

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

AGENDA
May 15, 2014

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 4:30 P.M.

The Regular Board Meeting will begin at 4:30 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): *None*

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

- *Superintendent*
- *Senior Manager of Internal Controls*

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 S. Minor; and*
- *Two (2) 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

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 gold request form, which is located at the entrance of the 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

5.01 For consideration by the Board of Trustees

6. Board Special Recognition(s)

6.01 S4CA Competition Winners

- Zachary Buckett – Independence High School
- Natalie Gonzalez – Independence High School
- Josiah Lopez – Independence High School
- Katrina Orizonte - Independence High School
- Kevin Kiperash - Piedmont Hills High School

6.02 CTA Media Excellence Award

- Len Ramirez

6.03 Global Youth Service Day – Wm. C. Overfelt High School

- City Year
- Microsoft

6.04 CCS Athletic Director of the Year

- Trish Sunseri, Silver Creek High School



6.05 Winter Sports

Evergreen Valley High School

- Girls' Soccer, Santa Teresa Division, Blossom Valley Athletic League Co-Champions (with Piedmont Hills)

Independence High School

- Girls' Soccer, West Valley Division, Blossom Valley Athletic League Champions

James Lick High School

- Boys' Soccer, West Valley Division, Blossom Valley Athletic League Co-Champions (with Silver Creek)

Mt. Pleasant High School

- Boys' Soccer, Mt. Hamilton Division, Blossom Valley Athletic League Champions
- Girls' Wrestling, CCS Champion
 - Martina Valdez

Oak Grove High School

- Boys' Wrestling, Blossom Valley Athletic League Champion
 - Alexander Bradley
- Boys' Wrestling, Blossom Valley Athletic League Tournament Champions

Piedmont Hills High School

- Girls' Basketball, Mt. Hamilton Division, Blossom Valley Athletic League Champions
- Girls' Soccer, Santa Teresa Division, Blossom Valley Athletic League Co-Champions (with Evergreen Valley)

Santa Teresa High School

- Boys' Wrestling, Blossom Valley Athletic League Champions
 - Richie Avalos
 - Matthew Mittlestead
 - Jacob Thalin

Silver Creek High School

- Boys' Wrestling, CCS and Blossom Valley Athletic League Champion
 - Alvin Nguyen
- Girls' Basketball, Santa Teresa Division, Blossom Valley Athletic League Champions
- Boys' Soccer, West Valley Division, Blossom Valley Athletic League Co-Champions (with James Lick)



Wm. C. Overfelt High School

- Girls' Soccer, West Valley Division, Blossom Valley Athletic League Champions
- Boys' Wrestling, Blossom Valley Athletic League Champion
 - Lai Saechao
- Girls' Wrestling, CCS Champions
- Girls' Wrestling
 - Jasmine Mendoza - State Champion and CCS Champion
 - Crystal Soto - CCS Champion

Yerba Buena High School

- Boys' Basketball, West Valley Division, Blossom Valley Athletic League Champions

6.06 Spring Sports

Andrew Hill High School

- Boys' Tennis, West Valley Division, Blossom Valley Athletic League Champions

Evergreen Valley High School

- Boys' Golf, Mt. Hamilton Division, Blossom Valley Athletic League Champions
- Coed Badminton, Mt. Hamilton Division, Blossom Valley Athletic League Champions

Oak Grove High School

- Boys' Swimming, West Valley Division, Blossom Valley Athletic League Co-Champions (with Yerba Buena)
- Girls' Swimming, West Valley Division, Blossom Valley Athletic League Champions

WC Overfelt High School

- Coed Golf, West Valley Division, Blossom Valley Athletic League Champions

Silver Creek High School

- Girls' Swimming, Santa Teresa Division, Blossom Valley Athletic League Co-Champions (with Prospect)

Yerba Buena High School

- Boys' Swimming, West Valley Division, Blossom Valley Athletic League Co-Champions (with Oak Grove)
- Coed Badminton, West Valley Division, Blossom Valley Athletic League Champions

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

No Items on Calendar Under this Section



Preparing every student to thrive in a global society.

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 Presentation regarding the State of Education - Assemblymember Bob Wieckowski, 25th Assembly District
- 8.03 Presentation, Discussion and/or Action to Adopt Resolution #2013/2014-25 Ordering an Election to Authorize the Issuance of School Bonds, Establishing Specifications of the Election Order, and Requesting Consolidation with Other Elections Occurring on November 4, 2014 - Marcus Battle, Associate Superintendent of Business Services, Dale Scott, Financial Advisor, Dale Scott & Company, and Charles F. Adams, Bond Counsel, Jones Hall, A Professional Law Corporation
- 8.04 Discussion and/or Action to Approve Proposition 39 Facilities MOU with Luis Valdez Leadership Academy Charter High School - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Rogelio M. Ruiz, Esq., Legal Counsel

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

- 9.01 Hold Public Hearing at Approximately 7:00 p.m. on the Provisions of the Charter School Petition of Alpha: Cindy Avitia High School to Consider the Level of Support for the Petition by Teachers Employed by the District, Other Employees of the District, and Parents - Juan Cruz, Assistant Superintendent of Instructional Services
- 9.02 Hold Public Hearing at Approximately 7:05 p.m. regarding Local Control Accountability Plan (LCAP) - Juan Cruz, Assistant Superintendent of Instructional Services

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 gold 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

No Items on Calendar Under this Section



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

- 12.01 Discussion and/or Action of Designation of California Interscholastic Federation (CIF) Representatives to League for 2014-2015 - Juan Cruz, Assistant Superintendent of Instructional Services

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

- 13.01 Presentation, Discussion and/or Action of Preliminary Budget for 2014-2015 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance
- 13.02 Presentation, Discussion and/or Action to Approve Changes to the Food Service Program - Marcus Battle, Associate Superintendent of Business Services, and Julie Kasberger, Director of General Services
- 13.03 Discussion and/or Action to Receive and Adopt Second Reading of New Board Policy #3312.1 Contract Change Orders - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director of Capital Accounting and Purchasing, Janice Unger, Capital Projects Purchasing Manager, and Donna Bertrand, C.P.M. Contracts Administration Coordinator
- 13.04 Discussion and/or Action to Adopt Resolution #2013/2014-26 Authorized Signatures - Marcus Battle, Associate Superintendent of Business Services
- 13.05 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

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

- 14.01 Discussion and/or Action Regarding the Proposed Adoption of the Initial Proposal for Contract Reopeners for 2014-2015: From the East Side Union High School District to the California School Employees Association, Chapter 187 - Cari Vaeth, Director, Human Resources, and Vida L. Branner, Director of Compensation and Classified Employee Relations
- 14.02 Discussion and/or Action to Approve the Proposed Pay Rates for the Summer Swim Program - Cari Vaeth, Director, Human Resources, and Vida L. Branner, Director of Compensation and Classified Employee Relations
- 14.03 Discussion and/or Action to Approve the Classified Management Job Description and Salary Range for Manager of Classified Personnel - Cari Vaeth, Director, Human Resources



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

- 15.01 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director, Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager
- 15.02 Discussion and/or Action to Ratify CUPCAA Informal Bond Project(s)- Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director of Capital Accounting and Purchasing, and Janice Unger, Capital Projects Purchasing Manager
- 15.03 Discussion and/or Action to Award a Lease/Leaseback Pre-Construction Agreement for Independence High School Performing Arts Center - Building F Modernization - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director of Capital Accounting and Purchasing, 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 Approve Minutes of March 14, 2014, Special Board Meeting
- 16.02 Approve Minutes of March 20, 2014, Regular Board Meeting
- 16.03 Approve Minutes of April 17, 2014, Regular Board Meeting



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

- 17.01 Approve School Field Trips
- 17.02 Approve Permanent Status of New Titles
- 17.03 Approve Permanent Textbook Adoption for AP Chemistry, Edge, English 3D Course 1, Flexbook - Biology, and Marine Science - Second Edition
- 17.04 Approve Permanent Course Adoption for Digital Photo 1, Ethnic Studies, and Technical Theater 1-4
- 17.05 Approve CAHSEE Local Waivers for Special Education Students

18. Business Services - Consent / Action Calendar

- 18.01 Approve Contract(s) for Professional Services At or Below \$50,000
- 18.02 Approve Budget Transfers
- 18.03 Approve Purchase Orders
- 18.04 Approve Change Orders to Purchase Orders
- 18.05 Accept Report of Credit Card Purchases for Statements Dated February 24, 2014, and March 24, 2014
- 18.06 Accept Warrant Register for the Month of April 2014

19. Human Resources - Consent / Action Calendar

- 19.01 Ratify/Approve Classified Personnel Actions Presented May 15, 2014
- 19.02 Ratify/Approve Certificated Personnel Actions Presented May 15, 2014
- 19.03 Ratify/Approve Student Aide Personnel Actions Presented May 15, 2014



20. Facilities - Consent / Action Calendar

- 20.01 Approve Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000
- 20.02 Approve Award of Bids for Bond/Capital Projects
- 20.03 Approve Final Change Order #1 for Overfelt Adult Center Increment 1 & 4 Project, E-042-001 (Cal-Pacific Construction, Inc.)
- 20.04 Approve Notice of Completion for Evergreen Valley High School Baseball Dugouts Title IX Modernization Project, E-075-006
- 20.05 Approve Notice of Completion for Evergreen Valley High School Softball Dugouts Title IX Modernization Project, E-075-006
- 20.06 Approve Notice of Completion for Calero High School Landscape Improvement Services Project, E-080-002
- 20.07 Amend Final Change Order #2 for W.C. Overfelt High School Modernization Building D/Classroom Project, E-040-005 (Zolman Construction & Development, 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 Santa Clara County Office of Education Second Interim Certification Letter
- 21.02 Receive Self-Insured Schools of California (SISC) GASB45 Quarterly Report Ending March 31, 2014
- 21.03 Receive Quarterly Report on the County of Santa Clara Treasury Investment Portfolio Status as of March 31, 2014
- 21.04 Receive Update to Previously Approved Allowance for the Current Andrew Hill High School New Building 100 Classroom Modernization



22. Future Agenda Items

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

22.02 Future Items:

Board President J. Manuel Herrera & Board Member Frank Biehl

Item	Date (tentative)	Type
PE Credit	January, 2015	Presentation/Discussion

Board Vice President Van Le

Item	Date (tentative)	Type
Foreign Language Classes	June 19, 2014	Presentation/Discussion
Adult Education ESL Program	June 19, 2014	Presentation/Discussion
Child Nutrition Services: Meals	October 16, 2014	Presentation/Discussion

Board Member Frank Biehl

Item	Date (tentative)	Type
Review of Board Policy regarding Alcohol	August 21, 2014	Discussion/Action

Board Member Lan Nguyen

Item	Date (tentative)	Type
International Baccalaureate (IB) Program	November, 2014	Presentation/Discussion



22.03 Annual Governance Calendar

July
Summer School Program (concludes session)
Summer School Graduation

August
Board Retreat
Expulsion Hearing Panel Committee
First Day of School
Williams Quarterly Report

September
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
Unaudited Actuals

October
Bond Program Presentation
Solar Energy Presentation
Student Achievement Presentation
Superintendent's Annual Evaluation
Williams Quarterly Report

November
Board Study Session/Workshop
Election Orientation for New Board Members

December
Annual Organizational Board Meeting
CSBA Annual Conference
Election Orientation for New Board Members
End of First Semester
First Interim Report
Superintendent's Mid-Year Evaluation

January
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
Policies & ByLaws (Begin Review by Series)
Sports Recognitions (Fall)
Technology Report
Williams Quarterly Report

February
African American Students Achievement Awards
Audit Committee Charter Amendment(s)
CSBA Delegate Assembly Election
Non-Re-Elects

March
Cesar Chavez Writing, Art & Multi-Media Awards Luncheon
March 15 Notices
Safety Plan Goals for Each Site
Second Interim Report
SJPD Secondary Employment Application
Vietnamese Students Achievement Awards

April
Board Study Session/Workshop
Form 700 – Statement of Economic Interests Due to Santa Clara County (filing)
Honor Nights
Migrant Education Awards Night
NSBA Annual Conference
Williams Quarterly Report

May
Board Self-Evaluation
Budget (Preliminary/Draft) Presentation
Employee Recognition Event
Graduations
Honor Nights
Last Day of School
Sports Recognitions (Winter/Spring)

June
Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting)
Budget Adoption (second June Board Meeting)
Employee Retirement Celebration
ESTA Safety Survey
Master Contracts for Capitol Projects
Plan for Expelled Youth (due every three years – 2015)
Program Improvement Update
Safety Plan Assessment for Each School
Single Plan for Student Achievement (SPSA) for Each School
Summer School Program (session begins)
Superintendent's Annual Evaluation



23. Board of Trustees/Superintendent Communications/Comments

23.01 Board of Trustees

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

23.02 Chris D. Funk, Superintendent

24. Report Closed Session Action(s)

24.01 Legal Counsel will Report on Closed Session Action Item(s)

25. Adjournment

25.01 President Adjourns the Meeting

