

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

AGENDA
March 23, 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 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 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 Mindfulness

2.02 Expulsion(s):

- 16-17-015
- 16-17-016

2.03 Public Employee Performance Evaluation
(*Government Code Section 54957*)

- 2.04 Public Employment/Public Employee Appointment
(Government Code Section 54957)
- 2.05 Public Employee Discipline/Dismissal/Release
(Government Code Section 54957)
- 2.06 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

- 2.07 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*

- 2.08 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. 2017010352*
- *Office of Administrative Hearings: Case No. 2016061098*

3. 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.

- 3.01 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 Film Festival Winner: *A Cuban Immigrant Story*

Produced by:

- Mitch Orozco, James Lick High School
- Deandre Mendoza, James Lick High School
- Erik Hernandez, James Lick High School

Film Festival Runner Up: *The Circuit*

Produced by:

- Christina Luong, James Lick High School
- Cody Huoch, James Lick High School
- Silvia Amaya, James Lick High School

6.02 Evacuation Centers Support Team for Flood Relief Victims

James Lick High School

- Xavier Aguirre, Night Custodian
- Jorge Avila, Custodian
- Wences Fernandez, Custodian
- Guadalupe Godoy Estrada, Custodian
- John Rego, Head Custodian
- Jesus Quintero, Gardener
- Thelma Mooney Guevara, Associate Principal
- Kelly Daugherty, Principal

Evergreen Valley High School

- Deric Dang, Night Custodian
- Vernon Goins, Custodian
- Lucila Hernandez-Guardian, Night Custodian
- Jose Maldonado, Night Custodian
- Minh Vu, Night Custodian
- Francisco Padilla, Lead Custodian
- Rafael Flores, Head Custodian
- Emmanuel Torres, Gardener
- Annette Kennedy, Dean of Students

- Raul Betancourt, Associate Principal
- Lauren Kelly, Principal
- EVHS Red Cross Student Club
- Melissa Marfia-Roza, Red Cross Faculty Coordinator

Mt. Pleasant High School

- Carlos Estrada, Custodian
- Alexander Friend, Custodian
- Francisco Rodriguez, Night Custodian
- Martha Guerrero, Principal

Child Nutrition Services

- Darlene Martinez, Child Nutrition Services Supervisor
- Julie Kasberger, Director of Child Nutrition Services
- Sonia Vargas, Child Nutrition Services Manager I

Facilities

- Jim Ducato, Skilled Trades Worker: Heating/Air Conditioning
- Jose Espinoza, Lead Groundskeeper
- Henry Guerrero, Skilled Trades Worker: Boiler/Plumber
- Larry Tumale, Maintenance Lead
- Nick Valadao, Skilled Trades Worker: Heating/Air Conditioning
- Elizabeth Cardoso, Custodial Operations Supervisor
- Debbie Ramirez, Facilities Rental Manager
- Carlos Salazar, Senior Project Manager

7. Student Board Liaisons (5 minutes each school)

7.01 Andrew Hill High School

- Eric Huynh, ASB President
- Anthony Alvarez, ASB Vice President
- Mel Len, ASB Spirit Leader
- Kelly Nguyen, ASB Secretary
- Antony Le, ASB Treasurer

7.02 Silver Creek High School

- Bellisa Bui, ASB Vice President
- Nicholas Gonzalez, ASB Secretary
- Zayn Cochinwala, ASB Treasurer
- Jackie Dungca, ASB Chief Justice
- Denise Medina, ASB Spirit Leader

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 Receive and Approve the Second Interim Financial Report for Fiscal Year 2016/2017 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance

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

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 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 regarding Naming of Music Building at Andrew Hill High School - Chris D. Funk, Superintendent
- 11.02 Discussion and/or Action regarding Naming of Baseball Field at Mt. Pleasant High School - Chris D. Funk, Superintendent
- 11.03 Discussion and/or Action to Authorize the Superintendent to Convene an Advisory Subcommittee on Vietnamese Language and Cultural Education and Programs – Van Le, Board Member

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

- 12.01 Presentation and/or Discussion regarding Guidance Plan / Naviance - Glenn Vander Zee, Associate Superintendent of Educational Services, and Kirsten King, Director of Assessment and Accountability
- 12.02 Presentation and/or Discussion regarding School Linked Services - Glenn Vander Zee, Associate Superintendent, and Kenya Edison, Director of Student Services
- 12.03 Discussion and/or Action to Adopt Proclamation: Youth Art Month – Glenn Vander Zee, Associate Superintendent of Educational Services, and Rebecca Palmer, Visual Arts Subject Area Coordinator
- 12.04 Discussion and/or Action to Receive and Adopt Second 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

- 12.05 Discussion and/or Action to Receive First Reading of Proposed Amendments to Board Policy #6158 Independent Study - Glenn Vander Zee, Associate Superintendent of Educational Services, and ShaKenya Edison, Director of Student Services
- 12.06 Discussion and/or Action to Approve Distribution of "Go For It" Scholarship Funds - Glenn Vander Zee, Associate Superintendent of Educational Services
- 12.07 Discussion and/or Action to Approve the 2017 Adult Education Summer School Program - Glenn Vander Zee, Associate Superintendent of Educational Services, and Richard Uribe, Director of Adult Education

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

- 13.01 Discussion and/or Action to Adopt Resolution #2016/2017-30 to hire short-term Non-Certificated Summer Staffing - Marcus Battle, Associate Superintendent of Business Services
- 13.02 Discussion and/or Action to Adopt Resolution #2016/17-31 Mitigated Negative Declaration for the Escuela Popular School Site Expansion Project in Compliance with the California Environmental Quality Act and Adopt Resolution #2016/2017-32 Charter School Location Amendment and Full Cost Recovery Agreement - Marcus Battle, Associate Superintendent of Business Services, and Julio Lucas, Director of Capital Planning and Design
- 13.03 Discussion and/or Action to Approve Suspension of Silver Creek Athletic 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
- 13.04 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

- 14.01 Discussion and/or Action to Approve Provisional Permit Request for Certificated Employees – Cari Vaeth, Associate Superintendent of Human Resources
- 14.02 Discussion and/or Action to Approve New Teacher Hiring Incentives (One Year Trial) - Cari Vaeth, Associate Superintendent of Human Resources
- 14.03 Discussion and/or Action Regarding the Approval of the Proposed Revision of Classified Management Job Description and Job Title from Payroll Manager to Fiscal/Payroll Manager - Cari Vaeth, Associate Superintendent of Human Resources
- 14.04 Discussion and/or Action Regarding the Approval of the Proposed Reclassification of the Classified Management Job Description and Salary Range from Attendance Accounting and E-Rate Coordinator to Attendance Accounting and International Student Coordinator - Cari Vaeth, Associate Superintendent of Human Resources

- 14.05 Ratify/Approve Memorandum of Understanding (Braille Transcriber) with the California School Employees Association, Chapter #187 and the East Side Union High School District - Cari Vaeth, Associate Superintendent of Human Resources
- 14.06 Ratify/Approve Memorandum of Understanding (Sanitation Truck Operator) with the California School Employees Association, Chapter #187 and the East Side Union High School District - Cari Vaeth, Associate Superintendent of Human Resources

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
- 15.02 Approval to Waive the Requirements Set in February, 2004 and Direct Staff to follow Public Contract Code 22034(a) Contractor Qualification for CUPCCAA Public Works Projects under \$175,000 - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Interim Director of Capital Planning and Design, Andre Bell, Director of Capital Accounting & Purchasing, 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 Ratify/Approve Board Member(s) Lawful Expenses/Mileage to Conferences/Workshops/Meetings
- 16.02 Approve Minutes of January 19, 2017, Regular Board Meeting
- 16.03 Approve Minutes of February 4, 2017, Board Retreat

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

- 17.01 Ratify/Approve School Field Trips

18. Business Services - Consent / Action Calendar

- 18.01 Ratify/Approve Contract(s) for Professional Services At or Below \$25,000

- 18.02 Ratify/Approve Purchase Orders Dated February 1, through February 28, 2017
- 18.03 Ratify/Approve Change Orders to Purchase Orders
- 18.04 Ratify/Approve CUPCCAA Informal General Purchasing Project(s)
- 18.05 Accept Report of Credit Card Purchases for Statements Dated August and September 22, 2016
- 18.06 Ratify/Approve Memoranda of Understanding
- 18.07 Adopt Resolution #2016/2017-29 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546
- 18.08 Approve Budget Transfers for the Month of February, 2017
- 18.09 Accept Warrant Register for the Month of February, 2017
- 18.10 Approve Lawful Business Travel Expense of Nadia Davis, Attendance Accounting Manager and International Student Program - Designated School Official (DSO), to China

19. Human Resources - Consent / Action Calendar

- 19.01 Ratify/Approve Classified Personnel Actions Presented March 23, 2017
- 19.02 Ratify/Approve Certificated Personnel Actions Presented March 23, 2017
- 19.03 Ratify/Approve Student Aide Personnel Actions Presented March 23, 2017

20. Facilities - Consent / Action Calendar

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

21. Written Reports/Recommendation

- 21.01 Receive Preliminary Point-Counterpoint Budget Task Force Report
- 21.02 Receive Internal Audit Report FY 16-1 Staff Time Charged to Bond Program
- 21.03 Receive Internal Audit Report FY 16-2 Accounts Payable Timelines

21.04 Receive Internal Audit Report FY 16-3 Facilities Rental Revenue versus Cost

21.05 Receive Internal Audit Report FY 16-4 Facilities Rental Custodial Hours

22. Future Agenda Items

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

22.02 Future Items:

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	August, 2017	Presentation/Discussion
Community Liaisons vs. PCIS and Attendance Clerks • Delineation of Roles and Expectations and How they Work Together	TBD	Presentation/Discussion

Van Le, Board Member

Item	Date (tentative)	Type
Failed Courses	Twice Year: November & March	Report
Child Nutrition Services Program	April 13, 2017	Presentation
Accel Program	April 13, 2017	Report
Challenge Exams for Course Advancement	August, 2017	Report
Grading Policy	Fall, 2017	Presentation/Discussion
Role of PCIS vs. Liaisons • Ethnicity/Diversity compared to Site Enrollment • Roles and Responsibilities	TBD	Presentation/Discussion
Adult Education	TBD	Report

Lan Nguyen, Board Member

Item	Date (tentative)	Type
After School Programs	August, 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
Sports Recognitions (Winter/Spring)
Summer 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
 - Board Audit Committee
- Lan Nguyen, Member
- 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