/Approve Certificated Personnel Actions Presented April 17, 2014

19.03 Ratify/Approve Student Aide Personnel Actions Presented April 17, 2014

20. Facilities - Consent / Action Calendar

20.01 Approve Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000

20.02 Approve Award of Bids for Bond/Capital Projects

21. WRITTEN REPORTS/RECOMMENDATION

No Items on Calendar Under this Section

22. FUTURE AGENDA ITEMS

22.01 Opportunity for Board of Trustees to Request Items on Future Agendas

Board Vice President Van Le

Item	Date (tentative)	Type
Child Nutrition Services: Meals	TBD	Presentation/Discussion

22.02 Future Items

Board President J. Manuel Herrera & Board Member Frank Biehl

Item	Date (tentative)	Type
PE Credit	January, 2015	Presentation/Discussion

Board Vice President Van Le

Item	Date (tentative)	Type
Foreign Language Classes (Chinese and Vietnamese)	June 19, 2014	Presentation/Discussion
Adult Education ESL Program	June 19, 2014	Presentation/Discussion

Board Member Frank Biehl

Item	Date (tentative)	Type
Review of Board Policy regarding Alcohol	August 21, 2014	Discussion/Action

Board Member Lan Nguyen

Item	Date (tentative)	Type
International Baccalaureate (IB) Program	November, 2014	Presentation/Discussion

22.03 Annual Governance Calendar

July
Summer School Program (concludes session)
Summer School Graduation

August
Board Retreat
Expulsion Hearing Panel Committee
First Day of School
Williams Quarterly Report

September
Board Study Session/Workshop
College Night
Conflict of Interest/Board Policy (updates)
Public Hearing and Adoption: Gann Spending Limit
Public Hearing: Sufficiency or Insufficiency of Textbooks
Unaudited Actuals

October
Bond Program Presentation
Solar Energy Presentation
Student Achievement Presentation
Superintendent's Annual Evaluation
Williams Quarterly Report

November
Board Study Session/Workshop
Election Orientation for New Board Members

December
Annual Organizational Board Meeting
CSBA Annual Conference
Election Orientation for New Board Members
End of First Semester
First Interim Report
Superintendent's Mid-Year Evaluation

January
Audit Report
Board Audit Committee Selections/Appointments
Board Retreat
Financial & Performance Audit Report for Bond Measures
Magnet Night
Martin Luther King, Jr. Writing, Art & Multi-Media Awards Ceremony & Reception
Policies & ByLaws (Begin Review by Series)
Sports Recognitions (Fall)
Technology Report
Williams Quarterly Report

February
African American Students Achievement Awards
Audit Committee Charter Amendment(s)
CSBA Delegate Assembly Election
Non-Re-Elects

March
Cesar Chavez Writing, Art & Multi-Media Awards Luncheon
March 15 Notices
Safety Plan Goals for Each Site
Second Interim Report
SJPD Secondary Employment Application
Vietnamese Students Achievement Awards

April
Board Study Session/Workshop
Form 700 – Statement of Economic Interests Due to Santa Clara County (filing)
Honor Nights
Migrant Education Awards Night
NSBA Annual Conference
Williams Quarterly Report

May
Board Self-Evaluation
Budget (Preliminary/Draft) Presentation
Employee Recognition Event
Graduations
Honor Nights
Last Day of School
Sports Recognitions (Winter/Spring)

June
Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting)
Budget Adoption (second June Board Meeting)
Employee Retirement Celebration
ESTA Safety Survey
Master Contracts for Capitol Projects
Plan for Expelled Youth (due every three years – 2015)
Program Improvement Update
Safety Plan Assessment for Each School
Single Plan for Student Achievement (SPSA) for Each School
Summer School Program (session begins)
Superintendent's Annual Evaluation

23. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

23.01 Board of Trustees

Lan Nguyen, Member (no comment made)

Van Le, Board Clerk

I would like to invite everyone to join me at the Asian American Heritage Festival at Yerba Buena High School on May 10. I also want to take this opportunity to thank Mr. Tom Huynh for helping to organize the event. I hope you can join us as we celebrate Asian American Heritage.

J. Manuel Herrera, Board Vice President (no comment made)

Frank Biehl, Board President (no comment made)

Magdalena Carrasco, Board Clerk (no comment made)

23.02 Chris D. Funk, Superintendent

The only comment I would like to make tonight is just a clarification from previous presentations at BAC, at our parent organization meetings, and at our last Board Meeting. We intended to have a public hearing this evening on the LCAP and what we found out through the legislation is that you must hold the public hearing on the LCAP the same night you hold the public hearing on the District's budget. As everyone knows, we have that public hearing the first Board Meeting in June on the May Revise. That is why we did not have the LCAP tonight; however, we will have another discussion with the Board at the Study Session on May 6 and then we will hold a public hearing on the May 15 Board Meeting and then a second public hearing on June 5 at their regularly scheduled meeting. That will give the community plenty of opportunity to comment on the Plan, as well as receiving feedback from School Site Councils based on their discussions. I wanted to make that clarification just in case anyone is disappointed that we did not have the LCAP public hearing tonight

24. REPORT CLOSED SESSION ACTION(S)

Legal Counsel will report on Closed Session action item(s).

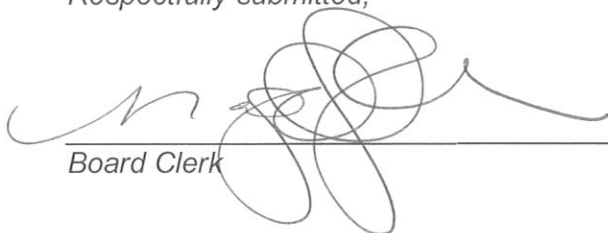
See section 2.0 for reporting out of Closed Session items.

25. ADJOURNMENT

President adjourns the meeting.

The meeting was adjourned at 8:58 p.m.

Respectfully submitted,



Board Clerk

APPROVED

APRIL 17, 2014



Preparing every student to thrive



Agenda Item Details

Meeting Apr 17, 2014 - ESUHS D REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 13. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

Subject 13.03 Discussion and/or Action to Approve the Contract(s) 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 Contract(s) for Professional Services over \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 13.03

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

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

SUBJECT: Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$50,000

The attached Contract(s) for Professional Services over \$50,000 is/are being presented for Board review and 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 Contract(s) for Professional Services over \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or

(iii) alter the quality or quantity of services or goods provided under the Board approved contract.

[Contracts Over \\$50K 2014 0417.pdf \(31 KB\)](#)

Executive Content

Last Modified by Betty Banderas on April 9, 2014

EAST SIDE UNION HIGH SCHOOL DISTRICT
Contract(s) for Professional Services Over \$50,000
 Board Meeting of April 17, 2014

1. FCSS/Cyber High (RATIFICATION)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Kirsten King Juan Cruz Donna Bertrand	March 19, 2014 – June 30, 2015	\$147,000.00 Lottery Instructional Materials	District Wide/Instructional Services Kirsten King, Director Juan Cruz, Assistant Superintendent

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees ratify a License and Service Agreement with FCSS/Cyber High, for the provision of unlimited access to Cyber High courses and other services for the term of March 19, 2014, through June 30, 2015, for a contract amount of \$147,000.00.

The program comes complete with curriculum and their entire core courses are UC/A-G approved.

Selection Process

No solicitation process took place for this service. Administration is requesting that the Board of Trustees approves this vendor as a single source vendor for the services they are going to provide ESUHSD. Cyber High is currently the only vendor to offer an unlimited pricing plan, which is very responsible in price compared to other programs. ESUHSD currently uses this vendor on a per student/course fee basis already. The vendor is willing to roll all of our licenses into a 1.5 year unlimited plan, which reduces ESUHSD's overall costs. This is also the same program Migrant Education students participate in under the State of California; therefore, by using this vendor it will provide consistency throughout the District.

RECOMMENDATION

It is recommended that the Board of Trustees (1) ratify a License and Service Agreement with FCSS/Cyber High, for the provision of unlimited access to Cyber High courses and other services for the term of March 19, 2014, through June 30, 2015, for a contract amount of \$147,000.00; and (2) to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of: (a) \$25,000.00, or (b) ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

2. Regents of University of California

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Chris D. Funk Juan Cruz Donna Bertrand	July 1, 2014 – June 30, 2016	\$150,000.00 Supplementary Funds	W. C. Overfelt, Vito Chiala Mt. Pleasant, Teresa Marquez Andrew Hill, Bettina Lopez Oak Grove, Martha Brazil Juan Cruz, Assistant Superintendent

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter in an Agreement with the Regents of University of California for the contract term of July 1, 2014, through June 30, 2016, in a contract amount of \$150,000.00.

The vision of the Center for Educational Partnership (CEP) is to make college a viable option for all students. CEP looks to achieve this by working collaboratively with target schools and partner programs focused on research-based best practices that enable low-income and first generation to college students to access post-secondary education.

The goal of UC Berkeley through CEP's Destination College Advising Corps (DCAC) is to increase the college-going rate of students at ESUHSD and provide comprehensive college awareness, mentorship, resources, preparation, advising and information through the efforts of a dedicated Adviser Fellow. This Adviser Fellow will participate in the local and national research and data collection as specified by State and Federal agreements, including the provision of intensive program activities by using evidence-based best practices of highly successful college access programs and strategies that build college going culture through one-to-one, small group, classroom, and whole school efforts. DCAC is partially funded through ESUHSD with additional funding from the College Advising Corps and the Center for Educational Partnerships.

Selection Process

No solicitation process took place for this service.

RECOMMENDATION

It is recommended that the Board of Trustees to (1) approve an Agreement with the Regents of University of California with a contract term of July 1, 2014, through June 30, 2016, for a contract amount of \$150,000.00; and (2) authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of: (a) \$25,000.00, or (b) ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

3. Vavrinek, Trine, Day & Company (VTD)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Marcus Battle Karen Poon Donna Bertrand	July 1, 2014 – June 30, 2015 (no change)	\$5,000.00 (increase amount) Measure I (added)	Business Services Marcus Battle, Associate Superintendent

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to amend the Board approved Agreement with VTD to increase their contract by \$5,000 to cover the cost of adding Measure I to the 2013-2014 annual audit. All other terms and conditions remain the same.

Selection Process

A Request for Proposal (RFP) (RFP-07-11-12) process was conducted by ESUHSD Administration for the procurement of Professional Audit Services from qualified firms to perform independent audit services regarding the performance of the required annual District audit, and was awarded by the Board of Trustees on January 19, 2012. At the same time, the Board of Trustees also authorized Administration to enter into a three-year agreement with VTD.

RECOMMENDATION

It is recommended that the Board of Trustees approve requested authorization to amend the Board approved Agreement with VTD to increase their contract by \$5,000 to cover the cost of adding Measure I to the 2013-2014 annual audit. All other terms and conditions remain the same.



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting	Apr 17, 2014 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR
Subject	18.02 Approve Contract(s) 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 attached Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 18.02

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

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

SUBJECT: Approve Contract(s) for Professional Services At or Below \$50,000

The attached list of Contract(s) for Professional Services at or below \$50,000 is/are being presented for Board review and approval as recommended.

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 attached Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract.

[Contracts Under \\$50K 2014 0417.pdf \(39 KB\)](#)

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES**

APPROVED

APRIL 17, 2014



Executive Content

Our adopted rules of Parliamentary Procedure, Robert's Rules, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all Board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.

Last Modified by Betty Banderas on April 9, 2014

EAST SIDE UNION HIGH SCHOOL DISTRICT
Professional Contract(s) Services At or Below \$50,000
 Board Meeting of April 17, 2014

	Contractor Name	Reviewed By	Contract Period	Cost/ Funding	School/Dept. Manager	Purpose
1.	Dolce Hayes Mansion	Marcus Battle Donna Bertrand	July 8, 2014	\$3,700.00 (not-to-exceed) General Fund	Education Center/ Business Services Marcus Battle, Associate Superintendent	To provide meeting space, food, and beverage services for the Business Services July 8, 2014, Retreat.
2.	Dy/Industries, Inc.	Susan Vieira Vito Chiala Juan Cruz Chris D. Funk Donna Bertrand	April 29, 2014	\$1,500.00 CAPP – Algebra Formation Assessment Grant	Education Center/ W. C. Overfelt Juan Cruz, Assistant Superintendent	To provide a half-day workshop, “Mathematical Modeling the CCSS (Common Core State Standards)” to ESUHSD participants.
3.	Experian	Chris Funk Marcus Battle Donna Bertrand	March 20, 2014 - June 30, 2015	\$50,000.00 (not-to-exceed) General Fund	Education Center/ Human Resources Cari Vaeth, Director Donna Bertrand, Contracts Administration Coordinator	REQUEST FOR RATIFICATION To provide 12-months of “ProtectMyID” services to a selected number of existing and previous ESUHSD employees.
4.	First Alarm	Randy Phelps Marcus Battle Donna Bertrand	February 1, 2014 – March 31, 2015	\$25,000.00 (not-to-exceed) General Fund	District Wide/ Information Technology Randy Phelps, Director	REQUEST FOR RATIFICATION To provide installation and monthly monitoring of Wireless Trespass Systems at locations throughout various school sites. Wireless cameras will be installed in locations where excess thefts and/or vandalism is occurring in order to minimize ESUHSD’s losses. Vendor will monitor the cameras and will respond as needed.

						<p>No solicitation took place for this service due to the fact that it was determined that it was in the best interest of the District to use First Alarm because they are already providing security services to the schools sites.</p>
5.	National Clearinghouse	Kirsten King Juan Cruz Donna Bertrand	April 1, 2014 – June 30, 2017	\$16,000.00 General Fund	District Wide/ Instructional Services Kirsten King, Director	<p>To provide a nationwide, central repository of information on student enrollment, degrees, diplomas, certificates and other educational achievements. ESUHSD will be able to obtain information on the attendance of our former students in postsecondary institutions and to improve the manner in which the diplomas we issued to our students are verified to prospective employers and others.</p>
6.	Santa Clara County Fairgrounds	Kirsten King Paul Kilkenny Juan Cruz Donna Bertrand	February 5-7, 2015	No cost to ESUHSD	Education Center Kirsten King, Director Paul Kilkenny, Subject Area Coordinator – Science	<p>To rent the Santa Clara County Fairgrounds for the 2015 Science Palooza. ESUHSD will not be responsible for any expenses related to the Science Palooza. The non-profit Synopsys Outreach Foundation will pay all expenses and will run the event. ESUHSD will sign the contract with the Fairgrounds and provide the insurance coverage.</p>
7.	School Innovations & Achievement (SI&A)	Karen Poon Marcus Battle Donna Bertrand	July 1, 2013 – June 30, 2016 (no change)	\$46,600.00 (not-to-exceed annually) (clarification only)	District Wide Marcus Battle, Associate Superintendent	<p>To provide consulting services to assist ESUHSD in the preparation and filing of reimbursement claims for the costs of the Mandated Reimbursement Process Program, legislatively mandated by the State of California. SI&A will also provide a variety of training to various ESUHSD staff district wide. Three vendors were solicited and three proposals were received. All proposals were reviewed first based on qualifications and experience then on pricing. SI&A was selected as the most qualified with competitive pricing. (no change)</p>

8.	Stanford University	Kirsten King Juan Cruz Donna Bertrand	April 1, 2014 – March 31, 2015	\$36,379.00 Professional Development	Education Center/ Instruction Kirsten King, Director	REQUEST FOR RATIFICATION To provide ESUHSD with technical assistance related to the revision of ESUHSD's Vietnamese Language and Culture Program. Contract includes a 5% salary cost of living increase.
9.	Partner Classroom Teacher (PCT), TEALS Program	Grettel Castro-Stanley Juan Cruz Donna Bertrand	April 1, 2014 – June 30, 2016	No money is paid directly to the TEALS Program. A total of \$5,000 per course, per year, will be provided by separate contracts to the four TEALS teachers.	Independence Grettel Castro-Stanley, Principal	REQUEST FOR RATIFICATION To enter into a Partnership agreement to outline the responsibilities and outcomes of partnership between the school, the Partner Classroom Teacher (PCT), the TEALS program and TEALS volunteer teachers (TTs). The document outlines the shared goals and responsibilities to ensure a successful TEALS Partnership. This is for assistance in teaching Computer Science courses.
10.	Team San Jose	Lauren Kelly Juan Cruz Donna Bertrand	May 30, 2014	\$30,000.00 (increase) General Fund	Evergreen Valley Lauren Kelly, Principal	To enter into a Facility Use Agreement with Team San Jose for the rental of space within the San Jose Convention Center for Evergreen Valley's 2014 Graduation Ceremony. Original estimated contract amount \$20,000 (Board approved 2/13/14).
11.	WestEd	Kirsten King Paul Kilkenny Juan Cruz Donna Bertrand	April 1, 2014 – July 1, 2014	No Cost to the District	Instructional Services Kirsten King, Director Paul Kilkenny, Subject Area Coordinator	REQUEST FOR RATIFICATION The Human Body Systems project is funded by the National Science Foundation, and takes advantage of prior WestEd research and development efforts to create three simulation-based lesson modules to be used during high school biology classes. These lesson modules provide students with immediate, customized, computer-generated feedback on questions and tasks, ranging from selected responses and constructed responses to manipulating simulations to test observations and predictions. In addition, students would complete a

						<p>summative, end-of-module simulation-based assessment.</p> <p>Teachers will receive a \$1,500 stipend for their participation.</p>
12.	William S. Hart Union High School District	Richard Uribe Juan Cruz Donna Bertrand	November 7-8, 2013	\$220.00 Carl Perkins Grant	Instructional Services/ Career Services Richard Uribe, Director	<p>REQUEST FOR RATIFICATION At the October 17, 2013, Board Meeting, the Board approved a contract with Mr. James Lane to perform the duties of "Evaluation Team Leader" of the evaluation team conducting the on-site evaluation of Independence High School's Automotive Program. This evaluation was required in order for the program to receive accreditation by the National Automotive Technicians Education Foundation, Inc. (NATEF).</p> <p>On November 7 & 8, 2013, the evaluation took place. However, it was unknown at that time what the cost for the substitute teacher was going to be since Mr. Lane had just recently changed jobs. Now that we have the invoice, we would like to have the Board ratify the expenditure and authorize Administration to pay the invoice.</p>



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting	Apr 17, 2014 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	20. FACILITIES - CONSENT/ACTION CALENDAR
Subject	20.01 Approve Bond/Capital Projects Contract(s) 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 Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and Authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 20.01

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director of Capital Accounting and Purchasing, and Janice Unger, Capital Projects Purchasing Manager

SUBJECT: Approve Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000

The attached lists the Bond/Capital Projects Contracts for Professional Services at or below \$50,000 being recommended for Board approval.

Fiscal Impact:
As indicated in the attachment

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED APRIL 17, 2014**

Funding Source:
As indicated in the attachment



Recommendation:

It is recommended that the Board of Trustees approve the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and Authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments

in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract.

[Contracts under \\$50K DRAFT.pdf \(113 KB\)](#)

Executive Content

Our adopted rules of Parliamentary Procedure, Robert's Rules, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all Board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.

Last Modified by Elicia Gaska on April 1, 2014

EAST SIDE UNION HIGH SCHOOL DISTRICT
Bond/Capital Projects Professional Contract Services At or Below \$50,000
 Board Meeting of April 17, 2014 Item 20.01

A. BOND / FACILITIES

	Contractor Name	Reviewed By	Contract Period	Cost/Funding	School/Dept. Manager	Purpose
1.	Artik Art & Architecture	Linda da Silva Marcus Battle Janice Unger	April 18, 2014 – project completion	\$17,700.00 (not to exceed) Measure I	James Lick High School/Facilities Glenn VanderZee, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	To engage a design firm to serve as the architect/engineer for the alteration of sixteen (16) classrooms for the James Lick High School New Tech Classroom Conversion Project. (Project No. I-030-001) Administration solicited the District's Board approved architectural pool of consultants. Six (6) consultants submitted proposals. All proposals were evaluated and Artik Art & Architecture submitted the most responsive/responsible proposal for this project.
2.	Transparent Language Online	Linda da Silva Marcus Battle Janice Unger	April 18, 2014 – April 17, 2017 (Not to exceed a (3) year subscription)	\$17,654.00 (not to exceed) Measure E	Independence High School/Facilities Grettel Castro-Stanley, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Provide an online software program of materials in over 80 languages, incorporating speaking reading, writing and listening in a fun, interactive way. Online demonstrations of the portals are included. A pilot program is being offered for three months and three languages. If the program meets the sites needs, then the three (3) year subscription will be for 1,050 students plus nine (9) instructors. Cost for the pilot program is \$1,000.00. Cost for the three (3) year subscription is \$16,654.00.