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**Agenda Item Details**

Meeting	May 14, 2015 - 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	16.03 Approve Minutes of March 5, 2015, Regular Board Meeting
Access	Public
Type	Action
Recommended Action	It is recommended that the Board of Trustees approve the March 5, 2015, 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 March 5, 2015, Regular Board Meeting

Attached are the minutes of the March 5, 2015, 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 March 5, 2015, Regular Board Meeting minutes as presented.

[BA\\_2015\\_03\\_05\\_Reg\\_Minutes.pdf \(66 KB\)](#)

**EAST SIDE UNION HIGH SCHOOL DISTRICT  
 BOARD OF TRUSTEES  
 APPROVED May 14, 2015**



**Executive Content**



**EAST SIDE UNION HIGH SCHOOL DISTRICT  
REGULAR MEETING  
OF THE  
BOARD OF TRUSTEES**

**Meeting Held at Education Center – Board Room**

**March 5, 2015**

**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 4:01 PM by President Le. Present for roll call:*

- *President Le*
- *Clerk Biehl*
- *Member Herrera*
- *Member Cortese*

*Vice President Nguyen arrived at 4:17 PM.*

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

*President Le 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)**

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

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

*Motion by Member J. Manuel Herrera, second by Clerk Frank Biehl, to adopt Resolution #2014/2015-16 to approve the notice of non-reelection of twelve probationary certificated employees, including two Counselors and ten Teachers, for the 2015-2016 school year and directing the Superintendent to serve the employees with written notice of nonreelection no later than March 15, 2015.*

*Vote: 4/0; Motion Carries*

*Yea: President Van Le, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese  
Vice President Lan Nguyen absent*

*Motion by President Van Le, second by Clerk Frank Biehl, to adopt Resolution #2014/2015-17 to approve the notice of non-reelection to District Interns, including two teachers, for the 2015-2016 school year and directing the Superintendent to serve the employees with written notice of nonreelection no later than March 15, 2015.*

*Vote: 4/0; Motion Carries*

*Yea: President Van Le, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese  
Vice President Lan Nguyen absent*

*Motion by Clerk Frank Biehl, second by Member J. Manuel Herrera, to adopt Resolution #2014/2015-18 to approve the notice of release to temporary certificated employees, including five teachers, for the release for the 2015-2016 school year of five temporary certificated teachers and directing the Superintendent to serve the employees with written notice of their release in accordance with the Education Code.*

*Vote: 4/0; Motion Carries*

*Yea: President Van Le, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese  
Vice President Lan Nguyen absent*

**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 Educational Services*

*Cari Vaeth, Associate Superintendent of Human Resources*

Employee Organizations:

American Federation of Teachers (AFT)  
California School Employees Association (CSEA)  
East Side Teachers Association (ESTA)  
Administrator Collaborative of East Side (ACES)

Unrepresented Organizations:

Administrators  
Managers  
Confidential Employees

**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**

- *Two (2) Potential Cases*

**2.08 Conference with Legal Counsel – Existing Litigation  
(Paragraph (1) of subdivision (d) of Section 54956.9)**

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

**5. ADOPTION OF AGENDA**

**5.01 For consideration by the Board of Trustees**

*Item 15.01 will be heard after item 8.04.*

**6. BOARD SPECIAL RECOGNITION(S)**

**No Items on Calendar Under this Section**

7. **STUDENT BOARD LIAISONS (5 MINUTES EACH)**

7.01 **Wm. C. Overfelt High School / Apollo High School**

- Jennalyn Cabana, Student Representative
- Jack Nguyen, Student Representative

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, Update and /or Discussion regarding the First Year Implementation of New Tech at James Lick High School - Juan Cruz, Associate Superintendent of Educational Services**

*Presentation item; no action taken*

8.03 **Presentation regarding Fitness Facility Remodel Proposal for James Lick High School: A New Tech School - Students Representatives, James Lick High School, & Kelly Daugherty, Principal, James Lick High School**

*Presentation item; no action taken*

8.04 **Presentation, Discussion and/or Action to Review and Accept the Fleet Management Study - Marcus Battle, Associate Superintendent of Business Services, Julie Kasberger, Director of General Services/Transportation, and Phil McConnell, School Bus Consultants**

*Public speaker:*

- Bob Garzee

*Presentation item; no action taken*

*The Board requested that a presentation regarding the conversion to an all electric bus fleet be brought back at a future meeting for discussion by the Board.*

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.**

Anyone wishing to address the Board from either the teleconference location or the Board Room meeting location regarding Closed Session items may speak at this time. Persons present in the Board Room wishing to address the Board on Closed Session items or any subject not on the agenda must fill out a gold request form, which is located at the entrance of the Board Room. Persons wishing to address the Board from the teleconference location should state his/her name before speaking.

*Public speakers:*

- Terra Brown
- Skye Choyce

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

**11.01 Presentation, Discussion and/or Action to Adopt Resolution #2014/2015-15 recognizing the Month of February 2015 as Career Technical Education Month – Chris D. Funk, Superintendent**

*Motion by Member J. Manuel Herrera second by Vice President Lan Nguyen, to adopt Resolution #2014/2015-15 Recognizing the Month of February 2015 as Career Technical Education Month.*

*Vote: 5/0; Motion Carries*

*Yea: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese*

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

**12.01 Discussion and/or Action to Approve Lawful Business Travel Expenses of Hoang Dinh, Certificated Teacher at Andrew Hill High School to Vietnam - Juan Cruz, Associate Superintendent of Business Services**

*Motion by Member J. Manuel Herrera, second by Vice President Lan Nguyen, to approve the lawful business travel expenses of Hoang Dinh, certificated teacher at Andrew Hill High School.*

*Vote: 5/0; Motion Carries*

*Yea: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese*

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

**No Items on Calendar Under this Section**

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

**No Items on Calendar Under this Section**

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

- 15.01 **Presentation, Discussion and/or Action to Approve the Update on Swimming Pool Modernization Project, and Request for Budget Augmentation - Marcus Battle, Associate Superintendent of Business Services and Linda da Silva, Director of Construction, Maintenance, and Facilities, André Bell, Assistant Director of Capital Accounting and Purchasing, Janice Unger, Capital Projects Purchasing Manager, Robert Ball, Bond Program Manager, SGI, and Greg Armendariz, Construction Manager, Swinerton Management & Consulting**

*Public speaker:*

- *Debbie Fujii*
- *Ben Murray*
- *Todd Mesa*
- *John Ambrose*

*Motion by Clerk Frank Biehl, second by Member J Manuel Herrera, to approve the augment of the Swimming Pool Modernization project budget in an amount not to exceed \$7.2 million, funded by Measure G residual interest revenue (\$5,131,188 plus amounts earned subsequent to June 30, 2014), and Measure E Board discretionary funds not exceeding \$2,068,812. The administration/design team will consult with the school sites in the design of the pool. Administration will come back to the Board with the pool design proposals, the overall plan.*

*Vote: 5/0; Motion Carries*

*Yea: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese*

## **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 Vice President Lan Nguyen, second by Clerk Frank Biehl, to approve the entire consent/action calendar as presented.*

*Vote: 5/0 Motion Carries*

*Yea: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese*

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

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

**16.02 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/ Workshops/Meetings**

### **17. Educational Services / Student Services - Consent / Action Calendar**

**17.01 Approve School Field Trips**

### **18. Business Services - Consent / Action Calendar**

**No Items on Calendar Under this Section**

### **19. Human Resources - Consent / Action Calendar**

**No Items on Calendar Under this Section**

### **20. Facilities - Consent / Action Calendar**

**20.01 Approve Award of Bids and Request for Proposals for Bond/Capital Projects**



**21. WRITTEN REPORTS/RECOMMENDATION**

Items under section 21 are written reports that are received into the public record. No action is taken by the Board. A Board Member or the Superintendent may request an item to be placed on the agenda for discussion and/or action at a future meeting.

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 Clerk Frank Biehl**

Item	Date (tentative)	Type
Luis Valdez Leadership Academy Student	April, 2015	Student Presentation

**22.02 Future Items**

**Board President Van Le**

Item	Date (tentative)	Type
Failed Courses	Quarterly	Report
Independent Study Program Report	March 19, 2015	Report

**Board Vice President Lan Nguyen**

Item	Date (tentative)	Type
International Baccalaureate (IB) Program	April 23, 2015	Presentation/Discussion

**Board Clerk Frank Biehl**

Item	Date (tentative)	Type
Special Education Program Update (County & District Wide)	March 19, 2015	Presentation/Discussion
Teach for America	March 19, 2015	Presentation/Discussion
Summer School Plans	April 16, 2015	Presentation/Discussion

## 22.03 Annual Governance Calendar

<b>July</b>
Summer School Program (concludes session)
Summer School Graduation

<b>August</b>
Board Retreat
Expulsion Hearing Panel Committee
First Day of School
Williams Quarterly Report

<b>September</b>
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
Receive Annual Developer Fees Report
Unaudited Actuals

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

<b>November</b>
Board Study Session/Workshop
Election Orientation for New Board Members

<b>December</b>
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

<b>January</b>
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
Master Business Relationship Agreement between East Side Union High School District and Metropolitan Education District
Policies & ByLaws (Begin Review by Series)
Sports Recognitions (Fall)
Technology Report
Williams Quarterly Report

<b>February</b>
African American Students Achievement Awards
Audit Committee Charter Amendment(s)
CSBA Delegate Assembly Election
Non-Re-Elects
Safety Plan Goals for Each Site
State of the District

<b>March</b>
Cesar Chavez Writing, Art & Multi-Media Awards Luncheon
Latino Students Awards Ceremony
March 15 Notices
NSBA Annual Conference
Second Interim Report
SJPD Secondary Employment Application
Vietnamese Students Achievement Awards

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

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

<b>June</b>
Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting)
Budget Adoption (second June Board Meeting)
Budget Advisory Committee: Nominate and Appoint Board Representatives (2) and Alternative Board Representative (1) (2 year term, fiscal year)
Employee Retirement Celebration
ESTA Safety Survey
Master Contracts for Capital 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**

**Board Member J. Manuel Herrera** *(no comments made)*

**Board Vice President Lan Nguyen** *(no comments made)*

**Board Member Pattie Cortese** *(no comments made)*

**Board Clerk Frank Biehl**

*I had the opportunity to go to Andrew Hill High School, when I was doing my regular visit, and tour the 100 building. I know they are doing an opening on that next week. I would highly recommend that you go over and take a look at it. It is wonderful. It set the standard for 21<sup>st</sup> century classrooms. It is a wonderful job. The building 100 at Andrew Hill High School has been redone. It now has students and teachers in it. It is a beautiful work of art.*

*I also had the opportunity to take a hard hat tour of the Educare facility of which we contributed \$1 million in construction of that facility. They are well underway in their construction and expect to open in August. It is very impressive. It is an amazing job that is happening there. We will all be very excited when we get a chance to go over and visit when they open.*

**Board President Van Le**

*I attended a meeting at City Hall regarding the after school program. They talked about the budget and the City of San Jose funding the after school program. There are a couple of more meetings scheduled. We hope to finalize this by June.*

*We have the Latino Student Achievement Celebration coming up on April 2. The Vietnamese Student Achievement Celebration is March 21.*

**23.02 Chris D. Funk, Superintendent**

*The Andrew Hill building 100 grand opening celebration is Monday, March 23, at 2:15 PM.*

*Also, a reminder that Saturday, March 14, is Mayor Sam Liccardo's State of the City Address in the Independence High School gymnasium.*

*That same evening at the Scottish Rite Center is the First Annual Crab Feed of the East Side Education Foundation. Tickets are still available for purchase, \$75. Deadline to purchase is next Tuesday.*

**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.**

*President Van Le adjourned the meeting at 8:55 PM.*

*Respectfully submitted,*

A handwritten signature in blue ink, appearing to read "Frank E. Pruitt". The signature is fluid and cursive, with the first name "Frank" being the most prominent.

*Board Clerk*