

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

AGENDA
February 13, 2014

AMENDED

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 Board Meeting 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)

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

Juan Cruz, Assistant Superintendent of Instructional Services

Cari Vaeth, Director of Human Resources

Vida Branner, Director of Compensation and Classified Employee Relations

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

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*

2.07 Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to subdivision (d)(4) of Government Code Section 54956.9

- *One (1) Potential Case*

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

3. Pledge of Allegiance

4. Welcome and Explanation to Audience

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

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 Calero High School

- Daniel Vargas, Student Representative
- Angelique Dominguez, Student Representative
- Chris Karp, Student Representative for Post Senior Program

7.02 Yerba Buena High School

- Jenny Nguyen, ASB President
- Araceli Gomez, Senior Class President
- Shawndina Meas, Junior Class President
- Dorothy Nguyen, Sophomore Class President
- Aaron Rivera, Freshmen Class 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/Update regarding Results from Sale of General Obligation Bonds, 2012 Election, Series A - Dale Scott, Dale Scott & Company, and Chris D. Funk, Superintendent

8.03 Presentation, Discussion and/or Action regarding Results of Ed Tech General Obligation Bond Voter Survey - Dale Scott, Dale Scott & Company, and Chris D. Funk, Superintendent

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

No Items on Calendar Under this Section

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

Members of the public may address the Board on any subject not on tonight's agenda; however, provisions of the Brown Act (Government Code Section 54954.2(a) and 54954.3) preclude any action. As an unagendized item, no response is required from the Board or District staff and no action can be taken; however, the Board may instruct the Superintendent to agendize the item for a future meeting. When your name is called, please come to the podium, state your name for the record, and limit your remarks to three (3) minutes.

Persons wishing to address the Board must fill out a gold request form, which is located at the entrance of the Board Room.

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

11.01 Presentation, Discussion and/or Action to Adopt Proposed New ESUHSD Logo - Dan Orloff, Orloff Williams, and Chris D. Funk, Superintendent

- 11.02 Discussion and/or Action regarding 2014 California School Boards Association (CSBA) Delegate Assembly Election – Chris D. Funk, Superintendent

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

No Items on Calendar Under this Section

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

- 13.01 Discussion and/or Action to Approve Certification of Correction of the 2012-13 Audit Findings - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance
- 13.02 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator
- 13.03 Discussion and/or Action to Receive First Reading of Amended Board Policy #3350 Travel Expenses - Marcus Battle, Associate Superintendent of Business Services, and Vida Branner, Director of Compensation and Classified Employee Relations
- 13.04 Discussion and/or Action to Receive First Reading of Amended Board Policy #3513.1 Mobile Communication - Marcus Battle, Associate Superintendent of Business Services, and Vida Branner, Director of Compensation and Classified Employee Relations
- 13.05 Discussion and/or Action to Approve Revocation of Independence High School Booster Club, Inc.'s Approval to Solicit Contributions or Funds Per Education Code 51520 and 51521 - Marcus Battle, Associate Superintendent of Business Services, Karen Poon, Director of Finance, and Kelly Kwong, Senior Manager of Internal Controls

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

- 14.01 Discussion and/or Action to Approve Variable Term Waiver Request for Certificated Employee - Cari Vaeth, Director, 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, Assistant Director, 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, Assistant Director of Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager

- 15.03 Discussion and/or Action to Approve 2013 Capital Construction Project Lists for Evergreen Valley, Oak Grove, Phoenix, Piedmont Hills, Santa Teresa, Silver Creek, and Yerba Buena High Schools - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance & Facilities, Julio Lucas, District Architect, Robert Ball, Bond Program Manager, SGI, Lauren Kelly, Evergreen Valley High School Principal, Martha Brazil, Oak Grove High School Principal, Greg Louie, Phoenix and Santa Teresa High School Principal, Adolfo Laguna, Silver Creek High School Principal, and Tom Huynh, Yerba Buena High School Principal

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 Ratify/Approve Board Member(s) Lawful Expenses/Mileage to Conferences/ Workshops/Meetings

17. Instructional Services / Student Services - Consent / Action Calendar

- 17.01 Approve School Field Trips
- 17.02 Approve CAHSEE Local Waivers for Special Education Students
- 17.03 Approve the 2014 Summer School Program

18. Business Services - Consent / Action Calendar

- 18.01 Approve Award of Bid(s)
- 18.02 Approve Contract(s) for Professional Services At or Below \$50,000
- 18.03 Approve Memoranda of Understanding
- 18.04 Approve Budget Transfers
- 18.05 Approve Purchase Orders
- 18.06 Approve Change Orders to Purchase Orders

- 18.07 Accept Report of Credit Card Purchases for Statement Dated November 22, 2013
- 18.08 Accept Warrant Register for the Month of January 2014
- 18.09 Approve Facilities Use Agreement

19. Human Resources - Consent / Action Calendar

- 19.01 Ratify/Approve Classified Personnel Actions Presented February 13, 2014
- 19.02 Ratify/Approve Certificated Personnel Actions Presented February 13, 2014
- 19.03 Ratify/Approve Student Aide Personnel Actions Presented February 13, 2014

20. Facilities - Consent / Action Calendar

- 20.01 Approve Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000
- 20.02 Approve Notice of Completion for KIPP Charter School New Drinking Fountain Project, E-089-002 (Val's Plumbing & Heating, Inc.)

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

22. Future Agenda Items

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

Board President J. Manuel Herrera & Board Member Frank Biehl

Item	Date (tentative)	Type
PE Credit	March 2014	Presentation/Discussion

Board Vice President Van Le

Item	Date (tentative)	Type
Academic Report (Site & Gender)	March 2014	Presentation/Discussion

22.03 Annual Governance Calendar

July
Summer School Program (concludes session)
Summer School Graduation

August
Board Retreat
Expulsion Hearing Panel Committee
First Day of School
Williams Quarterly Report

September
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
Unaudited Actuals

October
Bond Program Presentation
Solar Energy Presentation
Student Achievement Presentation
Superintendent's Annual Evaluation
Williams Quarterly Report

November
Board Study Session/Workshop
Election Orientation for New Board Members

December
Annual Organizational Board Meeting
CSBA Annual Conference
Election Orientation for New Board Members
End of First Semester
First Interim Report
Superintendent's Mid-Year Evaluation

January
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
Policies & ByLaws (Begin Review by Series)
Sports Recognitions (Fall)
Technology Report
Williams Quarterly Report

February
Audit Committee Charter Amendment(s)
Non-Re-Elects

March
Cesar Chavez Writing, Art & Multi-Media Awards Luncheon
March 15 Notices
Safety Plan Goals for Each Site
Second Interim Report
SJPD Secondary Employment Application

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

May
Board Self-Evaluation
Budget (Preliminary/Draft) Presentation
Employee Recognition Event
Graduations
Honor Nights
Last Day of School
Sports Recognitions (Winter/Spring)

June
Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting)
Budget Adoption (second June Board Meeting)
Employee Retirement Celebration
ESTA Safety Survey
Master Contracts for Capitol Projects
Plan for Expelled Youth (due every three years – 2015)
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

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

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