

EAST SIDE UNION HIGH SCHOOL DISTRICT
Annual Organizational & Regular Meeting of the Board of Trustees
830 N. Capitol Avenue
San Jose, CA 95133

AGENDA
December 11, 2014

In compliance with the Americans with Disabilities Act, if you need special assistance, disability-related modifications or accommodations, including auxiliary aids or services, in order to participate in the public meeting of the Board of Trustees, please contact the office of the District Superintendent at (408) 347-5010. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Upon request, the District shall also make available this agenda and all other public records associated with this meeting in appropriate alternative formats for persons with a disability.

Closed Session will begin at 4:00 P.M.

The Annual Organizational & Regular Meeting of the Board of Trustees will begin at 4:00 p.m. in the Board Room of the Education Center. Anyone wishing to address the Board regarding Closed Session items may speak at this time. The Board will then adjourn to Closed Session in the Superintendent's Conference Room.

1. Call to Order/ Roll Call

1.01 Roll Call

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

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

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)

Closed Session

2.01 Expulsion(s): *None*



2.02 Public Employee Performance Evaluation
(Government Code Section 54957)

- *Superintendent*

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

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

2.05 Conference with Labor Negotiators
(Government Code Section 54957.6)

Agency Designated Representatives:

Chris D. Funk, Superintendent

Marcus Battle, Associate Superintendent of Business Services

Juan Cruz, Associate Superintendent of Educational Services

Cari Vaeth, Associate Superintendent of Human Resources

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

Administrator Collaborative of East Side (ACES)

Unrepresented Employees:

Administrators

Managers

Confidential Employees

2.06 Conference with Legal Counsel – Anticipated Litigation:
Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code
Section 54956.9

- *Two (2) Potential Cases*

2.07 Conference with Legal Counsel – Anticipated Litigation:
Initiation of litigation pursuant to subdivision (d)(4) of Government Code Section 54956.9

- *Two (2) Potential Cases*

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



Open Session at Approximately 6:00 P.M. – Education Center Board Room

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 gold request form, which is located at the entrance of the Board Room.

3. Pledge of Allegiance

4. Welcome and Explanation to Audience

Information explaining Board meeting procedures and how citizens can address the Board will be read. Written information is located near the entrance to the Board Room.

**Oath of Office Ceremony
Re-Elected Board Members**

J. Manuel Herrera

Frank Biehl

Van Le

Reception following Oath of Office (15 minutes)

5. Annual Organizational Meeting

5.01 Nomination and Election of Board Officers

- President
- Vice President
- Clerk

5.02 Nomination and Appointment of Two Board Members to Board's Standing Audit Committee: Chairperson and Vice Chairperson

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

5.04 Nomination of One Member of the Board of Trustees to Vote in the Election of the Santa Clara County Committee on School District Organization

5.05 Nomination and Election of Representative to Santa Clara County School Boards Association

5.06 Nomination and Election of One Member to East Side Alliance Advisory Committee

5.07 Nomination and Election of One Alternate Member to East Side Alliance Advisory Committee

5.08 Nomination and Election of Two Members to District's Budget Advisory Committee

5.09 Nomination and Election of One Alternate Member to District's Budget Advisory Committee

5.10 Appointment of Board Secretary



6. Adoption of Agenda

6.01 For consideration by the Board of Trustees

7. Board Special Recognition(s)

No Items on Calendar Under this Section

8. Student Board Liaisons (5 minutes each)

8.01 Evergreen Valley High School

- Shaan Saini, ASB President
- Calvin Lam, ASB Vice President
- Ammar Husain, Head of Audio/Visual/Technology (AVT)

8.02 Santa Teresa High School

- Brooklyn Dominguez, ASB President

9. Special Order of Business – Operational Items/Board Discussion and/or Action

9.01 The Superintendent and/or Board Member(s) may request that items be considered, discussed, and acted on out of the order indicated on the agenda as per schedule.

9.02 Discussion and/or Action of the East Side Union High School District's Request to Amend the Term of the Luis Valdez Leadership Academy Charter (aka Latino College Preparatory Academy II) - Juan Cruz, Associate Superintendent of Educational Services, Kirsten King, Director of Instructional Services and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight

10. Public Hearing(s) - Operational Items/Board Discussion and/or Action

No Items on Calendar Under this Section

11. Public Members who wish to Address the Board of Trustees

Members of the public may address the Board on any subject not on tonight's agenda; however, provisions of the Brown Act (Government Code Section 54954.2(a) and 54954.3) preclude any action. As an unagendized item, no response is required from the Board or District staff and no action can be taken; however, the Board may instruct the Superintendent to agendize the item for a future meeting. Any person may address the Board on any item on the meeting agenda. Persons wishing to address the Board must fill out a gold request form, which is located at the entrance of the Board Room. When your name is called, please come to the podium, state your name for the record, and limit your remarks to three (3) minutes.



12. Board of Trustees/Superintendent - Operational Items/Board Discussion and/or Action

- 12.01 Discussion and/or Action Approving Statement of Votes and Certification of Election Results from the Santa Clara County Registrar of Voters Office and Declare the Totals to be the Final Results of the Election; Approval and Adoption of Resolution #2014/2015-09 Certifying to the Board of Supervisors of Santa Clara County all Proceedings in the November 4, 2014, General Obligation Bond Election; Adopt Resolution #2014/2015-10 Designating the Citizens Bond Oversight Committee for the Bonds authorized under Measure I - Chris D. Funk Superintendent
- 12.02 Discussion and/or Action regarding Pending Board Vacancy: Process for Appointment and Provisional Appointment to the Governing Board - J. Manuel Herrera, Board Trustee
- 12.03 Discussion and/or Action regarding Naming of Small Gymnasium at Piedmont Hills High School – Chris D. Funk, Superintendent
- 12.04 Discussion and/or Action regarding Call for Nominations to CSBA Delegate Assembly – Frank Biehl, Board Trustee
- 12.05 Discussion and/or Action to Adopt Resolution #2014/2015-12 in Opposition to the Use of Pepper Spray in Santa Clara County Court Schools - Frank Biehl, Board Trustee

13. Instructional Services/Student Services - Operational Items/Board Discussion and/or Action

- 13.01 No Items on Calendar Under this Section

14. Business Services - Operational Items/Board Discussion and/or Action

- 14.01 Presentation, Discussion and/or Action to Receive and Approve First Interim Financial Report for Fiscal Year 2014/2015 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance
- 14.02 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, André Bell, Assistant Director of Capital Accounting and Purchasing, and Donna Bertrand, C.P.M., Contracts Administration Coordinator
- 14.03 Discussion and/or Action to Approve One Day Material Decrease of School Attendance for Oak Grove High School due to a San Jose Police Standoff near the School on November 19, 2014 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance

15. Human Resources - Operational Items/Board Discussion and/or Action

- No Items on Calendar Under this Section



16. Facilities - Operational Items/Board Discussion and/or Action

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

**Consent / Action Calendar
Sections 17-21**

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.

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

- 17.01 Approve Minutes of November 13, 2014, Board Study Session

18. Instructional Services / Student Services - Consent / Action Calendar

- 18.01 Approve the Appointment of Representative to the South East Special Education Local Planning Areas Community Advisory Council Meeting
- 18.02 Approve CAHSEE Local Waivers for Special Education Students
- 18.03 Approve School Field Trips

19. Business Services - Consent / Action Calendar

- 19.01 Ratification of Contract(s) for Professional Services At or Below \$25,000
- 19.02 Accept Report of Credit Card Purchases for Statement Dated October 22, 2014
- 19.03 Approve Purchase Orders



- 19.04 Approve Change Orders to Purchase Orders
- 19.05 Adopt Resolution #2014/2015-11 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546
- 19.06 Approve Budget Transfers
- 19.07 Accept Warrant Register for the Month of November, 2014
- 19.08 Approve Memoranda of Understanding

20. Human Resources - Consent / Action Calendar

- 20.01 Ratify/Approve Classified Personnel Actions Presented December 11, 2014
- 20.02 Ratify/Approve Certificated Personnel Actions Presented December 11, 2014
- 20.03 Ratify/Approve Student Aide Personnel Actions Presented December 11, 2014

21. Facilities - Consent / Action Calendar

- 21.01 Ratification of Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000
- 21.02 Approve Award of Bids and Request for Proposals for Bond/Capital Projects

22. Written Reports/Recommendation

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

No Items on Calendar Under this Section



23. Future Agenda Items

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

23.02 Future Items:

Board Trustee Van Le

| Item | Date (tentative) | Type |
|---|-------------------------|-------------|
| Failed Courses | Quarterly | Report |
| After School Programs/Homework Centers | January, 2015 | Report |
| English Language Development (ELD) Report | January, 2015 | Report |
| Independent Study Program Report | March, 2015 | Report |
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Board Trustee Frank Biehl

| Item | Date (tentative) | Type |
|---|-------------------------|-------------------------|
| Establish a Task Force to Review Schools' Start Times | January, 2015 | Discussion/Action |
| Special Education Program Update (County & District Wide) | March, 2015 | Presentation/Discussion |
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Board Trustee Lan Nguyen

| Item | Date (tentative) | Type |
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| International Baccalaureate (IB) Program | March, 2015 | Presentation/Discussion |
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23.03 Annual Governance Calendar

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| July |
| Summer School Program (concludes session) |
| Summer School Graduation |

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| August |
| Board Retreat |
| Expulsion Hearing Panel Committee |
| First Day of School |
| Williams Quarterly Report |

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| September |
| Board Study Session/Workshop |
| College Night |
| Conflict of Interest/Board Policy (updates) |
| Public Hearing and Adoption: Gann Spending Limit |
| Public Hearing: Sufficiency or Insufficiency of Textbooks |
| Unaudited Actuals |

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| October |
| Bond Program Presentation |
| Solar Energy Presentation |
| Student Achievement Presentation |
| Superintendent’s Annual Evaluation |
| Williams Quarterly Report |

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| November |
| Board Study Session/Workshop |
| Election Orientation for New Board Members |

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| December |
| Annual Organizational Board Meeting |
| CSBA Annual Conference |
| Election Orientation for New Board Members |
| End of First Semester |
| First Interim Report |
| Receive Annual Developer Fees Report |
| Superintendent’s Mid-Year Evaluation |

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| January |
| Audit Report |
| Board Audit Committee Selections/Appointments |
| Board Retreat |
| Financial & Performance Audit Report for Bond Measures |
| Magnet Night |
| Martin Luther King, Jr. Writing, Art & Multi-Media Awards Ceremony & Reception |
| Policies & ByLaws (Begin Review by Series) |
| Sports Recognitions (Fall) |
| Technology Report |
| Williams Quarterly Report |

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| February |
| African American Students Achievement Awards |
| Audit Committee Charter Amendment(s) |
| CSBA Delegate Assembly Election |
| Non-Re-Elects |

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| March |
| Cesar Chavez Writing, Art & Multi-Media Awards Luncheon |
| Latino Student Awards |
| March 15 Notices |
| Safety Plan Goals for Each Site |
| Second Interim Report |
| SJPD Secondary Employment Application |
| Vietnamese Students Achievement Awards |

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

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

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| June |
| Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting) |
| Budget Adoption (second June Board Meeting) |
| Budget Advisory Committee: Nominate and Appoint Board Representatives (2) and Alternative Board Representative (1) (2 year term, fiscal year) |
| Employee Retirement Celebration |
| ESTA Safety Survey |
| Master Contracts for Capital Projects |
| Plan for Expelled Youth (due every three years – 2015) |
| Program Improvement Update |
| Safety Plan Assessment for Each School |
| Single Plan for Student Achievement (SPSA) for Each School |
| Summer School Program (session begins) |
| Superintendent’s Annual Evaluation |



24. Board of Trustees/Superintendent Communications/Comments

24.01 Board of Trustees

- J. Manuel Herrera
- Van Le
- Magdalena Carrasco
 - Board Audit Committee
- Lan Nguyen
 - MetroED
- Frank Biehl

24.02 Chris D. Funk, Superintendent

25. Report Closed Session Action(s)

25.01 Legal Counsel will Report on Closed Session Action Item(s)

26. Adjournment

26.01 President Adjourns the Meeting