

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

AMENDED

AGENDA
June 19, 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.

A member of the Board of Trustees intends to participate in the Regular Meeting by teleconference from the following location, which shall be freely accessible to the public:

Anaheim Marriott Suites
12015 Harbor Boulevard, Room 316
Garden Grove, CA 92840
Telephone Number: (408) 568-1302

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*

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

- *Associate Superintendent of Business Services (1)*
- *Associate Superintendent of Educational Services (1)*
- *Associate Superintendent of Human Resources (1)*
- *Director of Student Services (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)

Administrator Collaborative of East Side (ACES)

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:

- *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*

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

- *Alexis Fundraising Foundation v. East Side Union High School District, et al.,
Los Angeles County Superior Court Case No. DOW 13D05708*

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 Adobe Youth Voices

Mt. Pleasant High School

- Lizbeth Cisneros
- Jesus Gonzalez
- Denise Panuco

6.02 Spring Sports

Oak Grove High School

- Boys' Track, Santa Teresa Division, Blossom Valley Athletic League Champions

Santa Teresa High School

- Girls' Track, Mt. Hamilton Division, Blossom Valley Athletic League Champions

Yerba Buena High School

- Boys' Track, West Valley Division, Blossom Valley Athletic League Champions
- Coed Badminton, West Valley Division, Blossom Valley Athletic League Champions

6.03 2014 Santa Clara County Science Fair Winners

Evergreen Valley High School

- Tanisha Joshi - Grand Prize Award Winner
- Tara Lyer - Grand Prize Award Alternate and 4th Place Award Winner
- Swetha Ravanur - Grand Prize and Arizona State University 4 Year Provost Scholarship and UCLA Brain Research Award

Oak Grove High School

- Abha Pandey - Grand Prize Alternate Award Winner

7. Student Board Liaisons (5 minutes each)

No Items 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 Discussion, Consideration and/or Action Regarding the Selection/Appointment of Measures G, E, and I Citizens' Bond Oversight Committee Members - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Robert Ball, Bond Program Manager – SGI Construction Management

8.03 Discussion and/or Action on Charter Petition for Alpha: Cindy Avitia High School - Juan Cruz, Assistant Superintendent of Instructional Services

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

9.01 Hold Public Hearing at Approximately 6:00 p.m. Regarding Adoption of Resolution #2013/2014-29 Increase of School Developer Fees - Marcus Battle, Associate Superintendent of Business Services, and Linda da Silva, Director of Construction, Maintenance and Facilities

9.02 Discussion and/or Action to Adopt Resolution #2013/2014-29 Increase of School Developer Fees - Marcus Battle, Associate Superintendent of Business Services, and Linda da Silva, Director of Construction, Maintenance and Facilities

9.03 Hold Public Hearing at Approximately 6:10 p.m. regarding The NHU Foundation's Request for Material Revision to the Latino College Preparatory Academy Charter Petition - Juan Cruz, Assistant Superintendent of Instructional Services

9.04 Discussion and/or Action to Approve The NHU Foundation's Request for Material Revision to the Latino College Preparatory Academy Charter Petition - 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

- 11.01 Discussion and/or Action regarding Proposed Salary Schedule: Senior Contract Administrators/Superintendent's Council (Superintendent, Associate Superintendent of Business Services, Assistant Superintendent of Instructional Services, Director of Human Resources) – Chris D. Funk, Superintendent
- 11.02 Discussion and/or Action regarding Employment Contract for Associate Superintendent of Business Services - Chris D. Funk, Superintendent
- 11.03 Discussion and/or Action regarding Employment Contract for Associate Superintendent of Educational Services - Chris D. Funk, Superintendent
- 11.04 Discussion and/or Action regarding Employment Contract for Associate Superintendent of Human Resources – Chris D. Funk, Superintendent
- 11.05 Discussion and/or Action regarding First Amendment to Employment Contract for Senior Manager of Internal Controls – Chris D. Funk, Superintendent
- 11.06 Discussion and/or Action of Board Members' Compensation/Adjustments to Compensation per Education Code §35120 - Chris D. Funk, Superintendent
- 11.07 Adopt Resolution #2013/2014-30 regarding Frank Fiscalini - Frank Biehl, Board Member

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

- 12.01 Discussion and/or Action to Receive Second Reading and Adopt Amended Board Policy 1312.3 Community Relations – Uniform Complaint Procedures and Board Policy 1312.3 E Uniform Complaint Procedure Form - Juan Cruz, Assistant Superintendent of Instructional Services
- 12.02 Discussion and/or Action of Carl D. Perkins 131 Grant 2014-15 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

- 12.03 Discussion and/or Action regarding the 2014 Single Plan for Student Achievement – Juan Cruz, Assistant Superintendent of Instructional Services, and Tim Nguyen, Coordinator of English Language Learners Supplementary Education
- 12.04 Discussion and/or Action to Approve the Local Control Accountability Plan (LCAP) - Juan Cruz, Assistant Superintendent of Instructional Services
- 12.05 Presentation and/or Discussion regarding the Adult Education English as a Second Language (ESL) Program - Juan Cruz, Assistant Superintendent of Instructional Services, and Rich Uribe, Adult Education Director

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

- 13.01 Discussion and/or Action to Adopt the Annual Budget for Fiscal Year 2014-15 – Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance
- 13.02 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator
- 13.03 Discussion and/or Action 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
- 13.04 Discussion and/or Action to Authorize School Connected Organizations to Solicit Contributions or Funds per Education Code 51520 and 51521 – Marcus Battle, Associate Superintendent of Business Services, Karen Poon, Director of Finance, and Kelly Kwong, Senior Manager of Internal Controls

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 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
- 14.02 Discussion and/or Action to Approve Vacation Pay-outs for Contract Employees per Contract Terms - 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 Purchasing, and Janice Unger, Capital Projects Purchasing Manager

- 15.02 Discussion and/or Action to Ratify CUPCCAA 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 Preconstruction Agreement for Independence High School Building B and Campus Site Improvement Projects - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell of Assistant Director of Capital Accounting and Purchasing, and Janice Unger, Capital Projects Purchasing Manager
- 15.04 Discussion and/or Action to Qualify Architectural Firms - 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
- 15.05 Discussion and/or Action regarding Delegation of Authority - Summer Projects – Mt. Pleasant Summit Rainier Construction - All Contracts Pertaining - 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
- 15.06 Discussion and/or Action to Approve Takeover Agreement to Complete the Piedmont Hills High School New Auxiliary Gymnasium Project - 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 Ratify/Approve Board Member(s) Lawful Expenses/Mileage to Conferences/ Workshops/Meetings
- 16.02 Approve Minutes of May 6, 2014, Special Board Meeting and Board Study Session

16.03 Approve Minutes of May 15, 2014, Regular Board Meeting

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

17.01 Approve School Field Trips

17.02 Approve CAHSEE Local Waivers for Special Education Students

17.03 Accept Safety Plan Goals Assessment for 2013-2014

17.04 Approve Application for Title I School Wide Program for Calero High School

18. Business Services - Consent / Action Calendar

18.01 Approve Award of Bid(s)

18.02 Approve Award of the Request for Proposals (RFP), RFP-GP091314, for the Purchase of Stores Warehouse Supplies

18.03 Approve Award of the Request for Proposals (RFP), RFP-GP071314, for the Procurement of Technology Equipment

18.04 Approve Memoranda of Understanding

18.05 Approve Budget Transfers

18.06 Approve Purchase Orders

18.07 Approve Change Orders to Purchase Orders

18.08 Accept Report of Credit Card Purchases for Statement Dated April 22, 2014

18.09 Accept Warrant Register for the Month of May 2014

19. Human Resources - Consent / Action Calendar

19.01 Ratify/Approve Classified Personnel Actions Presented June 19, 2014

19.02 Ratify/Approve Certificated Personnel Actions Presented June 19, 2014

19.03 Ratify/Approve Student Aide Personnel Actions Presented June 19, 2014

20. Facilities - Consent / Action Calendar

20.01 Ratification of Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000

20.02 Approve Award of Bids for Bond/Capital Projects

21. Written Reports/Recommendation

- 21.01 Receive Update to Previously Approved Allowance for the Current Andrew Hill High School New Building 100 Classroom Modernization
- 21.02 Receive Silicon Valley Community Foundation Quarterly Statement for the Go for It! Scholarship Fund as of March 31, 2014

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	August 21, 2014	Presentation/Discussion
Child Nutrition Services: Meals	October 16, 2014	Presentation/Discussion
Failed Courses	Quarterly	Report

Board Clerk Magdalena Carrasco

Item	Date (tentative)	Type
Services offered to Students Failing Courses / not Graduating Based on not Passing CAHSEE	August 21, 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
Support Services available/offered to Foster Youth Students	September, 2014	Presentation/Discussion
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