

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

AGENDA
June 9, 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 4:30 P.M.

The Regular Meeting of the Board of Trustees will begin at 4:30 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 6:30 p.m.)
SEE ITEM 2 ON AGENDA (CLOSED SESSION)



Closed Session

2.01 Expulsion(s): A-C

2.02 Public Employee Performance Evaluation
(Government Code Section 54957)

- *Senior Manager of Internal Controls*

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

- Chief Technology Officer (1)
- Director of Special Services (1)
- Director of Purchasing and Capital Accounting (1)
- Associate Principal (2)
- Dean (1)

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 6:30 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 Special Recognition(s)

6.01 No Items on Calendar Under this Section

7. Student Board Liaisons (5 minutes each)

7.01 Downtown College Prep - Associated Student Body (ASB)

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 Presentation, Discussion and/or Action to Adopt Resolution #2014/2015-25 Authorizing the Issuance and Sale of General Obligation Bonds, 2012 Election, Series B, in the Principal Amount of Not to Exceed \$100,000,000, and Approving Documents and Official Actions Relating Thereto - Marcus Battle, Associate Superintendent of Business Services, Dale Scott, Financial Advisor, Dale Scott & Company, and Charles F. Adams, Bond Counsel, Jones Hall, A Professional Law Corporation



- 8.03 Presentation, Discussion and/or Action to Adopt Resolution #2014/2015-26 Authorizing the Issuance and Sale of General Obligation Bonds, 2014 Election, Series A, (Ed-Tech Bonds®), in the Principal Amount of Not to Exceed \$16,200,000, and Approving Documents and Official Actions Relating Thereto - Marcus Battle, Associate Superintendent of Business Services, Dale Scott, Financial Advisor, Dale Scott & Company, and Charles F. Adams, Bond Counsel, Jones Hall, A Professional Law Corporation
- 8.04 Presentation, Discussion and/or Action to Adopt Resolution #2014/2015-27 Authorizing the Issuance and Sale of 2015 General Obligation Refunding Bonds in the Principal Amount of Not to Exceed \$46,000,000, for the Purpose of Refunding Outstanding General Obligation Bonds of the District - Marcus Battle, Associate Superintendent of Business Services, Dale Scott, Financial Advisor, Dale Scott & Company, and Charles F. Adams, Bond Counsel, Jones Hall, A Professional Law Corporation
- 8.05 Presentation and/or Discussion regarding Genesys Works-Bay Area - Juan Cruz, Associate Superintendent of Educational Services

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

- 9.01 Presentation and Discussion regarding the Proposed Budget Adoption for 2015-16 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance
- 9.02 Hold Public Hearing at Approximately 6:30 p.m. regarding the Proposed Budget Adoption for 2015-16. The Proposed Budget is available for Inspection at the District Office (Business Services Department, 830 N. Capitol Avenue, San Jose) - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance
- 9.03 Presentation and Discussion regarding Proposed Annual Update to Local Control Accountability Plan (LCAP) - Juan Cruz, Associate Superintendent of Educational Services
- 9.04 Hold Public Hearing at Approximately 6:35 p.m. regarding the Proposed Annual Update to the Local Control Accountability Plan (LCAP). A copy of the Local Control Accountability Plan is available for inspection at the District Office (Educational Services Department, 830 N. Capitol Avenue, San Jose) - Juan Cruz, Associate Superintendent of Educational Services
- 9.05 Hold Public Hearing at Approximately 6:40 p.m. to Receive and Sunshine the Initial Proposal for Contract Reopeners for 2015-2016: From the California School Employees Association, Chapter 187, to the East Side Union High School District - Cari Vaeth, Associate Superintendent of Human Resources
- 9.06 Hold Public Hearing at Approximately 6:45 p.m. regarding the Local Reserves Cap SB 858, Section 27/California Education Code 42127.01 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance



10. 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.

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

11.01 Adopt Resolution #2014/2015-28 regarding Santa Maria Phillips 66 Rail Refinery Oil Trains - J. Manuel Herrera, Board Member

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

12.01 Presentation and Discussion regarding Independent Study Report - Juan Cruz, Associate Superintendent of Educational Services

12.02 Discussion and/or Action to Approve Title III Plan and Budget for English Learners and Immigrant Students for the 2015-2016 School Year - Juan Cruz, Associate Superintendent of Educational Services

12.03 Discussion and/or Action to Receive First Reading of Amended Board Policy 1312.3 Community Relations - Uniform Complaint Procedures, and Board Policy 1312.3 E Uniform Complaint Procedures Form - Juan Cruz, Associate Superintendent of Educational Services

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

13.01 Discussion and/or Action to Approve Sponsorship Agreement with Motivational System, Inc. - Marcus Battle, Associate Superintendent of Business Services, and André Bell, Assistant Director of Capital Accounting and Purchasing

13.02 Discussion and/or Action to Approve Suspension of Mt. Pleasant High School Booster Club's Approval to Solicit Contributions or Funds per Education Code 51520 and 51521 – Marcus Battle, Associate Superintendent of Business Services, Karen Poon, Director of Finance, and Kelly Kwong, Senior Manager of Internal Controls

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

14.01 Discussion and/or Action Regarding the Proposed Adoption of the Initial Proposal for Contract Reopeners for 2015-2016: from the East Side Union High School District to the California School Employees Association, Chapter 187 - Cari Vaeth, Associate Superintendent of Human Resources



- 14.02 Discussion and/or Action to Approve Classified Management Job Description and Salary Range for Chief Technology Officer – Cari Vaeth, Associate Superintendent of Human Resources
- 14.03 Discussion and/or Action to Approve Classified Management Job Description and Salary Range for Assistant Director of Information Technology - Cari Vaeth, Associate Superintendent of Human Resources
- 14.04 Discussion and/or Action to Approve Classified Management Job Description and Salary Range for Director of Purchasing and Capital Accounting – Cari Vaeth, Associate Superintendent of Human Resources
- 14.05 Discussion and/or Action to Approve Classified Management Job Description and Salary Range for General Purchasing Manager - Cari Vaeth, Associate Superintendent of Human Resources
- 14.06 Discussion and/or Action to Approve Classified Management Job Description and Salary Range for Director of Marketing and Public Engagement - Cari Vaeth, Associate Superintendent of Human Resources
- 14.07 Discussion and/or Action to Approve Provisional Internship Permit Request for Certificated Employees - Cari Vaeth, Associate Superintendent of Human Resources
- 14.08 Discussion and/or Action to Receive First Reading of Proposed Amendment to Board Policy 4161/4162 Leaves - Cari Vaeth, Associate Superintendent of Human Resources

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 - 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
- 15.02 Discussion and/or Action to Receive First Reading of Proposed Amended Board Policy 7214 General Obligation Bonds - Marcus Battle, Associate Superintendent of Business Services and Linda da Silva, Director of Construction, Maintenance, and Facilities



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.

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

- 16.01 Ratify/Approve Board Member(s) Lawful Expenses/Mileage to Conferences/ Workshops/Meetings
- 16.02 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/Workshops/Meetings

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

- 17.01 Ratify/Approve School Field Trips
- 17.02 Approve CAHSEE Local Waivers for Special Education Students

18. Business Services - Consent / Action Calendar

- 18.01 Approve Purchase Orders
- 18.02 Approve Change Orders to Purchase Orders
- 18.03 Ratification of Contract(s) for Professional Services At or Below \$25,000
- 18.04 Accept Report of Credit Card Purchases for Statement Dated April 22, 2015

19. Human Resources - Consent / Action Calendar

- 19.01 Ratify/Approve Classified Personnel Actions Presented June 9, 2015
- 19.02 Ratify/Approve Certificated Personnel Actions Presented June 9, 2015



20. Facilities/Bond - Consent / Action Calendar

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

21. 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.

21.01 Receive Quarterly Report on the County of Santa Clara Treasury Investment Portfolio as of December 30, 2014

22. Future Agenda Items

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

22.02 Future Items:

Board President Van Le

Item	Date (tentative)	Type
Failed Courses	Quarterly	Report
Camera Project Update	June, 2015	Presentation/Discussion
Construction Projects Update	October 15, 2015	Presentation/Discussion

Board Vice President Lan Nguyen

Item	Date (tentative)	Type
Anti-Bullying Efforts	June, 2015	Presentation/Discussion

Board Clerk Frank Biehl

Item	Date (tentative)	Type
Water Conservation Efforts	August 20, 2015	Presentation/Discussion

Board Member J. Manuel Herrera

Item	Date (tentative)	Type
Convert to All Electric Bus Fleet	August 20, 2015	Presentation/Discussion

Board Member Pattie Cortese

Item	Date (tentative)	Type
Restorative Justice	September 24, 2015	Presentation/Discussion



22.03 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
Williams Quarterly 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
State of the District

March
Cesar Chavez Writing, Art & Multi-Media Awards Luncheon
Latino Student Awards Recognition Ceremony
March 15 Notices
NSBA Annual Conference
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
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
LCAP Proposed Annual Update Public Hearing
LCAP Proposed Annual Update Adoption
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, Member
- Pattie Cortese, 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

