

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

AGENDA
February 16, 2017

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 speaker 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):

- 16-17-013
- 16-17-014



2.02 Public Employee Performance Evaluation
(Government Code Section 54957)

- *Superintendent*

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

- *Director of Capital Planning and Design*

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

Cari Vaeth, Associate Superintendent of Human Resources

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:

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

- *Four (4) Potential Cases*

2.07 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. 2016061098*
 - *Luong, et al. v. East Side Union High School District, U.S. District Court for the Northern District of California, Case No. 16-cv-7329-HRL*



Resume 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 speaker 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 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 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)

6. Board Special Recognition(s)

6.01 MATHeasy

- Session Leader:
 - Wendy Ly

- Tutors:
 - Huy Nguyen
 - Yvonne Duong
 - Destiny Dao
 - Thuy Duong
 - Daris Duong
 - Tina Vo
 - Emily Phan
 - Madeleine Phan
 - Linh Hong
 - Jessica Motas
 - Bryan Le
 - Anthony Ngo
 - Hanh Pham
 - Savanna Vu



6.02 sciencepalooza! Championship Advanced Winners

- Tracy Doan, Oak Grove High School
- Ken Hinh, Andrew Hill High School
- Michelle Le, Oak Grove High School
- Chau Luu, Andrew Hill High School
- Angelynn Nguyen, Andrew Hill High School
- Johnson Nguyen, Andrew Hill High School
- Turan Nguyen, Oak Grove High School
- Eric Pham, Andrew Hill High School
- Brianna Rivera, Andrew Hill High School
- Nasrin Rohim, Andrew Hill High School
- Thomas Thach, Oak Grove High School
- Long Tran Andrew Hill High School
- Pauline Tran, Oak Grove High School
- Hillary Trinh, Oak Grove High School
- Harlan Wiitala, Oak Grove High School

Best Use of Technology

- Andrew Hill High School

Best Environmental Projects

- James Lick High School

Synopsis Outreach Foundation Award

- James Lick High School

The Grubee Award

- Hoain Dang, Oak Grove High School

Heidi Strahm Black Award for Excellence in Project-Based Learning by a Young Woman

- Taylor Pawlick, Santa Teresa High School

Best Engineering Projects

- Santa Teresa High School

Best Use of Technology

- Sharmi Mathur, Silver Creek High School

Carol J. Evans Award: School with the Most Entries

- Silver Creek High School

Teacher Rookie of the Year

- Jonathan Ho, Silver Creek High School



7. Student Board Liaisons (5 minutes each school)

- 7.01 Oak Grove High School
- Roathmonney Ngin, Senior Class Officer
 - June Le, Leadership
- 7.02 Wm. C. Overfelt High School
- Analyssa Avalos – ASB President
 - Jennifer Hernandez Garcia – Senior Class Secretary

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 regarding Project WORD Program - Debra Watkins, Founder and Executive Director, California Alliance of African American Educators (CAAAE)
- 8.03 Discussion and/or Action to Approve Charter School Proposition 39 Facilities Use Agreement with Alpha Public Schools - Cindy Avitia Charter High School - Marcus Battle, Associate Superintendent of Business Services and Karen Poon, Director of Finance
- 8.04 Discussion and/or Action to Approve Joint Use Agreement with Escuela Popular del Pueblo for Shared Parking Area and Relocation of Science Garden at James Lick High School - Marcus Battle, Associate Superintendent of Business Services

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

- 9.01 Hold Public Hearing at Approximately 6:10 p.m. - Receive and Sunshine the Initial Proposal for Contract Reopeners for 2017-2018: From East Side Teachers Association, CTA/NEA to East Side Union High School District - Cari Vaeth, Associate Superintendent of Human Resources
- 9.02 Hold Public Hearing at Approximately 6:15 p.m. - Regarding the Proposed Adoption of the Initial Proposal for Contract Reopeners for 2017-2018: From East Side Union High School District to the East Side Teachers Association/CTA/NEA - Cari Vaeth, Associate Superintendent of Human Resources
- 9.03 Discussion and/or Action Regarding the Proposed Adoption of the Initial Proposal for Contract Reopeners for 2017-2018: From East Side Union High School District to the East Side Teachers Association/CTA/NEA - Cari Vaeth, Associate Superintendent of Human Resource



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 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.

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

- 11.01 Discussion and/or Action to Receive and Adopt Second Reading of Proposed Amendments to Board Policy #3460 Financial Reports and Accountability – Frank Biehl, Board President, and Pattie Cortese, Board Clerk & Audit Committee Chairperson
- 11.02 Discussion and/or Consideration to have Student Representation on ESUHSD Board - Pattie Cortese, Board Clerk
- 11.03 Discussion and/or Action regarding 2017 California School Boards Association (CSBA) Delegate Assembly Election - Frank Biehl, Board President

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

- 12.01 Presentation, Discussion and/or Action regarding Chinese Language Program - Glenn Vander Zee, Associate Superintendent of Educational Services, and Teresa Marquez, Director of Professional Development and Instructional Services
- 12.02 Discussion and/or Action to Receive First Reading of Proposed New Board Policies and Proposed Amendments and Deletions to Existing Board Policies in Alignment with Board Policy #1312.3 Uniform Complaint Procedures and #1312.3E Uniform Complaint Procedures: Board Policies 0410; 0460; 4030; 4112.9; 4212.9; 4312.9; 5113.1; 5114; 5131.2; 5145.31; 5148; 6141; 6143; 6145; 6145.2; 6145.5; 6146.1; 6164.2; 6164.6; 6173; 6178.2; and 6190 - Glenn Vander Zee, Associate Superintendent of Educational Services
- 12.03 Discussion and/or Action to Approve the 2017 Summer School Program - Glenn Vander Zee, Associate Superintendent of Educational Services, and Teresa Marquez, Director of Professional Development and Instructional Services
- 12.04 Discussion and/or Action of Alternate Measure to Use in Lieu of the California CST Test, in the State Seal of Biliteracy Award Qualification - Glenn Vander Zee, Associate Superintendent of Educational Services, and Kirsten King, Director of Assessment & Accountability



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

- 13.01 Presentation and/or Discussion Regarding District Transportation Services - Marcus Battle, Associate Superintendent of Business Services, and Julie Kasberger, Director of General Services
- 13.02 Presentation, Discussion, and/or Action regarding District Transportation Yard Project, 830 N. Capitol Avenue, San Jose, CA 95133 - Marcus Battle, Associate Superintendent of Business Services, and Julio Lucas, Interim Director of Capital Planning and Design
- 13.03 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager

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

No Items on Calendar Under this Section

15. Facilities - 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, Julio Lucas, Interim Director of Capital Planning and Design, André Bell, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager

**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 Approve Minutes of December 8, 2016, Annual Organizational Meeting and Regular Board Meeting

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

- 17.01 Accept the 2017-2018 School Safety Plan Goals
- 17.02 Ratify/Approve School Field Trips



Preparing every student to thrive in a global society.

17.03 Approval of Yerba Buena's Parental Involvement Policy

18. Business Services - Consent / Action Calendar

- 18.01 Ratify/Approve Contract(s) for Professional Services At or Below \$25,000
- 18.02 Ratify Purchase Orders
- 18.03 Approve Award of Bids and Request for Proposals
- 18.04 Ratify/Approve Memorandum of Understanding
- 18.05 Ratify/Approve CUPCCAA Informal General Purchasing Project(s)
- 18.06 Ratify/Approve Change Orders to Purchase Orders
- 18.07 Accept Warrant Register for the Month of January, 2017
- 18.08 Approve Budget Transfers for the Month of January, 2017
- 18.09 Approve the 2017 Budget Development Action Calendar for Fiscal Year 2017/18

19. Human Resources - Consent / Action Calendar

- 19.01 Ratify/Approve Classified Personnel Actions Presented February 16, 2017
- 19.02 Ratify/Approve Certificated Personnel Actions Presented February 16, 2017
- 19.03 Ratify/Approve Student Aide Personnel Actions Presented February 16, 2017

20. Facilities - Consent / Action Calendar

- 20.01 Capital Program Budget Adjustment Report
- 20.02 Ratify Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000
- 20.03 Ratify Bond/Capital Projects Change Orders to Construction Contracts and Purchase Orders At or Below \$175,000
- 20.04 Approve Award of Bids and Request for Proposals for Bond/Capital Projects
- 20.05 Ratify/Approve CUPCCAA Informal Bond Project(s)



21. Written Reports/Recommendation

21.01 Receive Fund 25 and 35 Project Cost Allocation Report

21.02 Receive Report on Swimming Pool Modernization Project

22. Future Agenda Items

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

22.02 Future Items:

Frank Biehl, Board President

Item	Date (tentative)	Type
Guidance Plan / Naviance	Spring, 2017	Presentation/Discussion

J. Manuel Herrera, Board Vice President

Item	Date (tentative)	Type
STEAM	May 4, 2017 Study Session	Presentation/Discussion
IPC Annual Update • Activities To-Date	Annually (beginning February 2018)	Presentation/Discussion

Pattie Cortese, Board Clerk

Item	Date (tentative)	Type
Teen Parents • Education • Support • Child Care at James Lick HS	March, 2017	Presentation/Discussion
School Linked Services	March, 2017	Presentation/Discussion
Community Liaisons vs. PCIS and Attendance Clerks • Delineation of Roles and Expectations and How they Work Together	March, 2017	Presentation/Discussion

Van Le, Board Member

Item	Date (tentative)	Type
Failed Courses	Twice Year: November & March	Report
Role of PCIS vs. Liaisons <ul style="list-style-type: none">• Ethnicity/Diversity compared to Site Enrollment• Roles and Responsibilities	March, 2017	Presentation/Discussion
Accel Program	April 13, 2017	Report
Challenge Exams for Course Advancement	April 13, 2017	Report
Child Nutrition Services Program	April 13, 2017	Presentation
Grading Policy	Fall, 2017	Presentation/Discussion



22.03 Annual Governance Calendar

July
Summer School Program (concludes session)
Summer School Graduation

August
Board Members' Expenses Report (Apr/May/June)
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
Board Members Expenses' Report (July/Aug/Sept)
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 Members' Expenses Report (Oct/Nov/Dec)
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 (<i>March or April</i>)
Second Interim Report
SJPD Secondary Employment Application
Superintendent's Mid-Year Evaluation
Vietnamese Students Achievement Awards

April
Board Members' Expenses Report (Jan/Feb/Mar)
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
Asian American/Pacific Islander History Month: Poster & Essay Contest Awards/Celebration
Board Self-Evaluation
Board Study Session/Workshop
Budget (Preliminary/Draft) Presentation
Employee Recognition Event
Graduations
Honor Nights
Last Day of School

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 – next due date: 2018)
Program Improvement Update
Safety Plan Assessment for Each School
Single Plan for Student Achievement (SPSA) for Each School
Recognitions (Winter/Spring)
School Program (session begins)



23. Board of Trustees/Superintendent Communications/Comments

23.01 Board of Trustees

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

23.02 Chris D. Funk, Superintendent

24. Report Closed Session Action(s)

24.01 Legal Counsel will Report on Closed Session Actions

25. Adjournment

25.01 President Adjourns the Meeting

