

Agenda Item Details

Meeting	Jun 21, 2012 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 -- AMENDED AGENDA
Category	16. ATTACHMENT A - CONSENT CALENDAR
Subject	16.12 Approve Minutes of June 7, 2012, Regular Board Meeting
Type	Action (Consent)
Recommended Action	It is recommended that the Board of Trustees approve the June 7, 2012, Regular Board Meeting minutes as presented.

EAST SIDE UNION HIGH SCHOOL DISTRICT**Item: 16.12**

TO: Board of Trustees

FROM: Dan Moser, Superintendent

SUBJECT: Approve Minutes of June 7, 2012, Regular Board Meeting

Attached are the minutes of the June 7, 2012, Regular Board Meeting for review and approval by the Board of Trustees.

FISCAL IMPACT:

None

FUNDING SOURCE:

None

RECOMMENDATION:

It is recommended that the Board of Trustees approve the June 7, 2012, Regular Board Meeting minutes as presented.

East Side Union High School District
Approved
Board of Trustees
June 21, 2012 

[BA_20120607_Regular_Minutes.pdf \(5,219 KB\)](#)

Our adopted rules of Parliamentary Procedure, Robert's Rules, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all Board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at

the request of any board member.

**EAST SIDE UNION HIGH SCHOOL DISTRICT
REGULAR MEETING
OF THE
BOARD OF TRUSTEES
Meeting Held at Education Center
June 7, 2012
4:00 p.m.**

1. CALL TO ORDER/ROLL CALL

1.01 Roll Call

The Regular Meeting of the Board of Trustees was called to order at 4:08 p.m. by President Biehl. Vice President Martinez-Roach, Clerk Herrera, and Member Nguyen were present. Member Le arrived at 4:45 PM.

1.02 Announcement and Public Comment regarding Items to be discussed in Closed Session (Government Code 54957.7)

President Biehl extended a welcome to everyone, explained the format of the meeting, noted that all Board Meetings are recorded and offered the public to comment on item(s) to be discussed in Closed Session.

There were no public speakers.

1.03 Recess to Closed Session in the Superintendent's Conference Room (Open Session will resume at the end of Closed Session at approximately 6:00 p.m.) See item 2 on agenda (Closed Session).

The Board of Trustees recessed to Closed Session in the Superintendent's Conference Room.

2. CLOSED SESSION

2.01 Expulsion(s): A - E

Student A:

Motion by Clerk Herrera, second by Member Nguyen, to approve the expulsion of Student A.

Vote: 5/0

Student B:

Motion by Clerk Herrera, second by Member Nguyen, to approve the modified expulsion of Student B.

Vote: 4/1, Vice President Martinez-Roach voted no.

Student C:

Motion by President Biehl, second by Vice President Martinez-Roach, to approve the expulsion of Student C.

Vote: 5/0

Student D:

Motion by Clerk Herrera, second by Member Le, to approve the expulsion of Student D.

Vote: 5/0

Student E:

Motion by President Biehl, second by Vice President Martinez-Roach, to approve the suspended expulsion of Student E.

Vote: 5/0

**2.02 Request(s) for Exemption of Students B-G (B, C, D, E, F, G)
Pursuant to Education Code Section 51241**

Student C:

Motion by President Biehl, second by Member Nguyen, to approve the exemption of Student C per Education Code section 51241.

Vote: 4/1, Vice President Martinez-Roach voted no

Student D:

Motion by President Biehl, second by Member Le, to delegate Student D's request for exemption to the Superintendent for further review and determination in accordance with Education Code section 51242.

Vote: 4/1, Vice President Martinez-Roach voted no

Student E:

Motion by President Biehl, second by Clerk Herrera, to approve the exemption of Student E.

Vote: 4/1, Vice President Martinez-Roach voted no

Student F:

Motion by Member Nguyen, second by Member Le, to delegate Student F's request for exemption to the Superintendent or his designee for further review and determination in accordance with Education Code section 51241(b)(1).

Vote: 5/0

Student G:

Motion by Member Le, second by Member Nguyen, to delegate Student G's request for exemption to the Superintendent or his designee for further review and determination in accordance with Education Code section 51241(b)(1).

Vote: 5/0

2.03 Public Employee Performance Evaluation (Government Code Section 54957)

- *Internal Auditor*
- *Associate Superintendent of Business Services*

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

- *Superintendent*
- *Associate Principals (4)*

2.05 Public Employee Discipline/Dismissal/Release (Government Code Section 54957)

2.06 Conference with Labor Negotiators (Government Code Section 54957.6)

Agency Designated Representatives:

Dan Moser, Superintendent

Cathy Giammona, Associate Superintendent of Human Resources and Instruction

Marcus Battle, Associate Superintendent of Business Services

Juan Cruz, Assistant Superintendent of Instructional Services

Vida Branner, Director of Compensation and Classified Employee Relations

Cari Vaeth, Director of Human Resources

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

2.07 Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code

- *Two (2) Potential Cases*

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.

President Biehl extended a welcome to everyone, explained the format of the meeting and noted that all Board Meetings are recorded.

5. **ADOPTION OF AGENDA**

For consideration by the Board of Trustees.

Motion by Vice President Martinez-Roach, second by Clerk Herrera, to include the following emergency item to the action for consideration/action by the Board of Trustees:

Adopt Resolution #2011/2012-38 Declaring an Emergency and Authorizing Superintendent or His Designee to Enter into Contracts for the Repair and Remediation of Fire Damage at Evergreen Valley High School

Vote: 5/0

6. **BOARD SPECIAL RECOGNITION(S)**

6.01 **Hoffman Awards 2012**

- **Program Improvement in Alternate Setting (PRIAS) - East Side Union HSD**

7. **STUDENT BOARD LIAISONS**

No items on calendar under this section.

8. **SPECIAL ORDER OF BUSINESS – OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**

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.

Motion by Vice President Martinez-Roach, second by Clerk Herrera, to hear the following items on the agenda in the following order:

- *Item 11.01 will be heard after item 8.0*
- *Item 14.01 will be heard after item 11.07*

Vote: 5/0

9. **PUBLIC HEARING(S) – OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**

9.01 **Hold Public Hearing at Approximately 6:05 p.m. - Receive and Sunshine the Initial Proposal for Successor Contract: From San Jose Federation of Teachers, Local 957, AFT, AFL-CIO to East Side Union High School District - Cathy Giammona, Associate Superintendent, Human Resources and Instruction**

Public hearing held. There were no public speakers.

- 9.02 **Hold Public Hearing at Approximately 6:10 p.m. Regarding Tentative Agreement with East Side Teachers Association/CTA/NEA, August 31, 2012 - August 31, 2013, and Disclosure of Major Provisions of Tentative Agreement (AB1200) - Cathy Giammona, Associate Superintendent, Human Resources and Instruction**

Public hearing held.

Public speakers:

- *Marisa Hanson, ESTA President*

- 9.03 **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**

Public hearing held. There were no public speakers.

- 9.04 **Hold Public Hearing at Approximately 6:20 p.m. regarding the Preliminary Budget for 2012-13. The Preliminary Budget is available for Inspection at the District Office (Business Services Dept.) - Marcus Battle, Associate Superintendent, and Karen Poon, Director of Finance**

Public hearing held. There were no public speakers.

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.

Public speaker:

- *Marisa Hanson, ESTA President – ESTA Positions*

11. **BOARD OF TRUSTEES/SUPERINTENDENT - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**

- 11.01 **Presentation regarding ESUHSD Drop-Out Rates and At-Risk Students - Amy Tran, School Board Fellow, Leadership for Educational Equity (10 minutes)**

Presentation by Amy Tran, School Board Fellow; no action taken

11.02 Approve San Jose Conservation Corps Charter Renewal - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services, and Kirsten King, Director of Instructional Services (10 minutes)

Motion by Vice President Martinez-Roach, second by Member Le, to approve the San Jose Conservation Corps Charter petition.

Vote: 5/0

11.03 ESTA Safety Survey Results - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services and Marisa Hanson, ESTA President

Presentation by Marisa Hanson, ESTA President; no action taken

11.04 Receive First Reading of Proposed New, Amended and Deleted 0000 Board Policy Series - Juan Cruz, Assistant Superintendent of Instructional Services, and Dan Moser, Superintendent

Received first reading of proposed new, amended, and deleted 0000 Board Policy series.

11.05 Approve Incoming Loan Agreement with History San Jose - Marcus Battle, Associate Superintendent of Business Services

Motion by Clerk Herrera, second by Member Nguyen, to approve the Incoming Loan Agreement with History San Jose, subject to review and modification by Legal Counsel, as appropriate, to adequately protect the District's interests.

Vote: 5/0

11.06 Discussion, Consideration and/or Action to Reschedule August 16, 2012, Regular Board Meeting – Frank Biehl, Board President

Motion by Clerk Herrera, second by Member Nguyen, to reschedule the August 16, 2012, Regular Board Meeting to August 23, 2012.

Vote: 5/0

11.07 Discussion/Action regarding Employment Contract for Superintendent - Frank Biehl, Board President

Motion by President Biehl, second by Vice President Martinez-Roach, to approve the Superintendent employment contract of Chris Funk for a term of three years, effective July 1, 2012, with a base salary of \$235,000/year, 12 equal monthly installments in the amount of \$19,583.33/month.

Vote: 5/0

12. INSTRUCTIONAL SERVICES/STUDENT SERVICES - OPERATIONAL ITEMS/.BOARD DISCUSSION AND/OR ACTION

- 12.01 Discuss and/or Approve Program Improvement Year 4 School Alternative Governance Plans - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services and Kirsten King, Director of Instructional Services**

Public speaker:

- Jon Reinke

Motion by Clerk Herrera, second by Member Le, to approve the Program Improvement Year 4 School Alternative Governance Plans.

Vote: 5/0

- 12.02 Discuss and/or Approve LEA Plan - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services, and Kirsten King, Director of Instructional Services**

Motion by Member Nguyen, second by Clerk Herrera, to approve the LEA Plan as presented.

Vote: 5/0

- 12.03 Approve CAHSEE Local Waivers for Special Education Students - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services, and Kirsten King, Director of Instruction**

Motion by Vice President Martinez-Roach, second by Member Le, to approve the CAHSEE local waivers for special education students.

Vote: 5/0

- 12.04 Approve Designation of California Interscholastic Federation (CIF) Representatives to League for 2012-2013 - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional**

Motion by Vice President Martinez-Roach, second by Member Le, to approve the designation of California Interscholastic Federation (CIF) Representatives to League for 2012-2013.

Vote: 5/0

- 12.05 Receive First Reading to Amend Board Policies 5127 Graduation Ceremonies and Activities and 6146.1 High School Graduation Requirements - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Juan Cruz, Assistant Superintendent of Instructional Services**

Received first reading to amend Board Policy 5127 Graduation and Ceremonies and Activities and Board Policy 6146.1 High School Graduation Requirements.

- 12.06 Receive First Reading of Proposed Amendments to Board Policy 5131 Student - Conduct and Proposed Board Policy 5131.2 Students - Bullying - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services, and George Sanchez, Coordinator of Student Services**

Received first reading of proposed amendments to Board Policy 5131 Conduct and new proposed Board Policy 5131.2 Bullying.

- 12.07 Receive First Reading of Proposed Amendments to Board Policy 6163.4 Student Use of Technology and Acceptable Use Policy - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Juan Cruz, Assistant Superintendent of Instructional Services**

Received first reading of proposed amendments to Board Policy 6163.4 Student Use of Technology and Board Policy Exhibit 6163.4 Acceptable Use Policy.

13. HUMAN RESOURCES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

- 13.01 Approve Amended Student/Certificated Calendar for the 2012-2013 School Year – Cathy Giammona, Associate Superintendent, Human Resources and Instruction**

Motion by Vice President Martinez-Roach, second by Member Le, to approve the amended Student/Certificated Calendar for the 2012-2013 school year.

Vote: 5/0

- 13.02 Ratify and Approve Tentative Agreement with East Side Teachers Association/CTA/NEA, August 31, 2012 - August 31, 2013 - Cathy Giammona, Associate Superintendent, Human Resources and Instruction**

Public speaker:

- *Glen Wetzel*

Motion by Vice President Martinez-Roach, second by Clerk Herrera, to ratify and approve the tentative agreement with the East Side Teachers Association/CTA/NEA, August 31, 2012 – August 31, 2013.

Vote: 5/0

14. BUSINESS SERVICES/STUDENT SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

- 14.01 Receive, Discussion and/or Action of Preliminary Budget for Fiscal Year 2012-13 with May Revision - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance**

Presentation item; no action taken on this item

Adopt Resolution #2011/2012-36 Proposed Use of Tier III Categorical Program Funds (AB189) - Marcus Battle, Associate Superintendent of Business Services

Motion by Clerk Herrera, second by Member Le, to adopt Resolution #2011/2012-36 Proposed Use of Tier III Categorical Program Funds (AB189).

Vote: 5/0

14.03 Approve Contracts for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

Motion by Member Le, second by President Biehl, to approve contracts for professional services over \$50,000 (attached).

Vote: 5/0

15. FACILITIES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

15.01 Approve Extension of Measure G Program Management Agreement - Marcus Battle, Associate Superintendent of Business Services, and Rogelio Ruiz, Legal Counsel

Motion by Member Le, second by Clerk Herrera, to approve the extension of the Measure G Program Management Agreement.

Vote: 5/0

15.02 Adopt Resolution #2011/2012-38 Declaring an Emergency and Authorizing Superintendent or His Designee to Enter into Contracts for the Repair and Remediation of Fire Damage at Evergreen Valley High School – Dan Moser, Superintendent, and Marcus Battle, Associate Superintendent of Business Services

Motion by Clerk Herrera, second by Vice President Martinez-Roach, to adopt Resolution #2011/2012-38 Declaring and Emergency and Authorizing Superintendent or His Designee to Enter into Contracts for the Repair and Remediation of Fire Damage at Evergreen Valley High School.

Vote: 5/0

16. ATTACHMENT A – CONSENT CALENDAR ITEMS

Item 16.09 was pulled from the consent calendar for discussion. Motion by Clerk Herrera, second by Member Nguyen, to approve the remainder of the consent calendar.

Vote: 5/0

16.01 Ratify/Approve Classified Personnel Actions Presented June 7, 2012

16.02 Ratify/Approve Certificated Personnel Actions Presented June 7, 2012

16.03 Ratify/Approve Student Aide Personnel Actions Presented June 7, 2012

- 16.04 Approve School Field Trips**
- 16.05 Approve Permanent Textbook Adoption for Emergency Medical Responder Fifth Edition, Fundamentals of Fire Fighter Skills Second Edition and, Successful Restaurant Management: From Vision to Execution**
- 16.06 Approve Permanent Course Adoption for Beginning Journalism, Child Development Education, I, II, II, Engineering Design and Development, Film Production, Fire Science I, Guitar Ensemble, History of Globalization Trade and Finance, Hospitality and Tourism Management, and Studies In Media**
- 16.07 Approve Award of Bids**
- 16.08 Approve Contracts for Professional Services At or Below \$50,000**
- 16.10 Approve Budget Transfers**
- 16.11 Approve Purchase Orders**
- 16.12 Approve Change Orders to Purchase Orders**
- 16.13 Accept Donations, Grants and Awards**
- 16.14 Accept Warrant Register for the Month of May 2012**
- 16.15 Adopt Resolution #2011/2012-37 an Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546**
- 16.16 Approve Change Order #2 for James Lick High School, Title IX Modernization Project (BRCO Constructors Inc.)**
- 16.17 Approve Notice of Completion for James Lick High School, Title IX Modernization Project (BRCO Constructors Inc.)**
- 16.18 Approve Minutes of April 30 & May 1, 2012, Special Board Meeting**
- 16.19 Approve Minutes of May 8, 2012, Special Board Meeting**
- 16.20 Approve Minutes of May 10, 2012, Regular Board Meeting**

Item pulled from the consent calendar for discussion, consideration and/or action by the Board of Trustees.

16.09 Approve Memoranda of Understanding

Motion #1

Motion by Member Le, second by Member Nguyen, to approve item #2 Santa Clara County Office of Education, FIRST 5 Santa Clara County, East Side Union High School District, Franklin McKinley School District, Franklin McKinley Children's Initiative and the Governance Board of Educare of California of Silicon Valley.

Vote: 5/0

Motion #2

Motion by Clerk Herrera, second by Member Le, to approve item #1 Foothill Community Health Center.

Vote: 4/0, President Biehl recused himself from the vote

For the record, President Biehl recused himself because his wife has been hired to work at the Foothill Community Health Center located on the Mt. Pleasant High School campus.

17. WRITTEN REPORTS/RECOMMENDATIONS

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

Item received

17.02 Receive Quarterly Report on the County of Santa Clara Treasury Investment Portfolio Status as of March 31, 2012

Item received

18. FUTURE AGENDA ITEMS

18.01 Opportunity for Board of Trustees to request items on future agendas.

- *Parent Involvement Plan – Patricia Martinez-Roach, Board Vice President*
- *Child Development Program – Patricia Martinez-Roach, Board Vice President*
- *Special Education Program Costs – Patricia Martinez-Roach, Board Vice President*
- *Allowable Advertising – Frank Biehl, Board President*
- *Social Networking – Patricia Martinez-Roach, Board Vice President*
- *Accel Program – Van Le, Board Member*

19. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

19.01 Board of Trustees

Van Le, Board Member

The graduation ceremonies were very beautiful, but I have a suggestion that at every graduation we should have one Board representative. I attended Apollo's graduation, but I heard that the graduations for the alternative schools were not represented by a Board Member. Hopefully, next year we will have the graduations spread out in order to have a Board representative at the graduations.

Lan Nguyen, Board Member

Nothing to report

J. Manuel Herrera, Board Clerk

Nothing to report

Patricia Martinez-Roach, Board Vice President

I would like to get a report on what is going on at MetroED.

I wanted share my frustration with the e-mail situation; it has been real challenging. I have not been able to get into my e-mail until today. I hope that next time before you switch from one program to another that, I don't know if this is something the Board needed to approve and I understand there is a savings, but I don't know if this is worth the hassle we've been going through. I'm hearing a lot of complaints. A lot of people are not getting e-mail and there are e-mails I have to read. For whatever it is worth, if there is any way we can go back to Outlook, I would love for you to switch back. If it is to save \$70,000, you are spending more labor time trying to get into the system to read your e-mail.

Frank Biehl, Board President

Nothing to report

19.02 Dan Moser, Superintendent

Nothing to report

20. REPORT CLOSED SESSION ACTION(S)

Attorney will report on Closed Session action item(s).

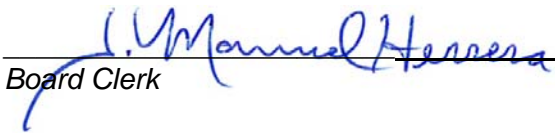
See section 2.0 for reporting out of Closed Session items.

21. **ADJOURNMENT**

President adjourns the meeting.

President Biehl adjourned the meeting at 11:25 p.m.

Respectfully submitted,


Board Clerk

Agenda Item Details

Meeting Jun 07, 2012 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 14. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

Subject 14.03 Approve Contracts for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

Access Public

Type Action, Discussion

Recommended Action It is recommended that the Board of Trustees approve the contracts for professional services as recommended on the attachment.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 14.03

TO: Board of Trustees

FROM: Dan Moser, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

SUBJECT: Approve Contracts for Professional Services Over \$50,000

The attached list of Contracts for Professional Services over \$50,000, are being presented for Board review and approval.



FISCAL IMPACT:
As indicated in the attachment

FUNDING SOURCE:
As indicated in the attachment

RECOMMENDATION:
It is recommended that the Board of Trustees approve the contracts for professional services as recommended on the attachment.

[14.03 Contracts Over \\$50k 6-7-12.pdf \(37 KB\)](#)

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED June 7, 2012**

Executive Content

EAST SIDE UNION HIGH SCHOOL DISTRICT
Contracts for Professional Services over \$50,000
Board Meeting of June 07, 2012

1. Bruce Flynn & Associates

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	April 10, 2009 – October 31, 2013 (no change)	\$ 89,112.00 (Increased amount) Measure E	Mt. Pleasant High School/ Facilities Teresa Marquez, Principal Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve change order #4 to Purchase Order # 000208 for DSA Project Inspection services for the Mt. Pleasant High School Gym Modernization – Increment 2 (Project No.: E-035-002).

This project was awarded to Bruce Flynn & Associates at the April 9, 2009 board meeting. However, after the Board and Mt. Pleasant's Site Counsel had discussions regarding this project, it was decided and agreed to by the Board at the October 8, 2009 Board meeting to modify the scope of this project which increased the scope and budget significantly.

This change order is issued to include the DSA required inspection services for the Gym Modernization – Increment 2 portion of the project that will begin construction this summer.

This Purchase Order/Contract includes other Construction/Modernization Projects: Silver Creek, James Lick, and W. C. Overfelt High Schools, but this change order is only for the Mt. Pleasant High School Modernization Project.

Original purchase order (line item amount) \$123,655.00 + change order #2 \$331,977.00 + change order #4 \$89,112.00 = the new purchase order total for the (line item amount) = \$544,744.00.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve change order #4 to Purchase Order # 000208 for DSA Project Inspection services with Bruce Flynn & Associates in an amount of \$89,112.00 for the Mt. Pleasant High School Gym Modernization – Increment 2 Project, (Project No.: E-035-002).

2. Cathedral Home for Children

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
C. Hersom J. Cruz D. Bertrand	July 1, 2011 – August 31, 2012	\$174,636.00 -(estimated annual expenditure) Tuition – Special Education	Special Education Carole Hersom, Coordinator

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into an Agreement with Cathedral Home for Children for the provision of Non-Public School (NPS) services for a special education student. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program (IEP); and to delegate authority to the Superintendent or designee to amend said contract on an as needed basis, including funding.

Selection Process

No solicitation process took place for this contract. This student was already placed in this facility prior to coming to ESUHSD. ESUHSD is now responsible for all costs.

RECOMMENDATION

It is recommended that the Board of Trustees approve an Agreement with Cathedral Home for Children for the contract term July 1, 2011 through and including August 31 2012, for the provision of Non-Public School Services for Special Education Students in an estimated amount of \$174,636.00, and to delegate authority to the Superintendent or designee to amend said contract on an as needed basis, including funding.

3. Michael Henley & Company

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	April 20, 2012 – February 28, 2013.(no change)	\$15,000.00 (increased amount) Measure E	Overfelt Adult Education Rich Uribe, Director Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #1 to the Purchase Order # 202805 with Michael Henley & Company for Class-1 DSA required project inspection services for Overfelt Adult Education Center New Classroom Facility Project, (Project No. E-042-001).

This change order is issued on a contingency basis. The IOR was informed by the CM that the duration of Increment 2 of this project has extended ten (10) additional weeks than the schedule that the original proposal was submitted for back on March 13, 2012.

Original Purchase Order was approved for \$65,000.00 + Change Order #1 \$15,000.00 = the new Purchase Order total of \$ 80,000.00.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order # 202805 with Michael Henley & Co., in the increased amount of \$15,000.00 for the provision of Class-1 DSA required project inspection services for Overfelt Adult Education Center New Classroom Facility Project, (Project No. E-042-001).

4. Nascent Group, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. King J. Cruz D. Bertrand	August 1, 2012 – July 31, 2013	\$98,500.00 NCLB/Title I	Education Center/ Instructional Services Tim Nguyen, Coordinator Kirsten King, Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve an Agreement with Nascent Group, Inc. for the Term August 1, 2012 through and including July 31, 2013 for District Assistance Intervention Team (DAIT) Services in an amount not-to-exceed \$98,500 and to delegate authority to the Superintendent or designee to amend said contract on an as needed basis, including funding.

Services to include but not limited to, monitor the implementation of the LEA Plan for 2012-2015; collaborate and strategize with the District Leadership Team on analysis and course of action for the Program

Improvement Process; assist the district in merging the district focus areas for 2012 - 2013 into the planning process for the Single School Plan for Student Achievement and assist schools in updating the SPSA for 2013 – 2014; enhance the collaboration and communication between the schools and the district; meet with school leadership teams to assess and collect data on the nine Essential Program Components (Academic Program Survey) as they relate to district and schools' current performance; attend and monitor James Lick High School, Andrew Hill High School, Independence High School, Overfelt High School, and Oak Grove High School Alternative Governance meetings; work with Yerba Buena High School to meet Program Improvement, Year 4, requirements; provide additional assistance (coaching/consulting) to Program Improvement schools; assist in assessing and improving the collaboration period structure and process at sites; assist in the development and implementation of formative assessments; assist in the revision of and participate in a district-wide walk through process; update Report of Findings and provide required electronic data/update reports to the California Department of Education; provide technical assistance and support to the district in writing the Evidence of Progress Reports sent to California Department of Education; provide semi-annual school board updates (study sessions and/or meetings); provide professional development for teachers and administrators, as needed; and visit school sites to assess implementation of professional development strategies and determine continuing compliance and instructional needs for students with disabilities.

Selection Process

No solicitation process took place for this contract at this time. At the August 19, 2010 Board Meeting the Board approved single sourcing the Nascent Group.

RECOMMENDATION

It is recommended that the Board of Trustees Approve an Agreement with Nascent Group, Inc. for the Term August 1, 2012 through and including July 31, 2013 for District Assistance Intervention Team (DAIT) Services in an amount not-to-exceed \$98,500 and to delegate authority to the Superintendent or designee to amend said contract on an as needed basis, including funding.

5. Smith-Emery San Francisco

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	April 20, 2012 – February 28, 2013 (no change)	\$17,760.00 (increased amount) Measure E	Overfelt Adult Education Rich Uribe, Director Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #1 to the Purchase Order # 203069 with Smith-Emery San Francisco for the provision of special inspections and materials testing services required by DSA for the Overfelt Adult Education Center New Classroom Facility Project, (Project No. E-042-001).

This change order is issued on a time and materials add services due to the extended ten (10) week duration schedule that was granted to the modular contractor. This increase will not be billed against unless additional onsite/offsite visits are actually needed and requested by the District's IOR.

Original Purchase Order was approved for \$74,350.00 + Change Order #1 \$17,760.00 = the new Purchase Order total of \$92,110.00

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order # 203069 with Smith-Emery San Francisco in the increased amount of \$17,760.00 for the provision of special inspections and materials testing services required by DSA for the Overfelt Adult Education Center New Classroom Facility Project, (Project No. E-042-001).

Agenda Item Details

Meeting Jun 07, 2012 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 16. ATTACHMENT A - CONSENT CALENDAR

Subject 16.08 Approve Contracts for Professional Services At or Below \$50,000

Access Public

Type Action (Consent)

Recommended Action It is recommended that the Board of Trustees approve the contracts for professional services at or below \$50,000 as listed in the attachment and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

Public Content**EAST SIDE UNION HIGH SCHOOL DISTRICT****Item: 16.08**

TO: Board of Trustees

FROM: Dan Moser, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

SUBJECT: Approve Contracts for Professional Services At or Below \$50,000

The attached list of Contracts for Professional Services at or below \$50,000, is being recommended for Board approval and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

FISCAL IMPACT:

As indicated in the attachment

FUNDING SOURCE:

As indicated in the attachment


RECOMMENDATION:

It is recommended that the Board of Trustees approve the contracts for professional services at or below \$50,000 as listed in the attachment and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

[16.08 Contract under \\$50K 6-7-12.pdf \(41 KB\)](#)

Executive Content

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED June 7, 2012**



Item: 16.08

EAST SIDE UNION HIGH SCHOOL DISTRICT PROFESSIONAL CONTRACT SERVICES At or Below \$50,000

Board Meeting of June 7, 2012

A. SCHOOL SITES/EDUCATION CENTER

Contractor Name	Reviewed By	Contract Period	Cost/ Funding	School/Dept. Manager	Purpose
1 Architectural Testing	J. Lawrence M. Battle D. Bertrand	June 8, 2012 – September 30, 2012	\$6,000.00 (not-to-exceed) School Facility Fund	Evergreen Valley High School/ Maintenance Ana Lomas, Principal John Lawrence, Assistant Director	Provide on-site inspections during the glass replacement project at Evergreen Valley High School. Vendor will provide a summary report for each on-site inspection detailing the areas and activities inspected during each visit with an overall view of the project status to date.
2 Cruncher	M. Cage M. Battle D. Bertrand	July 1, 2012 – June 30, 2013	\$28,737.60 estimated General Fund	Education Center – Information Technology Mac Cage, Interim Director	Cruncher Solutions Software, Service and Support agreement.
3 Event Architects Inc.	G. Castro-Stanley J. Cruz D. Bertrand	May 1, 2012 – May 30, 2012	\$2,400.00 General Fund (\$2,200) ACCEL (\$200)	Independence High School Grettel Castro-Stanley, Principal	Request for Ratification To provide sound system services for Independence and Pegasus High Schools.
4 Google	M. Cage M. Battle D. Bertrand	12 months	\$24,990.00 General Fund	Education Center – Information Technology Mac Cage, Interim Director	To provide all facilities to store and process ESUHSD Email Data. Google has implemented at least industry standard systems and procedures to ensure the security and confidentiality of ESUHSD's Data, protect against anticipated threats or hazards to the security or integrity of ESUHSD Data, and protect against unauthorized access to or use of ESUHSD Data. As part of providing the Services, Google may transfer, store and process ESUHSD Data in the US or any other country in which Google or its agents maintain facilities. Google is the sole source provider of this service as they are the owners of GMAIL which is the Email System ESUHSD is now utilizing.

5	Hayden M. Wetzel	R. Ibarra K. King J. Cruz D. Bertrand	June 30, 2012 – July 2, 2012	\$420.00 Teaching American History	Education Center Robert Ibarra, Coordinator	Provide tour guide services while teachers are in Washington DC.
6	Julio Saucedo	V. Avila T. Nguyen J. Cruz D. Bertrand	May 2, 2012	\$300.00 Title 1	Education Center – Student Services Tim Nguyen, Coordinator	Request for Ratification Provide musical performance for the Latino Student event held on May 2, 2012 at W. C. Overfelt High School.
7	Mitch J. Weathers	A. Lomas J. Cruz D. Bertrand	January 1, 2012 – August 30, 2012 (changed)	\$5,000.00 (no change) General Fund	Evergreen Valley High School Ana Lomas, Principal	Approve amended contract with Mr. Weathers. This contract was previously approved at the May 10, 2012 board meeting; however, the contract period should have read January 1, 2012 through August 30, 2012.
8	San Jose State University Research Foundation, MESA Schools Program	R. Ibarra K. King C. Giammona D. Moser D. Bertrand	September 1, 2012 – May 30, 2012	\$11,202.00 Cash Contribution (\$39,780 In-Kind Contribution)	Education Center District Wide Cathy Giammona, Associate Superintendent	Provide teacher training and materials, student educational materials and academic monitoring.
9	Santa Clara County Office of Education	A. Lomas J. Cruz D. Bertrand	May 5, 2012 – May 31, 2014	\$1,900.00 Professional Development	Evergreen Valley High School Ana Lomas, Principal	Provide 19 professional development workshops for Science Teachers. The cost of \$100 per workshop.
10	Santa Clara County Office of Education	T. Cao J. Cruz D. Bertrand	July 1, 2012 – June 30, 2013	\$5,000.00 Title III – LEP	Education Center – Supplementary Education Juan Cruz, Assistant Superintendent of Instruction	Provide a 3-day Training of Trainers (ToT) and 4 follow-up sessions. Each ToT will be provided a password to access A.L.L. (A Look at Learning) tools that demonstrate best practices for teachers. ESUHSD will have rights to materials' use for one year. Cost includes the license fees for the A.L.L. software.
11	William Lazo	T. Nguyen J. Cruz D. Bertrand	July 1, 2012 – June 30, 2013	\$15,000.00 EIA	Education Center Tim Nguyen, Coordinator	Provide written and oral translation services including translations services at community events such as board meetings. (Spanish Translation)

12	William Lazo	C. Hersom J. Cruz D. Bertrand	July 1, 2012 – June 30, 2013	\$15,000.00 Special Day Class	Education Center – Special Education Carole Hersom, Coordinator	Provide written translation for various documents such as IEP documentation, Parent Handbook, letters, flyers, brochures and oral translation services as needed. (Spanish Translation)
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B. FACILITIES

	Contractor Name	Reviewed By	Contract Period	Cost/ Funding	School/Dept. Manager	Purpose
1	Carroll Engineering, Inc.	K. Lanford M. Battle D. Bertrand A. Arciniega	June 08, 2012 – December 31, 2012	\$6,450.00 (Not to exceed) Measure E	Piedmont Hills High School/Facilities Traci William, Principal Kathy Lanford, Assistant Director	Provide Ground Topographic and Underground Utility Surveying services for the New Science Building project at Piedmont Hills High School. Project No.: E-045-003
2	Cleary Consultants, Inc.	K. Lanford M. Battle D. Bertrand A. Arciniega	June 08, 2012 – December 31, 2012	\$9,200.00 (Not to exceed) Measure E	Piedmont Hills High School/Facilities Traci William, Principal Kathy Lanford, Assistant Director	Provide Geotechnical and Geo-hazard investigation for the New Science Building project at Piedmont Hills High School. The purpose of the investigation will be to explore the soil and foundation support conditions at the project site and develop findings and recommendations. Project No.: E-045-003
3	Cleary Consultants, Inc.	K. Lanford M. Battle D. Bertrand J. Unger	June 08, 2012 – December 31, 2012	\$4,500.00 (Not to exceed) Measure E	W.C. Overfelt High School/Facilities Vito Chiala, Principal Kathy Lanford Assistant Director	Provide observation and testing services during the construction phases of the existing parking lot pavement renovations for the W.C. Overfelt High School Classroom Building Wings C & E Project. Project No.: E-040-001
4	Mont-Rose Moving Systems, Inc.	K. Lanford M. Battle D. Bertrand J. Unger	May 25, 2012 – June 30, 2012	\$2,346.50 (Not to exceed) Measure E	Yerba Buena High School/Facilities Tom Huynh, Principal Kathy Lanford Assistant Director	Request for Ratification (PO 203192) Provide relocation services for Yerba Buena High School Title IX Interior Modernization Project. Project No.: E-060-003