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Agenda Item Details

Meeting Mar 21, 2019 - 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 16.01 Approve Minutes of December 13, 2018, Annual Organizational and Regular Board Meeting

Access Public

Type Action, Minutes

Recommended Action It is recommended that the Board of Trustees approve the December 13, 2018, Annual Organizational & 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 December 13, 2018, Annual Organizational and Regular Board Meeting

Attached are the minutes of the December 13, 2018, Annual Organizational and 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 December 13, 2018, Annual Organizational and Regular Board Meeting minutes as presented.

[BA_2018_12_13_Annual_Org_and_Reg_Mtg_Minutes.pdf \(166 KB\)](#)

East Side Union High School District
APPROVED
 Board of Trustees
M. Guille 3-21-19

Executive Content



EAST SIDE UNION HIGH SCHOOL DISTRICT
ANNUAL ORGANIZATIONAL AND 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
December 13, 2018
4:00 p.m.

1. CALL TO ORDER / ROLL CALL

1.01 Roll Call

Board Member J. Manuel Herrera called the meeting to order at 4:12 PM.

- Member J. Manuel Herrera
- Member Pattie Cortese
- Member Lan Nguyen
- Member Van Le
- Member Lorena Chavez

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)

- **18-19-03**
- **18-19-04**
- **18-19-05**

18-19-03

Motion to approve the expulsion of student 18-19-03.

Motion by Van Le, second by Lan Nguyen

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Motion Carries

18-19-04

Motion to approve the suspended expulsion of student 18-18-04.

Motion by Pattie Cortese, second by Van Le

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Motion Carries

2.03 Public Employee Performance Evaluation (Government Code Section 54957)

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

- **Superintendent**

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:

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

• Four (4) Potential Cases

Motion to approve settlement agreement and general release between the District and Evangelina and Jorge Orozco on behalf of a student. The terms of which include acknowledgment of grounds for expulsion, the withdrawal for the recommendation of expulsion, the referral of student for placement with the County Office of Education, and for the stipulations as to an IEP meeting. There are no monetary terms as part of this settlement.

Motion by Van Le, second by Lan Nguyen.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

2.08 Conference with Legal Counsel - Existing Litigation: Paragraph (1) of subdivision (d) of Government Code Section 54956.9

• Two (2) Cases:

- **Office of Administrative Hearings, Case No. 2018100818; and,**
- **Kristie Nhieu GAL Molly Tang v. East Side Union High School District, et al., Santa Clara County Superior Court Case No. 18CV324007**

Office of Administrative Hearings, Case No. 2018100818

Motion to approve settlement agreement and general release between the District and Salena and Tomas Oppus on behalf of student, OAH case number 2018100818, which includes the obligation of the District to reimburse the parents for up to \$85,000 for residential placement from November 30, 2017, through December 21, 2018, including attorney's fees and costs to the parents.

Motion by Pattie Cortese, second by Van Le

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

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

Present at beginning of Open Session:

- Student Governing Board Representative Christine Julia Pangan

3.01 Pledge of Allegiance

3.02 Oath of Office Ceremony

- **Re-Elected Board Member Van Le**
- **Re-Elected Board Member J. Manuel Herrera**
- **Newly Elected Board Member Lorena Chavez**

3.03 Recess for Reception following Oath of Office Ceremony

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)

Items 12.02 and 12.03 were pulled from the agenda and will be carried to the November 27, 2018, Board Study Session.

6. ANNUAL ORGANIZATIONAL MEETING

6.01 Nomination and Election of Board Officers (One-Year Terms)

- **President**
- **Vice President**
- **Clerk**

President

Motion to nominate and elect Pattie Cortese as President of the Board of Trustees for a one-year term, beginning December 13, 2018.

Motion by J Manuel Herrera, second by Van Le

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

Vice President

Motion to nominate and elect Lan Nguyen as Vice President of the Board of Trustees for a one-year term, beginning December 13, 2018.

Motion by Van Le, second by Pattie Cortese

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

Clerk

Motion to nominate and elect Van Le as Clerk of the Board of Trustees for a one-year term, beginning December 13, 2018.

Motion by Lan Nguyen, second by J Manuel Herrera

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

6.02 Nomination and Appointment of Two Board Members to Board's Standing Audit Committee: Chairperson and Vice Chairperson (One-Year Term)

Chairperson

Motion to nominate and appoint Lan Nguyen serve as Chairperson to the Board's standing Audit Committee, a one-year term beginning December 13, 2018.

Motion by Van Le, second by Pattie Cortese

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

Vice Chairperson

Motion to nominate and appoint Lorena Chavez serve as Vice Chairperson to the Board's standing Audit Committee, a one-year term beginning December 13, 2018.

Motion by Lan Nguyen, second by Pattie Cortese

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

6.03 Nomination and Appointment of One Board Member and One Alternate Board Member as Board Liaison to the Student Governing Board (One-Year Term)

Board Liaison

Motion to nominate and appoint Pattie Cortese as Board Liaison to the Student Governing Board, a one-year term beginning December 13, 2018.

Motion by Lan Nguyen, second by J Manuel Herrera

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

Alternate Board Liaison

Motion to nominate and appoint Van Le as alternate Board Liaison to the Student Governing Board, a one-year term beginning December 13, 2018.

Motion by Lan Nguyen, second by J Manuel Herrera

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

6.04 Nomination and Election of Alternate Representative to MetroED Governing Board (One-Year Term)

Motion to nominate and elect Van Le as the alternate Board representative to serve on the MetroED Governing Board in the absence of East Side Union High School District's MetroED Governing Board representative for the term January 1, 2019, through December 31, 2019.

Motion by Pattie Cortese, second by J Manuel Herrera

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

6.05 Nomination of One Member of the Board of Trustees to Vote in the Election of the Santa Clara County Committee on School District Organization (One-Year Term)

Motion to nominate Pattie Cortese as the Board representative to vote in the election of the Santa Clara County Committee on School District Organization; the completion of the County Committee election ballot in November 2019.

Motion by Lan Nguyen, second by J Manuel Herrera
Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez
Vote: 5/0; Final Resolution: Motion Carries

6.06 Nomination and Election of Representative to Santa Clara County School Boards Association (One-Year Term)

Motion to nominate and elect Van Le as the Board representative to serve on the Santa Clara County School Boards Association for the term of January 1, 2019, through December 31, 2019.

Motion by Lan Nguyen, second by J Manuel Herrera
Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez
Vote: 5/0; Final Resolution: Motion Carries

6.07 Nomination and Election of One Member to East Side Alliance Advisory Committee (One-Year Term)

Motion to nominate and elect Lorena Chavez as Board representative to serve on the East Side Alliance Advisory Committee for the term January 1, 2019, through December 31, 2019.

Motion by Lan Nguyen, second by Pattie Cortese
Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez
Vote: 5/0; Final Resolution: Motion Carries

6.08 Nomination and Election of One Alternate Member to East Side Alliance Advisory Committee (One-Year Term)

Motion to nominate and elect J. Manuel Herrera as Board representative to serve as the alternate member on the East Side Alliance Advisory Committee for the term January 1, 2019, through December 31, 2019.

Motion by Lan Nguyen, second by Pattie Cortese
Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez
Vote: 5/0; Final Resolution: Motion Carries

6.09 Nomination and Election of Two Members to District's Budget Advisory Committee (One-Year Term)

Motion to nominate and elect Pattie Cortese and J. Manuel Herrera as Board representatives to serve on the District's Budget Advisory Committee for the term July 1, 2019, through June 30, 2020.

Motion by Van Le, second by Lan Nguyen

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

6.10 Nomination and Election of One Alternate Member to District's Budget Advisory Committee (One-Year Term)

Motion to nominate and elect Lorena Chavez as Board representative to serve as the alternate member on the District's Budget Advisory Committee for the term July 1, 2019, through June 30, 2020.

Motion by Van Le, second by J Manuel Herrera

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

6.11 Appointment of Board Secretary (One-Year Term)

Motion to appoint Superintendent Chris D. Funk as Board Secretary for the term January 1, 2019, through December 31, 2019.

Motion by Lan Nguyen, second by Pattie Cortese

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

7. SHORT BREAK

7.01 The Board will take a short break to allow for the rotation of new Board Officers.

8. BOARD SPECIAL RECOGNITION(S)

8.01 No Items on Calendar Under this Section

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

9.01 Student Governing Board Representative Christine Julia Pangan

9.02 Silver Creek High School

- Britney Black, ASB President
- Venessa Nguyen, ASB Vice President
- Kayla Pham, ASB Secretary
- Chloe Nguyen, ASB Treasurer
- Christina Nguyen, ASB Chief Justice
- Amanda Doan, ASB Spirit Leader

9.03 Yerba Buena High School

- Jimmy Nguyen, ASB President

10. SPECIAL ORDER OF BUSINESS - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

Student Governing Board Representative Christine Julia Pangan excused from meeting beginning with agenda item 10.06.

10.01 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.

10.02 Presentation, Discussion and/or Action regarding Baseball and Softball Field Standards - Chris Jew, Associate Superintendent of Business Services, and Roger Silveira, Director of Facilities, Maintenance and Operations

It is recommended the Board of Trustees approve the baseball and softball field standards and approve the proposed implementation plan and funding sources.

Christine Julia Pangan, Student Governing Board Representative:
In favor of motion

Board vote:

Motion by Van Le, second by J Manuel Herrera

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

10.03 Discussion and/or Action regarding Evergreen Valley High School Enrollment Residency Verification – Chris D. Funk, Superintendent

It is recommended that the Board of Trustees approve the Evergreen Valley High School Enrollment Residency verification and grace period.

Christine Julia Pangan, Student Governing Board Representative:
In favor of motion

Board vote:

Motion by Lan Nguyen, second by J Manuel Herrera

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

10.04 Presentation and/or Discussion regarding LCAP Goals and Strategic Plan Key Performance Measure Data Points - Glenn Vander Zee, Associate Superintendent of Educational Services

Presentation item; no action taken

10.05 Presentation, Discussion and/or Action regarding Academic Success Analysis - Glenn Vander Zee, Associate Superintendent of Educational Services

Presentation item; no action taken

10.06 Presentation, Discussion and/or Action to Receive and Approve the First Interim Financial Report for Fiscal Year 2018/2019 - Chris Jew, Associate Superintendent of Business Services, and Silvia Pelayo, Director of Finance

It is recommended that the Board of Trustees approve the positive certification of the First Interim Financial Report to the operating budget as presented for fiscal year 2018/2019 based on a continuation of the Board adopted reduction in force resolution as presented on June 22, 2018.

Not present for vote/absent:

Christine Julia Pangan, Student Governing Board Representative

Board vote:

Motion by J Manuel Herrera, second by Lan Nguyen

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

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

11.01 No Items on Calendar under this Section

12. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

12.01 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 speakers:

- Jack Hamner, ESTA President - McKinney-Vento Program
- Adilene Gutierrez - Mental Health Services

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

13.01 Discussion and/or Action regarding Superintendent's Employment Contract - Pattie Cortese, Board Member, and J. Manuel Herrera, Board Member

Legal Counsel

Presented this evening for the Board's consideration is a draft proposed contract for the Superintendent. It's consistent with the Board's action at the November 27, 2018, special meeting, which adopted the policy framework for this contract, which was a three-year contract. A three-year term beginning July 1, 2019, with the possibility and the Board's discretion extending the contract for one year after, which would be the maximum four-year term allowed by law. This contract would not take effect on July 1, 2019, unless the Superintendent's current employment agreement is in good standing and has not been terminated by the Board for cause or without cause on or before June 30, 2019.

With respect to compensation, which was not discussed or considered by the Board at the last meeting, the proposed contract incorporates the Superintendent's current salary level, which is at step 3 of the Superintendent's salary schedule. There are no proposed changes or increases to compensation in this proposed contract. In terms of base salary or any other compensation in terms of fringe benefits. There is one change with respect to expense reimbursements. The Superintendent, under this proposed contract, will be entitled to claim travel and mileage reimbursements for travel outside of Santa Clara County. In section 10 of the proposed contract, 10.3.2, if the agreement is terminated at will, that is without cause by the Board, the Superintendent would be entitled to enroll in a District offered HMO plan and vision and dental plan, including spousal coverage, but at the Superintendent's sole cost and expense, which would be reimbursed to the District consistent with the medical plan provisions and benefits rates then in effect applicable to certificated retirees with 20 or more years of service. The Superintendent would remain eligible for that enrollment at his cost through the age of 65.

Otherwise, all of the terms and conditions of the agreement are the same and consistent with the Board's action at the November 27 meeting.

Motion to approve the final proposed form of the Superintendent's Employment Agreement.

Motion by J Manuel Herrera, second by Van Le

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

13.02 Discussion and/or Action regarding Nominations to CSBA Delegate Assembly - Chris D. Funk, Superintendent

Motion to nominate Board Member Van Le as candidate to CSBA Delegate Assembly.

Not present for vote/absent:

Christine Julia Pangan, Student Governing Board Representative

Board vote:

Motion by Lan Nguyen, second by J Manuel Herrera

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

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

14.01 Discussion and/or Action to Receive and Adopt Second Reading to Board Policy 6153 School Sponsored Trips - Glenn Vander Zee, Associate Superintendent of Educational Services

It is recommended that the Board of Trustees Receive and Adopt Second Reading to Board Policy 6153 School Sponsored Trips.

Not present for vote/absent:

Christine Julia Pangan, Student Governing Board Representative

Board vote:

Motion by J Manuel Herrera, second by Lan Nguyen

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

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

15.01 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

Motion #1

Item 6, Teach for America (TFA), pulled for separate discussion, consideration, and action.

It is recommended that the Board of Trustees approve the contract(s) for professional services over \$25,000 as presented, except for item #6 Teach for America (TFA), 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.

Not present for vote/absent:

Christine Julia Pangan, Student Governing Board Representative

Board vote:

Motion by Lan Nguyen, second by Van Le

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

Motion #2

Board Member Lorena Chavez disclosed publicly that she is employed by Teach for America, a nonprofit, as managing Director in order to comply with the State's conflict of interest rules. Member Chavez recused herself from any consideration, discussion, and action regarding the proposed contract with Teach for America (TFA) and left the room during consideration, discussion and action on this item.

Motion to approve item #6 Teach for America (TFA)

It is recommended that the Board of Trustees approve the contract for professional services over \$25,000, specifically item 6 Teach for America (TFA), 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.

Not present for vote/absent:

Christine Julia Pangan, Student Governing Board Representative

Board vote:

Motion by Lan Nguyen, second by J Manuel Herrera

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

Not Present at Vote/Out of Room: Lorena Chavez

Vote: 4/0; Final Resolution: Motion Carries

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

16.01 No Items on Calendar under this Section

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

17.01 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 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.

Not present for vote/absent:

Christine Julia Pangan, Student Governing Board Representative

Board vote:

Motion by Lan Nguyen, second by Van Le.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

Consent / Action Calendar Sections 18-22

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.

Not present for vote/absent:

Christine Julia Pangan, Student Governing Board Representative

Board vote:

Motion by J Manuel Herrera, second by Lan Nguyen

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le, Lorena Chavez

Vote: 5/0; Final Resolution: Motion Carries

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

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

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

19.01 Ratify/Approve School Field Trips

20. BUSINESS SERVICES - CONSENT/ACTION CALENDAR

20.01 Accept Warrant Register for the Month of October 2018

20.02 Approve Budget Transfers for the Month of October 2018

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

20.04 Ratify/Approve Memoranda of Understanding

20.05 Ratify/Approve Change Orders to Purchase Orders

20.06 Ratify/Approve Purchase Orders Dated November 1, through November 30, 2018

20.07 Accept Report of Credit Card Purchases for Statements Dated July 23, August 22, and September 24, 2018

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

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

21. HUMAN RESOURCES - CONSENT/ACTION CALENDAR

21.01 Ratify/Approve Classified Personnel Actions Presented December 13, 2018

21.02 Ratify/Approve Certificated Personnel Actions Presented December 13, 2018

21.03 Ratify/Approve Student Aide Personnel Actions Presented December 13, 2018

22. FACILITIES/BOND - CONSENT/ACTION CALENDAR

22.01 Approve the Capital Program Budget Adjustment Report

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

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

22.04 Approve Qualified Professional Service Providers

23. WRITTEN REPORTS/RECOMMENDATIONS

23.01 No Items on Calendar under this Section

24. FUTURE AGENDA ITEMS

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

Board Member Van Le

- AVID Presentation
- Safety Plan Goals Presentation

Board Member Pattie Cortese

- Academic Performance for Students returning from Expulsion
- Cohort Presentation

24.02 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
Student Support Services <ul style="list-style-type: none">• Mental Health Services	January 2019	Presentation/Discussion

Board Member Van Le

Item	Date (tentative)	Type
Adult Education Program	January 2019	Presentation/Discussion
Naviance/Career Exploration & Ethnic Studies	May 2, 2019 Study Session	Presentation/Discussion

Superintendent Chris D. Funk

Item	Date (tentative)	Type
Request(s) for Proposition 39 Facilities	TBD	Presentation/Discussion

Board of Trustees

Item	Date (tentative)	Type
Academic Performance of Students returning from Expulsions	TBD	Presentation/Discussion
Interest Based Bargaining Process	TBD	Presentation/Discussion
OPEB	TBD	Presentation/Discussion

24.03 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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25. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

25.01 Board of Trustees:

- **Pattie Cortese, Member**
- **Lan Nguyen, Member**
- **Van Le, Member**
- **J. Manuel Herrera, Member**
- **Lorena Chavez, Member**

25.02 Chris D. Funk, Superintendent

26. REPORT CLOSED SESSION ACTION(S)

26.01 Legal Counsel will Report on Closed Session Actions

27. ADJOURNMENT

27.01 President Adjourns the Meeting

Board Member Cortese adjourned the meeting at 10:49 PM.

28. NEXT MEETING

- **January 10, 2019: Board Study Session/Workshop**
- **January 17, 2019: Regular Board Meeting**

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Van Le", with a horizontal line underneath.

Board Clerk