

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

**AGENDA**  
**December 10, 2015**

In compliance with the Americans with Disabilities Act, if you need special assistance, disability-related modifications or accommodations, including auxiliary aids or services, in order to participate in the public meeting of the Board of Trustees, please contact the office of the District Superintendent at (408) 347-5010. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Upon request, the District shall also make available this agenda and all other public records associated with this meeting in appropriate alternative formats for persons with a disability.

**Closed Session will begin at 4:00 P.M.**

The Annual Organizational & Regular Meeting of the Board of Trustees will begin at 4:00 p.m. in the Board Room of the Education Center. Anyone wishing to address the Board regarding Closed Session items may speak at this time. The Board will then adjourn to Closed Session in the Superintendent's Conference Room.

**1. Call to Order/ Roll Call**

1.01 Roll Call

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

Persons wishing to address the Board on Closed Session items or any subject not on the agenda must fill out a gold request form, which is located at the entrance of the Board Room.

1.03 Recess to Closed Session in the Superintendent's Conference Room (Open Session will resume at the end of Closed Session in the Board Room at approximately 6:00 p.m.)  
**SEE ITEM 2 ON AGENDA (CLOSED SESSION)**



## Closed Session

- 2.01 Expulsion(s): A
- 2.02 Public Employee Performance Evaluation  
(Government Code Section 54957)
- *Superintendent*
- 2.03 Public Employment/Public Employee Appointment  
(Government Code Section 54957)
- *Executive Assistant*
- 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*  
*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 Employees:  
*Administrators*  
*Managers*  
*Confidential Employees*
- 2.06 Conference with Legal Counsel – Anticipated Litigation:  
Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code  
Section 54956.9
- *Claim for Damages of E. & L. Wong; and*
  - *Two (2) Potential Cases*



## **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. Annual Organizational Meeting**

#### 5.01 Nomination and Election of Board Officers

- President
- Vice President
- Clerk

#### 5.02 Nomination and Appointment of Two Board Members to Board's Standing Audit Committee

- Chairperson
- Vice Chairperson

#### 5.03 Nomination and Election of Representative to MetroED Board (Two-Year Term)

#### 5.04 Nomination and Election of Alternate Representative to MetroED Board (One-Year Term)

#### 5.05 Nomination of One Member of the Board of Trustees to Vote in the Election of the Santa Clara County Committee on School District Organization

#### 5.06 Nomination and Election of Representative to Santa Clara County School Boards Association

#### 5.07 Nomination and Election of One Member to East Side Alliance Advisory Committee

#### 5.08 Nomination and Election of One Alternate Member to East Side Alliance Advisory Committee

#### 5.09 Nomination and Election of Two Members to District's Budget Advisory Committee

#### 5.10 Nomination and Election of One Alternate Member to District's Budget Advisory Committee

#### 5.11 Appointment of Board Secretary



**6. Adoption of Agenda**

6.01 For consideration by the Board of Trustees

**7. Board Special Recognition(s)**

No Items on Calendar Under this Section

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

- 8.01 Evergreen Valley High School
- Mindy Tran, ASB President
  - Sandhya Iyer, ASB Vice President

**9. Special Order of Business – Operational Items/Board Discussion and/or Action**

- 9.01 The Superintendent and/or Board Member(s) may request that items be considered, discussed, and acted on out of the order indicated on the agenda as per schedule.
- 9.02 Discussion and/or Action to Approve or Deny Latino College Preparatory Academy Charter School Renewal Petition - Glenn Vander Zee, Assistant Superintendent of Educational Services, Kirsten King, Director of Assessment & Accountability, and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight
- 9.03 Discussion and/or Action to Approve or Deny Summit Public School: Rainier Charter School Renewal Petition - Glenn Vander Zee, Assistant Superintendent of Educational Services, Kirsten King, Director of Assessment & Accountability, and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight
- 9.04 Presentation, Discussion and/or Action regarding Potential for New General Obligation Bond Election - Marcus Battle, Associate Superintendent of Business Services, and Dale Scott, Financial Advisor, Dale Scott & Company
- 9.05 Presentation regarding MetroED Regional Occupational Program (ROP) – Alyssa Lynch, Superintendent, MetroED

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

- 10.01 Public Hearing at Approximately 7:00 p.m. on the Proposed Plan for Use of the Educator Effectiveness Grant Funds Allocated by the California Department of Education; Staff Presentation of Proposed Plan for Expenditure of Educator Effectiveness Grant Funds – Glenn Vander Zee, Assistant Superintendent of Educational Services



## **11. 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.

## **12. Board of Trustees/Superintendent - Operational Items/Board Discussion and/or Action**

- 12.01 Discussion and/or Action to Receive and Adopt the Second Reading of Draft Proposed Recommended Amendments to Citizens' Bond Oversight Committee Bylaws - Mariel Caballero, Chairperson of Measure G, Measure E, Measure I, and Technology Measure I Citizens' Bond Oversight Committee
- 12.02 Discussion and/or Action to Receive Second Reading and Adopt Draft Proposed Recommended Amendments to Audit Committee Charter - Frank Biehl, Audit Committee Chair, and Pattie Cortese, Audit Committee Vice Chair
- 12.03 Discussion and/or Action regarding January 30, 2016, Board Retreat and to Select Board Self-Evaluation Instrument for Retreat - Van Le, Board President

## **13. Educational Services/Student Services - Operational Items/Board Discussion and/or Action**

- 13.01 Presentation, Discussion and/or Action regarding Strategic Plan/LCAP Key Performance Measure Data Points - Glenn Vander Zee, Assistant Superintendent of Educational Services
- 13.02 Presentation, Discussion and/or Action on Academic Success Analysis - Glenn Vander Zee, Assistant Superintendent of Educational Services, and Kirsten King, Director of Assessment & Accountability
- 13.03 Presentation, Discussion and/or Action regarding State Bilingual Seal Program – Glenn Vander Zee, Assistant Superintendent of Educational Services
- 13.04 Presentation, Discussion and/or Action regarding Vietnamese and Chinese Language Programs - Glenn Vander Zee, Assistant Superintendent of Educational Services
- 13.05 Presentation, Discussion and/or Action regarding Senate Bill 359 enacting the California Mathematics Placement Act of 2015 (new Education Code Section 51224.7) – Glenn Vander Zee, Assistant Superintendent of Educational Services, Teresa Marquez, Director of Professional Development and Instructional Services



- 13.06 Discussion and/or Action to Adopt Proposed Amendments to the Adult Education Calendar for the 2015-2016 School Year - Glenn Vander Zee, Assistant Superintendent of Educational Services, and Richard Uribe, Director Adult Education

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

- 14.01 Presentation, Discussion and/or Action to Receive and Approve First Interim Financial Report for Fiscal Year 2015/2016 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance
- 14.02 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, and André Bell, Director of Purchasing and Capital Accounting
- 14.03 Discussion and/or Action to Ratify CUPCAA Informal General Purchasing Project(s) - Marcus Battle, Associate Superintendent of Business Services, and André Bell, Director of Purchasing and Capital Accounting

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

- 15.01 Discussion and/or Action to approve Confidential Job Description and Salary Range for Executive Assistant to the Superintendent - Cari Vaeth, Associate Superintendent of Human Resources
- 15.02 Discussion and/or Action to Approve Provisional Internship Permit Request for Certificated Employee - Cari Vaeth, Associate Superintendent of Human Resources
- 15.03 Discussion and/or Action to Adopt Board Policy 4162 (New) and Amended Board Policy 4361 to Implement AB 375 Effective January 1, 2016, and to Waive Board Bylaw 9310 Requiring Second Reading of Proposed New or Amended Board Policy - Cari Vaeth, Associate Superintendent of Human Resources; Rogelio M. Ruiz, Esq., Legal Counsel

**16. Facilities - Operational Items/Board Discussion and/or Action**

- 16.01 Presentation, Discussion and/or Action to Award a Contract for Design-Build Services for the Yerba Buena High School Student Union and Quad Modernization Project and Replacement of the Campus Main Electrical Switchgear - 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
- 16.02 Adopt Resolution #2015-2016-08 Designation of Specific Material, Product, Thing or Service - Gamewell-FCI Fire Alarm System and Components - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities



- 16.03 Adopt Resolution #2015/2016-09 in Support of the Kindergarten through Community College Public Education Facilities Bond Act of 2016 - Marcus Battle, Associate Superintendent of Business Services, and Linda da Silva, Director of Construction, Maintenance and Facilities
- 16.04 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

## **Consent / Action Calendar Sections 17-21**

**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.

### **17. Board of Trustees / Superintendent - Consent / Action Calendar**

- 17.01 Ratify/Approve Board Member(s) Lawful Expenses/Mileage to Conferences/ Workshops/Meetings
- 17.02 Approve Minutes of November 5, 2015, Special Board Meeting

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

- 18.01 Ratify/Approve School Field Trips

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

- 19.01 Ratification of Contract(s) for Professional Services At or Below \$25,000
- 19.02 Approve Purchase Orders
- 19.03 Approve Change Orders to Purchase Orders



- 19.04 Adopt Resolution #2014/2015-10 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546
- 19.05 Approve Budget Transfers for the Month of November, 2015
- 19.06 Accept Warrant Register for the Month of November, 2015
- 19.07 Approve Oak Grove High School Band Boosters, A School Connected Organization, to Solicit Contributions or Funds per Education Code 51520(a) and 51521
- 19.08 Approve Facilities Use Agreements

**20. Human Resources - Consent / Action Calendar**

- 20.01 Ratify/Approve Classified Personnel Actions Presented December 10, 2015
- 20.02 Ratify/Approve Certificated Personnel Actions Presented December 10, 2015
- 20.03 Ratify/Approve Student Aide Personnel Actions Presented December 10, 2015

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

- 21.01 Ratification of Bond/Capital Projects Change Orders to Construction Contracts and Purchase Orders At or Below \$175,000

**22. Written Reports/Recommendation**

**Items under section 22 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.**

- 22.01 Receive Quarterly Report on the County of Santa Clara Treasury Investment Portfolio as of September 30, 2015
- 22.02 Receive Annual Developer Fees Report for Fiscal Year 2014-15





## 23. Future Agenda Items

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

23.02 Future Items:

### **Van Le, Board Member**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
Failed Courses	Twice Year: October & March	Report
AVID Program	January 21, 2016	Presentation/Discussion
English Language Learners (ELL) Update	January 21, 2016	Presentation/Discussion

### **Lan Nguyen, Board Member**

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

### **Frank Biehl, Board Member**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
Primary and Secondary Languages Spoken at Sites	January 21, 2016	Presentation/Discussion
Board Self-Evaluation	January 30, 2016 Board Retreat	Evaluation Instrument
Livestream Board Meetings (combined with J. M. Herrera's Broadcast Board Meetings)	Spring 2016	Presentation Update

### **J. Manuel Herrera, Board Member**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
Broadcast Board Meetings (combined with F. Biehl's Livestream Board Meetings)	Spring 2016	Presentation Update

### **Pattie Cortese, Board Member**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
Plan to bring Back Expelled Students	February 11, 2016	Presentation/Discussion
Early Alert / Warning System	April 21, 2016	Presentation/Discussion



23.03 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



**24. Board of Trustees/Superintendent Communications/Comments**

24.01 Board of Trustees

- Van Le
- Lan Nguyen
  - MetroED
- Frank Biehl
  - Board Audit Committee
- J. Manuel Herrera
- Pattie Cortese

24.02 Chris D. Funk, Superintendent

**25. Report Closed Session Action(s)**

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

**26. Adjournment**

26.01 President Adjourns the Meeting

