

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

AGENDA
June 27, 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)

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

- *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*

2.08 Conference with Legal Counsel – Existing Litigation
(Subdivision (a) of Government Code section 54956.9)

*East Side Teachers Assoc. v. East Side Union High School District, Public Employment
Relations Board, Unfair Practice Charge no. SF-CE-3015-E*

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)

No item(s) on calendar under this section.

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 California Community Partners for Youth (CCPY) Presentation - Jeff Bornefeld, California Community Partners for Youth (CCPY)
- 8.03 Presentation of School Engagement Suspension Alternative Project (SESAP) - Mariel Caballero, County of Santa Clara, Office of the Public Defender
- 8.04 Presentation of Suspended Expulsions and Guidelines for Expulsion Panel Recommendations - Juan Cruz, Assistant Superintendent of Instructional Services and George Sanchez, Coordinator of Student Services
- 8.05 Discussion and/or Action to Adopt Santa Clara County Office of Education/East Side Union High School District's Plan for Expelled Youth - Juan Cruz, Assistant Superintendent of Instructional Services, and George Sanchez, Coordinator of Student Services
- 8.06 Presentation, Discussion and/or Action of Measures E and I Distribution for San Jose Conservation Corps and Charter School - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Gina Ortiz, Principal, San Jose Conservation Corps
- 8.07 Presentation, Discussion and/or Action of the Results of the Districtwide Copier Equipment and Services RFP#GP081213 - Marcus Battle, Associate Superintendent, Donna Bertrand, C.P.M., Contracts Administration Coordinator, Randy Phelps, Director of Information Technology, and Dan Tracy, Consultant from NW Imaging Analysts

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 Latino College Preparatory Academy II - Juan Cruz, Assistant Superintendent of Instructional Services and Kirsten King, Director of Instructional Services
- 9.02 Hold Public Hearing at Approximately 6:30 p.m. regarding the Proposed Budget Adoption for 2013-14. The proposed Budget is available for inspection at the District office (Business Services) - Marcus Battle, Associate Superintendent of Business Services and Karen Poon, Director of Finance
- 9.03 Presentation, Discussion and/or Action to Adopt the Annual Budget for 2013-14 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance

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 and Adopt the Second Reading of the District's Vision, Mission and Core Values - Strategic Plan - Chris D. Funk, Superintendent
- 11.02 Discussion and/or Action to Approve Senior Manager of Internal Controls Work Plan - Lan Nguyen, Audit Committee Chairperson & Magdalena Carrasco, Audit Committee Vice Chairperson
- 11.03 Discussion and/or Action of Board Member Compensation/Adjustments to Compensation per Education Code §35120 –Chris D. Funk, Superintendent

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

- 12.01 Discussion and/or Action of Carl D. Perkins 132 Grant 2013-14 Grant Application for East Side Union High School District - Juan Cruz, Assistant Superintendent of Instructional Services and Rich Uribe, Director Of Adult Education and Career Services
- 12.02 Discussion and/or Action of 2013 Single Plan for Student Achievement - Juan Cruz, Assistant Superintendent of Instructional Services, and Tim Nguyen, Coordinator of English Language Learners Supplementary Education

- 12.03 Discussion and/or Action of Program Improvement Year 4 School Alternative Governance Plan - Juan Cruz, Assistant Superintendent of Instructional Services
- 12.04 Presentation and Discussion of Graduation, Dropout and A-G Completion - Juan Cruz, Assistant Superintendent of Instructional Services
- 12.05 Discussion and/or Action of California Interscholastic Federation (CIF) Representatives to League for 2013-2014 - Juan Cruz, Assistant Superintendent of Instructional Services

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

- 13.01 Discussion and/or Action Regarding the Proposed Adoption of the Initial Proposal for Successor Contract From the East Side Union High School District to the San Jose Federation of Teachers Local 957, AFT, AFL-CIO - Cari Vaeth, Director, Human Resources
- 13.02 Discussion and/or Action to Approve Vacation Pay-outs for Contract Employees per Contract Terms – Cari Vaeth, Director, Human Resources

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

- 14.01 Discussion and/or Action for Use of Facilities Lease Agreement with San Jose/Evergreen Valley Community College for the Accel Program - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator
- 14.02 Discussion and/or Action for Authorization for the Superintendent to Award Emergency Projects during the Summer - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator
- 14.03 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., Contracts 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 to Award Professional Service Agreement for (RFQ/P-25-12-13) Performance Audit Services for Proposition 39 Bond Measures G & E - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager
- 15.03 Discussion and/or Action to Extend Measure G Program Management Agreement with Seville Group, Inc. for Fourth-Month Period - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager

- 15.04 Discussion and/or Action to Extend Measure E Program Management Agreement with Seville Group, Inc. for Fourth-Month Period - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager
- 15.05 Presentation, Discussion and/or Action of Measure I Equity Distribution - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Kenneth Kerch, AIA, SGI Bond Program Manager
- 15.06 Discussion and/or Action for Superintendent or Designee to Authorize Summer Project - Marcus Battle, Associate Superintendent of Business Services, and Janice Unger, Capital Projects Purchasing 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 27, 2013
- 16.02 Ratify/Approve Certificated Personnel Actions Presented June 27, 2013
- 16.03 Ratify/Approve Student Aide Personnel Actions Presented June 27, 2013
- 16.04 Approve Student Field Trips
- 16.05 Approve Award of Bids
- 16.06 Approve Memoranda of Understanding
- 16.07 Approve Contracts for Professional Services Under \$50,000
- 16.08 Approve Budget Transfers
- 16.09 Approve Purchase Orders
- 16.10 Approve Change Orders to Purchase Orders
- 16.11 Accept Report of Credit Card Expenses for Statement Dated May 22, 2013

- 16.12 Adopt Resolution #2012/2013-38 an Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546
- 16.13 Approve Award of Bids for Bond/Capital Projects
- 16.14 Approve Bond/Capital Projects Contract for Professional Services At or Below \$50,000
- 16.15 Approve Notice of Completion for the Overfelt Adult Education Facility Increment 1 Site Work and Increment 4 New Parking Lot Project, E-042-001 (Cal Pacific Construction, Inc.)
- 16.16 Approve Notice of Completion for the Calero High School Modernization Project, E-080-002 (Dilbeck & Sons, Inc.)
- 16.17 Accept 2012-2013 Safety Plan Goals Assessment
- 16.18 Approve Board Members' Attendance and Lawful Expenses to New Tech Annual Conference
- 16.19 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/Workshops/Meetings
- 16.20 Receive Superintendent's Work Year Calendar for 2013-2014
- 16.21 Approve Minutes of May 30, 2013, Special Board Meeting / Workshop / Study Session
- 16.22 Approve Minutes of June 11, 2013, Regular Board Meeting
- 16.23 Approve CAHSEE Local Waivers for Special Education Students
- 16.24 Receive Local Education Agency Plan 2012 - Progress Update June 2013
- 16.25 Receive and Adopt First Reading of Amended Board ByLaw 9270E

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
- 17.02 Receive Quarterly Report on the County of Santa Clara Treasury Investment Portfolio Status as of March 31, 2013

18. Future Agenda Items

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

18.02 Future Items:

Board Clerk Van Le

Item	Date (tentative)	Type
Surveillance Cameras	August 22, 2013	Presentation/Discussion
AVID Program	September 19, 2013	Presentation/Discussion
Bond Program Construction Projects Report	October 17, 2013	Report

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