

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

AGENDA
February 12, 2015

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 3:30 P.M.

The Regular Meeting of the Board of Trustees will begin at 3:30 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 5:30 p.m.)
SEE ITEM 2 ON AGENDA (CLOSED SESSION)



Closed Session

2.01 Expulsion(s): A

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:

- *Claim for Damages of C. Nguyen;*
- *Claim for Damages of G. Ramirez and,*
- *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 5:30 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.

5. Adoption of Agenda

- 5.01 For consideration by the Board of Trustees

6. Board Member Swearing-In Ceremony

- 6.01 Swearing-In Ceremony of Newly Appointed Board Member Pattie Cortese

7. Board President’s State of the District

- 7.01 State of the District Address – Board President Van Le

8. Board President’s Recognitions

- 8.01 Recognitions:

- Gonzalo Amezcua
- Dan Juchau
- Karen Poon
- Child Nutrition Services Staff – Oak Grove High School
- Custodial Staff – Yerba Buena High School
- Student Services Staff

- 8.02 Reception (15 minute)



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 Presentation, Discussion and/or Action to Review and Accept the Custodial Services Operational Study - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Tatia Prieto, President, Prismatic Services

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

- 10.01 Hold Public Hearing at Approximately 7:45 p.m. - Receive and Sunshine the Initial Proposal for Successor Contract: From East Side Teachers Association, CTA/NEA to East Side Union High School District - Cari Vaeth, Associate Superintendent of Human Resources

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 to Establish a Board Task Force Committee to Review Schools' Start Times - Frank Biehl, Board Clerk, and J. Manuel Herrera, Board Trustee
- 12.02 Discussion and/or Action to Nominate and Appoint Board Member as Vice Chairperson to Board Audit Committee - Chris D. Funk, Superintendent
- 12.03 Discussion and/or Action to Nominate and Elect a Board Representative to Santa Clara County School Boards Association - Chris D. Funk, Superintendent
- 12.04 Discussion and/or Action regarding 2015 California School Boards Association (CSBA) Delegate Assembly Election – Frank Biehl, Board Clerk
- 12.05 Discussion and/or Action to Adopt Amended Board Bylaw 9270 Conflict of Interest and Revolving Door Restrictions – Rogelio M. Ruiz, Legal Counsel



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

- 13.01 Presentation, Discussion and/or Action regarding the English Language Development (ELD) Report - Juan Cruz, Associate Superintendent of Educational Services
- 13.02 Discussion and/or Action to Approve Title III Plan and Budget for English Learners and Immigrant Students for the 2014-2015 School Year - Juan Cruz, Associate Superintendent of Educational Services
- 13.03 Presentation and/or Discussion on Academic Success Analysis - Juan Cruz, Associate Superintendent of Educational Services
- 13.04 Presentation, Discussion and/or Action on After School Programs/Homework Centers - Juan Cruz, Associate Superintendent of Educational Services
- 13.05 Discussion and/or Action to Approve the San Jose Conservation Corps Charter School's Alternative Schools Accountability Model (ASAM) Application - Juan Cruz, Associate Superintendent of Educational Services, Kirsten King, Director of Assessment and Accountability, and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight
- 13.06 Receive the Fourth Valenzuela/CAHSEE and Williams Settlement Uniform Complaints Quarterly Report for Period Covering October 1, 2014, through December 31, 2014 as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727) - Juan Cruz, Associate Superintendent of Educational Services

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

- 14.01 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
- 14.02 Discussion and/or Action to Approve Weekly Bingo Fundraiser by Oak Grove High School Band Boosters (OGBB) and Facility Use Agreement - Marcus Battle, Associate Superintendent of Business Services, Karen Poon, Director of Finance, Kelly Kwong, Senior Manager of Internal Controls, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

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

- 15.01 Discussion and/or Action Regarding the Approval of the Student/Certificated Calendars for the 2015-2016 and 2016-2017 School Years - Cari Vaeth, Associate Superintendent of Human Resources



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

- 16.01 Discussion and/or Action to Receive Second Reading of Proposed New and Amended Policies in the 7000 Facilities Board Policy Series - Marcus Battle, Associate Superintendent of Business Services, and Linda da Silva, Director of Construction, Maintenance and Facilities
- 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
- 16.03 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

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 Ratify/Approve Board Member(s) Lawful Expenses/Mileage to Conferences/ Workshops/Meetings
- 17.02 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/ Workshops/Meetings
- 17.03 Approve Minutes of January 15, 2015, Regular Board Meeting
- 17.04 Approve Minutes of January 26, 2015, Special Board Meeting



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

- 18.01 Approve CAHSEE Local Waivers for Special Education Students
- 18.02 Accept the Comprehensive School Safety Plan Goals for the 2015-2016 School Year
- 18.03 Ratify/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 December 22, 2014
- 19.03 Approve Purchase Orders
- 19.04 Approve and/or Ratify Change Orders to Purchase Orders and/or Contracts
- 19.05 Approve Memoranda of Understanding
- 19.06 Approve Budget Transfers
- 19.07 Accept Warrant Register for the Month of January 2015

20. Human Resources - Consent / Action Calendar

- 20.01 Ratify/Approve Classified Personnel Actions Presented February 12, 2015
- 20.02 Ratify/Approve Certificated Personnel Actions Presented February 12, 2015
- 20.03 Ratify/Approve Student Aide Personnel Actions Presented February 12, 2015
- 20.04 Approve Authorizing Offer of Incentives to Certificated Staff for the Early Notification of Retirement

21. Facilities/Bond - 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.

- 22.01 Receive First Interim Financial Report Certification Letter from Santa Clara County Office of Education
- 22.02 Report of Governor's Budget Updates for 2015-16

23. Future Agenda Items

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

Board President Van Le

Item	Date (tentative)	Type
Failed Courses	Quarterly	Report
Independent Study Program Report	March, 2015	Report

Board Vice President Lan Nguyen

Item	Date (tentative)	Type
International Baccalaureate (IB) Program	March, 2015	Presentation/Discussion

Board Clerk Frank Biehl

Item	Date (tentative)	Type
Special Education Program Update (County & District Wide)	March, 2015	Presentation/Discussion
Summer School Plans	April, 2015	Presentation/Discussion



23.03 Annual Governance Calendar

July
Summer School Program (concludes session)
Summer School Graduation

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

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
Receive Annual Developer Fees Report
Unaudited Actuals

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

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

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

January
Audit Report
Board Audit Committee Selections/Appointments
Board Retreat
Financial & Performance Audit Report for Bond Measures
Magnet Night
Martin Luther King, Jr. Writing, Art & Multi-Media Awards Ceremony & Reception
Master Business Relationship Agreement between East Side Union High School District and Metropolitan Education District
Policies & ByLaws (Begin Review by Series)
Sports Recognitions (Fall)
Technology Report

February
African American Students Achievement Awards
Audit Committee Charter Amendment(s)
CSBA Delegate Assembly Election
Non-Re-Elects
Safety Plan Goals for Each Site

March
Cesar Chavez Writing, Art & Multi-Media Awards Luncheon
Latino Students Awards Ceremony
March 15 Notices
Second Interim Report
SJPD Secondary Employment Application
Vietnamese Students Achievement Awards

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

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

June
Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting)
Budget Adoption (second June Board Meeting)
Budget Advisory Committee: Nominate and Appoint Board Representatives (2) and Alternative Board Representative (1) (2 year term, fiscal year)
Employee Retirement Celebration
ESTA Safety Survey
Master Contracts for Capital Projects
Plan for Expelled Youth (due every three years – 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

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

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