

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

AGENDA
June 11, 2013

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 Board Meeting 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): *A-B*

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

- *Superintendent*

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

- Associate Principal (1)
- Senior Project Manager (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, Assistant Superintendent of Instructional Services

Cari Vaeth, Director of Human Resources

Vida Branner, Director of Compensation and Classified Employee Relations

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

Unrepresented Employees:

Administrators

Managers

Confidential Employees

2.06 Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Government Code
Section 54956.9

- Claim for Damages of J. Bueno, and
- One (1) Potential Case

2.07 Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9

- One (1) Potential Case

Open Session at Approximately 6:00 P.M. – Education Center 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

6. Board Special Recognition(s)

- 6.01 Adult Education Teacher-of-the-Year: Charles (Chuck) Kaspar
- 6.02 Piedmont Hills Girls' 4x4 Track Relay Team – State Finals First Place Winners
- Ellisa Bryant
 - Timarya Baynard
 - Alexandra Diaz
 - Bianca Bryant
- 6.03 CIF State Track and Field Championships - Silver Medal Winner & CCS Champion
- Miguel Vasquez – Andrew Hill High School

7. Student Board Liaisons (5 minutes each)

No item(s) 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 Adopt Resolution #2012/2013-37 Schools and Domestic Violence Services – Chris D. Funk, Superintendent
- 8.03 West Coast Aquatics Program Presentation - Danica Garside, CEO and Aquatics Director – West Coast Aquatics
- 8.04 Discussion and/or Action of Joint Use Agreement with West Coast Aquatics, Inc. - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M. Contracts Administration Coordinator
- 8.05 Presentation, Discussion and/or Action and Adoption of Resolution #2012/2013-35 Authorizing the Issuance and Sale of 2013 General Obligation Refunding Bonds in the Principal Amount Not to Exceed \$110,000,000 for the Purpose of Refunding Outstanding General Obligation Bonds of the District - Marcus Battle, Associate Superintendent of Business Services, Dale Scott, Dale Scott and Company, and Charles F. Adams, Jones Hall
- 8.06 Adopt Resolution #2012/2013-36 Requesting Board of Supervisors of the County of Santa Clara to Establish Tax Rate for Bonds of the East Side Union High School District Which Are Expected to be Sold During Fiscal Year 2013-2014, and Authorizing Necessary Actions in Connection Therewith - Marcus Battle, Associate Superintendent of Business Services, Dale Scott, Dale Scott and Company, and Charles F. Adams, Jones Hall

- 8.07 Presentation Regarding Technology Funding Alternatives - Marcus Battle, Associate Superintendent of Business Services, and Dale Scott, Dale Scott and Company

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

- 9.01 Hold Public Hearing at Approximately 6:10 p.m. on the Provisions of the Charter School Petition of B. Roberto Cruz Leadership Academy to Consider the Level of Support for Each Petition by Teachers Employed by the District, Other Employees of the District, and Parents - Juan Cruz, Assistant Superintendent of Instructional Services and Kirsten King, Director of Instructional Services
- 9.02 Hold Public Hearing at Approximately 6:15 p.m. Regarding the Proposed Use of Tier III Categorical Program Funds (AB189) - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance
- 9.03 Adopt Resolution #2012/2013-33 Proposed Use of Tier III Categorical Program Funds (AB189) - Marcus Battle, Associate Superintendent of Business Services and Karen Poon, Director of Finance
- 9.04 Hold Public Hearing at Approximately 6:20 p.m. Discussion and/or Action Regarding the Proposed Adoption of the Initial Proposal for the Successor Contract: From East Side Union High School District to the San Jose Federation of Teachers Local 957, AFT, AFL-CIO – Cari Vaeth, Director, Human Resources

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. When your name is called, please come to the podium, state your name for the record, and limit your remarks to three (3) minutes.

Persons wishing to address the Board must fill out a gold request form, which is located at the entrance of the Board Room.

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

- 11.01 Discussion and/or Action to Receive First Reading of Vision, Mission and Core Values - Strategic Plan - Chris D. Funk, Superintendent

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

- 12.01 Presentation on Calero Alternative High School Program - Juan Cruz, Assistant Superintendent of Instructional Services

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

- 13.01 Discussion and/or Action to Approve Declaration of Need for Fully Qualified Educators - Cari Vaeth, Director, Human Resources

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

- 14.01 Adopt Resolution #2012/2013-34 Pertaining to the Education Protection Account (EPA) - Marcus Battle, Associate Superintendent of Business Services and Karen Poon, Director of Finance
- 14.02 Receive, Discussion and/or Action of Preliminary Budget as Recommended for Fiscal Year 2013-14 with May Revisions - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance
- 14.03 Discussion and/or Action of Joint Use Agreement with Escuela Popular for the Use of Classroom Facilities at James Lick High School - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator
- 14.04 Discussion and/or Action of Contracts for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Administration Coordinator

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

- 15.01 Discussion and/or Action of Bond/Capital Projects Contracts Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager
- 15.02 Discussion and/or Action of Measure I Planning Process and Timeline, Authorize Allocation of \$74.4M Measure I Funding, and Rescission of \$20M Measure E Budget Augmentation from Fund 35, Measure G and State Matching Funds - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Kenneth Kerch, AIA, SGI Bond Program Manager
- 15.03 Presentation, Discussion and/or Action of Measure I Equity Distribution Methodology - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Kenneth Kerch, AIA, SGI Bond Program Manager
- 15.04 Presentation, Discussion and/or Action to Update the Facilities Master Plan for Independence High School - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Kenneth Kerch, AIA, SGI Bond Program Manager

16. Consent / Action Calendar

All items listed under 16, 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.

- 16.01 Ratify/Approve Classified Personnel Actions Presented June 11, 2013
- 16.02 Ratify/Approve Certificated Personnel Actions Presented June 11, 2013
- 16.03 Ratify/Approve Student Aide Personnel Actions Presented June 11, 2013
- 16.04 Approve Student Field Trips
- 16.05 Approve Memoranda of Understanding
- 16.06 Approve Contracts for Professional Services Under \$50,000
- 16.07 Approve Budget Transfers
- 16.08 Approve Purchase Orders
- 16.09 Approve Change Orders to Purchase Orders
- 16.10 Accept Report of Credit Card Expenses for Statement Dated April 22, 2013
- 16.11 Accept Warrant Register for the Month of May 2013
- 16.12 Approve Award of Bids for Bond/Capital Projects
- 16.13 Approve Bond/Capital Projects Contracts for Professional Services At or Below \$50,000
- 16.14 Approve Final Change Order #2 for the Independence High School Title IX Interior Modernization Project, E-065-002 (Beals Martin & Associates, Inc.)
- 16.15 Approve Notice of Completion for Piedmont Hills High School New Auxiliary Gymnasium Project, E-045-002 (BCI Builders Inc.)
- 16.16 Approve Notice of Completion for Overfelt Adult Education Facility Modular Building Increment 2 Project, E-042-001 (Jeff Luchetti Construction Co.)
- 16.17 Approve Board Members Attendance to California School Board Association's (CSBA) Annual Education Conference & Trade Show
- 16.18 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/Workshops/Meetings
- 16.19 Approve Minutes of April 16, 2013, Regular Board Meeting
- 16.20 Approve Minutes of April 25, 2013, Special Board Meeting/Board Workshop/Study Session

- 16.21 Approve Minutes of May 9, 2013, Regular Board Meeting
- 16.22 Approve Permanent Textbook Adoption for A Different Mirror for Young People: A History of Multicultural America, and Flexbook - Biology
- 16.23 Approve Permanent Course Adoption for Digital Photo 2, Heritage Chinese Language and Culture I, Manufacturing Process 1 and Manufacturing Processes 2
- 16.24 Approve CAHSEE Local Waivers for Special Education Students
- 16.25 Acceptance of Donations, Grants and Awards

17. Written Reports/Recommendation

Items under 17 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.

- 17.01 Receive Update to Previously Approved Change Orders for Current Bond Projects which Exceed the 10% Allowance

18. Future Agenda Items

- 18.01 Opportunity for Board of Trustees to Request Items on Future Agendas
- 18.02 Future Items:

Board President Frank Biehl:

Item	Date (tentative)	Type
Suspended Expulsions and Guidelines for Panel Recommendations	June 27, 2013	Presentation/Discussion

Board Clerk, Van Le

Item	Date (tentative)	Type
A-G Rates & Graduation Report	June 27, 2013	Report
Surveillance Cameras	August 22, 2013	Presentation/Discussion
AVID Program	September 19, 2013	Presentation/Discussion

Board Member Magdalena Carrasco

Item	Date (tentative)	Type
Assembly Bill 9 / Anti-Bullying Service Delivery Model	September 19, 2013	Presentation/Discussion

Board Member, Lan Nguyen

Item	Date (tentative)	Type
Vietnamese Language Program	September 19, 2013	Presentation/Discussion

19. Board of Trustees/Superintendent Communications/Comments

19.01 Board of Trustees

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

19.02 Chris D. Funk, Superintendent

20. Report Closed Session Action(s)

21. Adjournment