

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

**AGENDA**  
**March 3, 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 4:30 P.M.**

The Regular Meeting of the Board of Trustees will begin at 4:30 p.m. in the Board Room of the Education Center. Anyone wishing to address the Board regarding Closed Session items may speak at this time. The Board will then adjourn to Closed Session in the Superintendent's Conference Room.

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

1.01 Roll Call

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

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

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



## **Closed Session**

- 2.01 Expulsion(s): *None*
- 2.02 Public Employee Performance Evaluation  
(*Government Code Section 54957*)
- 2.03 Public Employment/Public Employee Appointment  
(*Government Code Section 54957*)
- 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
- *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. Adoption of Agenda**

5.01 For consideration by the Board of Trustees

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

No Items on Calendar Under this Section

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

7.01 Wm. C. Overfelt High School

- Brenda Senabria, AVID
- Emilio Licon, AVID
- Marilyn Lopez Mota, AVID
- Gary Walker, AVID
- Daena Valencia, AVID

7.02 Yerba Buena High School

- Hayley Nguyen, JROTC Color Guard Commander

**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 Imani Village Program - Wil Cason, Director of Education, Unity Care

8.03 Discussion and/or Action to Approve Charter School Proposition 39 Facilities Use Agreement with Alpha Public Schools - Cindy Avitia Charter High School – Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance

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

9.01 Hold Public Hearing at Approximately 6:05 p.m. to Receive and Sunshine the Initial Proposal for Successor Contract: From California School Employees Association, Chapter 187 to East Side Union High School District - 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 and/or Action to Receive and Adopt the Third 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, and Chris D. Funk, Superintendent
- 11.02 Discussion and/or Action to Appoint Two Board Members to Serve on a Committee to Review 2016 Citizens Bond Oversight Committee (CBOC) Applications - Lan Nguyen, Board President, and Chris D. Funk, Superintendent
- 11.03 Discussion and/or Action to Adopt Resolution #2015/2016-14 Urging the Legislature to Extend the Personal Beliefs Exemption Deadline to July 1, 2016 - Chris D. Funk, Superintendent
- 11.04 Discussion and/or Action to Adopt Resolution #2015/2016-15 Supporting and Endorsing Strong Start of Santa Clara County - Chris D. Funk, Superintendent

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

- 12.01 Presentation and Discussion regarding the District's Plan to Bring Back Expelled Students - Glenn Vander Zee, Assistant Superintendent of Educational Services, and ShaKenya Edison, Director of Student Services
- 12.02 Presentation and Discussion regarding Anti-Bullying Efforts - Glenn Vander Zee, Assistant Superintendent of Educational Services, and ShaKenya Edison, Director of Student Services
- 12.03 Discussion and/or Action to Approve the 2016 Summer School Program – Glenn Vander Zee, Assistant Superintendent of Educational Services, and Teresa Marquez, Director of Professional Development and Instructional Services

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

- 13.01 Presentation and Discussion regarding the Salad Bar Implementation - Marcus Battle, Associate Superintendent of Business Services, and Julie Kasberger, Director of General Services
- 13.02 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



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

- 14.01 Discussion Discussion and/or Action to Approve Provisional Internship Permit Request for Certificated Employee - Cari Vaeth, Associate Superintendent of Human Resources
- 14.02 Discussion and/or Action to Approve New Teacher Hiring Incentives - Cari Vaeth, Associate Superintendent of Human Resources

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

- 15.01 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager
- 15.02 Discussion and/or Action to Ratify CUPCCAA Informal Bond Project(s) - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, 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 January 21, 2016, Regular Board Meeting
- 16.02 Approve Minutes of January 30, 2016, Board Retreat
- 16.03 Approve Minutes of February 4, 2016, 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 Approve Purchase Orders

18.02 Approve Change Orders to Purchase Orders

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

18.04 Adopt Resolution #2015/2016-13 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546

18.05 Accept Warrant Register for the Month of January, 2016

18.06 Approve Budget Transfers for the Month of January, 2016

18.07 Approve Award of Bids and Request for Proposals

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

19.01 Ratify/Approve Classified Personnel Actions Presented March 3, 2016

19.02 Ratify/Approve Certificated Personnel Actions Presented March 3, 2016

19.03 Ratify/Approve Student Aide Personnel Actions Presented March 3, 2016

19.04 Approve Amended Effective Date of the Salary Schedule for Substitute Classified Employees

19.05 Approve Amended Effective Date of the Substitute Classified Management and Confidential Salary Schedule

19.06 Approve Amended Effective Date of the Substitute Certificated Administrative Rate of Pay

**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 Update on Independence High School's Growth Impacts and Mitigations

**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>
International Baccalaureate Program (IB) Plan for Recruitment and Expansion	April 21, 2016	Presentation/Discussion

**Frank Biehl, Board Vice President**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
ALearn Summer Program	April 21, 2016	Presentation/Discussion
Bilingual Support Staff	April 21, 2016	Presentation/Discussion
Computer Science (Coding)	April 21, 2016	Presentation/Discussion
Payroll Audit Report Out	May 19, 2016	Presentation/Discussion
Teacher Supplies Budget	Spring 2016	Presentation Update
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 <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

**Van Le, Board Member**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
Failed Courses	Twice Year: October & March	Report
Accel Program	April 21, 2016	Report
STEM Program	April 21, 2016	Presentation/Discussion
Adult Education Program – New Funding Model	May 3, 2016	Report
Vending Machines	May 3, 2016	Presentation/Discussion



22.03 Annual Governance Calendar

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

<b>August</b>
Board Members' Expenses Report (Apr/May/June)
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>
Board Members Expenses' Report (July/Aug/Sept)
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 Members' Expenses Report (Oct/Nov/Dec)
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 Members' Expenses Report (Jan/Feb/Mar)
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

