



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

AGENDA
November 16, 2017

Servicios disponibles de traducción en español y en vietnamita.
Có dịch vụ thông dịch sang tiếng Tây Ban Nha và tiếng Việt.

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 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 6:15 p.m.) See item 2 on agenda (Closed Session).

2. CLOSED SESSION

2.01 Mindfulness Practice

2.02 Expulsion(s):

- 17-18-004
- 17-18-005
- 17-18-006

2.03 Public Employee Performance Evaluation (Government Code Section 54957)

- Superintendent

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:

- Claim for Damages of A. Coleman
- Claim for Damages of P. Lynn
- Claim for Damages of J. Macy
- Claim for Damages of G. Yates, M. Yates and Student
- Four (4) Potential Cases

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

- OAH No. 2017050631

3. RESUME OPEN SESSION AT APPROXIMATELY 6:15 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 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 Santa Teresa High School Marching Band & Color Guard

- Winners of the 2017 Marine Corps Fleet Week Band Challenge

7. STUDENT BOARD LIAISON(S) (5 minutes each school)

7.01 Evergreen Valley High School Robotics: The Prototypes 2854

- Aditya Garg, Evergreen Valley High School
- Ryan Nguyen, Silver Creek High School

7.02 Foothill High School

- Aylin Del Rio Solorio, Student Representative
- Ivan Del Rio Solorio, Student Representative
- Bryan Efrain Ortiz, Student Representative
- Adriana Robles, Student Representative

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 Receipt of Charter School Renewal Petition for Escuela Popular Center for Training and Careers Submitted by Escuela Popular del Pueblo - Glenn Vander Zee, Associate Superintendent of Educational Services, Kirsten King, Director of Assessment & Accountability, and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight

8.03 Discussion and/or Action on KIPP San Jose Collegiate High School Charter Renewal Petition - Glenn Vander Zee, Associate Superintendent of Educational Services, Kirsten King, Director of Assessment & Accountability, and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight

9. PUBLIC HEARING(S) - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

9.01 Hold Public Hearing at Approximately 6:45 p.m. – Disclosure of Major Provisions of Proposed Tentative Agreement for 2017-2018 Contract Reopeners with California School Employees Association, Chapter 187 (Per AB1200; Government Code Section 3547.5); Discussion and/or Action - Cari Vaeth, Associate Superintendent of Human Resources

9.02 Discussion and/or Action to Ratify and Approve Tentative Agreement for 2017-2018 Contract Reopeners with California School Employees Association, Chapter 187 (Per AB1200; Government Code Section 3547.5) - Cari Vaeth, Associate Superintendent of Human Resources

10. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

10.01 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 #0105 Equity - Chris D. Funk, Superintendent

11.02 Discussion and/or Action regarding Call for Nominations to CSBA Delegate Assembly – Frank Biehl, Board Member

11.03 Discussion and/or Action to Adopt Proposed Amendment to 2017-2018 Board Meeting Calendar - Frank Biehl, Board President

12. EDUCATIONAL SERVICES/STUDENT SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

12.01 Presentation, Discussion and/or Action regarding LCAP Goals and Strategic Plan Key Performance Measure Data Points - Glenn Vander Zee, Associate Superintendent of Educational Services, and Kirsten King, Director of Assessment & Accountability

12.02 Presentation, Discussion and/or Action regarding Local Dashboard Accountability Measures - Glenn Vander Zee, Associate Superintendent of Educational Services

12.03 Presentation and/or Discussion regarding Positive School Culture and Appropriate Responses to Student Behavior - Glenn Vander Zee, Associate Superintendent of Educational Services, and ShaKenya Edison, Director II of Student Services

12.04 Presentation, Discussion and/or Action regarding After School Programs - Glenn Vander Zee, Associate Superintendent of Educational Services, and Teresa Marquez, Director of Professional Development and Instructional Services

12.05 Presentation, Discussion and/or Action regarding East Side Union High School District's Child Development Program and Services - Glenn Vander Zee, Associate Superintendent, and Rich Uribe, Director of Adult Education

12.06 Discussion and/or Action to Receive and Adopt Second Reading of Additions, Proposed Amendments and Deletions to the following Board Policies: BP 5131 Conduct, BP 5137 Positive School Climate, BP 5144 Discipline, BP 5144.1 Suspension and Expulsion, BP 5145.1 Arrest of Minors, BP 5145.11 Questioning and Apprehension by Law Enforcement and BP 5145.12 Search and Seizure - Glenn Vander Zee, Associate Superintendent of Educational Services and ShaKenya Edison, Director II of Student Services

13. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

13.01 Presentation, Discussion and/or Action to Approve the Cooperative Agreement from Awarding Agency Shasta Union High School District for District-Wide MFP Devices (RFP A77-2013) - Marcus Battle, Associate Superintendent of Business Services, Janice Unger, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager

13.02 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, Janice Unger, 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/BOND - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

15.01 Discussion and/or Action to Approve Funding for the James Lick High School New Parking Lot Improvements Per Joint Use Agreement with Escuela Popular - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance, and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, Abbas Daenabi, Deputy Bond Program Manager, SGI, and Patricia Reguerin, Executive Director, Escuela Popular

15.02 Presentation, Discussion and/or Action to Approve Proposed Program Management Services Firm for the Bond Program, for the District's Measures G, E, I and Z Bond Program - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance, and Facilities, and Janice Unger, Director of Purchasing and Capital Accounting

15.03 Discussion and/or Action to Extend Program Management Agreement with Seville Group, Inc., for the Bond Program - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance, and Facilities, Janice Unger, Director of Purchasing and Capital Accounting

15.04 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, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, Capital Projects Purchasing Manager

15.05 Discussion and/or Action to Receive First Reading and Adopt Correction/Amendment to the Bylaws of the Citizens' Bond Oversight Committee for Measures G, E, I, Technology I and Z; and to Waive Board Bylaw 9310 requiring Second Reading - Vince Tran, Chairperson of the Citizens' Bond Oversight Committee

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 September 7, 2017 Special Board Meeting

17. EDUCATIONAL SERVICES / STUDENT SERVICES - CONSENT/ACTION CALENDAR

17.01 Ratify/Approve School Field Trips

17.02 Approve School Attendance Review Board (SARB) for 2017-2018 School Year

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 October 1, through October 31, 2017

18.04 Ratify/Approve Change Orders to Purchase Orders

18.05 Ratify/Approve CUPCCAA Informal General Purchasing Project(s)

18.06 Ratify/Approve Memoranda of Understanding

18.07 Accept Report of Credit Card Purchases for Statement Dated April 24, 2017

18.08 Approve Budget Transfers for the Month of September, 2017

18.09 Accept Warrant Register for the Month of September, 2017

19. HUMAN RESOURCES - CONSENT/ACTION CALENDAR

19.01 Ratify/Approve Classified Personnel Actions Presented November 16, 2017

19.02 Ratify/Approve Certificated Personnel Actions Presented November 16, 2017

19.03 Ratify/Approve Student Aide Personnel Actions Presented November 16, 2017

20. FACILITIES/BOND - CONSENT/ACTION CALENDAR

20.01 Approve the Capital Program Budget Adjustment Report

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)

21. WRITTEN REPORTS/RECOMMENDATIONS

21.01 Instructional Policies Committee (IPC) Update

21.02 Receive Report of Board Members Expenses for July, August and September of the 2017/18 Fiscal Year

22. FUTURE AGENDA ITEMS

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

22.02 Future Items:

President Frank Biehl

Item	Date (tentative)	Type
Charter Schools	December 7, 2017	Report

Clerk Pattie Cortese

Item	Date (tentative)	Type
Teen Parents <ul style="list-style-type: none">• Education• Support• Child Care at James Lick HS	December, 2017	Presentation/Discussion

Board Member Van Le

Item	Date (tentative)	Type
Grading Policy	February 3, 2018	Report

22.03 Annual Governance Calendar

<p>July:</p> <ul style="list-style-type: none"> •Summer School Program (concludes session) •Summer School Graduation <p>August:</p> <ul style="list-style-type: none"> •Board Members' Expenses Report (Apr/May/June) •Expulsion Hearing Panel Committee •First Day of School •Superintendent's Annual Evaluation •Williams Quarterly Report <p>September:</p> <ul style="list-style-type: none"> •Board Study Session/Workshop •College Night •Conflict of Interest Board Policy (updates) •Public Hearing and Adoption: Gann Spending Limit •Public Hearing: Sufficiency/Insufficiency of Textbooks •Receive Annual Developer Fees Report •Unaudited Actuals <p>October:</p> <ul style="list-style-type: none"> •Bond Program Presentation •Solar Energy Presentation •Student Achievement Presentation •Williams Quarterly Report <p>November:</p> <ul style="list-style-type: none"> •Academic Success Analysis Biannual Presentation •Board Members Expenses' Report (July/Aug/Sept) •Board Study Session/Workshop •Election Orientation for New Board Members <p>December:</p> <ul style="list-style-type: none"> •Annual Organizational Board Meeting •CSBA Annual Conference •Election Orientation for New Board Members •End of First Semester •First Interim Report <p>January:</p> <ul style="list-style-type: none"> •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 ESUHSD and MetroED •Policies & ByLaws (Begin Review by Series) •Sports Recognitions (Fall) •Technology Report •Williams Quarterly Report 	<p>February:</p> <ul style="list-style-type: none"> •African American Students Achievement Awards •Audit Committee Charter Amendment(s) •Board Members' Expenses Report (Oct/Nov/Dec) •CSBA Delegate Assembly Election •IPC Annual Presentation •Non-Re-Elects •Safety Plan Goals for Each Site •State of the District <p>March:</p> <ul style="list-style-type: none"> •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 <p>April:</p> <ul style="list-style-type: none"> •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 <p>May:</p> <ul style="list-style-type: none"> •Asian American/Pacific Islander History Month Poster & Essay Contest Awards/Celebration •Board Members' Expenses Report (Jan/Feb/Mar) •Board Self-Evaluation •Board Study Session/Workshop •Budget (Preliminary/Draft) Presentation •Employee Retiree & Recognition Event •Graduations •Honor Nights (April/May) •Last Day of School •Preliminary Review of Proposed LCAP <p>June:</p> <ul style="list-style-type: none"> •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/Appoint Board Reps (2) & Alternative Board Rep (1) -- (2-yr 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 3 years; due 2018) •Safety Plan Assessment for Each School •Single Plan for Student Achievement (SPSA) Each School •Sports Recognitions (Winter/Spring) •Summer School Program (session begins)
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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