



Preparing every student to thrive in a global society.

### Agenda Item Details

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Meeting	Mar 03, 2016 - ESUHSD REGULAR BOARD MEETING - 4:30 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	16. BOARD OF TRUSTEES/SUPERINTENDENT - CONSENT/ACTION CALENDAR
Subject	16.03 Approve Minutes of February 4, 2016, Regular Board Meeting
Access	Public
Type	Action
Recommended Action	It is recommended that the Board of Trustees approve the February 4, 2016, Regular Board Meeting minutes as presented.

### Public Content

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## EAST SIDE UNION HIGH SCHOOL DISTRICT

**TO:** Board of Trustees

**FROM:** Chris D. Funk, Superintendent

**SUBJECT:** Approve Minutes of February 4, 2016, Regular Board Meeting

Attached are the minutes of the February 4, 2016, 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 February 4, 2016, Regular Board Meeting minutes as presented.

[BA\\_2016\\_02\\_04\\_Reg\\_Minutes.pdf \(584 KB\)](#)

**EAST SIDE UNION HIGH SCHOOL DISTRICT  
BOARD OF TRUSTEES  
APPROVED**

**March 3, 2016**

*M. Guillen*

### Executive Content

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**EAST SIDE UNION HIGH SCHOOL DISTRICT**

**REGULAR MEETING**

**OF THE**

**BOARD OF TRUSTEES**

**Meeting Held at**

**East Side Union High School District**

**Board Room**

**830 N. Capitol Avenue, San Jose, CA 95133**

**February 4, 2016**

**5:00 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 5:03 PM by President Lan Nguyen.*

*Present for roll call:*

- *President Lan Nguyen*
- *Vice President Frank Biehl*
- *Clerk J. Manuel Herrera*
- *Member Pattie Cortese*
- *Member Van Le*

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

*President Nguyen 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): None**

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

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

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

**Motion #1**

*Motion by Member Van Le, second by Vice President J. Manuel Herrera, to approve the notice of compulsory leave of absence of one (1) certificated employee pursuant to Education Code section 44940.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

**Motion #2**

*Motion by Vice President Frank Biehl, second by Member Pattie Cortese, to approve the dismissal of one (1) Campus Monitor.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

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**

**Cari Vaeth, Associate Superintendent of Human Resources**

**Glenn Vander Zee, Assistant Superintendent of Educational Services**

**Employee Organizations:**

**American Federation of Teachers (AFT)**

**California School Employees Association (CSEA)**

**East Side Teachers Association (ESTA)**

**Administrator Collaborative of East Side (ACES)**

**Unrepresented Organizations:**

**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 G. M. Cabrales; and***
- ***Two (2) Potential Cases***

*Motion by Vice President Frank Biehl, second by Member Van Le, to reject the claim for damages of M. Cabrales*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

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

- ***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 of the Board Room.**

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

**5. ADOPTION OF AGENDA**

**5.01 For consideration by the Board of Trustees.**

*Item 8.04 was pulled from the agenda. Item 15.02 will be heard prior to item 15.01.*

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

**No Items on Calendar Under this Section**

**7. STUDENT BOARD LIAISONS (5 MINUTES EACH)**

**7.01 Mt Pleasant High School**

- **PRIDE**
  - **Joanne Nguyen**
  - **Vanessa Cabuag**
- **Safe School Ambassadors**
  - **Lianna Martinez**
  - **Jenna Vega**

- 7.02 Piedmont Hills High School**  
• Richard Nguyen, ASB President

**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 and/or Discussion regarding Family College Success Center at James Lick High School - Ron Gonzales, President & CEO, Hispanic Foundation of Silicon Valley**

*Presentation item; no action taken*

- 8.03 Presentation and/or Discussion regarding iMentor Program - Nate Falkner, Executive Director, iMentor Bay Area**

*Presentation item; no action taken*

- 8.04 Presentation and/or Discussion regarding Imani Village Program - Wil Cason, Director of Education, Unity Care**

*Item pulled*

- 8.05 Presentation, Discussion and/or Action regarding Independence High School's Growth Impacts and Mitigations - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, Julio Lucas, District Architect, and Farshid Samsami, Bond Program Manager, SGI**

*Speakers:*

- Lisa Baker
- Joanna Shea
- Christi Bradford
- Elizabeth Oing
- Jennifer Andaluz
- Greg Lippman
- Terri Furton
- Anne Finney
- Jeff Moore
- Marisa Hanson

*Motion by Vice President Frank Biehl, second by Member Pattie Cortese, to:*

- 1. Approve and allocate \$11,146,000 funded as indicated above, for the K09 Serving Kitchen, Parking Lot Signage, New Gymnasium, Practice Baseball Infield, Batting Cages, Building J Modernization, Demolition of the Portable Classroom Building West of Building M at Independence High School as presented.*
- 2. Approve gym and field rental fees not to exceed \$75,000 funded as indicated above, to accommodate sports team practice and game facilities needs for Independence, KIPP, ACE and DCP schools.*

and with contingency that administration will bring back a review of the suggestions and additions to the plan at the next Board Meeting.

Items include:

- *How a barrier might work*
- *Additional area for charter school students to gather, a covered area*
- *Accommodating one bathroom in the Science wing and determine funding*
- *Understand where the fields go and how they work*
- *If land is contaminated, it needs to be assessed and cleaned up*
- *Consideration and discussion for an allocation of funds to bring in a facilitator who could help build community*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

**8.06 Discussion and/or Action to Approve and Allocate Funds for Alternative Education Facility Upgrades for Pegasus High School and the Post Senior Program - Marcus Battle, Associate Superintendent of Business Services, and Linda da Silva, Director of Construction, Maintenance and Facilities**

*Speakers:*

- *Neil Silverman*
- *Angie Nunn*

Motion by Clerk J. Manuel Herrera, second by Member Van Le, to:

1. Approve and allocate \$6,485,000 (Measure E Board/Cabinet Contingency \$4,637,931.20; Measure I Restoration of Pegasus Measure E Allocation \$328,010.01; Measure I Alternative Education Allocation \$1,519,058.79) for the Independence High School Building J Modernization Project.
2. Approve the relocation of the Post Senior Program to 830 North Capitol Avenue, contingent upon future bond funding.

*The Board asked administration to report back at the next meeting recommendations related to the replacement of the Independence Adult Center portable.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

**8.07 Presentation, Discussion and/or Action Regarding Authorization to Enter Into Negotiations for Proposition 39 Charter School Facilities/Land Agreement at Education Center Property - Chris D. Funk, Superintendent**

*Speakers:*

- *Luis Licon*
- *Tom Ryan*

- Heriberto Soto
- Adam Kaye

*Motion by Board Member Van Le, second by Board Vice President, J. Manuel Herrera, to:*

1. *Authorize Superintendent or his designee(s) to enter into discussions and negotiations with KIPP San Jose Collegiate charter school for a Prop. 39 ground lease agreement for a portion of the Education Center property for the construction of public charter high school facilities by KIPP to relocate the KIPP charter school from the Independence High School site to the Education Center property; and*
2. *Authorize Superintendent or his designee(s) to enter into discussions with the County of Santa Clara and other responsible public agencies for the possible development of a portion of the public lands adjacent to the Education Center property to accommodate and support physical education activities and school-related athletic activities.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

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

- 9.01 Hold Public Hearing at Approximately 6:05 p.m. Regarding the Proposed Adoption of the Initial Proposal for Successor Contract: From East Side Union High School District to the San Jose Federation of Teachers Local 957, AFT, AFL-CIO - Cari Vaeth, Associate Superintendent of Human Resources**

*Public hearing held. There were no public speakers.*

- 9.02 Discussion and/or Action Regarding the Proposed Adoption of the Initial Proposal for Successor Contract: From East Side Union High School District to the San Jose Federation of Teachers Local 957, AFT, AFL-CIO - Cari Vaeth, Associate Superintendent of Human Resources**

*Motion by Vice President Frank Biehl, second by Clerk J Manuel Herrera, to adopt the District's initial proposal for successor contract to the San Jose Federation of Teachers Local 957, AFT, AFL-CIO.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Member Pattie Cortese, Member Van Le*

*Not present at vote: Clerk J. Manuel Herrera*

*Vote: 4/0; Motion Carries*

- 9.03 Hold Public Hearing at Approximately 6:10 p.m. to 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 - Cari Vaeth, Associate Superintendent of Human Resources**

*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.

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.

*Speaker:*

- *Marisa Hanson, ESTA President – ESTA Concerns re: Post Senior Program at Calero*
- *Angie Nunn, CSEA President – CSEA Concerns re: Post Senior Program at Calero*

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

**11.01 Discussion and/or Action regarding 2016 California School Boards Association (CSBA) Delegate Assembly Election - Frank Biehl, Board Vice President**

*Motion by President Frank Biehl, second by Member Pattie Cortese, to vote/nominate the following candidates for submission on the Official 2016 Delegate Assembly Ballot to CSBA.*

- *Robert (Bob) Benevento (Morgan Hill USD)*
- *Frank Biehl (East Side Union HSD)*
- *Cynthia Chang (Los Gatos-Saratoga Jt. Union HSD)*
- *Joe Mitchener (Mountain-View Los Alto Union HSD)*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

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

**12.01 Presentation, Discussion and/or Action regarding the California Career Pathways Trust Grant - Glenn Vander Zee, Assistant Superintendent of Educational Services, and Tim Nguyen, Director of Career Services**

*Presentation item; no action*

**12.02 Discussion and/or Action regarding Members of the Schools' Start Times Task Force - Glenn Vander Zee, Assistant Superintendent of Educational Services**

*Motion by J. Manuel Herrera, second by Member Le, to approve:*

- *Vice President Biehl as Chair of the School Start Times Task Force*
- *Clerk J. Manuel Herrera as Vice Chair of the School Start Times Force*



- *List of Representatives/Designees as presented*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

**12.03 Discussion and/or Action to Approve Distribution of "Go For It" Scholarship Funds - Glenn Vander Zee, Assistant Superintendent of Educational Services**

*Motion by Member Van Le, second by Vice President Frank Biehl, to approve the distribution of the "Go For It" Scholarship Funds, including the addition of two (2) categories, Special Education and McKinney-Vento students, \$2,000 each student, totaling \$36,000.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

**13. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**

**13.01 Discussion and/or Action to Receive and Adopt Second Reading of Proposed Draft Amendment to Board Policy 3100 Budget - Marcus Battle, Associate Superintendent of Business Services, Karen Poon, Director of Finance**

*Motion by Vice President Frank Biehl, second by Clerk J. Manuel Herrera, to receive and adopt the second reading of the proposed draft amendment to Board Policy 3100 Budget.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

**13.02 Discussion and/or Action to Ratify CUPCCAA Informal General Purchasing Project(s) - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager**

*Motion by Clerk J. Manuel Herrera, second by ratify the CUPCCAA informal project(s) as presented.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

**13.03 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager**

*Motion by Member Van Le,, second by Member Pattie Cortese, to approve the contract(s) for professional services over \$25,000 and authorization for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

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

**14.01 Discussion and/or Action to Adopt a Salary Schedule for Substitute Classified Employees - Cari Vaeth, Associate Superintendent of Human Resources**

*Motion by Clerk J. Manuel Herrera, second by Vice President Frank Biehl, , to adopt the salary schedule for substitute classified employees effective February 1, 2016.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

**14.02 Discussion and/or Action to Adopt a Substitute Classified Management and Confidential Salary Schedule - Cari Vaeth, Associate Superintendent of Human Resources**

*Member Van Le, second by Clerk J Manuel Herrera, to adopt the substitute classified management and confidential salary schedule effective February 1, 2016.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

**14.03 Discussion and/or Action to Adopt Substitute Certificated Administrative Rate of Pay - Cari Vaeth, Associate Superintendent of Human Resources**

*Speaker:*

- *Marisa Hanson, ESTA President*

*Motion by Member Van Le, second by Clerk J. Manuel Herrera, to adopt the substitute certificated administrative rate of \$475.00 per diem.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

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

- 15.01 Adopt Resolution #2015/2016-12 Approving Use of Design Build Delivery for the W.C. Overfelt High School Music, Art and Administration Building and Central Quad Modernization Project - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by Vice President Frank Biehl, second by Clerk J Manuel Herrera, to adopt Resolution 2015/2016-12 approving the Use of the Design-Build Delivery Method for the W.C. Overfelt High School Music, Art and Administration Building and Central Quad Modernization Project.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

- 15.02 Discussion and/or Action to Determine that Design-Build Delivery for the W.C. Overfelt High School Music, Art and Administration Building and Central Quad Modernization Project will Reduce Project Costs, Expedite the Project's Completion, or Provide Features Not Achievable Through the Design-Bid-Build Process – Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by Clerk J. Manuel Herrera, second by Member Pattie Cortese, to approve the determination that design-build delivery for the W.C. Overfelt High School Music, Art and Administration Building and Central Quad Modernization Project will reduce project costs, expedite the project's completion, or provide features not achievable through the design-bid-build process.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

- 15.03 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, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by Clerk J Manuel Herrera, second by Vice President Frank Biehl, to approve the bond/capital projects contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to*

*ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

**15.04 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, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by Member Van Le, second by Clerk J Manuel Herrera, to ratify the CUPCCAA informal project(s) as presented.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

## **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.

*Motion by Clerk J. Manuel Herrera, second by Member Pattie Cortese, to approve the entire consent/action calendar as presented.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0 Motion Carries*

### **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 November 19, 2015, Regular Board Meeting**

**16.03 Approve Minutes of December 10, 2015, Annual Organizational and Regular Board Meeting**

### **17. Educational Services / Student Services - Consent / Action Calendar**

**17.01 Ratify/Approve School Field Trips**

### **18. Business Services - Consent / Action Calendar**

**18.01 Ratification of Contract(s) for Professional Services At or Below \$25,000**

**18.02 Approve Purchase Orders**

**18.03 Approve Change Orders to Purchase Orders**

**18.04 Accept Report of Credit Card Purchases for Statement Dated October 22, 2015, and November 23, 2015**

### **19. Human Resources - Consent / Action Calendar**

**19.01 Ratify/Approve Classified Personnel Actions Presented February 4, 2016**

**19.02 Ratify/Approve Certificated Personnel Actions Presented February 4, 2016**

**19.03 Ratify/Approve Student Aide Personnel Actions Presented February 4, 2016**

**20. Facilities - Consent / Action Calendar**

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

**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 from Santa Clara County Office of Education the Positive Certification Letter for the 2015-16 First Interim Report**

*Report received*

**21.02 Receive Summary Report of Governor's Budget Updates for 2016-17**

*Report received*

**22. FUTURE AGENDA ITEMS**

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

**Board Vice President Frank Biehl**

<b>Item</b>	<b>Type</b>
<b>Substitute Pay Rates</b>	<b>Discussion</b>
<b>Teacher Supplies Budget and Process to allocate funds</b>	<b>Presentation</b>

**Board Member Van Le**

<b>Item</b>	<b>Type</b>
<b>Vending Machines</b>	<b>Discussion</b>

**22.02 Future Items**

**Lan Nguyen, Board President**

Item	Date (tentative)	Type
Anti-Bullying Efforts	March 3, 2016	Presentation/Discussion
International Baccalaureate Program (IB) Plan for Recruitment and Expansion	April 21, 2016	Presentation/Discussion

**Frank Biehl, Board Vice President**

Item	Date (tentative)	Type
ALearn Summer Program	March 3, 2016	Presentation/Discussion
Bilingual Support Staff	March 3, 2016	Presentation/Discussion
Computer Science (Coding)	April 21, 2016	Presentation/Discussion
Payroll Audit Report Out	April 21, 2016	Presentation/Discussion
Livestream Board Meetings <i>(combined with J. M. Herrera's Broadcast Board Meetings)</i>	Spring 2016	Presentation Update

**J. Manuel Herrera, Board Clerk**

Item	Date (tentative)	Type
Broadcast Board Meetings <i>(combined with F. Biehl's Livestream Board Meetings)</i>	Spring 2016	Presentation Update
Toner cartridge (supplies) budget (instructional materials budget)	Spring 2016	Presentation/Discussion

**Pattie Cortese, Board Member**

Item	Date (tentative)	Type
Plan to bring Back Expelled Students	March 3, 2016	Presentation/Discussion

**Van Le, Board Member**

Item	Date (tentative)	Type
Failed Courses	Twice Year: October & March	Report
Salad Bar Update	March 3, 2016	Presentation/Discussion
Accel Program	April 21, 2016	Report
Board Policy 6173 Education for Homeless Children <i>(review language)</i>	April 21, 2016	Discussion
STEM Program	April 21, 2106	Presentation/Discussion
Adult Education Program – new funding model	TBD	Report

## 22.03 Annual Governance Calendar

<b>July</b>
Summer School Program (concludes session)
Summer School Graduation

<b>August</b>
Expulsion Hearing Panel Committee
First Day of School
Superintendent's Annual Evaluation
Williams Quarterly Report

<b>September</b>
Board Retreat
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
Receive Annual Developer Fees Report
Unaudited Actuals

<b>October</b>
Bond Program Presentation
Solar Energy Presentation
Student Achievement Presentation
Williams Quarterly Report

<b>November</b>
Board Study Session/Workshop
Election Orientation for New Board Members

<b>December</b>
Annual Organizational Board Meeting
CSBA Annual Conference
Election Orientation for New Board Members
End of First Semester
First Interim Report

<b>January</b>
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
Master Business Relationship Agreement between East Side Union High School District and Metropolitan Education District
Policies & ByLaws (Begin Review by Series)
Sports Recognitions (Fall)
Technology Report
Williams Quarterly Report

<b>February</b>
African American Students Achievement Awards
Audit Committee Charter Amendment(s)
CSBA Delegate Assembly Election
Non-Re-Elects
Safety Plan Goals for Each Site
State of the District

<b>March</b>
Cesar Chavez Writing, Art & Multi-Media Awards Luncheon
Latino Student Awards Recognition Ceremony
March 15 Notices
NSBA Annual Conference
Second Interim Report
SJPD Secondary Employment Application
Superintendent's Mid-Year Evaluation
Vietnamese Students Achievement Awards

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

<b>May</b>
Asian American/Pacific Islander History Month: Poster & Essay Contest Awards/Celebration
Board Self-Evaluation
Budget (Preliminary/Draft) Presentation
Employee Recognition Event
Graduations
Honor Nights
Last Day of School
Sports Recognitions (Winter/Spring)

<b>June</b>
Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting)
Budget Adoption (second June Board Meeting)
Budget Advisory Committee: Nominate and Appoint Board Representatives (2) and Alternative Board Representative (1) (2 year term, fiscal year)
Employee Retirement Celebration
ESTA Safety Survey
Master Contracts for Capital Projects
Plan for Expelled Youth (due every three years – 2018)
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**

#### **Board President Lan Nguyen**

*I agree with Board Member Herrera that we had a really good Retreat last Saturday. I appreciate Member Cortese's initiation and her suggestion of having a restorative justice expert to facilitate the Retreat. I have to admit that I did not know much about restorative justice before the retreat. The experience was a lot more than I anticipated and I appreciate that.*

*We have the Lunar New Year coming on Monday. It just occurred to me that I have been on this Board for twelve (12) years and we have not had a gathering for the celebration of this new year with staff. Two weeks ago I spoke to Member Le about inviting staff to join us in celebration the new year with a potluck. This last Wednesday, I asked the Superintendent to help get out the invitation to staff who might be interested. We are going to have a potluck gathering tomorrow here at 4 PM to celebrate the Vietnamese Lunar New Year. If you are interested in attending, we only ask that you bring a dish because it is a potluck because the District is not paying for it. They are only offering the space, which is the Board Room. Come a bring a dish or contribute \$10 to help pay for the food brought by staff. Let me know with an email tonight if you plan to join us tomorrow at 4 PM. We will not have a formal program. What you will experience is to write your name on a tag when you arrive, get a plate of food, take a seat, and talk/socialize with others. This invitation is for everyone.*

#### **Board Vice President Frank Biehl**

*I want to say thank you to our Board for their participation in the Retreat. I think it was very helpful and a very good exercise for all of us. I want to thank the teachers, administration and the Board, once again, for the thoughtful discourse on a very difficult issue, the allocation of resources within the framework of the law, etc., for Independence and the charters. I think we made progress. I think there is more progress to make, but I do particularly want to say that it is important that our teachers continue to have the courage to speak their mind regarding their concerns about our students' safety and academic success both at the site and at the District Office level. It is much better than allowing issues to pile up and then explode later. I am hoping that we foster a general culture within our whole District that people feel comfortable about coming forward with positions that we are taking – that they listen to the positions of others and that all this is done without fear of retribution. If we do that, we can move a lot of things forward a lot faster.*

*Thank you all for tonight's meeting. It was very productive. Particularly administration for all their hard work. I understand you are in the middle, but quite frankly, we have listened, we have made progress. There are a few more details we need to hammer out, but very much appreciative of the work that has been done.*

#### **Board Clerk J. Manuel Herrera**

*This past weekend the Board had a retreat. During part of that retreat, the facilitator lead us into sharing personal stories about early years of our lives and how our lives have come forward. I was completely spellbound in listening to the two Vietnamese members of our Board in what they shared and it was very moving. I want to say it publicly and again that this District through our marketing efforts and communications efforts ought to be taking this story out to our general community that they would understand that we have two Vietnamese leaders on this school Board who represent almost in an archetype way the story of the*

Vietnamese community. They ought to hear this story; we ought to get it out there. I want everyone to hear this because it is very moving.

**Board Member Pattie Cortese** (no comments made)

*I appreciated all the lively discussion around the mitigation plan and the thoughtful conclusion that we came to and the inclusiveness that I felt was present. Thank for all that.*

**Board Member Van Le**

*I commend the leadership of Superintendent Chris Funk on the Dance Festival that I attended, along with Frank and Barbara Biehl, at Silver Creek, including the continuation of the marching band and guitar festivals. This is something the District should do more often. I like the leadership of the Superintendent as he continues to support the festivals as they are a support to our students.*

*I want to also commend Yerba Buena High School students who put together a cultural show to celebrate Tet. I want to say "Happy Tet". It is next Monday. If you hear all the firecrackers in the middle of the night that is what we are celebrating, Tet New Year.*

**23.02 Chris D. Funk, Superintendent**

*One goal that I have, and I state it out loud, personally is that three and a half years ago the very first Board meeting ended at 7:30 PM. My goal is to try to match that at least one more time.*

*Thank you for your kind words. We will continue to work hard to bring resolution to as many of the issues as possible.*

**24. REPORT CLOSED SESSION ACTION(S)**

**Legal Counsel will report on Closed Session action item(s).**

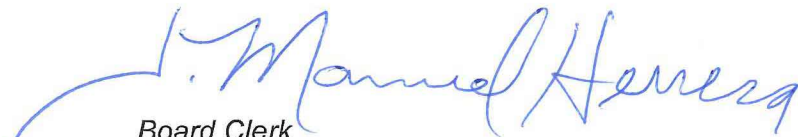
*See section 2.0 for reporting out of Closed Session items.*

**25. ADJOURNMENT**

**President adjourns the meeting.**

*Board President Lan Nguyen adjourned the meeting at 10:25 PM.*

*Respectfully submitted,*

  
Board Clerk

# EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000  
Board Meeting of February 4, 2016 – Item 13.03

## 1. Stanbridge Academy

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore André Bell	January 12, 2016 – June 30, 2016	\$50,000.00 General Fund – Special Ed	Special Services, Barbara Moore

### Contract Request

East Side Union High School District (ESUHSD) administration is requesting the Board of Trustees to approve the contract with Stanbridge Academy. Stanbridge Academy will provide private school services and other related services for two ESUSHD special education students per IEP Requirements. Tuition for the two students will be \$41,000.

### Selection Process

No Solicitation took place for this service

### Recommendation

It is recommended that the Board of Trustees approve the contract between Stanbridge Academy and ESUHSD in the amount not to exceed \$50,000.00 for the term of January 12, 2016, through June 30, 2016. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Bond/Capital Projects Contract(s) for Services over \$50,000**  
**Board Meeting February 04, 2016 – Item 15.03**

**1. ELECTORIC TEXTBOOK SOFTWARE: CENGAGE LEARNING**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Randy Phelps Andre Bell	March 11, 2016 - March 10, 2017	\$53,950.00  Measure I	District Wide/ Information Technology Services  Randy Phelps, Director of IT

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the renewal to Cengage Learning for a subscription license for electronic textbooks with Cengage Learning. This subscription license will allow students to use these textbooks with any computer, tablet or other device currently used in classroom.

Contract Number: 396319

**RECOMMENDATION**

It is recommended that the Board of Trustees approve the annual one year subscription license with **Cengage Learning** for an amount not to exceed **\$53,950.00 for the subscription term starting March 11, 2016, through March 10, 2017**. Administration to execute change orders in accordance with Board Policy 3312.1.

**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Contract(s) for Professional Services At or Below \$25,000**  
Board Meeting of February 4, 2016 – Item 18.01

<b>Consultant</b>	<b>Contract Period</b>	<b>Contract Amount</b>	<b>PO Number</b>	<b>Location of Services</b>	<b>Description of Services</b>	<b>Date Contract Assigned</b>
Alfredo Castaneda	March 2, 2016	\$450.00	602278	Independence	Provide a one day training through the Early College Outreach Parent Program for Migrant Ed parents and students for academic success at Independence High School	01/20/2016
Art Conservation	January 4, 2016 – March 31, 2016	\$3,500.00	602183	Andrew Hill	Provide services to restores the painting “Landscape with cows” at Andrew Hill High School	01/07/2016
Art Conservation	January 4, 2016 – April 30, 2016	\$8,700.00	602181	Andrew Hill	Provide services in restoring 2 oil/canvas paintings for Andrew Hill High School	01/07/2016
St. Benedict Driving School-Joe Tinh Nguyen	January 20, 2016 – June 30, 2016	\$20,000.00	602279	W.C. Overfelt	Provide 30 hours of driving education and 6 hours of behind the wheel driving and prep work DMV test for 54 WCO students	1/20/2016
United Site Services of California	July 1, 2015 – June 30, 2016	\$8,000.00	602205	Piedmont Hills	Provide rental services of portable toilets for various events held at Piedmont Hills High School throughout the school year	01/13/2016
Yazmin Y. Espinoza Hernandez	August 31, 2015 – May 25, 2016	\$2,310.00	602232	W.C. Overfelt	Provide Zumba classes for parents at W.C. Overfelt High School	01/14/2016

**East Side Union High School District**  
**Construction-Related Professional Services Contracts under \$50,000 for Ratification**  
**Board Meeting of February 04, 2016 - Item 20.01**

<b>Project Number &amp; Name</b>	<b>Project Description</b>	<b>Contract Number</b>	<b>Contract Period</b>	<b>Consultant</b>	<b>Contract Amount</b>	<b>Date Purchase Order Assigned</b>
Z-030-601, I-030-003 / JL Student Center & Quad Mod, JL Site Infrastructure Improvements	Perform site topographical survey and site utility location services for the student union and quad modernication and infrastructure project at James Lick High School	602058	December 14, 2015 to January 11, 2016	C2G/Civil Consultants Group	\$27,900.00	12/15/2015
E-065-008 / IH Bld J Modernization	Provide site topographic ground survey and underground utility locating services at Independence High School Building J	602144	September 28, 2015 thru October 15, 2015	Underwood & Rosenblum, Inc.	\$6,200.00	1/6/2016
I-045-001, I-045-002, Z-045-601 / PH Bld G Modernization, PH Bld P New Classroom Bld, PH Bld K Conversion to Science Labs and Classroom	Provide site topographic ground survey and underground utilities locator at Piedmont Hills High School	602152	November 1, 2015 to November 30, 2015	Brio Engineering Associates, Inc.	\$13,800.00	1/6/2016
Z-065-601, Z-065-602 / IH Building B (Demo), IH Streetscape, Infrastructure, Wayfinding	provide project inspector services of McCarthy Building Company of the Site Improvement work, landscape, and building B demo	602206	December 4, 2015 thru project completion	CIS, Inc.	\$3,750.00	1/13/2016