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Agenda Item Details

Meeting	Mar 03, 2016 - 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	16.01 Approve Minutes of January 21, 2016, Regular Board Meeting
Access	Public
Type	Action
Recommended Action	It is recommended that the Board of Trustees approve the January 21, 2016, Regular Board Meeting minutes as presented.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

SUBJECT: Approve Minutes of January 21, 2016, Regular Board Meeting

Attached are the minutes of the January 21, 2016, 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 January 21, 2016, Regular Board Meeting minutes as presented.

[BA 2016 01 21 Reg Minutes.pdf \(558 KB\)](#)

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED** **March 3, 2016**

M. Gutter

Executive Content



EAST SIDE UNION HIGH SCHOOL DISTRICT

REGULAR MEETING

OF THE

BOARD OF TRUSTEES

Meeting Held at

East Side Union High School District

Board Room

830 N. Capitol Avenue, San Jose, CA 95133

January 21, 2016

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 4:05 PM by President Lan Nguyen.

Present for roll call:

- *President Lan Nguyen*
- *Vice President Frank Biehl*
- *Clerk J. Manuel Herrera*
- *Member Pattie Cortese*
- *Member Van Le*

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

President Nguyen 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): A

Student A:

Motion by Vice President Biehl, second by Clerk J. Manuel Herrera, to approve the expulsion of Student A.

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

Vote: 5/0; Motion Carries

2.02 Public Employee Performance Evaluation (Government Code Section 54957)

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

- ***Coordinator of State and Federal Programs***

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

Motion by Vice President Frank Biehl, second by Clerk J. Manuel Herrera, to issue a notice of intent to suspend without pay and a statement of charges to one certificated employee pursuant to Education Code section 44934 and 44936.

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

Vote: 5/0; Motion Carries

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

Cari Vaeth, Associate Superintendent of Human Resources

Glenn Vander Zee, Assistant Superintendent of Educational Services

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**

- *Claim for Damages of G. Osario-Ramos; and*
- *Two (2) Potential Cases*

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

- *Two (2) cases:*
 - *(1) OAH Case No. 2015080912, and*
 - *(2) OAH Case No. 2015080909*

Motion by Vice President Frank Biehl, second by Member Pattie Cortese, to approve the settlement agreement of release in OAH case #2015080912 and OAH case #2015080909. The substance of the agreement, which includes the settlement of those pending OAH cases, including the provision of specific educational services to the students involved, the reimbursement of up to \$8,300 in educational tutoring and other services, and the payment of attorney fees in the amount of \$13,500.

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

Vote: 5/0; Motion Carries

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 of the Board Room.

President Nguyen 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 12.04 was pulled from the agenda.

6. BOARD SPECIAL RECOGNITION(S)

6.01 Recognition Presented to ESUSHD by Educare of Silicon Valley

6.02 Recognition Presented to Iliana Esperanza Ozuna, Esperanza Running

6.03 Fall Sports:

Andrew Hill High School

- Volleyball, West Valley Division, Blossom Valley Athletic League Champions

Evergreen Valley High School

- Girls' Golf, Mt. Hamilton Division, Blossom Valley Athletic League Champions

Independence High School

- Volleyball, Santa Teresa Division, Blossom Valley Athletic League Champions

Mt. Pleasant High School

- Football, West Valley Division, Blossom Valley Athletic League Champions

Oak Grove High School

- Football, Mt. Hamilton Division, Blossom Valley Athletic League Champions
- Football, Central Coast Section Open Champions
- Football, NorCal Finalist

Piedmont Hills High School

- Volleyball, Mt. Hamilton Division, Blossom Valley Athletic League Champions
- Anna Hashimoto, Girls' Tennis, Blossom Valley Athletic League Singles Champion

Santa Teresa High School

- Ann Marie Howell, Cross Country - 5th Place, Mt. Hamilton Division, Blossom Valley Athletic League; 7th Place, Central Coast Section

Silver Creek High School

- Girls' Tennis, Santa Teresa Division, Blossom Valley Athletic League Champions

7. STUDENT BOARD LIAISONS (5 MINUTES EACH)

7.01 Andrew Hill High School

- Daniel Huynh, ASB President
- Christine Huynh, ASB Vice President
- Antony Le, ASB Secretary
- Anthony Alvarez, ASB Treasurer

7.02 Santa Teresa High School

- Natalie Narito, ASB Executive President
- Cynthia Calderon, ASB Executive Vice President

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 Discussion and/or Action to Review and Accept the Annual Financial Audit Report for Fiscal Year Ending June 30, 2015 -Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance, and Joyce Peters, Vavrinek, Trine, Day & Co., LLP

Speaker:

•Thanh Bui

Motion by Member Van Le, second by Clerk J Manuel Herrera, to accept the Annual Financial Audit Report for fiscal year ending June 30, 2015, as presented.

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

Vote: 5/0; Motion Carries

8.03 Discussion and/or Action to Review and Accept the Annual Financial and Performance Audit Reports for Fiscal Year Ending June 30, 2015, for Measures G, E, and I - Marcus Battle, Associate Superintendent of Business Services, Karen Poon, Director of Finance, and Joyce Peters, Vavrinek, Trine, Day & Co., LLP

Motion by Vice President Frank Biehl, second by Member Pattie Cortese, to accept the Annual Financial and Performance Audit Reports for fiscal year ending June 30, 2015, for Measures G, E, and I as presented.

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

Vote: 5/0; Motion Carries

8.04 Presentation, Discussion and/or Action Regarding Measure E, G and I Bond Fund Performance Audit Report for Fiscal Years Ended June 30, 2014, and June 30, 2015 - Marcus Battle, Associate Superintendent of Business Services, and Curtis Matthews, from Moss Adams, LLP

Motion by Vice President Frank Biehl, second by Member Pattie Cortese, to accept the Measure E, G and I Bond Fund Performance Audit Report for the Fiscal Years Ended June 30, 2014, and June 30, 2015, as presented.

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

Vote: 5/0; Motion Carries

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 Successor Contract: From East Side Union High School District to California School Employees Association, Chapter 187 - Cari Vaeth, Associate Superintendent of Human Resources

Public hearing held. There were no public speakers.

9.02 Discussion and/or Action Regarding the Proposed Adoption of the Initial Proposal for Successor Contract: From East Side Union High School District to California School Employees Association, Chapter 187 - Cari Vaeth, Associate Superintendent of Human Resources

Motion by Vice President Frank Biehl, second by Clerk J Manuel Herrera, to adopt the District's initial proposal for successor contract to the California School Employees Association, Chapter 187.

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

Vote: 5/0; Motion Carries

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.

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

There were no public speakers under this section.

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

11.01 Discussion, Consideration and/or Action regarding Selection/Appointment of Board Audit Committee Members - Pattie Cortese, Board Audit Committee Chair, and Van Le, Audit Committee Vice Chair

Motion by Member Pattie Cortese, second by Vice President Frank Biehl, to appoint Bruce Berg as member, Jon Reinke as Member, and Frank Stephens as alternate member.

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

Vote: 5/0; Motion Carries

11.02 Discussion and/or Action to Amend 2015/2016 Board Meeting Calendar - Lan Nguyen, Board President

Motion by Vice President Frank Biehl, second by President Lan Nguyen, to amend the proposed July, 2015, through June, 2016, Board Meeting Calendar to reflect the rescheduled date of the February Regular Board Meetings from February 11 to February 4, 2016, and the March 17, 2016, Regular Board Meeting to a Study Session Meeting.

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

Vote: 5/0; Motion Carries

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

12.01 Discussion and/or Action to Approve the Proposal for Use of the Educator Effectiveness Grant Funds allocated by the California Department of Education - Glenn Vander Zee, Assistant Superintendent of Educational Services, and Teresa Marquez, Director of Professional Development and Instructional Services

Motion by Clerk J. Manuel Herrera, second by Vice President Biehl, to approve the proposed plan for the use of the Educator Effectiveness Grant funds.

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

Vote: 5/0; Motion Carries

12.02 Presentation, Discussion and/or Action regarding English Learner's Programs and Services - Glenn Vander Zee, Assistant Superintendent of Educational Services, and Nguyet Dinh, Administrator of Minority Language Programs

Presentation item; no action

12.03 Presentation and/or Discussion Regarding AVID Program - Glenn Vander Zee, Assistant Superintendent of Educational Services

Presentation item; no action

12.04 Discussion and/or Action Regarding Members of the Schools' Start Times Task Force - Glenn Vander Zee, Assistant Superintendent of Educational Services

Item pulled

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

13.01 Discussion and/or Action to Approve the Budget Development Calendar for Fiscal Year 2016-17 - Marcus Battle, Associate Superintendent, Business Services, and Karen Poon, Director of Finance

Motion by Vice President Frank Biehl, second by Member Van Le, to approve the Budget Development Calendar for fiscal year 2016-17 as presented.

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

Vote: 5/0; Motion Carries

13.02 Discussion and/or Action to Receive First Reading of Proposed Draft Amendment to Board Policy 3100 Budget - Marcus Battle, Associate Superintendent of Business Services, Karen Poon, Director of Finance

The Board of Trustees received the first reading of the proposed draft amendment to Board Policy 3100 Budget. The second reading of the draft policy will include clarification of the word "unduplicated students," which will be provided by Legal Counsel Rogelio Ruiz.

13.03 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager

Motion by Vice President Frank Biehl, second by Member Van Le, to approve the contract(s) for professional services over \$25,000, except for item #3 iMentor, and authorization 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, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.

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

Vote: 5/0; Motion Carries

13.04 Discussion and/or Action to Ratify CUPCCAA Informal General Purchasing Project(s) - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager

Motion by Vice President Frank Biehl, second by Clerk J Manuel Herrera, to ratify the CUPCCAA informal project(s) as presented.

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

Vote: 5/0; Motion Carries

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

14.01 Discussion and/or Action to Adopt Resolution #2015/2016-11 Declaring the Observance of Lincoln's Birthday on February 19, 2016 - Cari Vaeth, Associate Superintendent of Human Resources

Motion by Vice President Frank Biehl, second by Member Van Le, to adopt Resolution #2015/2016-11 declaring the observance of Lincoln's Birthday on Friday, February 19, 2016.

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

Vote: 5/0; Motion Carries

14.02 Discussion and/or Action to Amend 2015-2016 Declaration of Need for Fully Qualified Educators - Cari Vaeth, Associate Superintendent of Human Resources

Motion by Clerk J Manuel Herrera, second by Member Van Le, to approve the amended 2015-2016 Declaration of Need for Fully Qualified Educators.

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

Vote: 5/0; Motion Carries

14.03 Discussion and/or Action to Approve Request for Use of Education Code Section 44258.3 – Teachers on Special Assignment Authorizations for the 2015-2016 School Year - Cari Vaeth, Associate Superintendent of Human Resources

Motion by Member Van Le, second by Member Pattie Cortese, to approve the request for use of California Education Code 44258.3 for the 2015-2016 school year.

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

Vote: 5/0; Motion Carries

14.04 Discussion and/or Action to Approve Administrative Job Description and Salary Range for Multi-Tiered Systems of Support (MTSS) Coordinator - Cari Vaeth, Associate Superintendent of Human Resources

Motion by Vice President Frank Biehl, second by Member Pattie Cortese, to approve the administrative job description and salary range for Multi-Tiered Systems of Support (MTSS) Coordinator.

A request by the Board was made for administration to provide a report on the services in one year.

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

Vote: 5/0; Motion Carries

14.05 Discussion and/or Action to Approve Compensation to Staff Not Represented by a Bargaining Unit - Cari Vaeth, Associate Superintendent of Human Resources

Motion by Clerk J Manuel Herrera, second by Vice President Frank Biehl, to approve the compensation to staff not represented by a bargaining unit. The total salary increase of 4.25% for 2015-2016 will be consistent with bargaining unit salary considerations granted and will be effective July 1, 2015.

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

Vote: 5/0; Motion Carries

14.06 Discussion and/or Action to Adopt Board Policy 4262 (New) Differential Pay for Maternity and Paternity Leave Effective January 1, 2016, and to Waive Board Bylaw 9310 Requiring Second Reading of Proposed New or Amended Board Policy - Cari Vaeth, Associate Superintendent of Human Resources; Rogelio M. Ruiz, Esq., Legal Counsel

Motion by Member Van Le, second by Clerk J Manuel Herrera, to:

- 1. Waive the second reading requirement for Board policies under Bylaw 9310 as to draft proposed new Board Policy 4262; and*
- 2. Consider and approve new Board Policy 4262, to be effective February 1, 2016*

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

Vote: 5/0; Motion Carries

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

15.01 Discussion and/or Action to Approve to Update the Facilities Master Plan - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities

Motion by Vice President Frank Biehl, second by Clerk J Manuel Herrera, to authorize administration to solicit proposals for an updated facilities master plan, bring forth a recommendation for a facilities master planning contract award at the March Board meeting, and proceed with the updated facilities master planning initiative per the delineated timeline.

The Board requested reserving time at the March 17 Study Session to discuss a basic allocation formula and how it relates to the equity policy and how it might be simplified by using the model that the State uses for LCFF, including a discussion on the need to set aside money for infrastructure and reserving some money for flexibility.

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

Vote: 5/0; Motion Carries

15.02 Discussion and/or Action to Approve the Revision to the Capital Construction Project List for Piedmont Hills High School - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, Traci Williams, Piedmont Hills High School Principal, and Farshid Samsami, Bond Program Manager, SGI

Motion by Vice President Frank Biehl, second by Member Van Le, to:

- 1. Approve Piedmont Hills High School Site Council's recommendation and Superintendent's Council's concurrence to defer the New Classroom Building (east of Building L) project, and revise the project budget to \$100,000 to cover expenditures.*
- 2. Approve Piedmont Hills High School Site Council's recommendation and Superintendent's Council's concurrence to defer the Building G Modernization project, and revise the project budget to \$100,000 to cover expenditures.*
- 3. Approve Piedmont Hills High School Site Council's recommendation and Superintendent's Council's concurrence to defer the Building K Modernization project, and revise the project budget to \$100,000 to cover expenditures.*
- 4. Approve Piedmont Hills High School Site Council's recommendation and Superintendent's Council's concurrence to initiate a new Classroom Building (south of Building D) project with an associated budget of \$13,300,000.*

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

Vote: 5/0; Motion Carries

15.03 Discussion and/or Action to Approve the Revision to the Capital Construction List for Santa Teresa High School - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, Greg Louie, Santa Teresa High School Principal, and Farshid Samsami, Bond Program Manager, SGI

Motion by Clerk J Manuel Herrera, second by Vice President Frank Biehl, to:

- 1. Approve Santa Teresa High School Site Council's recommendation and Superintendent's Council's concurrence to cancel the Life Skills Studio project, and revise the project budget to \$15,000 to cover expenditures.*
- 2. Approve Santa Teresa High School Site Council's recommendation and Superintendent's Council's concurrence to initiate a New Science classroom in Room 410, Relocation of Science Collaboration Office to Building P1 project, with an associated project budget of \$550,000.*
- 3. Approve Santa Teresa High School Site Council's recommendation and Superintendent's Council's concurrence to initiate the Conversion of South Basketball Courts to Parking project, with an associated budget of \$50,000.*

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

Vote: 5/0; Motion Carries

15.04 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager

Motion by Clerk J Manuel Herrera, second by Vice President Frank Biehl, to approve the bond/capital projects contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

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

Vote: 5/0; Motion Carries

15.05 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, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager

Motion by Member Van Le, second by Member Pattie Cortese, to ratify the CUPCCAA informal project(s) as presented.

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

Vote: 5/0; Motion Carries

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 Clerk J. Manuel Herrera, second by Member Pattie Cortese, to approve the consent/action calendar as presented, except for item 16.01, which was pulled for clarification on the motion for item 8.03 in the minutes (16.01). Item 16.01 will be brought back at the next meeting for action by the Board of Trustees.

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

Vote: 5/0 Motion Carries

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

16.01 Approve Minutes of November 19, 2015, Regular Board Meeting

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

17.01 Receive the Fourth Quarterly Valenzuela/CAHSEE and Williams Settlement Uniform Complaints Quarterly Report for Period covering October 1, 2015 through December 31, 2015 as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727)

17.02 Ratify/Approve School Field Trips

18. Business Services - Consent / Action Calendar

18.01 Ratification of Contract(s) for Professional Services At or Below \$25,000

18.02 Approve Purchase Orders

18.03 Approve Change Orders to Purchase Orders

18.04 Approve Memoranda of Understanding

18.05 Approve Budget Transfers for the Month of December, 2015

18.06 Accept Warrant Register for the Month of December, 2015

19. Human Resources - Consent / Action Calendar

19.01 Ratify/Approve Classified Personnel Actions Presented January 21, 2016

19.02 Ratify/Approve Certificated Personnel Actions Presented January 21, 2016

19.03 Ratify/Approve Student Aide Personnel Actions Presented January 21, 2016

20. Facilities - Consent / Action Calendar

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

20.02 Ratification of Bond/Capital Projects Change Orders to Construction Contracts and Purchase Orders At or Below \$175,000

20.03 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.

21.01 Receive Report on Bilingual Support Staff

Report received

22. FUTURE AGENDA ITEMS

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

Board Vice President Frank Biehl

Item	Type
ALearn Summer Program	Presentation/Discussion

Board Member Van Le

Item	Type
STEM Program	Presentation/Discussion

22.02 Future Items

Lan Nguyen, Board President

Item	Date (tentative)	Type
Anti-Bullying Efforts	February 4, 2016	Presentation/Discussion
International Baccalaureate Program (IB) Plan for Recruitment and Expansion	April 21, 2016	Presentation/Discussion

Frank Biehl, Board Vice President

Item	Date (tentative)	Type
Board Self-Evaluation	January 30, 2016 Board Retreat	Evaluation Instrument
California Career Pathways Trust Grant	February 4, 2016	Presentation
Student Success Center	February 4, 2016	Presentation
Payroll Audit	April 21, 2016	Presentation
Livestream Board Meetings (combined with J. M. Herrera's Broadcast Board Meetings)	Spring 2016	Presentation Update

J. Manuel Herrera, Board Clerk

Item	Date (tentative)	Type
Broadcast Board Meetings (combined with F. Biehl's Livestream Board Meetings)	Spring 2016	Presentation Update
Toner cartridge (supplies) budget (instructional materials budget)	Spring 2016	Presentation Update

Pattie Cortese, Board Member

Item	Date (tentative)	Type
Plan to bring Back Expelled Students	February 4, 2016	Presentation/Discussion
Early Alert / Warning System	April 21, 2016	Presentation/Discussion

Van Le, Board Member

Item	Date (tentative)	Type
Failed Courses	Twice Year: October & March	Report
Board Policy 6173 Education for Homeless Children (review language)	TBD	Discussion
Adult Education Program – new funding model	TBD	Report

22.03 Annual Governance Calendar

July
Summer School Program (concludes session)
Summer School Graduation

August
Expulsion Hearing Panel Committee
First Day of School
Superintendent's Annual Evaluation
Williams Quarterly Report

September
Board Retreat
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

October
Bond Program Presentation
Solar Energy Presentation
Student Achievement Presentation
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

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
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

February
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

March
Cesar Chavez Writing, Art & Multi-Media Awards Luncheon
Latino Student Awards Recognition Ceremony
March 15 Notices
NSBA Annual Conference
Second Interim Report
SJPD Secondary Employment Application
Superintendent's Mid-Year Evaluation
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
Williams Quarterly Report

May
Asian American/Pacific Islander History Month: Poster & Essay Contest Awards/Celebration
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)
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 – 2018)
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 President Lan Nguyen

This year, I am going to try to visit all the school sites.

Board Vice President Frank Biehl *(no comments made)*

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

Board Member Pattie Cortese *(no comments made)*

Board Member Van Le

I attended a wonderful cultural event at Santa Teresa High School. The teachers and students did a great job.

Also, I attended the first MetroED Board Meeting. A student from Yerba Buena High School spoke about a program at MetroED. It was a very passionate speech.

23.02 Chris D. Funk, Superintendent *(no comments made)*

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.

Board President Lan Nguyen adjourned the meeting at 9:38 PM.

Respectfully submitted,


Board Clerk

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000
Board Meeting of January 21, 2016 – Item 13.03

1. New Haven dba Solacium New Haven, LLC

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore André Bell	December 11, 2015 – June 30, 2016	\$120,000.00 General Fund – Special Education	Special Services, Barbara Moore

Contract Request

East Side Union High School District (ESUHSD) administration is requesting the Board of Trustees to approve the contract with New Haven dba Solacium New Haven, LLC. Solacium New Haven, LLC will provide residential, non-public school services and other related services for one special education student per IEP requirements and in accordance with the Santa Clara County SELPAs/District Master Contract General Agreement for non-sectarian, non-public school/agency services. These services will be available to all high schools throughout the district with a term of December 11, 2015, through June 30, 2016, with an amount not to exceed \$120,000.00.

Selection Process

No solicitation took place for this service

Recommendation

It is recommended that the Board of Trustees approve the contract between New Haven dba Solacium New Haven, LLC and ESUHSD in the amount of \$120,000.00 for the term of December 11, 2015, through June 30, 2016. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

2. Soliant Health, Inc. - RATIFY

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore André Bell	December 11, 2015 – June 30, 2016	\$80,000.00 General Fund – Special Education	Special Services, Barbara Moore

Contract Request

East Side Union High School District (ESUHSD) administration is requesting the Board of Trustees to ratify the contract with Soliant Health, Inc. Soliant Health, Inc. will provide psychological services to ESUHSD special education students in accordance with their IEPs. These services will be available to all high schools throughout the district with a term of December 11, 2015, through June 30, 2016, with an amount not to exceed \$80,000.00.

Selection Process

No solicitation took place for this service

Recommendation

It is recommended that the Board of Trustees ratify the contract between Soliant Health, Inc. and ESUHSD in the amount of \$80,000.00 for the term of December 11, 2015, through June 30, 2016. It is also recommended that the Board authorize Administration to execute change orders in accordance with Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000
Board Meeting of January 21, 2016 – Item 13.03

3. iMentor – Bay Area

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Kelly Daugherty André Bell	March 1, 2016 – April 30, 2021	\$252,000.00 General Fund	James Lick High School, Kelly Daugherty

Contract Request

East Side Union High School District (ESUHSD) administration is requesting the Board of Trustees to approve the contract with iMentor – Bay Area. iMentor builds mentoring relationships that empower students from low-income communities to graduate high school, succeed in college, and achieve their ambitions. Students work with their mentors on a one-on-one basis, in-person and online, to develop strong personal relationships, nurture a college aspiration, navigate the college application process, and build critical skills that lead to college success. These services will be available to all high schools throughout the district with a term of March 1, 2016, through April 30, 2021, with an amount of \$252,000.00.

Selection Process

No solicitation took place for this service

Recommendation

It is recommended that the Board of Trustees approve the contract between iMentor and ESUHSD in the amount of \$252,000.00 for the term of March 1, 2016, through April 30, 2021. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

4. S4CA

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Tim Nguyen Glenn VanderZee André Bell	July 1, 2015 – June 30, 2021	\$35,000.00 General Fund –	Independence High School, Grettel Castro-Stanley Yerba Buena High School, Tom Huynh Piedmont Hills High School, Traci Williams Career Services, Tim Nguyen

Contract Request

East Side Union High School District (ESUHSD) administration is requesting the Board of Trustees to approve the contract with S4CA. S4CA will facilitate linkages and develop a curriculum between Independence, Yerba Buena, Piedmont Hills High Schools and Foothill College, San Jose City College, South Bay Apprenticeship Coordinators Association and Santa Clara and San Benito Counties Building Trades Council for development of a Pre-Apprenticeship Program for construction academies. These services will be available to Independence, Yerba Buena and Piedmont Hills High Schools with a term of July 1, 2015, through June 30, 2016, with an amount of \$35,000.00.

Selection Process

No solicitation took place for this service

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000
Board Meeting of January 21, 2016 – Item 13.03

Recommendation

It is recommended that the Board of Trustees approve the contract between S4CA and ESUHSD in the amount of \$35,000.00 for the term of July 1, 2015, through June 30, 2016. It is also recommended that the Board authorize Administration to execute change orders in accordance with Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT
Bond/Capital Projects Contract(s) for Services over \$50,000
Board Meeting January 21, 2016 – Item 15.04

1. HazMat Doc

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Marcus Battle Andre Bell Janice Unger	September 19, 2014, through project completion	\$16,324.00 (not to exceed increased amount) Measure E	Independence High School/Facilities Grettel Castro-Stanley, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees approve Amendment No. 1 and Change Order No. 1 to Purchase Order #500937 for the Independence High School Modernization Performing Arts Center – Building F (Project No.: E-065-003).

On October 16, 2014, (Item 20.01) the Board of Trustees ratified a contract service agreement for the Independence High School Performing Arts Center – Building F Lease Leaseback project with HazMat Doc in the amount of \$40,165.00. (Attachment A)

This Change Order No. 1 is being recommended to the Board of Trustees for approval for an increase total amount of \$16,324.00. Change Order No. 1 (Attachment B) is for required additional hours and samples to complete the scope of work contracted for the project.

Original Contract Amount	\$40,165.00
Previous Change Order Amounts	\$0.00
Contract Amount Prior to these Change Orders	\$40,165.00
Total Amount of Change Orders (cumulative) to date	\$16,324.00
Revised Contract Amount	\$56,489.00

RECOMMENDATION

It is recommended that the Board of Trustees approve Amendment No. 01 and Change Order No. 01 to Purchase Order #500937 with **HazMat Doc** for an increased amount of \$16,324.00 for the Independence High School Performing Arts Center - Building F (Project No.: E-065-003).

2. SYSERCO

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Marcus Battle Andre Bell Janice Unger	January 22, 2016 through project completion	\$683,019.00 (not to exceed) Fund 24 – Measure I	Evergreen Valley High School/Facilities Lauren Kelly, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to award a construction agreement for Evergreen Valley High School EMS (Energy Management System Upgrade –Package B of the Districtwide Mechanical & Electrical Upgrades Project # Z-XXX-702.

The scope of work at Evergreen Valley High School is to modernize the existing redundant Alerton EMS system and integrate Evergreen Valley Building P controls into the new modernized EMS system. (Attachment C)

Selection Process

There was no solicitation process performed due to SYSERCO is an authorized dealer of construction and service-based Alerton building automation solutions and is the sole authorized provider for the Bay area. (Attachment D)

RECOMMENDATION

It is recommended that the Board of Trustees approve the construction agreement with **SYSERCO** for an amount not to exceed **\$683,019.00** for the Evergreen Valley High School EMS Upgrade –Package B of the Districtwide Mechanical & Electrical Upgrades Project # Z-XXX-702. Administration to execute change orders in accordance with Board Policy 3312.1.

3. Education Center Interior Improvement Project – Campbell Keller

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Marcus Battle Andre Bell Janice Unger	June 19, 2015 through project completion	\$6,741.23 (not to exceed increased amount) Fund 35 (School Facilities)	Education Center/Business Services-Human Resources Marcus Battle, Associate Superintendent, Business Services Cari Vaeth, Associate Superintendent, Human Resources

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees ratify an amendment to the purchase order agreement for the EC Interior Improvements Project (Project No.: F-35-052-002).

On June 18, 2015, (Item 20.01) the Board of Trustees approved RFP-29-14-15 and purchase order agreement for the Education Center Interior Improvement Project with Campbell Keller in the amount not to exceed \$438,840.00. (Attachment E)

This amendment is being recommended to the Board of Trustees for ratification for an increase total amount of \$6,741.23 to the purchase order agreement. The amendment is for an additional amount needed to complete the scope of work designed for the Business Services & Human Resources suites.

Original Contract Amount	\$438,840.00
Previous Change Order Amounts	\$0.00
Contract Amount Prior to these Change Orders	\$438,840.00
Total Amount of Change Orders (cumulative) to date	\$6,741.23
Revised Contract Amount	\$445,581.23

RECOMMENDATION

It is recommended that the Board of Trustees ratify the amendment to the purchase order agreement with **Campbell Keller** for an increased amount of \$6,741.23 for the EC Interior Improvements Project (Project No.: F-35-052-002).

EAST SIDE UNION HIGH SCHOOL DISTRICT
Contract(s) for Professional Services At or Below \$25,000
Board Meeting of January 21, 2016 – Item 18.01

Consultant	Contract Period	Contract Amount	PO Number	Location of Services	Description of Services	Date Contract Assigned
Lozano Smith LLP	November 13, 2015 – June 30, 2016	\$8,000.00	601935	Student Services/EC	Provide Legal Services for ESUHSD	December 4, 2015
Racing Hearts	October 16, 2015 – June 30, 2020	\$15,000.00	601938	Student Services/EC	Provide 42 AED's for all schools, District Office and Adult Education Centers	December 4, 2015
Eileen N. Becker	September 2, 2015 – June 15, 2016	\$1,250.00	602121	Instructional/EC	Provide CTE credential advising and monitoring for teachers needing CTE credentials	December 15, 2015
GRD Energy Inc.	December 1, 2015 – June 30, 2016	\$15,000.00	602097	Maintenance/EC	Provide commissioning and recommissioning services as needed	December 15, 2015
Photo Waste Recycling Services	December 4, 2015 – June 30, 2016	\$20,000.00	602167	Maintenance/EC	Provide services for science and photo labs hazardous waste disposal and on-call services for the disposal of any other hazardous waste as requested at all ESUHSD sites as needed in accordance with the contract and Exhibit "A"	December 15, 2015
Sally Ann Giess	December 1, 2015 – June 30, 2016	\$20,000.00	602117	Special Services/EC	Provide speech assessments for ESUHSD special education students per IEP requirements	December 15, 2015
The Speech Pathology Group Inc.	October 28, 2015 – May 30, 2016	\$3,150.00	602120	Special Services/EC	Provide speech assessments to one ESUHSD student per IEP requirements	December 15, 2015
West Shield Adolescent Services Inc. dba Family Crisis	December 1, 2015 – June 30, 2016	\$20,000.00	602094	Special Services/EC	Provide transportation services for ESUHSD special education students to facilities and programs per IEP requirements	December 16, 2015
Mindful Schools	December 1, 2015 – June 30, 2016	\$19,500.00	602193	Student Services/EC	Provide ESUHSD staff with on-line courses to help educators integrate mindfulness into their classroom and lives	December 16, 2015

Direct to Door Inc.	December 11, 2015 – June 30, 2016	\$11,075.00	602084	Supt/EC	Provide services to print and/or distribute marketing materials “Door Hangers” for ESUHSD to the pre-approved geographical locations of Independence, Mt. Pleasant, Oak Grove, Yerba Buena, and W.C. Overfelt High Schools	December 16, 2015
Intrepid Electronic Systems Inc.	September 1, 2015 – June 30, 2016	\$25,000.00	601235	Facilities/EC	Provide on-call fire alarm repairs as requested at all ESUHSD sites in accordance with the contract and Exhibit “A” (scope of services)	December 18, 2015

East Side Union High School District
Construction-Related Professional Services Contracts under \$50,000 for Ratification
Board Meeting of January 21, 2016 - Item 20.01

Project Number & Name	Project Description	Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
I-045-002, Z-045-601, I-045-001 / PH Bld P New Classroom Bld, Bld K Conversion to Science Labs and Classroom, Bld G Modernization	Provide pre-construction geotechnical services at Piedmont Hills High School	601894	December 4, 2015 through project completion	Earth Systems Pacific	\$12,900.00	12/1/2015
I-025-002 / AH Softball Complex West Storm Drain Improvement	Geotechnical observation, materials testing and special inspection services per proposal no. 08sjo02-00126-REV1	601887	December 1, 2015 through January 6, 2016	Ninyo & Moore	\$4,304.00	12/1/2015
Z-065-602 / IH Streetcape, Infrastructure, Wayfinding	Provide special testing services including, but not limited to: soil compaction, concrete and rebar	601889	October 28, 2015 through project completion	Construction Testing Services	\$4,800.00	12/1/2015
F25-052-005 / Architectural Study/Bus Yard	Provide an architectural study related to the feasibility of sharing ESUHSD bus yard with the existing FMSD bus yard. Work includes meeting with clients and creating a master plan site plan laying out the possible layout of the bus yard, and layout the MOT building area. Includes the design only in the form of a simple master plan.	601880	October 15, 2015 through October 15, 2016	Sugimura Finney Architects	\$15,000.00	12/1/2015
G-070-216 / ST Stadium Lighting and Main Switchgear	Provide 24-hour fire watch and security patrol of the campus for the duration of the power shut down	601881	December 18, 2015 through January 31, 2016	First Alarm	\$4,270.00	12/1/2015

East Side Union High School District
Construction-Related Professional Services Contracts under \$50,000 for Ratification
Board Meeting of January 21, 2016 - Item 20.01

Z-025-601 / AH Courtyard Improvements	Geotechnical engineering (soil report) for Andrew Hill Courtyard Improvements. Borings at AH Courtyard and associated report to address DSA comments for back check	602011	November 13, 2015 through December 13, 2015	Earth Systems Pacific	\$5,500.00	12/8/2015
IT-013-004 / DW Professional Services	Integrate FileMaker to help maintain data flow throughout the district. Contract for 117 service hours that will include: paperless student transfer, Mt. Pleasant attendance scanning system, online business card app, school principal app to register consultants, equipment assessment management, key assignments, and filemaker training and consulting	602000	December 1, 2015 through May 28, 2016	Accelatron	\$9,945.00	12/8/2015
Z-030-601 / JL Student Center and Quad Mod	Provide geotechnical and geologic hazard investigation for the James Lick Student Center and Quad Modernization project	602018	December 7, 2015 through March 4, 2016	Cleary Consultants, Inc.	\$11,200.00	12/10/2015
Z-XXX-701 / DW Swimming Pool Modernization	Work scope includes providing abatement monitoring and management work including field technician time, monitoring sample collection, laboratory analysis, management and final written report for Group 1 Swimming Pool Mod Project Lists - MP, PH, YB, ST	602133	December 18, 2015 through project completion	Hazmat Doc	\$38,650.00	12/17/2015