

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

AGENDA
June 18, 2015

AMENDED

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 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*)
- 2.03 Public Employment/Public Employee Appointment
(*Government Code Section 54957*)
- *Assistant Superintendent of Educational Services (1)*
 - *Director of Career Services (1)*
 - *Manager of Classified Personnel (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
- *Claim for Damages of T. Tran;*
 - *Claim for Damages of B. Nguyen on behalf of T. Nguyen;*
 - *Claim for Damages of Allstate Northbrook Indemnity Company as Subrogee of I. Arkin;*
Claim for Damages of D. Lounsbury; 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 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.

5. Adoption of Agenda

5.01 For consideration by the Board of Trustees

6. Board Special Recognition(s)

6.01 Spring Sports: Blossom Valley Athletic League Championships

Evergreen Valley High School:

- Golf, Mt. Hamilton Division, Blossom Valley Athletic League Champions

Independence High School:

- Golf, West Valley Division, Blossom Valley Athletic League Champions
- Baseball, West Valley Division, Blossom Valley Athletic League Champions
- Softball, West Valley Division, Blossom Valley Athletic League Champions

Mt. Pleasant High School:

- Boys' Track, Mt. Hamilton Division, Blossom Valley Athletic League Champions

Oak Grove High School:

- Softball, Santa Teresa Division, Blossom Valley Athletic League Champions

Piedmont Hills High School:

- Badminton, Mt. Hamilton Division, Blossom Valley Athletic League Champions
- Baseball, Central Coast Section Champions



Santa Teresa High School:

- Girls' Track, Mt. Hamilton Division, Blossom Valley Athletic League Champions

Yerba Buena High School:

- Girls' Swimming, West Valley Division, Blossom Valley Athletic League Champions
- Boys' Swimming, West Valley Division, Blossom Valley Athletic League Champions
- Boys' Track, West Valley Division, Blossom Valley Athletic League Champions
- Franco Dominic Valdecanas, Tennis Singles, Santa Teresa Division, Blossom Valley Athletic League Champion

6.02 Go For It Scholarship Winners

Andrew Hill High School

- Diane Phan
- Thao Van
- Graciela Yanez

Apollo High School

- William Tagalicud

Calero High School

- Rocio Guerrero
- Delilah Talamantes

Foothill High School

- Esperanza Samora

Independence High School

- Melissa Ly
- Cindy Nguyen

James Lick High School

- Paloma Contreras
- Leobardo Fimbres

Mt. Pleasant High School

- Lauren Mari Chatfield
- Bella Nguyen
- Dominique Scott

Oak Grove High School

- Gurleen Lamba
- Shivani Patel



Piedmont Hills High School

- Lilas Abuelhawa
- Thieu Vu

Santa Teresa High School

- Susan Nguyen
- Trisha Nguyen

Silver Creek High School

- Evelyn Gonzalez Caro
- Saba Mahdavi

Wm. C. Overfelt High School

- Alejandra Amador-Caro
- Grace JeanPierre
- Benito Ordaz Calderon

Yerba Buena High School

- Jennifer Rascon

6.03 Juan Cruz, Associate Superintendent of Educational Services

7. Student Board Liaisons (5 minutes each)

No Items on Calendar Under this Section

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 Proposed Annual Update to the Local Control Accountability Plan (LCAP) - Juan Cruz, Associate Superintendent of Educational Services
- 8.03 Discussion and/or Action to Approve Custodial Staffing Increases Effective Fiscal Year 2015-16 - Marcus Battle, Associate Superintendent of Business Services, and Linda da Silva, Director of Construction, Maintenance and Facilities
- 8.04 Presentation, Discussion and/or Action to Approve and Adopt the Proposed Budget for Fiscal Year 2015-16 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance
- 8.05 Presentation, Discussion and/or Action to Award an Agreement for Construction of the Districtwide Security Cameras Upgrade Project - 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, Janice Unger, Capital Projects Purchasing Manager. and Randy Phelps, Director of Information Technology Services



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

9.01 No Items on Calendar Under this Section

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 Discussion and/or Action to Approve Vacation Pay-out for Contract Employee Per Contract Terms - Chris D. Funk, Superintendent

11.02 Discussion and/or Action regarding Assistant Superintendent of Educational Services' Employment Contract - Chris D. Funk, Superintendent

11.03 Discussion and/or Action to Amend 2015-2016 Board Meeting Calendar - Chris D. Funk, Superintendent

11.04 Discussion and/or Action of Board Members' Compensation/Adjustments to Compensation per Education Code §35120 – Chris D. Funk, Superintendent

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

12.01 Discussion and/or Action to Adopt Santa Clara County Office of Education / East Side Union High School District's Plan for Expelled Youth - Juan Cruz, Associate Superintendent of Educational Services, and Jennifer Klassen, Coordinator of Student Services

12.02 Discussion and/or Action of Designation of California Interscholastic Federation (CIF) Representatives to League for 2015-2016 - Juan Cruz, Associate Superintendent of Educational Services

12.03 Discussion and/or Action regarding the Single Plan for Student Achievement - Juan Cruz, Associate Superintendent of Educational Services, and Tim Nguyen, Supplementary Education and English Learners Coordinator

12.04 Discussion and/or Action to Receive and Adopt the Second Reading of Board Policy 1312.3 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 Presentation, Discussion and/or Action to Approve the Foreign Student Exchange Program - Marcus Battle, Associate Superintendent of Business Services, Karen Poon, Director of Finance, and Nadia Davis, Attendance Accounting Manager
- 13.02 Discussion and/or Action to Authorize IPACE (Independent Parent Action Committee), a School Connected Organization, to Solicit Contributions or Funds per Education Code 51520(a) and 51521 for the Speech and Debate Club at Evergreen Valley High School - Marcus Battle, Associate Superintendent of Business Services, Karen Poon, Director of Finance, and Kelly Kwong, Senior Manager of Internal Controls
- 13.03 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, and André Bell, Assistant Director of Capital Accounting and Purchasing
- 13.04 Discussion and/or Action for Authorization for the Superintendent to Award Emergency Projects during the Summer - Marcus Battle, Associate Superintendent of Business Services, and André Bell, Assistant Director of Capital Accounting and Purchasing

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

- 14.01 Discussion and/or Action to Receive and Adopt the Second Reading of Amended Board Policy 4161/4261 Leaves - Cari Vaeth, Associate Superintendent of Human Resources
- 14.02 Discussion and/or Action to Approve Declaration of Need for Fully Qualified Educators - Cari Vaeth, Associate Superintendent of Human Resources
- 14.03 Discussion and/or Action to Adopt/Approve Classified, Classified Management and Certificated Administrative Holiday Schedule for the 2015-2016 School Calendar - 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 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



- 15.03 Discussion and/or Action to Award Site and Facilities Lease Agreements for Independence High School Interior Demolition of Building B (Project No. Z-065-601) and Campus Improvements (Project No. Z-065-602) Lease Leaseback Projects with McCarthy Building Companies, Inc. - 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
- 15.04 Discussion and/or Action to Receive and Adopt Second Reading of Proposed Amended 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 Approve Minutes of April 16, 2015, Regular Board Meeting
- 16.03 Approve Minutes of April 23, 2015, Board Study Session
- 16.04 Approve Minutes of May 14, 2015, Regular Board Meeting

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

- 17.01 Ratify/Approve School Field Trips

18. Business Services - Consent / Action Calendar

- 18.01 Approve Purchase Orders
- 18.02 Approve Change Orders to Purchase Orders
- 18.03 Approve Award of Bids and Request for Proposals



- 18.04 Ratification of Contract(s) for Professional Services At or Below \$25,000
- 18.05 Approve Memoranda of Understanding
- 18.06 Adopt Resolution #2014/2015-29 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546
- 18.07 Approve Budget Transfers for the Month of May, 2015
- 18.08 Accept Warrant Register for the Month of May, 2015
- 18.09 Acceptance of Donations, Grants and Awards

19. Human Resources - Consent / Action Calendar

- 19.01 Ratify/Approve Classified Personnel Actions Presented June 18, 2015
- 19.02 Ratify/Approve Certificated Personnel Actions Presented June 18, 2015
- 19.03 Ratify/Approve Student Aide Personnel Actions Presented June 18, 2015

20. Facilities/Bond - Consent / Action Calendar

- 20.01 Approve Award of Bids and Request for Proposals for Bond/Capital Projects
- 20.02 Ratification of Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000
- 20.03 Ratification of Bond/Capital Projects Change Orders to Construction Contracts and Purchase Orders At or Below \$175,000

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 March 31, 2015
- 21.02 Receive Report of Board Members Expenses for Fiscal Year 2014-15



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
Construction Projects Update	October 15, 2015	Presentation/Discussion

Board Vice President Lan Nguyen

Item	Date (tentative)	Type
Anti-Bullying Efforts	September 24, 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
Expulsion Hearing Panel Committee
First Day of School
Superintendent's Annual Evaluation
Williams Quarterly Report
September
Board Retreat
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
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
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
March 15 Notices
Second Interim Report
SJPD Secondary Employment Application
Superintendent's Mid-Year Evaluation
Vietnamese Students Achievement Awards

April
Board Study Session/Workshop
Form 700 – Statement of Economic Interests Due to Santa Clara County (filing)
Honor Nights
Latino Student Awards Recognition Ceremony
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)



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
- Pattie Cortese

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