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**Agenda Item Details**

Meeting Jan 18, 2018 - ESUHS D REGULAR BOARD MEETING - 4:00 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 October 12, 2017, Regular Board Meeting

Type Action, Minutes

Recommended Action It is recommended that the Board of Trustees approve the October 12, 2017, Regular Board Meeting minutes as presented.

**EAST SIDE UNION HIGH SCHOOL DISTRICT**

**TO:** Board of Trustees

**FROM:** Chris D. Funk, Superintendent

**SUBJECT:** Approve Minutes of October 12, 2017, Regular Board Meeting

Attached are the minutes of the October 12, 2017, 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 October 12, 2017, Regular Board Meeting minutes as presented.

[BA\\_2017\\_10\\_12\\_17\\_Regular\\_Minutes.pdf \(811 KB\)](#)

**Motion & Voting**

It is recommended that the Board of Trustees approve the October 12, 2017, Regular Board Meeting minutes as presented.

Motion by Lan Nguyen, second by Pattie Cortese.  
 Final Resolution: Motion Carries  
 Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

**APPROVED**  
**Board of Trustees**  
**January 18, 2018**



Preparing every student to thrive in a global society.

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**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  
October 12, 2017  
4:00 p.m.**

**1. CALL TO ORDER / ROLL CALL**

**1.01 Roll Call**

Board President Frank Biehl called the Regular Board meeting to order at 4:05 PM.

Present for roll call:

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

Member Lan Nguyen arrived at 4:07 PM

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

Persons wishing to address the Board on Closed Session items or any subject not on the agenda must fill out a speaker request form, which is located at the entrance of the Board Room.

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 in the Board Room 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 Mindfulness Practice**

## **2.02 Expulsion(s)**

- 17-18-001
- 17-18-002
- 17-18-003

## **2.03 Public Employee Performance Evaluation (Government Code Section 54957):**

- Superintendent

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

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

## **2.06 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, Associate 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 Employees:**

**Administrators**

**Managers**

**Confidential Employees**

## **2.07 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 W. Garcia
- Claim for Damages of T. Nguyen
- Four (4) Potential Cases

## **2.08 Conference with Legal Counsel – Existing Litigation:**

**Paragraph (1) of subdivision (d) of Government Code Section 54956.9:**

**One (1) Case**

- Office of Administrative Hearings: Case No. Case No. 2017010352

### **3. RESUME OPEN SESSION AT APPROXIMATELY 6:00 P.M. - EDUCATION CENTER BOARD ROOM**

#### **3.01 Pledge of Allegiance**

### **4. WELCOME AND EXPLANATION TO AUDIENCE**

**4.01 Any person may address the Board on any item on the meeting agenda. Information explaining Board meeting procedures and how citizens can address the Board will be read. Persons wishing to address the Board must fill out a speaker request form, which is located at the entrance of the Board Room. Written information is located near the entrance to the Board Room.**

### **5. ADOPTION OF AGENDA**

**5.01 The Superintendent and/or Board Member(s) may request that items be removed from the agenda for consideration and/or carried to a future Board meeting for consideration and/or action, and/or that that the Board take action in a regular meeting on a subject not listed on the published agenda on an emergency basis or other basis allowed by law. (Gov. Code 54954.2)**

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

No Items on Calendar under this Section

### **7. STUDENT BOARD LIAISON(S) (5 minutes each school)**

No Items on Calendar under this Section

### **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.**

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

**9.01 Hold a Public Hearing at Approximately 06:05 p.m. on a Charter Renewal Petition Submitted by KIPP Bay Area Schools for KIPP San Jose Collegiate High School - Glenn Vander Zee, Associate Superintendent of Educational Services**

Public hearing held.

Public speakers:

- Maria Teresa Barcenas
- Osvaldo Mendoza
- Daisy Montes
- Tammy Pham

- Norma Chavez
- Andre Nguyen
- Katie Pettersen

## **10. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD**

**10.01 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 speaker 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.**

Public speaker:

- Olivia Navarro - Santa Teresa HS Track & Field Improvements
- Luis Arguello - Santa Teresa HS Track & Field Improvements
- Gilbert Rivera - Santa Teresa HS Track & Field Improvements

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

### **11.01 Discussion and/or Action to Adopt Proposed Amendment to 2017-2018 Board Meeting Calendar - Chris D. Funk, Superintendent**

Motion by President Frank Biehl, second by Clerk Pattie Cortese, to adopt the proposed amendment to the 2017-2018 Board Meeting Calendar, a reschedule of the Study Session, from November 2, 2017, to November 20, 2017.

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

Vote: 5/0; Motion Carries

### **11.02 Discussion and/or Action to Receive and Adopt Second Reading of Proposed Amendments to Board Policy #5116 School Attendance Boundaries - Chris D. Funk, Superintendent**

Motion by Clerk Pattie Cortese, second by Member Van Le, to receive and adopt the second reading of proposed amendments to Board Policy #5116 School Attendance Boundaries.

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

Vote: 5/0; Motion Carries

**11.03 Discussion and/or Action to Receive First Reading of Proposed Amendments to Board Policy #0105 Equity - Chris D. Funk, Superintendent**

Received first reading of proposed amendments to Board Policy #0105 Equity.

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

**12.01 Discussion and/or Action to Receive Second Reading and Adopt Amended Board Policy #5141.52 Suicide Prevention - Glenn Vander Zee, Associate Superintendent of Educational Services**

Motion by Member Lan Nguyen, second by Vice President J Manuel Herrera, to receive the second reading and adopt amended Board Policy #5141.52 Suicide Prevention.

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

Vote: 5/0; Motion Carries

**12.02 Discussion and/or Action to Receive First Reading of Additions, Proposed Amendments and Deletions to the following Board Policies: BP 5131 Conduct, BP 5137 Positive School Climate, BP 5144 Discipline, BP 5144.1 Suspension and Expulsion, BP 5145.1 Arrest of Minors, BP 5145.11 Questioning and Apprehension by Law Enforcement and BP 5145.12 Search and Seizure - Glenn Vander Zee, Associate Superintendent of Educational Services**

Received for reading of additions, proposed amendments and deletions to the following Board Policies: BP 5131 Conduct; BP 5137 Positive School Climate; BP 5144 Discipline; BP 5144.1 Suspension and Expulsion; BP 5145.1 Arrest of Minors; BP 5145.11 Questioning and Apprehension by Law Enforcement; and BP 5145.12 Search and Seizure.

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

**13.01 Presentation and/or Discussion regarding Progress with Community Wireless Project - Randy Phelps, Chief Technology Officer**

Presentation item; no action taken

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

Motion by Member Lan Nguyen, second by Member Van Le, to approve the contract(s) for professional services over \$25,000 as presented and 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 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.

Motion by President Frank Biehl, second by Clerk Pattie Cortese

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

Vote: 5/0; Motion Carries

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

##### **14.01 Presentation, Discussion and/or Action Regarding Certificated Class Size Report - Compliance with 10/08/04 Stipulated Arbitrator's Award - Cari Vaeth, Associate Superintendent of Human Resources**

Motion by President Frank Biehl, second by Vice President J Manuel Herrera, to receive the annual Certificated Class Size Report.

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

Vote: 5/0; Motion Carries

##### **14.02 Discussion and/or Action to Approve Provisional Permit Request for Certificated Employees – Cari Vaeth, Associate Superintendent of Human Resources**

Motion by Vice President J Manuel Herrera, second by Member Van Le, to approve the provisional internship permit request for certificated employees as specified.

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

Vote: 5/0; Motion Carries

##### **14.03 Approve Request for Use of Education Code Section 44258.3 – Teachers on Special Assignment Authorizations for the 2017-2018 School Year - Cari Vaeth, Associate Superintendent of Human Resources**

Motion by Member Van Le, second by Member Lan Nguyen, to approve the request for use of California Education Code 44258.3 for the 2017-2018 school year.

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

Vote: 5/0; Motion Carries

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

### **15.01 Discussion and/or Action to Approve or Reject Proposal for Design Build Services for the W.C. Overfelt High School Music, Art and Administration Building and Central Quad Modernization Project - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Abbas Daenabi, Deputy Bond Program Manager, SGI**

Motion by President Frank Biehl, second by Vice President J Manuel Herrera, to reject the design-build proposal submitted by Overaa Construction for the W.C. Overfelt High School Music, Art & Administration New Building and Central Quad Modernization Project. It is also recommended that the Board direct staff to rescope the program requirements and implement an optimal delivery method.

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

Vote: 5/0; Motion Carries

### **15.02 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, and Janice Unger, Director of Purchasing and Capital Accounting**

Motion by Vice President J Manuel Herrera, second by Clerk Pattie Cortese, 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 Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, 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 Vice President J Manuel Herrera, second by Member Lan Nguyen, to approve the entire consent/action calendar as presented.

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

Vote: 5/0; Motion carries

### **16. BOARD OF TRUSTEES/SUPERINTENDENT - CONSENT/ACTION CALENDAR**

**16.01 Receive and Adopt Senior Manager of Internal Controls' Proposed Draft Annual Audit Work Plan**

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

**16.03 Approve Minutes of August 17, 2017, Regular Board Meeting**  
It is recommended that the Board of Trustees approve the August 17, 2017, Regular Board Meeting minutes as presented.

### **17. EDUCATIONAL SERVICES / STUDENT SERVICES - CONSENT/ACTION CALENDAR**

**17.01 Ratify/Approve School Field Trips**

**17.02 Approval of Consolidated Program Application (CONAPP) for 2017-2018**

**17.03 Receive the Dashboard Alternative School Status (DASS) Eligibility Notification Letter from the San Jose Conservation Corps Charter School**  
It is recommended that the board of trustees receive the Dashboard Alternative School Status (DASS) Eligibility Notification Letter from the San Jose Conservation Corps Charter School

**17.04 Receive the Dashboard Alternative School Status (DASS) Eligibility Notification Letter from Escuela Popular Center for Training and Careers**

**17.05 Discussion and/or Action to receive the Third Quarterly Williams Settlement Uniform Complaint Report for period covering July 1, 2017 through September 30, 2017 as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727)**

**18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR**

**18.01 Approve Award of Bids and Request for Proposals for General Purchasing**

**18.02 Ratify/Approve Contract(s) for Professional Services At or Below \$25,000**

**18.03 Approve Purchase Orders Dated September 1, through September 30, 2017**

**18.04 Ratify/Approve Change Orders to Purchase Orders**

**18.05 Ratify/Approve CUPCAA Informal General Purchasing Project(s)**

**18.06 Ratify/Approve Memoranda of Understanding**

**18.07 Adopt Resolution #2017/2018-12 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546**

**18.08 Accept Donations, Grants and Awards for July, August and September of the 2017/18 School Year**

**18.09 Accept Warrant Register for the Month of August, 2017**

**18.10 Approve Budget Transfers for the Month of August, 2017**

**19. HUMAN RESOURCES - CONSENT/ACTION CALENDAR**

**19.01 Ratify/Approve Classified Personnel Actions Presented October 12, 2017**

**It is recommended that the Board of Trustees approve the classified personnel actions as specified.**

**19.02 Ratify/Approve Certificated Personnel Actions Presented October 12, 2017**

**It is recommended that the Board of Trustees approve the certificated personnel actions as specified.**

**19.03 Ratify/Approve Student Aide Personnel Actions Presented October 12, 2017**

## **20. FACILITIES/BOND - CONSENT/ACTION CALENDAR**

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

**20.02 Ratify Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000**

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

**20.04 Ratify CUPCAA Informal Bond Project(s)**

**20.05 Approve the Capital Program Budget Adjustment Report**

## **21. WRITTEN REPORTS/RECOMMENDATIONS**

**21.01 Receive Annual Developer Fees Report for 2016-17**

Report received

**21.02 Receive Santa Clara County Office of Education Adopted Budget Approval Letter**

Report received

**21.03 Receive Amended Non-Public School 5-Year Comparison**

Report received

## **22. FUTURE AGENDA ITEMS**

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

Board Vice President J. Manuel Herrera:

- School Safety – Presentation (November Board meeting)

Board Member Van Le:

- Construction Projects (to be added to Governance calendar as an annual report)

## 22.02 Future Items

### Frank Biehl, Board President

Item	Date (tentative)	Type
Charter Schools	December 7, 2017	Report

### J. Manuel Herrera, Board Vice President

Item	Date (tentative)	Type
IPC Annual Update: •Activities To-Date	November, 2017	Presentation/Discussion

### Pattie Cortese, Board Clerk

Item	Date (tentative)	Type
Teen Parents •Education •Support •Child Care at James Lick HS (educational support)	December, 2017	Presentation/Discussion

### Van Le, Board Member

Item	Date (tentative)	Type
Challenge Exams for Course Advancement	November 16, 2017	Presentation/Discussion
Grading Policy	TBD	Report

### Lan Nguyen, Board Member

Item	Date (tentative)	Type
After School Programs	October 12, 2017	Presentation/Discussion

## 22.03 Annual Governance Calendar

<p><b>July:</b></p> <ul style="list-style-type: none"> <li>•Summer School Program (concludes session)</li> <li>•Summer School Graduation</li> </ul> <p><b>August:</b></p> <ul style="list-style-type: none"> <li>•Board Members' Expenses Report (Apr/May/June)</li> <li>•Expulsion Hearing Panel Committee</li> <li>•First Day of School</li> <li>•Superintendent's Annual Evaluation</li> <li>•Williams Quarterly Report</li> </ul> <p><b>September:</b></p> <ul style="list-style-type: none"> <li>•Board Study Session/Workshop</li> <li>•College Night</li> <li>•Conflict of Interest Board Policy (updates)</li> <li>•Public Hearing and Adoption: Gann Spending Limit</li> <li>•Public Hearing: Sufficiency/Insufficiency of Textbooks</li> <li>•Receive Annual Developer Fees Report</li> <li>•Unaudited Actuals</li> </ul> <p><b>October:</b></p> <ul style="list-style-type: none"> <li>•Bond Program Presentation</li> <li>•Solar Energy Presentation</li> <li>•Student Achievement Presentation</li> <li>•Williams Quarterly Report</li> </ul> <p><b>November:</b></p> <ul style="list-style-type: none"> <li>•Academic Success Analysis Biannual Presentation</li> <li>•Board Members Expenses' Report (July/Aug/Sept)</li> <li>•Board Study Session/Workshop</li> <li>•Election Orientation for New Board Members</li> </ul> <p><b>December:</b></p> <ul style="list-style-type: none"> <li>•Annual Organizational Board Meeting</li> <li>•CSBA Annual Conference</li> <li>•Election Orientation for New Board Members</li> <li>•End of First Semester</li> <li>•First Interim Report</li> </ul> <p><b>January:</b></p> <ul style="list-style-type: none"> <li>•Audit Report</li> <li>•Board Audit Committee Selections/Appointments</li> <li>•Board Retreat</li> <li>•Financial &amp; Performance Audit Report for Bond Measures</li> <li>•Magnet Night</li> <li>•Martin Luther King, Jr. Writing, Art &amp; Multi-Media Awards Ceremony &amp; Reception</li> <li>•Master Business Relationship Agreement between ESUHSD and MetroED</li> <li>•Policies &amp; ByLaws (Begin Review by Series)</li> <li>•Sports Recognitions (Fall)</li> <li>•Technology Report</li> <li>•Williams Quarterly Report</li> </ul>	<p><b>February:</b></p> <ul style="list-style-type: none"> <li>•African American Students Achievement Awards</li> <li>•Audit Committee Charter Amendment(s)</li> <li>•Board Members' Expenses Report (Oct/Nov/Dec)</li> <li>•CSBA Delegate Assembly Election</li> <li>•IPC Annual Presentation</li> <li>•Non-Re-Elects</li> <li>•Safety Plan Goals for Each Site</li> <li>•State of the District</li> </ul> <p><b>March:</b></p> <ul style="list-style-type: none"> <li>•Academic Success Analysis Biannual Presentation</li> <li>•Cesar Chavez Writing, Art &amp; Multi-Media Awards Luncheon</li> <li>•Latino Student Awards Recognition Ceremony</li> <li>•March 15 Notices</li> <li>•NSBA Annual Conference (<i>March or April</i>)</li> <li>•Second Interim Report</li> <li>•SJPD Secondary Employment Application</li> <li>•Superintendent's Mid-Year Evaluation</li> <li>•Vietnamese Students Achievement Awards</li> </ul> <p><b>April:</b></p> <ul style="list-style-type: none"> <li>•Board Study Session/Workshop</li> <li>•Form 700 – Statement of Economic Interests Due to Santa Clara County (filing)</li> <li>•Honor Nights (April/May)</li> <li>•Migrant Education Awards Night</li> <li>•Williams Quarterly Report</li> </ul> <p><b>May:</b></p> <ul style="list-style-type: none"> <li>•Asian American/Pacific Islander History Month Poster &amp; Essay Contest Awards/Celebration</li> <li>•Board Members' Expenses Report (Jan/Feb/Mar)</li> <li>•Board Self-Evaluation</li> <li>•Board Study Session/Workshop</li> <li>•Budget (Preliminary/Draft) Presentation</li> <li>•Employee Retiree &amp; Recognition Event</li> <li>•Graduations</li> <li>•Honor Nights (April/May)</li> <li>•Last Day of School</li> <li>•Preliminary Review of Proposed LCAP</li> </ul> <p><b>June:</b></p> <ul style="list-style-type: none"> <li>•Annual Consolidated Program Application (CONAPP)</li> <li>•Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting)</li> <li>•Budget Adoption (second June Board Meeting)</li> <li>•Budget Advisory Committee: Nominate/Appoint Board Reps (2) &amp; Alternative Board Rep (1) -- (2-yr term, fiscal year)</li> <li>•Employee Retirement Celebration</li> <li>•ESTA Safety Survey</li> <li>•International Student Program Annual Presentation</li> <li>•Master Contracts for Capital Projects</li> <li>•Plan for Expelled Youth (due every 3 years; due 2018)</li> <li>•Safety Plan Assessment for Each School</li> <li>•Single Plan for Student Achievement (SPSA) Each School</li> <li>•Sports Recognitions (Winter/Spring)</li> <li>•Summer School Program (session begins)</li> </ul>
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## **23. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS**

### **23.01 Board of Trustees:**

- Frank Biehl, President
- J. Manuel Herrera, Vice President
- Pattie Cortese, Clerk
  - Board Audit Committee
- Lan Nguyen, Member
- Van Le, Member
  - MetroED

### **23.02 Chris D. Funk, Superintendent**

## **24. REPORT CLOSED SESSION ACTION(S)**

### **24.01 Legal Counsel will Report on Closed Session Actions**

## **25. ADJOURNMENT**

### **25.01 President Adjourns the Meeting**

President Biehl adjourned the meeting at 9:00 PM.

*Respectfully submitted,*

A handwritten signature in black ink, appearing to read "Lan Nguyen". The signature is written in a cursive style with a large, stylized initial "L".

*Board Clerk*



Preparing every student to thrive in a global society.

### Agenda Item Details

Meeting	Oct 12, 2017 - ESUHSD 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	13.02 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, Janice Unger, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager
Access	Public
Type	Action, Discussion
Recommended Action	It is recommended that the Board of Trustees approve the contract(s) for professional services over \$25,000 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, 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.

### Public Content

## EAST SIDE UNION HIGH SCHOOL DISTRICT

**TO:** Board of Trustees

**FROM:** Chris D. Funk, Superintendent

**PREPARED BY:** Marcus Battle, Associate Superintendent of Business Services, Janice Unger, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager

**SUBJECT:** Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000

The attached contract(s) for professional services over \$25,000 are being presented for Board review and approval and to authorize administration to amend said contracts in accordance with Board Policy 3312.1.

#### 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 \$25,000 as presented and 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 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.

2017 1012 Contracts Over 25K.pdf (137 KB)

## **Executive Content**

### **Motion & Voting**

It is recommended that the Board of Trustees approve the contract(s) for professional services over \$25,000 as presented and 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 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.

Motion by Member Lan Nguyen, second by Member Van Le.

Final Resolution: Motion Carries

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



# EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000

Board Meeting of October 12, 2017

## 1. New Teacher Center

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Teresa Marquez Glenn Vander Zee Francine Brissey	July 1, 2017 – June 30, 2018	\$35,000.00/ Educator Effectiveness	District Wide/ Professional Development and Curriculum/Teresa Marquez

### **Contract Request**

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with New Teacher Center (NTC). NTC will offer new and experienced administrators the opportunity to be coached by an experienced school administrator who is trained and certified in the NTC Blended Coaching Model. New participants will be assigned a coach whose experience most closely matches the coaches' needs.

### **Selection Process**

Continued Relationship

### **Recommendation**

It is recommended that the Board of Trustees approve the contract with New Teacher Center in the amount of \$35,000.00 for the term of July 1, 2017, through June 30, 2018. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

## 2. Creative Learning Center

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Glenn Vander Zee Francine Brissey	July 1, 2017 – June 30, 2018	\$80,000.00/ Tuition	Special Services/ Instructional Services/ Barbara Moore

### **Contract Request**

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Creative Learning Center (CLC). CLC will provide non-public services and other related services for special education students per IEP requirements with the Santa Clara County SELPAs/District Master Contract/ General Agreement for Non-sectarian, non-public school/ agency services.

### **Selection Process**

SELPA Agreement

### **Recommendation**

It is recommended that the Board of Trustees approve the contract with CLC in the amount of \$80,000.00 for the term of July 1, 2017, through June 30, 2018. 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 October 12, 2017

### 3. College Board

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Kirsten King Glenn Vander Zee Francine Brissey	August 9, 2017 – June 30, 2018	\$78,036.00/ Testing PSAT	District Wide/ Assessment and Accountability/ Kirsten King

#### **Contract Request**

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with College Board. College Board will provide PSAT/NMSQT testing materials and reporting to ESUHSD Students.

#### **Selection Process**

Sole Source. At this time all official testing is completed through the College Board.

#### **Recommendation**

It is recommended that the Board of Trustees approve the contract with College Board in the amount of \$78,036.00 for the term of August 9, 2017, through June 30, 2018. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

### 4. New Hope for Youth

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Vito Chiala Glenn Vander Zee Francine Brissey	July 1, 2017 – June 30, 2018	\$35,000.00/ EIA	W.C. Overflet High School/ Student Services/ Vito Chiala

#### **Contract Request**

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with New Hope for Youth. New Hope for Youth will provide intervention and prevention service for high risk students involving drugs, alcohol, and or gang lifestyles.

#### **Selection Process**

Continuing Relationship

#### **Recommendation**

It is recommended that the Board of Trustees approve the contract with New Hope for Youth in the amount of \$35,000.00 for the term of July 1, 2017, through June 30, 2018. 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 October 12, 2017

## 5. Alum Rock Unified School District (ARUSD) – Amended

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Shakenya Edison Glenn Vander Zee Francine Brissey	August 1, 2017 – June 30, 2018	<del>\$70,025.00</del> \$118,525.00 Behavioral Health Grant	W.C. Overfelt High School, Education Center/ Student Services/ Shakenya Edison

### Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with ARUSD. ESUHSD and ARUSD will be participating in the School Linked Services Demonstration Hub project. One (1) school, W.C. Overfelt High School was selected to partner with a feeder school – Ocala Middle School in Alum Rock Union School District, students that graduate from Ocala Middle School will enroll in Overfelt High School.

This program is working in conjunction with the County of Santa Clara, Department of Behavioral Health Services who will hire and monitor service coordinators in line with the School Linked Services Plan.

### Selection Process

County of Santa Clara Grant

### Recommendation

It is recommended that the Board of Trustees approve the contract with Alum Rock Unified School District in the amount of ~~\$70,025~~ \$118,525.00 for the term of August 1, 2017, through June 30, 2018. 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 October 12, 2017

## 6. Peninsula Sports, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Glenn Vander Zee Francine Brissey	August 1, 2017 – July 31, 2017	\$50,400.00/ Athletics - Boys	District Wide/ Instructional Services/ Glenn Vander Zee

### **Contract Request**

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Peninsula Sports, Inc. (PSI). PSI will provide Officials for High School Sports games and tournaments. This contract is being established to cover the administrative fees for these events as relates to the coordination of events within the Arbiter Software.

### **Selection Process**

N/A

### **Recommendation**

It is recommended that the Board of Trustees approve the contract with Peninsula Sports, Inc., in the amount of \$50,400.00 for the term of August 1, 2017, through July 31, 2018. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

## 7. Total School Solutions

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Silvia Pelayo Marcus Battle Francine Brissey	July 24, 2017 - August 31, 2017	Not to exceed \$85,000.00/ Business Services	Business Services/ Marcus Battle

### **Contract Request**

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Total School Solutions. Total school solutions will assist in the closing of the 2017/2018 fiscal year financials.

### **Selection Process**

N/A

### **Recommendation**

It is recommended that the Board of Trustees approve the contract with Total School Solutions in the amount of not to exceed \$85,000.00 for the term of July 24, 2017, through August 31, 2017. 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 October 12, 2017

## 8. Ellen Hoke Corp

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Glenn Vander Zee Francine Brissey	August 8, 2017 – June 30, 2018	\$191,000.00/ Special Education	Special Services/ Instructional Services/ Barbara Moore

### **Contract Request**

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Ellen Hoke Corp. Ellen Hoke Corp is a teacher for the visually impaired – Special Education. The teacher for the visually impaired provides an educational program for visually impaired students to assist them in succeeding academically, and/or socially in their classrooms.

### **Selection Process**

None

### **Recommendation**

It is recommended that the Board of Trustees approve the contract with Ellen Hoke Corp in the amount of \$191,000.00 for the term of August 8, 2017, through June 30, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

## 9. West Ed

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Glenn Vander Zee Francine Brissey	August 1, 2017 – June 30, 2018	\$45,000.00/ Special Education – Early Intervention Services	Special Services / Instructional Services/ Barbara Moore

### **Contract Request**

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with West Ed. West Ed will provide professional development for teachers with a focus on further refinement of the District-Wide co-teaching program. There will be two cohort groups participating in professional development, lesson and instruction planning sessions, classroom observation training, and feedback cycles (Plan, Do, Study, Act – PDSA):

Cohort 1: Experienced co-teachers (have attended PD and have been co-teaching)

Cohort 2: Teachers new to co-teaching

### **Selection Process**

None

### **Recommendation**

It is recommended that the Board of Trustees approve the contract with West Ed in the amount of \$45,000.00 for the term of August 1, 2017, through June 30, 2018. 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 October 12, 2017

## 10. Heartspring, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Glenn Vander Zee Francine Brissey	July 1, 2017 – June 30, 2018	\$107,240.00/ Tuition	Special Services/ Instructional Services/ Barbara Moore

### Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Heartspring, Inc. Heartspring, Inc. will provide non-public services and other related services for special education students per IEP requirements with the Santa Clara County SELPAs/District Master Contract/ General Agreement for Non-sectarian, non-public school/ agency services.

### Selection Process

SELPA Agreement

### Recommendation

It is recommended that the Board of Trustees approve the contract with Heartspring, Inc., in the amount of \$107,240.00 for the term of July 1, 2017, through June 30, 2018. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

## 11. Morgan Autism Center

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Glenn Vander Zee Francine Brissey	July 1, 2017 – June 30, 2018	\$558,000.00/ Tuition	Special Services/ Instructional Services/ Barbara Moore

### Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Morgan Autism. Morgan Autism will provide non-public services and other related services for special education students per IEP requirements with the Santa Clara County SELPAs/District Master Contract/General Agreement for Non-sectarian, non-public school/agency services.

### Selection Process

SELPA Agreement

### Recommendation

It is recommended that the Board of Trustees approve the contract with Morgan Autism in the amount of \$558,000.00 for the term of July 1, 2017, through June 30, 2018. 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 October 12, 2017

### 12. Seneca Family of Agencies

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Glenn Vander Zee Francine Brissey	July 1, 2017 – June 30, 2018	\$361,000.00/ Tuition	Special Services/ Instructional Services/ Barbara Moore

#### **Contract Request**

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Seneca. Seneca will provide non-public services and other related services for special education students per IEP requirements with the Santa Clara County SELPAs/District Master Contract/ General Agreement for Non-sectarian, non-public school/ agency services.

#### **Selection Process**

SELPA Agreement

#### **Recommendation**

It is recommended that the Board of Trustees approve the contract with Seneca in the amount of \$361,000.00 for the term of July 1, 2017, through June 30, 2018. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

### 13. Spectrum Center, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Glenn Vander Zee Francine Brissey	July 1, 2017 – June 30, 2018	\$406,000.00/ Tuition	Special Services/ Instructional Services/ Barbara Moore

#### **Contract Request**

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Spectrum Center, Inc. Spectrum Center, Inc. will provide non-public services and other related services for special education students per IEP requirements with the Santa Clara County SELPAs/District Master Contract/General Agreement for Non-sectarian, non-public school/agency services.

#### **Selection Process**

SELPA Agreement

#### **Recommendation**

It is recommended that the Board of Trustees approve the contract with Spectrum Center, Inc. in the amount of \$406,000.00 for the term of July 1, 2017, through June 30, 2018. 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 October 12, 2017

## 14. The Bay School

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Glenn Vander Zee Francine Brissey	July 1, 2017 – June 30, 2018	\$120,000.00/ Tuition	Special Services/ Instructional Services/ Barbara Moore

### **Contract Request**

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with The Bay School. The Bay School will provide non-public services and other related services for special education students per IEP requirements with the Santa Clara County SELPAs/District Master Contract/General Agreement for Non-sectarian, non-public school/agency services.

### **Selection Process**

SELPA Agreement

### **Recommendation**

It is recommended that the Board of Trustees approve the contract with The Bay School in the amount of \$120,000.00 for the term of July 1, 2017, through June 30, 2018. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

## 15. The King's Daughters' School

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Glenn Vander Zee Francine Brissey	July 1, 2017 – June 30, 2018	\$70,000.00/ Tuition	Special Services/ Instructional Services/ Barbara Moore

### **Contract Request**

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with The King's Daughters' School. The King's Daughters' School will provide non-public services and other related services for special education students per IEP requirements with the Santa Clara County SELPAs/District Master Contract/General Agreement for Non-sectarian, non-public school/agency services.

### **Selection Process**

SELPA Agreement

### **Recommendation**

It is recommended that the Board of Trustees approve the contract with The King's Daughters' School in the amount of \$70,000.00 for the term of July 1, 2017, through June 30, 2018. 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 October 12, 2017

## 16. County of Santa Clara, County Office of the District Attorney

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Glenn Vander Zee Francine Brissey	July 1, 2017 – June 30, 2018	\$50,000.00/ General Fund	Instructional Services/ Glenn Vander Zee

### **Contract Request**

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Santa Clara County, Office of the District Attorney. This agreement will pay the salary of the Deputy District Attorney to provide truancy abatement services to East Side Union High School District.

### **Selection Process**

N/A

### **Recommendation**

It is recommended that the Board of Trustees approve the contract with County of Santa Clara, County Office of the District Attorney in the amount of \$50,000.00 for the term of July 1, 2017, through June 30, 2018. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.



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**Agenda Item Details**

Meeting Oct 12, 2017 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

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

Subject 15.02 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, and Janice Unger, Director of Purchasing and Capital Accounting

Access Public

Type Action, Discussion

Recommended Action It is recommended that the Board of Trustees 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.

**Public Content**

**EAST SIDE UNION HIGH SCHOOL DISTRICT**

**TO:** Board of Trustees

**FROM:** Chris D. Funk, Superintendent

**PREPARED BY:** Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, and Janice Unger, Director of Purchasing and Capital Accounting

**SUBJECT:** Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000

The attachment for the bond/capital projects contract(s) over \$50,000 is being presented for Board review and approval.

**Fiscal Impact:**  
As indicated in the attachment

**Funding Source:**  
As indicated in the attachment

**Recommendation:**  
It is recommended that the Board of Trustees approve the 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.

20171012 Contracts Over \$50K.pdf (92 KB)

Attachment A.pdf (758 KB)

## **Executive Content**

### **Motion & Voting**

It is recommended that the Board of Trustees 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.

Motion by Vice President J Manuel Herrera, second by Clerk Pattie Cortese.

Final Resolution: Motion Carries

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

**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Bond/Capital Projects Contract(s) for Services over \$50,000**  
**Board Meeting October 12, 2017**

**1. Borderlan Security**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Randy Phelps Marcus Battle Janice Unger	October 19, 2017 through October 18, 2018	\$41,325.00 (annually)  Measure I (Technology)	Education Center/Information Technology  Randy Phelps, CTO

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees approve the agreement with Borderlan Security for the purpose of providing the iBoss Web Filter license.

On August 20, 2015 (Item 15.01), the Board of Trustees approved the first year of a three-year agreement (August 1, 2015 to October 18, 2016) in the amount not to exceed \$44,940.94

On August 18, 2016 (Item 15.01), the Board of Trustees approved the second year of a three-year agreement (October 19, 2016 to October 18, 2017) in the amount not to exceed \$41,325.00

The iBoss device provides the appropriate filtering to both protect ESUHSD students and staff; and comply with federal guidelines and standards as they relate to Children’s Internet Protection Act (CIPA) and requirements for E-Rate funding. The iBoss provides several other elements that are critical to current and future success in providing access and bandwidth to our users. It allows us, for the first time, the ability to meter and expand bandwidth for specific applications and websites. It allows us to prioritize traffic and, by doing so, it will maximize our current bandwidth. In the future, when we have additional bandwidth, it will provide us the ability to customize the quality of service different groups receive.

**RECOMMENDATION**

It is recommended that the Board of Trustees approve the third year of the agreement with **Borderlan Security** for the contract term of October 19, 2017, through October 18, 2018, for the annual amount of \$41,325.00 for the purpose of providing the iBoss Web Filter license and authorize Administration to execute change orders in accordance with Board Policy 3312.1

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**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Bond/Capital Projects Contract(s) for Services over \$50,000**  
**Board Meeting October 12, 2017**

**2. Flint Builders, Inc.**

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas Marcus Battle Janice Unger	December 11, 2015 through May 11, 2018	\$125,917.00 (not to exceed)  Measure E	Yerba Buena HS/ Facilities/Construction  Tom Huynh, Principal  Julio Lucas, Director Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board approve Change Order No. 07 to Purchase Order 602168 for the increase to the design/build construction agreement for the YB New Student Union and Quad Modernization Project (Z-060-601).

On December 10, 2015, (Item No. 16.01) the Board of Trustees approved a design/build construction agreement for the YB New Student Union and Quad Modernization Project with Flint Builders, Inc., in the amount of \$17,609,268.00.

On March 01, 2016, Change Order No. 01 was issued to correct account object code and funding, no change to original amount of the contract.

On December 05, 2016, Change Order No. 02 was issued due to the date for start of project on the NTP was prior to actual date of issuance of the NTP. Add twenty (20) calendar days to contract time.

On May 18, 2017, (Item No. 20.04) the Board of Trustees ratified Construction Change Order Under \$175,000 report, Change Order No. 03, dated April 3, 2017, to Purchase Order 602168 increase per PCO's for an amount of \$144,411.00.

On May 18, 2017, (Item No. 20.04) the Board of Trustees ratified Construction Change Order Under \$175,000 report, Change Order No. 04, dated April 27, 2017, to Purchase Order 602168 increase per PCO's for an amount of \$23,819.00.

On August 17, 2017, (Item No. 20.04) the Board of Trustees ratified the Construction Change Order Under \$175,000 report, Change Order No. 05, dated July 19, 2017, to Purchase Order 602168 increase per PCO's for an amount of \$4,936.00.

On August 17, 2017 (Item No. 15.02) the Board of Trustees approved Change Order No. 06 for PCO's 006, 014, and 015 for the total amount of \$127,203.00.

This Change Order No. 07 is for PCO's 017, 018, 019, and 021 for the total amount of \$125,917.00, which represents 2.4% in change orders to date for this project. (Attachment A)

Original Contract Amount	\$17,609,268.00
Previous Change Order Amounts	\$300,369.00
Contract Amount Prior to This Change Order	\$17,909,637.00
Change Order No. 07	\$125,917.00
Revised Contract Amount	\$18,035,554.00

**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Bond/Capital Projects Contract(s) for Services over \$50,000**  
**Board Meeting October 12, 2017**

**RECOMMENDATION**

It is recommended that the Board of Trustees approve Change Order No. 07 to Purchase Order 602168 for design/build construction services with **Flint Builders, Inc.**, for YB New Student Union and Quad Modernization Project in the increased amount of \$125,917.00.

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**Agenda Item Details**

Meeting Oct 12, 2017 - 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 Ratify/Approve Contract(s) for Professional Services At or Below \$25,000

Access Public

Type Action

Recommended Action It is recommended that the Board of Trustees ratify the projects contract(s) for professional services at or below \$25,000 as presented and 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 ten percent (10%) of the contract amount (based on the original contract amount 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.

**Public Content**

**EAST SIDE UNION HIGH SCHOOL DISTRICT**

**TO:** Board of Trustees

**FROM:** Chris D. Funk, Superintendent

**PREPARED BY:** Marcus Battle, Associate Superintendent of Business Services, Janice Unger, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing

**SUBJECT:** Ratify/Approve Contract(s) for Professional Services At or Below \$25,000

The attached lists the General Purchasing Contracts for Professional Services at or below \$25,000 being recommended for Board ratification.

**Fiscal Impact:**  
As presented in the attachment

**Funding Source:**  
As presented in the attachment

**Recommendation:**  
It is recommended that the Board of Trustees ratify the projects contract(s) for professional services at or below \$25,000 as presented and 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 ten percent (10%) of the contract amount (based on the original contract amount 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.

2017 1012 Prof Serv Contracts under \$25K.pdf (94 KB)

## **Executive Content**

### **Motion & Voting**

It is recommended that the Board of Trustees ratify the projects contract(s) for professional services at or below \$25,000 as presented and 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 ten percent (10%) of the contract amount (based on the original contract amount 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.

Motion by Vice President J Manuel Herrera, second by Member Lan Nguyen.

Final Resolution: Motion Carries

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



## EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services at/or Below \$25,000

Board Meeting of October 12, 2017

A Conflict of Interest Statement has been collected for each service contract listed below.

Consultant	Contract Period	Contract Amount/ Funding Source	PO Number	Location of Services	Description of Services	Date Contract Assigned
A-Pro Pest Control	July 1, 2017 – June 30, 2018	\$20,000.00/ Fund 06	801022	Restricted Maintenance	To provide pest control services District Wide, except in kitchens.	September 13, 2017
Challenge Day	October 19, 2017	\$3,375.00/ Title 1	800855	Oak Grove High School	To provide anti bullying and empathy event for students at Oak Grove High School.	August 29, 2017
ClassTech	September 1, 2017 – June 30, 2017	\$15,000.00/ Various	Various	District Wide	To provide uninstall and reinstall services for SMARTboards. Amendment #1: To include repairs to SMART boards as needed.	September 13, 2017
College Spring	August 1, 2017 – June 30, 2018	\$5,625.00/ Fund 03	801025	W.C. Overfelt High School	To provide SAT prep course to eligible juniors for the fall of academic year 2017-2018	September 14, 2017
Colligo Systems LLC	August 28, 2017 – June 30, 2018	\$18,000.00/ Operation/PBX	800791	Information Technology	To provide a block 100 hours for telephone issues and upgrades.	August 28, 2017
Document Tracking Services LLC	July 18, 2017 – June 30, 2018	\$5,000.00/ Safety and Student Services	800772	Education Center	To provide document translation services for Student Services.	August 30, 2017
Don Johnston Inc.	October 1, 2017 – June 30, 2018	\$6,480.00/ Fund 05 Special Ed	801028	Special Services	To provide a 2-day professional development courses for special services.	September 20, 2017
Environmental.com	July 1, 2017 – June 30, 2018	\$2,500.00/ Restricted Maintenance	800878	Education Center	To provide annual monitoring compliance program management for 1 year. Includes site visit, training, SWPPP and SMARTS updates.	September 8, 2017
EquipOne	July 1, 2017 – June 30, 2018	Revenue	N/A	Business Services/IT	To dispose of e-waste surplus items, 70% of any sales to be directed to ESUHSD.	September 19, 2017
Family and Children Services	July 1, 2017 – June 30, 2018	\$6,000.00/ Fund 05 Special Ed	801032	Special Services	To provide mental health services for deaf/hard of hearing students at ESUHSD per their IEP requirements.	September 20, 2017

## EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services at/or Below \$25,000

Board Meeting of October 12, 2017

A Conflict of Interest Statement has been collected for each service contract listed below.

Consultant	Contract Period	Contract Amount/ Funding Source	PO Number	Location of Services	Description of Services	Date Contract Assigned
Foothill DeAnza Community College District	April 24, 2017 – September 30, 2017	\$11,133 Original Amend. No. 1 \$8500.00 Total: \$19,633.00 Revenue	N/A	Piedmont Hills	To provide a pilot course in Green Energy to students at Piedmont Hills. Amendment #1: To pilot a VDC course to students at Piedmont Hills.	April 24, 2017
Gregory L. Messa	August 28, 2017 – June 1, 2018	\$1,000.00/ Fund 03	801033	Instructional Services	To provide minor repairs on musical equipment owned by the District.	September 20, 2017
Houghton Mifflin Harcourt	August 16, 2017 – June 30, 2018	\$16,500.00/ Fund 06	800841	Professional Development	To provide Math 180 professional development over a course of 6 individual coaching days.	September 20, 2017
Lozano Smith LLP	July 1, 2017 – October 12, 2017	\$8,000.00/ Safety and Student Services Revenue	800774	Student Services	To provide legal counsel and services for student services.	August 30, 2017
Milpitas Unified	July 1, 2017 – June 30, 2018	Revenue	N/A	Transportation	ESUHSD to provide transportation services to Milpitas Unified on an as needed basis.	September 19, 2017
Navex Global Inc.	September 09, 2017 – September 06, 2020	Year 1: \$2,480.00 Year 2: \$2,554.00 Year 3: \$2,631.00/ Fund 03	800948	Governing Board	To provide services for fraud, waste and abuse hotline.	August 24, 2017
Paton Group	August 1, 2017 – June 30, 2018	\$500.00/ Fund 06 Perkins	801035	California Career Pathways	To provide training and installation for a Stratasys F370 Printer.	September 22, 2017
Safir and Associates	July 1, 2017 – June 30, 2018	\$15,000.00/ Professional Development Program	800808	Evergreen Valley High School	To provide administration and staff with the 'Brave Spaces' professional development coaching.	August 28, 2017
Santa Clara County Office of Education	September 1, 2017 – June 30, 2018	\$2,240.00/ Fund 06 Title III	800960	Professional Development	To provide a 2 day workshop at SCCOE for ELD and English teachers.	September 20, 2017



Preparing every student to thrive in a global society.

**Agenda Item Details**

Meeting Oct 12, 2017 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 20. FACILITIES/BOND - CONSENT/ACTION CALENDAR

Subject 20.02 Ratify Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000

Access Public

Type Action

Recommended Action It is recommended that the Board of Trustees ratify the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as presented and 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 ten percent (10%) of the contract amount (based on the original contract amount 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.

**Public Content**

**EAST SIDE UNION HIGH SCHOOL DISTRICT**

**TO:** Board of Trustees

**FROM:** Chris D. Funk, Superintendent

**PREPARED BY:** Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, and Janice Unger, Director of Purchasing and Capital Accounting

**SUBJECT:** Ratify 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 ratification.

**Fiscal Impact:**  
As indicated in the attachment

**Funding Source:**  
As indicated in the attachment

**Recommendation:**  
It is recommended that the Board of Trustees ratify the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as presented and 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 ten percent (10%) of the contract amount (based on the original contract amount 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.

[2017 1012 Contracts under \\$50K-Ratified.pdf \(48 KB\)](#)

## **Executive Content**

### **Motion & Voting**

It is recommended that the Board of Trustees ratify the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as presented and 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 ten percent (10%) of the contract amount (based on the original contract amount 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.

Motion by Vice President J Manuel Herrera, second by Member Lan Nguyen.

Final Resolution: Motion Carries

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

**East Side Union High School District**  
 Construction-Related Professional Services Contracts under \$50,000 for Ratification  
 Board Meeting of October 12, 2017

Project Number / Name	Project Description	Purchase Order Number / Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
Z-052-993 / District Program Cost	Consultant to provide the following scope of work: provide fire alarm system inspection and verified report for legacy projects at James Lick High School, Elevator Enclosure, Classroom Buildings 1, 2, 3, 5, 6, & 7, Library/Classroom Building 4, Maintenance Building 8, Multipurpose Building 9, Shop Building 10, Gym Building 12, Music/Band Building 13, and two relocatable Classroom Building 14. Per DSA #:01-61448	800767 / CP2129	August 28, 2017 through project completion	Belden Consulting Engineers	\$1,300.00	8/28/17
Z-055-702, Z-040-702 / DW Mechanical and Electrical Upgrades (SC & WCO HVAC Upgrades)	Provide architectural engineering services for the kitchen HVAC upgrades at Silver Creek and W.C.Overfelt High School	800923 / CP2080	September 11, 2017 through project completion	Advance Design Consultants, Inc	\$43,973.00	9/11/17
I-030-002 / JL CR Modernization	Contractor to vacuum out the sewer lines for the boys bathrooms in Building 100, 200, and 300 at James Lick High School. After completion of vacuum, contractor will provide video inspection of the sewer lines to see what the problems are and the condition of the pipe	801090 / CP2196	September 22, 2017 through project completion	Scantech Utility Locating Services	\$9,900.00	9/22/17
Z-052-993 / District Program Cost	Profesional services: legal advice and counsel services for the Bond Program including Tech I Bond	801187 / CP2224	July 1, 2017 through June 30, 2018	Dannis Woliver Kelly	\$15,000.00	9/29/17