

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

**AGENDA**  
**June 22, 2017**

**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 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 6:30 p.m.)  
**SEE ITEM 2 ON AGENDA (CLOSED SESSION)**

**Closed Session**

2.01 Mindfulness Practice

2.02 Expulsion(s):

- Student 16-17-019
- Student 16-17-020



2.03 Public Employee Performance Evaluation  
(Government Code Section 54957)

- Superintendent
- Senior Manager of Internal Controls

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

- Director of Purchasing and Capital Accounting (1)
- Associate Principal (1)
- Dean (2)
- Coordinator of Child Development (1)
- Fiscal and Budget Manager (1)

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

- Application for Leave to File Late Claim – Amato;
- Claim for Damages of D. Marquez;
- Claim for Damages of Steve Smith Enterprises, Inc.; and,
- Four (4) Potential Cases



2.08 Conference with Legal Counsel – Existing Litigation  
Paragraph (1) of subdivision (d) of Government Code Section 54956.9

One (1) Case:

- Office of Administrative Hearings: Case No. 2017041185

2.09 Conference with Real Property Negotiators

Property: Portion of District Education Center property,  
830 N. Capitol Avenue, San Jose, CA

Agency Negotiator: Chris D. Funk, Superintendent

Negotiating Parties: East Side Union High School District  
and KIPP Bay Area Schools

Under Negotiation: Price and terms of payment

3. **Resume Open Session at Approximately 6:30 P.M. – Education Center Board Room**

3.01 Pledge of Allegiance

4. **Welcome and Explanation to Audience**

4.01 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. 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)**

No Items on Calendar Under this Section

7. **Student Board Liaisons (5 minutes each school)**

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 Amend Lease Agreement Between East Side Union High School District and KIPP Bay Area Schools - Chris D. Funk, Superintendent
- 8.03 Presentation, Discussion, and/or Action regarding Authorization to Enter into Negotiations for Joint Use Agreement with County of Santa Clara Parks and Recreation regarding Penitencia Creek Property - Chris D. Funk, Superintendent
- 8.04 Presentation, Update, Discussion and /or Action on the International Student Program - Marcus Battle, Associate Superintendent of Business Services, Karen Poon, Director of Finance, and Nadia Davis, Attendance Accounting and International Student Program Coordinator
- 8.05 Discussion and/or Action to Approve and Adopt the Proposed Annual Update to the Local Control Accountability Plan (LCAP) - Glenn Vander Zee, Associate Superintendent of Educational Services
- 8.06 Discussion and/or Action to Adopt Resolution #2016/2017-36 to Confirm East Side Union High School District's Commitment to Fiscal Solvency - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance
- 8.07 Presentation, Discussion and/or Action to Approve and Adopt the Proposed Budget for Fiscal Year 2017 - 2018 - 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 to Receive and Adopt Second Reading of Proposed Amendments to Include Measure Z in Citizens' Bond Oversight Committee Bylaws - Chris D. Funk, Superintendent, and Mariel Caballero, Chairperson of the Citizens' Bond Oversight Committee for Measures G, E, I, Education Technology I and Z
- 11.02 Discussion and/or Action of Board Members' Compensation / Adjustments to Compensation per Education Code §35120 - Chris D. Funk, Superintendent
- 11.03 Discussion and/or Action to Approve Vacation Pay-out for Contract Employees Per Contract Terms - Chris D. Funk, Superintendent
- 11.04 Discussion and/or Action to Ratify/Approve Senior Manager of Internal Controls' Attendance and Lawful Expenses to Conferences / Workshops/ Meetings - Kelly Kwong, CPA, Senior Manager of Internal Controls
- 11.05 Discussion and/or Action to Receive and Adopt Second Reading of Proposed Amendments to Board Policy #9100 Organization - Chris D. Funk, Superintendent
- 11.06 Discussion and/or Action regarding Selection of Firm to Provide Services for the Development and Implementation of a Potential Parcel Tax Ballot Measure – Frank Biehl, Board President, and Chris D. Funk, Superintendent

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

- 12.01 Presentation, Discussion and/or Action to Receive Accel Middle College Program Report - Glenn Vander Zee, Associate Superintendent of Educational Services Glenn Vander Zee, Associate Superintendent of Educational Services and Jenner Perez, Coordinator of State and Federal Projects
- 12.02 Discussion and/or Action regarding 2017-2018 Dual Enrollment Partnership Agreement Between East side Union High School District and San Jose City College/Evergreen Valley Community College - Glenn Vander Zee, Associate Superintendent of Educational Services and Tim Nguyen, Director of Career Services
- 12.03 Discussion and/or Action regarding the Executive Summary Single Plan for Student Achievement – Glenn Vander Zee, Associate Superintendent of Educational Services

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

- 13.01 Discussion and/or Action for Authorization for the Superintendent to Award Emergency Projects during the Summer - Marcus Battle, Associate Superintendent of Business Services
- 13.02 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, and Francine Brissey, General Purchasing Manager



- 13.03 Adopt Resolution #2016/2017-39 and New Contract CCTR-6268 General and Child Care Development - Marcus Battle, Associate Superintendent of Business Services, and Francine Brissey, General Purchasing Manager
- 13.04 Adopt Resolution #2016/2017-40 and New Contract CSPP-7560 California State Preschool Program - Marcus Battle, Associate Superintendent of Business Services, Francine Brissey, General Purchasing Manager and Deborah Barnes, Coordinator of Child Development
- 13.05 Discussion and/or Action to Approve the Award of Contract for RFP GP071617: Additional Transportation Services for Special Education Pupils - Marcus Battle, Associate Superintendent of Business Services, Julie Kasberger, Director of General Services, and Francine Brissey, General Purchasing Manager
- 13.06 Discussion and/or Action to Receive First Reading of New Board Policy #3230 Federal Grant Funds - Marcus Battle, Associate Superintendent of Business Services, and Francine Brissey, General Purchasing Manager

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

- 14.01 Discussion and/or Action to Approve Declaration of Need for Fully Qualified Educators - Cari Vaeth, Associate Superintendent of Human Resources
- 14.02 Discussion and/or Action to Approve Variable Term Waiver Request for Certificated Employees - 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 2017-2018 School Calendar - Cari Vaeth, Associate Superintendent of Human Resources
- 14.04 Discussion and/or Action to Change the Salary Schedule for the Position of Director of Construction, Maintenance and Facilities from the Classified and Certificated Management Salary Schedule to the Classified Management and Confidential Salary Schedule - Cari Vaeth, Associate Superintendent of Human Resources
- 14.05 Discussion and/or Action to Change the Salary Schedule for the Position of District Architect from the Classified and Certificated Management Salary Schedule to the Classified Management and Confidential Salary Schedule - Cari Vaeth, Associate Superintendent of Human Resources
- 14.06 Discussion and/or Action to Approve the New Classified Job Description and Salary Range for Student Services Specialist - Cari Vaeth, Associate Superintendent of Human Resources



**15. Facilities - Operational Items/Board Discussion and/or Action**

- 15.01 Discussion and/or Action to Receive and Adopt Second Reading of Proposed Amendments to Board Policy #1330 Use of Facilities and Board Policy Exhibit #1330 Use of School Facilities - Marcus Battle, Associate Superintendent of Business Services, and Debbie Ramirez, Facility Rental Manager
- 15.02 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager
- 15.03 Discussion and/or Action for Superintendent or Designee to Authorize Summer Projects - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager
- 15.04 Adopt Resolution #2016/2017-41 Approving Use of Design Build Delivery for the Track and Field Improvements Project at Santa Teresa High School - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager
- 15.05 Discussion and/or Action to Determine that Design-Build Delivery Method for the Track and Field Improvements Project at Santa Teresa High School will Reduce Project Costs, Expedite the Project's Completion, or Provide Features not Achievable Through the Design-Bid-Build Process - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director Construction Maintenance and Facilities, 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 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/Workshops/Meetings
- 16.03 Approve Minutes of April 13, 2017, Regular Board Meeting
- 16.04 Approve Minutes of May 4, 2017, Special Board Meeting
- 16.05 Approve Minutes of May 4, 2017, Board Study Session/Workshop
- 16.06 Approve Minutes of May 18, 2017 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 Award of Bids and Request for Proposals for General Purchasing
- 18.02 Ratify/Approve Contract(s) for Professional Services At or Below \$25,000
- 18.03 Approve Purchase Orders Dated May 2, 2017, through June 8, 2017
- 18.04 Ratify/Approve Change Orders to Purchase Orders
- 18.05 Accept Report of Credit Card Statements for the Period of October 24, 2016, through December 22, 2016
- 18.06 Ratify/Approve Memoranda of Understanding





- 18.07 Adopt Resolution #2016/2017-42 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546
- 18.08 Accept Warrant Register for the Month of May, 2017
- 18.09 Approve Budget Transfers for the Month of May, 2017

**19. Human Resources - Consent / Action Calendar**

- 19.01 Ratify/Approve Classified Personnel Actions Presented June 22, 2017
- 19.02 Ratify/Approve Certificated Personnel Actions Presented June 22, 2017
- 19.03 Ratify/Approve Student Aide Personnel Actions Presented June 22, 2017

**20. Facilities - Consent / Action Calendar**

- 20.01 Approve Award of Bids and Request for Proposals for Bond/Capital Projects
- 20.02 Ratify 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
- 20.04 Ratify CUPCCAA Informal Bond Project(s)
- 20.05 Approve Qualified Professional Service Providers

**21. Written Reports/Recommendation**

No Items on Calendar Under this Section

**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
Bond Projects	TBD	Report

**J. Manuel Herrera, Board Vice President**

Item	Date (tentative)	Type
STEAM	TBD	Presentation/Discussion
IPC Annual Update • Activities To-Date	Annually (beginning February 2018)	Presentation/Discussion



**Pattie Cortese, Board Clerk**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
Teen Parents <ul style="list-style-type: none"> <li>• Education</li> <li>• Support</li> <li>• Child Care at James Lick HS</li> </ul>	August 17, 2017	Presentation/Discussion
Community Liaisons vs. PCIS and Attendance Clerks <ul style="list-style-type: none"> <li>• Delineation of Roles and Expectations and How they Work Together</li> </ul>	TBD	Presentation/Discussion

**Van Le, Board Member**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
Adult Education	August 17, 2017	Report
Challenge Exams for Course Advancement	August 17, 2017	Report
Grading Policy	Fall, 2017	Presentation/Discussion
Role of PCIS vs. Liaisons <ul style="list-style-type: none"> <li>• Ethnicity/Diversity compared to Site Enrollment</li> <li>• Roles and Responsibilities</li> </ul>	TBD	Presentation/Discussion

**Lan Nguyen, Board Member**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
After School Programs	August 17, 2017	Presentation/Discussion



## 22.03 Annual Governance Calendar

<b>July</b>
Summer School Program (concludes session)
Summer School Graduation

<b>August</b>
Board Members' Expenses Report (Apr/May/June)
Expulsion Hearing Panel Committee
First Day of School
Superintendent's Annual Evaluation
Williams Quarterly Report

<b>September</b>
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

<b>October</b>
Board Members Expenses' Report (July/Aug/Sept)
Bond Program Presentation
Solar Energy Presentation
Student Achievement Presentation
Williams Quarterly Report

<b>November</b>
Academic Success Analysis Biannual Presentation
Board Study Session/Workshop
Election Orientation for New Board Members

<b>December</b>
Annual Organizational Board Meeting
CSBA Annual Conference
Election Orientation for New Board Members
End of First Semester
First Interim Report

<b>January</b>
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

<b>February</b>
African American Students Achievement Awards
Audit Committee Charter Amendment(s)
CSBA Delegate Assembly Election
IPC Annual Presentation
Non-Re-Elects
Safety Plan Goals for Each Site
State of the District

<b>March</b>
Academic Success Analysis Biannual Presentation
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

<b>April</b>
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 (April/May)
Migrant Education Awards Night
Williams Quarterly Report

<b>May</b>
Asian American/Pacific Islander History Month: Poster & Essay Contest Awards/Celebration
Board Self-Evaluation
Board Study Session/Workshop
Budget (Preliminary/Draft) Presentation
Employee Retiree & Recognition Event
Graduations
Honor Nights
Last Day of School
Preliminary Review of Proposed LCAP

<b>June</b>
Annual Consolidated Program Application (CONAPP)
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
International Student Program Annual Presentation
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

