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Agenda Item Details

Meeting Nov 15, 2018 - ESUHSD 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 16.06 Approve Minutes of October 11, 2018, Regular Board Meeting

Access Public

Type Action, Minutes

Recommended Action It is recommended that the Board of Trustees approve the October 11, 2018, 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 October 11, 2018, Regular Board Meeting

Attached are the minutes of the October 11, 2018, 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 11, 2018, Regular Board Meeting minutes as presented.

[BA_2018_10_11_Reg_Minutes.pdf \(679 KB\)](#)

Executive Content

East Side Union High School District

APPROVED

Board of Trustees

[Handwritten signature] 11-15-18



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 11 , 2018
4:00 p.m.

1. CALL TO ORDER / ROLL CALL

1.01 Roll Call

President J. Manuel Herrera called the meeting to order at 4:04 PM.

Present for roll call:

- President J. Manuel Herrera
- Vice President Pattie Cortese
- Clerk Lan Nguyen
- Member Frank Biehl
- Member Van Le
- Student Representative Christine Julia Pangan

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)

- **18-19-01**
- **18-19-02**
- **18-19-03**

2.03 Public Employee Performance Evaluation (Government Code Section 54957)

- **Superintendent**

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

- **Assistant Director of Facilities, Construction, Maintenance & Operations**
- **Capital Accounting Budget Manager**

Assistant Director of Facilities, Construction, Maintenance & Operations

Motion to approve the employment of Matt Sidlauskas as Assistant Director of Facilities, Construction, Maintenance & Operations.

Motion by Pattie Cortese, second by Van Le

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

Capital Accounting Budget Manager

Motion to approve the appointment of Cathy Nguyen as Capital Accounting Budget Manager.

Motion by Van Le, second by Frank Biehl

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

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

Motion #1

Motion to approve final notice of dismissal of one (1) classified Paraeducator.

Motion by Pattie Cortese, second by Van Le

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

Motion #2

Motion to approve a final notice of another (one) classified Paraeducator.

Motion by Frank Biehl, second by Lan Nguyen

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

2.06 Conference with Labor Negotiators (Government Code Section 54957.6)

Agency Designated Representatives:

Board President

Chris D. Funk, Superintendent

Dr. John Rubio, Associate Superintendent of Human Resources

Chris Jew, Associate Superintendent of Business Services

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:

Superintendent and Associate Superintendents

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 V. Lara; and,**
- **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. 2018070222**

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)

Member Frank Biehl requested item 14.05 be heard after item 8.02.

6. BOARD SPECIAL RECOGNITION(S)

6.01 Second Harvest Food Bank Recognition of ESUHSD Child Nutrition Services Program

Recognition presented by Marie Pfeiffer, Manager of Second Harvest Food Bank.

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

7.01 Student Governing Board Representative: Swearing In

New student governing Board representative Christine Julia Pangan was sworn in by Board Member Pattie Cortese.

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 Approve the Addendum to the Memorandum of Understanding with the Foundation for Hispanic Education for Luis Valdez Leadership Academy – Glenn Vander Zee, Associate Superintendent of Educational Services

It is recommended that the Board of Trustees approve the addendum to the Memorandum of Understanding with the Foundation for Hispanic Education to change the location of Luis Valdez Leadership Academy's Digital Media classes from the Emaus Church address to the Café Building at the Santa Clara County Fairgrounds.

Student Governing Board Representative Christine Julia Pangan

Vote: Aye

Motion by Lan Nguyen, second by Pattie Cortese

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

8.03 Presentation and/or Discussion Regarding Baseball and Softball Field Standards - Chris Jew, Associate Superintendent of Business, and Roger Silveira, Director of Facilities, Maintenance & Operations

Presentation; no action taken

8.04 Presentation, Discussion and/or Action to Adopt the Goals, Criteria, Financial Model of the District's Early Learning Program - Chris D. Funk, Superintendent, and Chris Jew, Associate Superintendent of Business Services

No action on item; will be brought back in November for further discussion and/or action.

8.05 Discussion and/or Action to Adopt Resolution #2018/2019-05 Child Development Program Last Day of Operations - Chris D. Funk, Superintendent

No action on item; will be brought back in November for further discussion and/or action.

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

9.02 Discussion and/or Action regarding Alpha Public School's Request for a Material Revision to the Graduation Requirements for Alpha: Cindy Avitia High School – Glenn Vander Zee, Associate Superintendent of Educational Services

It is recommended that the Board of Trustees approve the material revision to the Graduation Requirements delineated in Alpha: Cindy Avitia High School Charter Petition.

Student Governing Board Representative Christine Julia Pangan

Vote: Aye

Motion by Van Le, second by Frank Biehl

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

9.03 Hold Public Hearing at Approximately 6:35 p.m. - Disclosure of Major Provisions of Proposed Tentative Agreement for 2017-2018 Contract Reopeners with East Side Teachers Association/CTA/NEA (Per AB1200; Government Code Section 3547.5); Discussion and/or Action - Dr. John Rubio, Associate Superintendent of Human Resources

Public hearing held. There were no public speakers.

9.04 Discussion and/or Action to Ratify and Approve Tentative Agreement for 2017-2018 contract reopeners with East Side Teachers Association/CTA/NEA (Per AB1200; Government Code Section 3547.5) - Dr. John Rubio, Associate Superintendent of Human Resources

It is recommended that the Board of Trustees ratify the tentative agreement for 2017-2018 contract reopeners between the East Side Union High School District and the East Side Teachers Association/CTA/NEA (Per AB1200; Government Code Section 3547.5).

Motion by Frank Biehl, second by Van Le

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

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.

There were no public speakers.

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

11.01 Discussion and/or Action to Approve Resolution #2018/2019-09 to Adopt Conflict of Interest Code and to Receive and Adopt Second Reading of Amended Board Bylaw 9270 E (Exhibit B) Conflict of Interest Code: Designated Positions/Disclosure Categories – Chris D. Funk, Superintendent, and Rogelio Ruiz, Legal Counsel

It is recommended that the Board of Trustees approve Resolution #2018/2019-09 to adopt the Conflict of Interest Code and receive and adopt the second reading of Board Bylaw 9270 E (Exhibit B) Conflict of Interest Code: Designated Positions/Disclosure Categories as presented.

Student Governing Board Representative Christine Julia Pangan

Vote: Aye

Motion by Lan Nguyen, second by Pattie Cortese

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

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

12.01 Presentation, Discussion and/or Action regarding the Roles and Responsibilities of Parent and Community Involvement Specialists and School Community Specialists - Glenn Vander Zee, Associate Superintendent of Educational Services

Public speaker:

- Julio Pardo, CSEA President

Presentation; no action taken

12.02 Discussion and/or Action to Receive First Reading of Proposed Amendments to BP 1312.3 E (Exhibit) - Uniform Complaint Procedures Form - Glenn Vander Zee Associate Superintendent of Educational Services, and Dr. John Rubio, Associate Superintendent of Human Resources

Received first reading

12.03 Discussion and/or Action to Receive First Reading of Proposed Amendments to Board Policy 5126 Awards for Achievement - Glenn Vander Zee, Associate Superintendent of Educational Services

Received first reading

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

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

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.

Student Governing Board Representative Christine Julia Pangan

Vote: Aye

Motion by Frank Biehl, second by Lan Nguyen

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

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

14.01 Discussion and/or Action to Approve Provisional Permit Request for Certificated Employees - Dr. John Rubio, Associate Superintendent of Human Resources

It is recommended that the Board of Trustees approve the provisional internship permit request for certificated employees as specified.

Student Governing Board Representative Christine Julia Pangan

Vote: Aye

Motion by Frank Biehl, second by Lan Nguyen

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

14.02 Discussion and/or Action to Approve Variable Term Waiver Requests for Certificated Employees - Dr. John Rubio, Associate Superintendent of Human Resources

It is recommended that the Board of Trustees approve the variable term waiver action requests for the certificated employees as specified.

Student Governing Board Representative Christine Julia Pangan

Vote: Aye

Motion by Van Le, second by Pattie Cortese

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

14.03 Discussion and/or Action to Receive First Reading of Proposed Amendments to Board Policy #4119.11/4219.11/4319.11 - Sexual Harassment - Dr. John Rubio, Associate Superintendent of Human Resources

Received first reading

14.04 Discussion and/or Action to Receive First Reading of Proposed Amendments to Board Policy #4140/4240/4340 - Bargaining Units - Dr. John Rubio, Associate Superintendent of Human Resources

Received first reading

14.05 Discussion and/or Action to Approve Proposed New Certificated Administrative Job Title and Salary Range for Director of Early Learning - Dr. John Rubio, Associate Superintendent of Human Resources

It is recommended that the Board of Trustees approve the proposed certificated administrative job title and salary range for Director of Early Learning.

Motion #1

Motion by Member Frank Biehl, second by Member Pattie Cortese, to table item to next meeting.

After some discussion, motion was withdrawn by Member Frank Biehl.

Motion #2 (consideration of original motion)

Student Governing Board Representative Christine Julia Pangan

Vote: Aye

Motion by Lan Nguyen, second by J. Manuel Herrera

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

14.06 Discussion and/or Action to Approve 2% Compensation Increase to California School Employees Association, Chapter 187 Bargaining Unit Members - Dr. John Rubio, Associate Superintendent of Human Resources

For the reasons outlined in the memo, it is recommended that the Board of Trustees approve a 2% salary schedule increase to CSEA members, retroactive to July 1, 2017, pursuant to Article 15.3.4.2 of the CSEA Agreement.

Motion by Frank Biehl, second by Pattie Cortese

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

14.07 Discussion and/or Action to Approve 2% Compensation Increase to San Jose Federation of Teachers, AFT Local 957, AFL-CIO Bargaining Unit Members - Dr. John Rubio, Associate Superintendent of Human Resources

For the reasons outlined above, it is recommended that the Board of Trustees approve a 2% salary schedule increase to AFT members, retroactive to July 1, 2017, pursuant to Appendix A of the AFT Agreement and taking into account the increase to the AFT salary schedule already approved by the Board on January 18, 2018.

Motion by Van Le, second by Lan Nguyen

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

14.08 Discussion and/or Action to Approve 2% Compensation Increase to Staff Not Represented by a Bargaining Unit - Dr. John Rubio, Associate Superintendent of Human Resources

It is recommended that the Board of Trustees approve a 2% increase to the District's Classified and Certificated Management Salary Schedule for unrepresented employees (not including the Superintendent, Associate Superintendents, Senior Manager of Internal Controls and Senior Manager of the Bond Program), retroactive to July 1, 2017.

Motion by Pattie Cortese, second by Van Le

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

14.09 Discussion and/or Action to Approve 2% Compensation Increase to Senior Manager of Internal Controls and to Approve First Amendment to Employment Contract Implementing 2% Increase - Dr. John Rubio, Associate Superintendent of Human Resources

It is recommended that the Board of Trustees: (1) approve a 2% increase to the base salary of the District's Senior Manager of Internal Controls prospectively, effective October 11, 2018, per the contract terms, and (2) approve the First Amendment to Employment Contract of the Senior Manager of Internal Controls in the form presented.

Motion by Frank Biehl, second by Lan Nguyen

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

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

15.01 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) over \$50,000 - Chris Jew, Associate Superintendent of Business Services, Julio Lucas, Senior Manager of the Bond Program, Janice Unger, Director of Bond Purchasing and Contracts, and Tu Nguyen, Capital Projects Purchasing Manager

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.

Student Governing Board Representative Christine Julia Pangan

Vote: Aye

Motion by Lan Nguyen, second by Frank Biehl

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: 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 to approve the entire consent calendar, except for item 19.01, which was pulled from the Consent Calendar by Superintendent Chris D. Funk for discussion and/or action.

Motion by Frank Biehl, second by Pattie Cortese.

Final Resolution: Motion Carries

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

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

16.01 No Items on Calendar under this Section

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

17.01 Receive the First Quarterly Williams Settlement Uniform Complaint Report for period covering July 1, 2018 through September 30, 2018 as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727)

17.02 Ratify/Approve School Field Trips

17.03 Approve Amendment to School Attendance Review Board (SARB) Representatives for 2018-2019 School Year

17.04 Approve 2018-19 Career Technical Education Advisory Committee

18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR

18.01 Approve Budget Transfers for the Month of August 2018

18.02 Accept Warrant Register for the Month of August 2018

18.03 Approve Award of Bids and Request for Proposals for General Purchasing

18.04 Ratify/Approve California Uniform Public Construction Cost Accounting Act (CUPCCAA) Informal General Purchasing Project(s)

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

18.06 Approve WCO Royal Music Booster Club, a School Connected Organization, pursuant to Education Code 51520(a) and 51521

18.07 Approve Use of Carnival Equipment at Evergreen Valley High School for Multi-Cultural Winterfest

18.08 Accept Report of Credit Card Purchases for Statements Dated November, and December 22, 2017, and January, and February 2018

18.09 Ratify/Approve Purchase Orders Dated September 1, through September 30, 2018

19. HUMAN RESOURCES - CONSENT/ACTION CALENDAR

19.01 Ratify/Approve Classified Personnel Actions Presented October 11, 2018

19.02 Ratify/Approve Certificated Personnel Actions Presented October 11, 2018

19.03 Ratify/Approve Student Aide Personnel Actions Presented October 11, 2018

20. FACILITIES/BOND - CONSENT/ACTION CALENDAR

20.01 Approve the Capital Program Budget Adjustment Report

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

20.03 Ratify Bond/Capital Projects Contract(s) for Professional Services at or Below \$50,000

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

20.05 Ratify/Approve California Uniform Public Construction Cost Accounting Act (CUPCCAA) Informal Bond Project(s)

Item pulled from the Consent Calendar for discussion and/or action.

19.01 Ratify/Approve Classified Personnel Actions Presented October 11, 2018

Superintendent Chris Funk pulled the personnel action of School Community Liaison until a job description is discussed/agreed upon.

It is recommended that the Board of Trustees approve the classified personnel actions as presented, except the personnel action (change of status) for position of School Community Liaison.

Student Governing Board Representative Christine Julia Pangan

Vote: Aye

Motion by Lan Nguyen, second by Pattie Cortese

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

21. WRITTEN REPORTS/RECOMMENDATIONS

21.01 Receive State Standards Implementation Update

Report received

21.02 Receive Academic Performance of Students returning from Expulsions

Report received

It was requested that the item be brought back at a later date as a presentation.

21.03 Receive Annual Developer Fees Report for 2017-18

Report received

21.04 Receive Internal Audit Report Principal's Revolving Fund Audit Report (FY19-1)

Report received

21.05 Receive Internal Audit Report Lost Textbook Fines Audit Report (FY19-2)

Report received

21.06 Receive Internal Audit Report Advanced Placement Testing Fee Audit Report (FY19-3)

Report received

21.07 Receive Internal Audit Report Child Care Program Fee Audit Report (FY19-4)

Report received

21.08 Receive Certificated Class Size Report - Compliance with 10/08/04 Stipulated Arbitrator's Award

Report received

22. FUTURE AGENDA ITEMS

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

Member J. Manuel Herrera:
• MetroED Presentation

22.02 Future Items

Future Items:

Board Member Pattie Cortese

Item	Date (tentative)	Type
Facilities Use Fees Review	January 2019	Presentation/Discussion

Board Member Lan Nguyen

Item	Date (tentative)	Type
Conflict Resolution Success Rate	Fall 2018	Presentation/Discussion
Student Support Services • Mental Health Services	November 2018	Presentation/Discussion

Board Member Frank Biehl

Item	Date (tentative)	Type
Option Area Boundaries	November 2018	Presentation/Discussion
OPEB	November 2018	Presentation/Discussion

Board Member Van Le

Item	Date (tentative)	Type
Adult Education Program	January 2019	Presentation/Discussion
Naviance/Career Exploration & Ethnic Studies	Spring 2019	Presentation/Discussion

22.03 Annual Governance Calendar

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

23.01 Board of Trustees:

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

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

Board President J. Manuel Herrera adjourned the meeting at 9:38 PM

26. NEXT MEETING

- **November 15, 2018: Regular Board Meeting**
- **November 27, 2018: Board Study Session/Workshop**

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Lan Nguyen', written in a cursive style.

Board Clerk



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting	Oct 11, 2018 - 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	13.01 Discussion and/or Action to Approve the Contract(s) for Professional Services over \$25,000 - Chris Jew, Associate Superintendent of Business Services, André Bell, Director of General Purchasing, 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: Chris Jew, Associate Superintendent of Business Services, André Bell, Director of General Purchasing, 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 the 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 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.

2018 1011 Over \$25k.pdf (131 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.

Student Governing Board Representative Christine Julia Pangan

Vote: Aye

Motion by Frank Biehl, second by Lan Nguyen.

Final Resolution: Motion Carries

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

EAST SIDE UNION HIGH SCHOOL DISTRICT
Board Meeting of October 11, 2018
Contracts over \$25,000.00

1. Alpha Public Schools

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julie Kasberger Chris Jew André Bell Francine Brissey	July 1, 2018 – June 30, 2019	\$60,300.00 Revenue CNS	Child Nutrition Services/ Julie Kasberger

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the contract service agreement with Alpha Public Schools. ESUHSD Child Nutrition Services (CNS) will provide meals to the Alpha Public School at standard breakfast, lunch and after school snack rates. Meals to be provided in accordance with the USDA Inter-Agency Agreement.

Selection Process:

None

Recommendation:

ESUHSD administration is recommending that the Board of Trustees approve the contract service agreement with Alpha Public Schools, for student meals, for approximately \$60,300.00 (dependent upon meals served) with a term of July 1, 2018, through June 30, 2019. ESUHSD administration also recommends that the Board of Trustees authorize the execution of change orders in accordance with Board Policy 3312.1.

2. Beacon School

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore André Bell Francine Brissey	July 1, 2018 – June 30, 2019	\$850,000.00 Transportation-Mgr by Sp Ed, NPS/NPA Services	Special Services/ Barbara Moore

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the Special Education Local Plan Area (SELPA) Master Contract with Beacon School.

Beacon School will provide non-public school services and other related services for special education students per Individualized Education Plan (IEP) requirements and in accordance with The Santa Clara County Office of Education's SELPA/District Master Contract General Agreement for Non-Sectarian, Non-Public School Agency Services.

EAST SIDE UNION HIGH SCHOOL DISTRICT
Board Meeting of October 11, 2018
Contracts over \$25,000.00

Selection Process:

SELPA Master Contract

Recommendation:

ESUHSD administration is recommending that the Board of Trustees approve the SELPA Master Contract with Beacon School, for non-public school services and other related services, for \$850,000.00 with a term of July 1, 2018, through June 30, 2019. ESUHSD administration also recommends that the Board of Trustees authorize the execution of change orders in accordance with Board Policy 3312.1.

3. Children’s Health Council

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore André Bell Francine Brissey	July 1, 2018 – June 30, 2019	\$141,000.00 Special Ed – Mental Health	Special Services/ Barbara Moore

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the Special Education Local Plan Area (SELPA) Master Contract with Children’s Health Council.

Children’s Health Council will provide non-public school services and other related services for special education students per Individualized Education Plan (IEP) requirements and in accordance with The Santa Clara County Office of Education’s SELPA/District Master Contract General Agreement for Non-Sectarian, Non-Public School Agency Services.

Selection Process:

SELPA Master Contract

Recommendation:

ESUHSD administration is recommending that the Board of Trustees approve the SELPA Master Contract with Children’s Health Council, for non-public school services and other related services, for \$141,000.00 with a term of July 1, 2018, through June 30, 2019. ESUHSD administration also recommends that the Board of Trustees authorize the execution of change orders in accordance with Board Policy 3312.1.

4. Creative Learning Center

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore André Bell Francine Brissey	July 1, 2018 – June 30, 2019	\$90,000.00 Tuition	Special Services/ Barbara Moore

EAST SIDE UNION HIGH SCHOOL DISTRICT
Board Meeting of October 11, 2018
Contracts over \$25,000.00

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the Special Education Local Plan Area (SELPA) Master Contract with Creative Learning Center.

Creative Learning Center will provide non-public school services and other related services for special education students per Individualized Education Plan (IEP) requirements and in accordance with The Santa Clara County Office of Education’s SELPA/District Master Contract General Agreement for Non-Sectarian, Non-Public School Agency Services.

Selection Process:

SELPA Master Contract

Recommendation:

ESUHSD administration is recommending that the Board of Trustees approve the SELPA Master Contract with Creative Learning Center, for non-public school services and other related services, for \$90,000.00 with a term of July 1, 2018, through June 30, 2019. ESUHSD administration also recommends that the Board of Trustees authorize the execution of change orders in accordance with Board Policy 3312.1.

5. Genesys Works

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Chris D. Funk André Bell Francine Brissey	July 1, 2018 – June 30, 2021	\$120,000.00 General Administration	Superintendent’s Office/ Chris D. Funk

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the contract service agreement with Genesys Works. Genesys Works will provide qualified interns to assist in various fields for ESUHSD District Office.

Selection Process:

None

Recommendation:

ESUHSD administration is recommending that the Board of Trustees approve the contract service agreement with Genesys Works, for student interns, for \$120,000.00, not to exceed \$40,000.00 annually, with a term of July 1, 2018, through June 30, 2021. ESUHSD administration also recommends that the Board of Trustees authorize the execution of change orders in accordance with Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT
Board Meeting of October 11, 2018
Contracts over \$25,000.00

6. Heartspring, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore André Bell Francine Brissey	July 1, 2018 – June 30, 2019	\$324,000.00 Tuition Special Ed, Mental Health	Special Services/ Barbara Moore

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the Special Education Local Plan Area (SELPA) Master Contract with Heartspring, Inc.

Heartspring, Inc. will provide non-public school services and other related services for special education students per Individualized Education Plan (IEP) requirements and in accordance with The Santa Clara County Office of Education’s SELPA/District Master Contract General Agreement for Non-Sectarian, Non-Public School Agency Services.

Selection Process:

SELPA Master Contract

Recommendation:

ESUHSD administration is recommending that the Board of Trustees approve the SELPA Master Contract with Heartspring, Inc., for non-public school services and other related services, for \$324,000.00 with a term of July 1, 2018, through June 30, 2019. ESUHSD administration also recommends that the Board of Trustees authorize the execution of change orders in accordance with Board Policy 3312.1.

7. The Miri Center

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore André Bell Francine Brissey	July 1, 2018 – June 30, 2019	\$60,000.00 Special Day School	Special Services/ Barbara Moore

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the contract service agreement with The Miri Center.

The Miri Center will provide psycho-educational assessments written reports for East Side Union High School District special education students per individualized education plan (IEP) requirements.

EAST SIDE UNION HIGH SCHOOL DISTRICT
Board Meeting of October 11, 2018
Contracts over \$25,000.00

Selection Process:

None

Recommendation:

ESUHSD administration is recommending that the Board of Trustees approve the contract service agreement with The Miri Center, for psycho-educational assessments, for \$60,000.00 with a term of July 1, 2018, through June 30, 2019. ESUHSD administration also recommends that the Board of Trustees authorize the execution of change orders in accordance with Board Policy 3312.1.

8. Morgan Autism Center

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore André Bell Francine Brissey	July 1, 2018 – June 30, 2019	\$725,315.00 Tuition Transportation – Special Ed	Special Services/ Barbara Moore

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the Special Education Local Plan Area (SELPA) Master Contract with Morgan Autism Center.

Morgan Autism Center will provide non-public school services and other related services for special education students per Individualized Education Plan (IEP) requirements and in accordance with The Santa Clara County Office of Education's SELPA/District Master Contract General Agreement for Non-Sectarian, Non-Public School Agency Services.

Selection Process:

SELPA Master Contract

Recommendation:

ESUHSD administration is recommending that the Board of Trustees approve the SELPA Master Contract with Morgan Autism Center, for non-public school services and other related services, for \$725,315.00 with a term of July 1, 2018, through June 30, 2019. ESUHSD administration also recommends that the Board of Trustees authorize the execution of change orders in accordance with Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT
Board Meeting of October 11, 2018
Contracts over \$25,000.00

9. New Hope for Youth

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Vito Chiala Glenn Vander Zee André Bell Francine Brissey	No Change	Amendment No. 01 \$16,900.00 LCAP	William C. Overfelt High School/ Vito Chiala

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees approve Amendment No. 01 with New Hope for Youth to provide gang intervention services to select school sites.

On August 16, 2018, the Board of Trustees approved the contract service agreement with New Hope for Youth, in the amount of \$169,000.00. \$26,000 was for William C. Overfelt High School. (Item No. 13.02)

Amendment No. 01 will reflect an increase of \$16,900.00 for three (3) increased service days with additional male support staff at William C. Overfelt High School for the first semester only. These additional services are not anticipated for the second semester. Approval of an additional amendment will be requested from the Board of Trustees should the second semester be required.

Original Amount:	\$169,000.00
Amendment No. 01:	\$16,900.00
Total Amount:	\$185,900.00

Selection Process:

None

Recommendation:

ESUHSD administration is recommending that the Board of Trustees approve Amendment No. 01 to the Contract Service Agreement No. GP2100, with New Hope for Youth, for increased services at William C. Overfelt High School, in the amount of \$16,900.00. ESUHSD administration also recommends that the Board of Trustees authorize the execution of change orders in accordance with Board Policy 3312.1.

10. Pacific Autism Center for Education (PACE)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore André Bell Francine Brissey	July 1, 2018 – June 30, 2019	\$298,340.00 Tuition Transportation-Special Ed	Special Services/ Barbara Moore

EAST SIDE UNION HIGH SCHOOL DISTRICT
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East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the Special Education Local Plan Area (SELPA) Master Contract with Pacific Autism Center for Education (PACE).

PACE will provide non-public school services and other related services for special education students per Individualized Education Plan (IEP) requirements and in accordance with The Santa Clara County Office of Education’s SELPA/District Master Contract General Agreement for Non-Sectarian, Non-Public School Agency Services.

Selection Process:

SELPA Master Contract

Recommendation:

ESUHSD administration is recommending that the Board of Trustees approve the SELPA Master Contract with PACE, for non-public school services and other related services, for \$298,340.00 with a term of July 1, 2018, through June 30, 2019. ESUHSD administration also recommends that the Board of Trustees authorize the execution of change orders in accordance with Board Policy 3312.1.

11. Palo Alto Preparatory School

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore André Bell Francine Brissey	July 1, 2018 – June 30, 2019	\$179,200.00 Tuition	Special Services/ Barbara Moore

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the Special Education Local Plan Area (SELPA) Master Contract with Palo Alto Preparatory School.

Palo Alto Preparatory School will provide non-public school services and other related services for special education students per Individualized Education Plan (IEP) requirements and in accordance with The Santa Clara County Office of Education’s SELPA/District Master Contract General Agreement for Non-Sectarian, Non-Public School Agency Services.

Selection Process:

SELPA Master Contract

Recommendation:

ESUHSD administration is recommending that the Board of Trustees approve the SELPA Master Contract with Palo Alto Preparatory School, for non-public school services and other related services, for \$179,200.00 with a term of July 1, 2018, through June 30, 2019. ESUHSD administration also recommends that the Board of Trustees authorize the execution of change orders in accordance with Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT
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Contracts over \$25,000.00

12. Qualys Learning Group, LLC

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore André Bell Francine Brissey	July 1, 2018 – June 30, 2019	\$135,000.00 Special Ed, Mental Health	Special Services/ Barbara Moore

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the contract service agreement with Qualys Learning Group, LLC (Qualys).

Qualys will provide direct Behavior Specialist services to students in the ESUHSD, as well as provide Behavior Interventionist/Coach services, as needed per Individualized Education Plans (IEPs). The District is in need of Behaviorists to meet our obligations under the IDEA (Individuals with Disabilities Education Improvement Act 2004), which specifically holds districts responsible for providing positive behavioral supports, specialized behavior analysis, behavior assessments and behavior interventions when students are in need of such services according to the IEP. The Behaviorist also works directly with teachers, administrators and program staff to design behavior management systems, which are evidence-based and specially designed to meet identified student needs in our programs for students with emotional disabilities and significant disabilities, including autism. These individuals will spend time working directly with students but also will train paraprofessionals in the protocols of behavior intervention in terms of consistency of implementing Behavior Intervention Plans (BIPs) for specific students.

Selection Process:

None

Recommendation:

ESUHSD administration is recommending that the Board of Trustees approve the contract service agreement with Qualys, for Behavior Specialist services, for \$135,000.00, with a term of July 1, 2018, through June 30, 2019. ESUHSD administration also recommends that the Board of Trustees authorize the execution of 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 André Bell Francine Brissey	July 1, 2018 – June 30, 2019	\$802,930.00 Tuition	Special Services/ Barbara Moore

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the Special Education Local Plan Area (SELPA) Master Contract with Spectrum Center, Inc.

Spectrum Center, Inc. will provide non-public school services and other related services for special education students per Individualized Education Plan (IEP) requirements and in

EAST SIDE UNION HIGH SCHOOL DISTRICT
Board Meeting of October 11, 2018
Contracts over \$25,000.00

accordance with The Santa Clara County Office of Education’s SELPA/District Master Contract General Agreement for Non-Sectarian, Non-Public School Agency Services.

Selection Process:

SELPA Master Contract

Recommendation:

ESUHSD administration is recommending that the Board of Trustees approve the SELPA Master Contract with Spectrum Center, Inc., for non-public school services and other related services, for \$802,930.00 with a term of July 1, 2018, through June 30, 2019. ESUHSD administration also recommends that the Board of Trustees authorize the execution of change orders in accordance with Board Policy 3312.1.

14. Tasha’s Training and Consulting, LLC

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore André Bell Francine Brissey	July 1, 2018 – June 30, 2019	\$50,000.00 Special Day Classes Special Ed, Mental Health	Special Services/ Barbara Moore

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the contract service agreement with Tasha’s Training and Consulting, LLC.

Tasha’s Training and Consulting, LLC will provide special education with consultation services for the Emotionally Disturbed (ED) Program, training in the areas of Mental Health and ED, and student assessments for severe cases.

Selection Process:

None

Recommendation:

ESUHSD administration is recommending that the Board of Trustees approve the contract service agreement with Tasha’s Training and Consulting, LLC, for training and consultation services, for \$50,000.00 with a term of July 1, 2018, through June 30, 2019. ESUHSD administration also recommends that the Board of Trustees authorize the execution of change orders in accordance with Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT
Board Meeting of October 11, 2018
Contracts over \$25,000.00

15. The Kings Daughters' School

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore André Bell Francine Brissey	July 1, 2018 – June 30, 2019	\$67,860.00 Tuition	Special Services/ Barbara Moore

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the Special Education Local Plan Area (SELPA) Master Contract with The King Daughters' School.

The King Daughters' School will provide non-public school services and other related services for special education students per Individualized Education Plan (IEP) requirements and in accordance with The Santa Clara County Office of Education's SELPA/District Master Contract General Agreement for Non-Sectarian, Non-Public School Agency Services.

Selection Process:

SELPA Master Contract

Recommendation:

ESUHSD administration is recommending that the Board of Trustees approve the SELPA Master Contract with The King Daughters' School, for non-public school services and other related services, for \$67,860.00 with a term of July 1, 2018, through June 30, 2019. ESUHSD administration also recommends that the Board of Trustees authorize the execution of change orders in accordance with Board Policy 3312.1.



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting	Oct 11, 2018 - 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	15.01 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) over \$50,000 - Chris Jew, Associate Superintendent of Business Services, Julio Lucas, Senior Manager of the Bond Program, Janice Unger, Director of Bond Purchasing and Contracts, and Tu Nguyen, Capital Projects Purchasing Manager
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: Chris Jew, Associate Superintendent of Business Services, Julio Lucas, Senior Manager of the Bond Program, Janice Unger, Director of Bond Purchasing and Contracts, and Tu Nguyen, Capital Projects Purchasing Manager

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.

[2018 1011 Contract Over 50K.pdf \(109 KB\)](#)[Attachment A.pdf \(186 KB\)](#)[Attachment B.pdf \(277 KB\)](#)

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.

Student Governing Board Representative Christine Julia Pangan

Vote: Aye

Motion by Lan Nguyen, second by Frank Biehl.

Final Resolution: Motion Carries

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of October 11, 2018

Bond/Capital Projects Contract(s) for Professional Services Over \$50,000.00

1. Thompson Builders Corporation

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Chris Jew Julio Lucas Janice Unger Tu Nguyen	May 12, 2017 through August 23, 2018 (extension through project completion)	\$93,582.00 (Not to exceed amount) Fund 24, Measure I	James Lick High School/ Facilities/Construction David Porter, Principal Julio Lucas, Senior Manager of the Bond Program

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve Change Order No. 04 to Purchase Order 703615 for construction services with Thompson Builders Corporation for the JL Student Center & Quad Modernization and JL Site Infrastructure Improvements Project (Project No.: Z-030-601, I-030-003) and to extend the Purchase Order completion date through project completion for close-out paperwork and final retention payment.

On April 13, 2017, the Board of Trustees approved a construction agreement for the JL Student Center & Quad Modernization and James Lick Site Infrastructure Improvements Project with Thompson Builders Corporation in the amount of \$10,975,000.00 (Item 20.03)

On February 13, 2018, the Board of Trustees ratified Construction Changer Order Under \$175,000.00 report, Change Order No. 01 dated January 23, 2018 to Purchase Order 703615, increase per PCOs for the total amount of \$16,885.00 (Item 20.03)

On March 22, 2018, the Board of Trustees ratified Construction Change Order Under \$175,000.00 report, Change Order No. 02 dated February 16, 2018 to Purchase Order 703615, increase per PCOs for the total amount of \$54,020.00 (Item 20.04)

On June 21, 2018, the Board of Trustees approved Change Order No. 03 to Purchase Order 703615 per PCOs for the total amount of \$196,352.00. (Item 15.02)

This Change Order No. 04 is for PCO's 05, 12R1, 015, 36R1, 44R1, 050, 56R1, 057, 60R2, 63R1, 80R1, and 081, for the total amount of \$93,582.00, which represents 3.3% in change orders to date for this project. (Attachment A)

Original Contract Amount	\$10,975,000.00
Previous Change Order Amounts	\$267,257.00
Contract Amount Prior to This Change Order	\$11,242,257.00
Change Order No. 04	\$93,582.00
Revised Contract Amount	\$11,335,839.00

EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of October 11, 2018

Bond/Capital Projects Contract(s) for Professional Services Over \$50,000.00

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order No. 04 to Purchase Order 703615 for construction services with Thompson Builders Corporation for the JL Student Center & Quad Modernization and JL Site Infrastructure Improvements Project (Project No.: Z-030-601, I-030-003) in the increased amount of \$93,582.00 and to extend the Purchase Order completion date through project completion for close-out paperwork and final retention payment and authorize administration to execute change orders in accordance with Policy 3312.1.

2. TYR, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Chris Jew Julio Lucas Janice Unger Tu Nguyen	June 2017 through project completion	\$93,017.60 (not to exceed increased amount) Measure E	Piedmont Hills High School/ Facilities/Construction Ginny Davis, Principal Julio Lucas, Senior Manager of the Bond Program

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve Amendment No. 01 and Change Order No. 01 to Purchase Order 703824 to the professional services agreement for the Piedmont Hills New CR Building D1 & D2 Project (Project No.: Z-045-602)

On May 18, 2017, the Board of Trustees approved Administration’s recommendation to award RFP-33-16-17 Professional Services Agreement for the PH New CR Building D1 & D2 Project with TYR, Inc. for the final negotiated amount of \$298,521.60. (Item 20.05)

This Amendment No. 01 and Change Order No. 01 increase to contract/PO results from additional scope of work required for extension of DSA inspection services due to project delay. This change order accounts for additional time spent for inspection. (Attachment B)

Original Contract Amount	\$298,521.60
Previous Change Order Amounts	\$0.00
Contract Amount Prior to This Change Order	\$298,521.60
Change Order No. 01	\$93,017.60
Revised Contract Amount	\$391,539.20

RECOMMENDATION

It is recommended that the Board of Trustees approve Amendment No. 01 and Change Order No. 01 to Purchase Order 703824 with TYR, Inc. for an increased amount of \$93,017.60 for the PH New CR Building D1 & D2 Project (Project No.: Z-045-602) and authorize administration to execute change orders in accordance with Board Policy 3312.1.



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Agenda Item Details

Meeting	Oct 11, 2018 - 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	18.05 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 recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount 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: Chris Jew, Associate Superintendent of Business Services, André Bell, Director of General Purchasing, 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 recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount 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.

2018 1011 Prof Serv Contracts Under \$25K.pdf (89 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.

Student Governing Board Representative Christine Julia Pangan

Vote: Aye

Motion by Frank Biehl, second by Pattie Cortese.

Final Resolution: Motion Carries

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of October 11, 2018

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

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
All American Fitness	July 1, 2018 – June 30, 2019	\$1,024.70/ Physical Education	900873	Evergreen Valley High School	Provide service labor to replace/repair gym equipment.	September 7, 2018
AMS Enterprise	July 1, 2018 – June 30, 2019	\$10,000.00/ Special Education	900930	Education Center	Provide translation services from English to Spanish of Special Education materials as needed for the Special Education Dept. at ESUHSD.	September 12, 2018
Christopher W. Schlesinger dba In Home CPR	July 1, 2018 – June 30, 2019	\$5,000.00/ Special Education	900929	Education Center	Provide First Aid with CPR and AED training for the Adult Transition program staff, health technicians, IEP para educators and other staff as ESUHSD per state requirement annual trainings.	September 12, 2018
Community Matters	October 4, 2018 – October 5, 2018	Outside Grants \$6,500.00	N/A	Mt. Pleasant High School	Provide 2 days of on-site training for 35-40 new Safe School Ambassadors and 5-8 adults.	September 12, 2018
Don Johnston	July 1, 2018 – June 30, 2019	\$3,240.00/ Special Education	900931	Education Center	Provide services for professional development for Special Education Dept. at ESUHSD.	September 12, 2018
E3 HCI Audiometrics	July 1, 2018 – June 30, 2019	\$2,040.00/ Special Education	900925	Education Center	Provide calibration services of hearing instruments for Special Education Department.	September 12, 2018
Eileen N. Becker	July 1, 2018 – June 30, 2019	\$5,000.00/ Cal Career Pathways	900763	Education Center	Provide services to evaluate and assist teachers with CTE credential applications.	August 28, 2018
Gym Doctor	August 7, 2018 – September 30, 2018	\$2,475.34/Oper ation/Buildings	900985	Santa Teresa High School	Agreement to recondition/repair weight machines.	September 17, 2018

EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of October 11, 2018

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

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
Khanh the Vu	July 1, 2018 – June 30, 2019	\$15,000.00/ Cal Career Pathways	900766	Education Center	Provide Vietnamese translation services to include layout of documents for East Side Union High School District.	August 28, 2018
Lead Learner Associates	September 1, 2018 – June 30, 2018	\$9000.00/ Title I	901016	Education Center	Provide confidential leadership coaching to administrators with a goal of increasing the quality and effectiveness of their relationships with all stakeholders.	September 20, 2018
Next Step E-Solutions LLC	June 1, 2018 – May 31, 2019	\$900.00/ Cal Career Pathways	900764	Education Center	Provide premium Wordpress Hosting plan for ESUHSD www.eastsidecareerpathways.org .	August 28, 2018
Perseus Associates	July 1, 2018 – June 30, 2019	\$12,225.00/ Transportation	900851	Education Center	Provide services to maintain/host the online license transportation software data management system for Transtraks.	September 5, 2018
School Services of California	July 1, 2018 – June 30, 2019	\$3,300.00/ Business Services	900974	Education Center	Provide services regarding issues of school finance, legislation, school budgeting and general fiscal issues.	September 14, 2018
Silicon Valley Black Chamber of Commerce	August 24, 2018 – September 30, 2018	\$2,500.00/ Career	900933	Education Center	Provide support for the Bay Area Black Youth Tech-A-Thon to ESUHSD students.	September 12, 2018
Sutcliffe Development & Behavior Pediatric	July 1, 2018 – June 30, 2019	\$7,000.00/ Special Education	900926	Education Center	Provide individual educational evaluation of student for ESUHSD for a Special Education student.	September 12, 2018



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting	Oct 11, 2018 - 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	20.03 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 recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount 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: Chris Jew, Associate Superintendent of Business Service, Julio Lucas, Senior Manager of the Bond Program, Janice Unger, Director of Bond Purchasing and Contracts, and Tu Nguyen, Capital Projects Purchasing Manager

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 recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount 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.

2018 1011 Contracts under 50K.pdf (83 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.

Student Governing Board Representative Christine Julia Pangan

Vote: Aye

Motion by Frank Biehl, second by Pattie Cortese.

Final Resolution: Motion Carries

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of October 11, 2018

Bond/Capital Projects Contracts for Professional Services At or Below \$50,000.00

Consultant	Contract Period	Contract Amount	Purchase Order Number / Contract Number (CP)	Location of Services	Project Number / Project Name	Description of Services	Date Purchase Order Assigned
Classtech	July 1, 2018 through June 30, 2019	\$2,000.00	900626 / CP2770	District Wide	IT-013-006 / DW Projection Devices	Consultant to provide service support of smartboards at all East Side Union High School District Sites and District Office	August 28, 2018
SHI International Corp	August 28, 2018 to August 28, 2019	\$26,600.00	900759 / CP2808	District Wide	IT-013-005 / DW License & Renewal	Adobe Part No.: CAPSCC081514, Adobe Creative Cloud	August 28, 2018
Brio Engineering Associates, Inc.	August 29, 2018 to project completion	\$13,500.00	900792 / CP2820	Andrew Hill High School and Independence High School	G-025-816 , F26-065-820 / DW Concrete, Hard Surface Play Court, Asphalt & Parking Lot / DW Infrastructure Site Hardscape (AH & IH Tennis Court)	Consultant to provide topographic ground survey for the tennis courts at Andrew Hill and Independence High School in preparation of the tennis court resurface project.	August 29, 2018
Multimedia Consulting Services	July 1, 2018 through June 30, 2019	\$2,000.00	900627 / CP2771	District Wide	IT-013-006 / DW Projection Devices	Consultant to provide on-site service support for projectors at all East Side Union High School Sites and District Office	September 4, 2018
Vallier Design Associates, Inc.	September 10, 2018 to project completion	\$14,537.00	900904 / CP2859	Andrew Hill High School	G-025-816 / DW Concrete, Hard Surface Play Court, Asphalt & Parking Lot (AH Tennis Courts)	Consultant to provide Landscape Architectural Services for the tennis court rehabilitation and new fencing at Andrew Hill High School	September 10, 2018
Evergreen Valley College Business Services	August 13, 2018 through December 21, 2018	\$27,151.25	901074 / CP2887	Evergreen Valley College (Facility Use for Accel Program)	F25-076-001 / Evergreen Valley Accel Classroom Lease/Rental	Short term facility rental/lease agreement with Evergreen Valley College for facility use for Accel Program for Fall 2018 Semester	September 26, 2018