

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

**AGENDA**  
**January 21, 2016**

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 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)
- 2.03 Public Employment/Public Employee Appointment  
(Government Code Section 54957)
- *Coordinator of State and Federal Programs*
- 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 G. Osario-Ramos; and*
  - *Two (2) Potential Case*
- 2.07 Conference with Legal Counsel – Existing Litigation:  
(Paragraph (1) of subdivision (d) of Section 54956.9)
- Two (2) cases:
    - (1) OAH Case No. 2015080912; and
    - (2) OAH Case No. 2015080909



## **Open Session at Approximately 6:00 P.M. – Education Center Board Room**

Any person may address the Board on any item on the meeting agenda. Information explaining Board meeting procedures and how citizens can address the Board will be read. Persons wishing to address the Board must fill out a gold request form, which is located at the entrance of the Board Room.

### **3. Pledge of Allegiance**

### **4. Welcome and Explanation to Audience**

Information explaining Board meeting procedures and how citizens can address the Board will be read. Written information is located near the entrance to the Board Room.

### **5. Adoption of Agenda**

5.01 For consideration by the Board of Trustees

### **6. Board Special Recognition(s)**

6.01 Recognition Presented to ESUSHD by Educare of Silicon Valley

6.02 Recognition Presented to Iliana Esperanza Ozuna, Esperanza Running

6.03 Fall Sports:

Andrew Hill High School

- Volleyball, West Valley Division, Blossom Valley Athletic League Champions

Evergreen Valley High School

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

Independence High School

- Volleyball, Santa Teresa Division, Blossom Valley Athletic League Champions

Mt. Pleasant High School

- Football, West Valley Division, Blossom Valley Athletic League Champions

Oak Grove High School

- Football, Mt. Hamilton Division, Blossom Valley Athletic League Champions
- Football, Central Coast Section Open Champions
- Football, NorCal Finalist

Piedmont Hills High School

- Volleyball, Mt. Hamilton Division, Blossom Valley Athletic League Champions
- Anna Hashimoto, Girls' Tennis, Blossom Valley Athletic League Singles Champion



Santa Teresa High School

- Ann Marie Howell, Cross Country - 5th Place, Mt. Hamilton Division, Blossom Valley Athletic League; 7th Place, Central Coast Section

Silver Creek High School

- Girls' Tennis, Santa Teresa Division, Blossom Valley Athletic League Champions

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

7.01 Andrew Hill Valley High School

- Daniel Huynh, ASB President
- Christine Huynh, ASB Vice President
- Antony Le, ASB Secretary
- Anthony Alvarez, ASB Treasurer

7.02 Santa Teresa Valley High School

- Natalie Narito, ASB Executive President
- Cynthia Calderon, ASB Executive Vice 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 Discussion and/or Action to Review and Accept the Annual Financial Audit Report for Fiscal Year Ending June 30, 2015 -Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance, and Joyce Peters, Vavrinek, Trine, Day & Co., LLP

8.03 Discussion and/or Action to Review and Accept the Annual Financial and Performance Audit Reports for Fiscal Year Ending June 30, 2015, for Measures G, E, and I - Marcus Battle, Associate Superintendent of Business Services, Karen Poon, Director of Finance, and Joyce Peters, Vavrinek, Trine, Day & Co., LLP

8.04 Presentation, Discussion and/or Action Regarding Measure E, G and I Bond Fund Performance Audit Report for Fiscal Years Ended June 30, 2014, and June 30, 2015 - Marcus Battle, Associate Superintendent of Business Services, and Curtis Matthews, from Moss Adams, LLP

**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 California School Employees Association, Chapter 187 - Cari Vaeth, Associate Superintendent of Human Resources



- 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 California School Employees Association, Chapter 187 - Cari Vaeth, Associate Superintendent of Human Resources

**10. Public Members who wish to Address the Board of Trustees**

Members of the public may address the Board on any subject not on tonight's agenda; however, provisions of the Brown Act (Government Code Section 54954.2(a) and 54954.3) preclude any action. As an unagendized item, no response is required from the Board or District staff and no action can be taken; however, the Board may instruct the Superintendent to agendize the item for a future meeting.

Any person may address the Board on any item on the meeting agenda. Persons wishing to address the Board must fill out a gold request form, which is located at the entrance of the Board Room. When your name is called, please come to the podium, state your name for the record, and limit your remarks to three (3) minutes.

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

- 11.01 Discussion, Consideration and/or Action regarding Selection/Appointment of Board Audit Committee Members - Pattie Cortese, Board Audit Committee Chair, and Van Le, Audit Committee Vice Chair
- 11.02 Discussion and/or Action to Amend 2015/2016 Board Meeting Calendar - Lan Nguyen, Board President

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

- 12.01 Discussion and/or Action to Approve the Proposal for Use of the Educator Effectiveness Grant Funds allocated by the California Department of Education - Glenn Vander Zee, Assistant Superintendent of Educational Services, and Teresa Marquez, Director of Professional Development and Instructional Services
- 12.02 Presentation, Discussion and/or Action regarding English Learner's Programs and Services - Glenn Vander Zee, Assistant Superintendent of Educational Services, and Nguyet Dinh, Administrator of Minority Language Programs
- 12.03 Presentation and/or Discussion Regarding AVID Program - Glenn Vander Zee, Assistant Superintendent of Educational Services
- 12.04 Discussion and/or Action Regarding Members of the Schools' Start Times Task Force - Glenn Vander Zee, Assistant Superintendent of Educational Services

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

- 13.01 Discussion and/or Action to Approve the Budget Development Calendar for Fiscal Year 2016-17 - Marcus Battle, Associate Superintendent, Business Services, and Karen Poon, Director of Finance



- 13.02 Discussion and/or Action to Receive First Reading of Proposed Draft Amendment to Board Policy 3100 Budget - Marcus Battle, Associate Superintendent of Business Services, Karen Poon, Director of Finance
- 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
- 13.04 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

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

- 14.01 Discussion and/or Action to Adopt Resolution #2015/2016-11 Declaring the Observance of Lincoln's Birthday on February 19, 2016 - Cari Vaeth, Associate Superintendent of Human Resources
- 14.02 Discussion and/or Action to Amend 2015-2016 Declaration of Need for Fully Qualified Educators - Cari Vaeth, Associate Superintendent of Human Resources
- 14.03 Discussion and/or Action to Approve Request for Use of Education Code Section 44258.3 – Teachers on Special Assignment Authorizations for the 2015-2016 School Year - Cari Vaeth, Associate Superintendent of Human Resources
- 14.04 Discussion and/or Action to Approve Administrative Job Description and Salary Range for Multi-Tiered Systems of Support (MTSS) Coordinator - Cari Vaeth, Associate Superintendent of Human Resources
- 14.05 Discussion and/or Action to Approve Compensation to Staff Not Represented by a Bargaining Unit - Cari Vaeth, Associate Superintendent of Human Resources
- 14.06 Discussion and/or Action to Adopt Board Policy 4262 (New) Differential Pay for Maternity and Paternity Leave 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

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

- 15.01 Discussion and/or Action to Approve to Update the Facilities Master Plan - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities



- 15.02 Discussion and/or Action to Approve the Revision to the Capital Construction Project List for Piedmont Hills High School - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, Traci Williams, Piedmont Hills High School Principal, and Farshid Samsami, Bond Program Manager, SGI
- 15.03 Discussion and/or Action to Approve the Revision to the Capital Construction List for Santa Teresa High School - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, Greg Louie, Santa Teresa High School Principal, and Farshid Samsami, Bond Program Manager, SGI
- 15.04 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
- 15.05 Discussion and/or Action to Ratify CUPCAA Informal Bond Project(s) - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager

## **Consent / Action Calendar Sections 16-20**

**All items listed under the Consent/Action Calendar are considered by the Board to be routine and will be enacted in one motion.** There will be no discussion of these items prior to the time the Board considers the motion, unless members of the Board or the Superintendent request specific items to be discussed and/or removed from the Consent/Action Calendar.

Superintendent asserts that the following Business Transactions, Personnel Actions, Maintenance of Records, Approvals and Recommendations requiring Board Action have been carried out to the best of his knowledge in accordance with the law.

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

- 16.01 Approve Minutes of November 19, 2015, Regular Board Meeting

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

- 17.01 Receive the Fourth Quarterly Valenzuela/CAHSEE and Williams Settlement Uniform Complaints Quarterly Report for Period covering October 1, 2015 through December 31, 2015 as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727)



17.02 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 Approve Memoranda of Understanding

18.05 Approve Budget Transfers for the Month of December, 2015

18.06 Accept Warrant Register for the Month of December, 2015

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

19.01 Ratify/Approve Classified Personnel Actions Presented January 21, 2016

19.02 Ratify/Approve Certificated Personnel Actions Presented January 21, 2016

19.03 Ratify/Approve Student Aide Personnel Actions Presented January 21, 2016

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

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

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

20.03 Approve Award of Bids and Request for Proposals for Bond/Capital Projects

**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 Report on Bilingual Support Staff





## 22. Future Agenda Items

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

22.02 Future Items:

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

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
Anti-Bullying Efforts	February 4, 2016	Presentation/Discussion
International Baccalaureate Program (IB) Plan for Recruitment and Expansion	April 21, 2016	Presentation/Discussion

### **Frank Biehl, Board President**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
Board Self-Evaluation	January 30, 2016 Board Retreat	Evaluation Instrument
California Career Pathways Trust Grant	February 4, 2016	Presentation
Student Success Center	February 4, 2016	Presentation
Payroll Audit	April 21, 2016	Presentation
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
Toner cartridge (supplies) budget (instructional materials budget)	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 4, 2016	Presentation/Discussion
Early Alert / Warning System	April 21, 2016	Presentation/Discussion



## Van Le, Board Member

Item	Date (tentative)	Type
Failed Courses	Twice Year: October & March	Report
Board Policy 6173 Education for Homeless Children (review language)	TBD	Discussion
Adult Education Program – new funding model	TBD	Report



Preparing every student to thrive in a global society.

## 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

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

23.02 Chris D. Funk, Superintendent

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

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

**25. Adjournment**

25.01 President Adjourns the Meeting

