

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

AGENDA
November 14, 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-D*

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 (d)(2) of Government Code
Section 54956.9

- *Claim for Damages of I. Pascual*
- *Claim for Damages of J. Montalvo; and,*
- *Three (3) Potential Cases*

2.07 Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to subdivision (d)(4) 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 William Wheat, Silicon Valley Grant Writers
- In Support of ESUHSD's Business Academy Competition
- 6.02 Silicon Valley Education Foundation Pioneers and Purpose – Principal of the Year
- Vito Chiala, Principal - Wm. C. Overfelt High School
- 6.03 Silicon Valley Education Foundation Pioneers and Purpose
- ESUHSD for Establishing an A-G Curriculum

7. Student Board Liaisons (5 minutes each)

- 7.01 Mt. Pleasant High School
- Isaiah Gonzales, Student Representative
 - Emilio Gutierrez, Student Representative
 - Mariela Cruz, Student Representative
 - Shani Williams, Student Representative
- 7.02 Silver Creek High School
- Isabelle Kim – ASB President
 - Valeria Grimaldo – ASB Vice President
 - Martha Cabatic – ASB Secretary
 - Jacqueline Cao – ASB Treasurer
 - Evan To – 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.

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

- 9.01 Hold Public Hearing at Approximately 6:10 p.m. - Disclosure of Major Provisions of Proposed Tentative Agreement with East Side Teachers Association/CTA/NEA, August 31, 2013 - August 31, 2014 (per AB1200); Discussion and/or Action - Cari Vaeth, Director, Human Resources
- 9.02 Discussion and/or Action to Ratify and Approve Tentative Agreement with East Side Teachers Association/CTA/NEA, August 31, 2013 - August 31, 2014 - 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 agendaize 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 College Connection Academy (CCA) Presentation - Tom Huynh, Principal, Yerba Buena High School
- 11.02 New Tech High Presentation - Vito Chiala, Principal, Wm. C. Overfelt High School, and Glenn VanderZee, Principal, James Lick High School
- 11.03 Discussion and/or Action regarding Ed Tech General Obligation Bond Voter Survey – Chris D. Funk, Superintendent
- 11.04 Receive First Reading of ESUHSD Strategic Plan - Chris D. Funk, Superintendent
- 11.05 Discussion and/or Action to Approve January 27, 2014, as a Board Study Session - Frank Biehl, Board President
- 11.06 Call for Nominations to CSBA Delegate Assembly - Frank Biehl, Board President

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

- 12.01 Presentation and/or Discussion regarding the Yale National Initiative - Juan Cruz, Assistant Superintendent of Instructional Services, and Vanessa Vitug, Mt. Pleasant Teacher
- 12.02 Discussion and/or Action to Approve the Plan to Utilize Common Core State Funds - Juan Cruz, Assistant Superintendent of Instructional Services, and Kirsten King, Director of Instructional Services
- 12.03 Discussion and/or Action regarding Rate of Pay Increase for Campus Police Officers - Juan Cruz, Assistant Superintendent of Instructional Services

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

- 13.01 Discussion and/or Action to Approve Contract(s) for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator
- 13.02 Discussion and/or Action to Approve Facility Sub Lease and Related Agreements with Educare of Silicon Valley and Franklin McKinley School District for Early Childhood Education Program Facilities for ESUHSD Programs; Approve Resolution #2013/2014-11 re: Delegation of Authority to Associate Superintendent to Approve Final Form of Sub Lease and Related Agreements for Early Childhood Education Program Facilities for ESUHSD Programs - Marcus Battle, Associate Superintendent of Business Services

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

- 14.01 Discussion and/or Action to Approve Provisional Internship Permit Requests for Certificated Employees - Cari Vaeth, Director, Human Resources
- 14.02 Discussion and/or Action Regarding the Approval of the Revised Confidential Job Description for Benefits/Safety Coordinator - Cari Vaeth, Director, Human Resources
- 14.03 Discussion and/or Action to Approve Compensation to Staff not Represented by a Bargaining Unit - Cari Vaeth, Director, Human Resources

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

- 15.01 Presentation, Discussion and/or Action on Education Center Entry Sign - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Julio Lucas, District Architect
- 15.02 Presentation and Discussion on Bond Program Community Gratitude Signage - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Julio Lucas, District Architect
- 15.03 Presentation, Discussion and/or Action on the Update of the Bond Program - 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 Discussion and/or Action of Bond/Capital Projects Contract(s) 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

**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

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

- 17.01 Approve School Field Trips

18. Business Services - Consent / Action Calendar

- 18.01 Approve Award of Bid(s)
- 18.02 Approve Contract(s) for Professional Services At or Below \$50,000
- 18.03 Approve Memoranda of Understanding
- 18.04 Approve Budget Transfers
- 18.05 Approve Purchase Orders
- 18.06 Approve Change Orders to Purchase Orders
- 18.07 Accept Report of Credit Card Expenses for Statement Dated August 22, 2013
- 18.08 Accept Warrant Register for the Month of October 2013
- 18.09 Approve Facilities Use Agreements
- 18.10 Acceptance of Donations, Grants and Awards

19. Human Resources - Consent / Action Calendar

- 19.01 Ratify/Approve Classified Personnel Actions Presented November 14, 2013
- 19.02 Ratify/Approve Certificated Personnel Actions Presented November 14, 2013
- 19.03 Ratify/Approve Student Aide Personnel Actions Presented November 14, 2013

20. Facilities - Consent / Action Calendar

- 20.01 Approve Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000
- 20.02 Approve Measure I Distribution for San Jose Conservation Corps and Charter School
- 20.03 Approve Measure E Distribution for Latino College Preparatory Academy and Charter School
- 20.04 Approve Final Change Order #1 for the All Weather Track Re-Surfacing Projects at Andrew Hill, Piedmont Hills, Santa Teresa, James Lick, Oak Grove, and Yerba Buena High Schools, G-025-202, G-045-202, G-070-202, G-030-202, G-050-202 & G-060-202 (Hellas Construction, Inc.)

20.05 Approve Final Change Order #2 for Independence High School Swimming Pool Renovation Project, G-065-203 (Gonsalves & Stronck Construction, Inc.)

21. Written Reports/Recommendation

Items under section 21 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.

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

21.02 Receive Self-Insured Schools of California (SISC) GASB45 Quarterly Report Ending September 30, 2013

21.03 Receive Follow up Information Regarding Capital Program Reorganization

22. Future Agenda Items

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

22.02 Future Items:

Board President Biehl

Item	Date (tentative)	Type
Report on Strategic Plan Budget Process	January 2014	Presentation/Discussion

Administration

Item	Date (tentative)	Type
A-G Plan for Engagement	December 12, 2013	Presentation/Discussion
East Side Alliance Representative	December 12, 2013	Discussion/Action

23. Board of Trustees/Superintendent Communications/Comments

23.01 Board of Trustees

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

23.02 Chris D. Funk, Superintendent

24. Report Closed Session Action(s)

25. Adjournment