

Agenda Item Details

Meeting Oct 21, 2010 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 15. ATTACHMENT A - CONSENT CALENDAR

Subject 15.08 Approve Minutes of August 19, 2010, Regular Board Meeting

Access Public

Type Action (Consent)

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT**Item: 15.08**

TO: Board of Trustees

FROM: Dan Moser, Interim Superintendent

SUBJECT: Approve Minutes of August 19, 2010, Regular Board Meeting

Attached are the minutes of the August 19, 2010, 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 August 19, 2010, Board meeting minutes as presented.

Administrative Content

Executive Content

East Side Union High School District
Approved
Board of Trustees
October 21, 2010 



**EAST SIDE UNION HIGH SCHOOL DISTRICT
REGULAR MEETING
OF THE
BOARD OF TRUSTEES**
Meeting Held at the Education Center -- Board Room
August 19, 2010
4:00 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 4:03 p.m. by Vice President Nguyen. Clerk Martinez-Roach and Member Biehl were present. Member Herrera arrived at 6:05 p.m. President Garcia was absent.

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

Vice 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.

Speakers:

- *Isaiah (Ike) N. White – Retention of Coach Nelson at Mt. Pleasant High School*
- *Kristyn Blue – Coach Steve Nelson*
- *Felisa Legaspi – Reinstate Coach Nelson at Mt. Pleasant High School*
- *Dantorie Reeves – Keep Coach Nelson as Our Track Coach*
- *Bob Poynter – Reinstate Coach Nelson at Mt. Pleasant High School*
- *Tiana Carter - Reinstate Coach Nelson at Mt. Pleasant High School*
- *Shanique Walker - Reinstate Coach Nelson at Mt. Pleasant High School*
- *Jamie Nguyen - Reinstate Coach Nelson at Mt. Pleasant High School*
- *Cychee Leath - Reinstate Coach Nelson at Mt. Pleasant High School*
- *Jimmie Brown - Reinstate Coach Nelson at Mt. Pleasant High School*
- *Charlene Boatright - Reinstate Coach Nelson at Mt. Pleasant High School*

1.03 **Recess to Closed Session (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).**

The Board of Trustees recessed to Closed Session.

2. **CLOSED SESSION**

2.01 **Expulsion(s):** *None*

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

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

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

- *Superintendent*
- *Associate Superintendent of Administration and Business Services*
- *Associate Superintendent of Student Services and Facilities*
- *Associate Superintendent of Human Resources and Instructional Services*
- *Internal Auditor*

2.05 **Conference with Labor Negotiators (Government Code Section 54957.6)**

Agency Designated Representatives:

Dan Moser, Interim Superintendent

Jerry Kurr, Associate Superintendent of Administration and Business Services

Cathy Giammona, Associate Superintendent of Human Resources and Instruction

Vida Branner-Siders, Director of Compensation and Classified Employee Relations

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

2.06 **Conference with Legal Counsel – Existing Litigation**

Subdivision (a) of Section 54956.9 of the Government Code: Two (2) Cases

- *Kinetics Mechanical Services, Inc. vs. East Side Union High School District, Santa Clara County Superior Court, Case No. 109CV141312*
- *Geraldine Forte vs. East Side Union High School District, U.S. District Court for the Northern District of California, San Jose Division, Case Number CV 10-01368 HRL*

2.07 **Conference with Legal Counsel – Anticipated Litigation**

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code:

- *One (1) potential case*

2.07 Conference with Real Property Negotiators

Property:	ESUHSD Educational Center, or portion thereof 830 N. Capitol Avenue San Jose, CA 95133
District Negotiators:	Dan Moser, Interim Superintendent Jerry Kurr, Associate Superintendent of Administration and Business Services Rogelio Ruiz, Legal Counsel Real Estate Representatives Sam Swan, Bob Hunt and Andre Hunt
Negotiating Parties:	ESUHSD, Santa Clara Valley Development Company, and Other Parties To Be Determined
Under Negotiation:	Price and Terms

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.

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

5. CONSIDERATION OF PROPOSED AMENDMENTS TO AGENDA

For consideration by the Board of Trustees.

Motion by Member Biehl, second by Member Herrera to amend the agenda as follows:

- *Hear agenda items 10.01, 10.02 and 10.03 prior to item 8.0*
- *Pull agenda item 13.06*

Vote: 3/1, Clerk Martinez-Roach voting No, President Garcia absent

6. BOARD SPECIAL RECOGNITION(S)

None

7. STUDENT BOARD LIAISONS

None

8. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD OF TRUSTEES

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

Speakers:

- *Dantorie Reeves – Keep Coach Nelson at Mt. Pleasant High School*
- *Jacek Minko – Permission to attend Stanford's Math Program*
- *Rekha Kodialbail – Youth Empowerment Seminars (YES!) in ESUHSD 2009-10*
- *Raquel M. Ornelas – Personnel Issue*
- *Phyllis Dugall – In Support of Steve Nelson returning to Mt. Pleasant High School*
- *Kiana Munoz – Keep Coach Nelson at Mt. Pleasant High School*
- *Kristyn Blue - Keep Coach Nelson at Mt. Pleasant High School*
- *Andrew Marron - Keep Coach Nelson at Mt. Pleasant High School*
- *Tiana Carter - Keep Coach Nelson at Mt. Pleasant High School*
- *Samuel Sepulveda - Keep Coach Nelson at Mt. Pleasant High School*
- *Joshua Mesina - Keep Coach Nelson at Mt. Pleasant High School*
- *Charlene Deardorff-Boatright - Keep Coach Nelson at Mt. Pleasant High School*
- *Aimee Morgan - Keep Coach Nelson at Mt. Pleasant High School*
- *Lupe Arellano Guido – Running for School Board*
- *Lori Thomas – We have Cut Classified Too Deep*
- *John Cousino – Beginning School in Special Education*
- *Wannetta Anderson – School Safety*
- *Angie Nunn – Opening of School; Health Clerks/ Across the Board Cuts*
- *Felisa Legaspi - Keep Coach Nelson at Mt. Pleasant High School*
- *Jeneba Tarmon - Keep Coach Nelson at Mt. Pleasant High School*

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

9.01 **Board Audit Committee Update – Frank Biehl, Board Audit Committee Chair, and Lan Nguyen, Board Audit Committee Vice Chair**

Frank Biehl, Board Member

Just a brief update on the progress of the Audit Committee. We did meet on June 19. Minutes have not yet been approved. They will be approved at a meeting that we will hold in late September or early October. We have made progress on the hiring of an internal auditor. That was reported to you as Board Members during the Closed Session, but I do want the public to understand where we are going on this. There was a screening committee comprised of four members; two members from the Audit Committee who were not Board Members, Bruce Berg and David Neighbors. Jon Reinke also served on the screening committee, who is Chair of the Citizens' Bond Oversight Committee and Cathy McKim, who is a Manager in the Business Services Department with the Santa Clara County Office of Education, participated in the screening process. They took several hours. They looked at nine candidates who had applied for the job and they screened it down to the three they thought were qualified. The Board has had discussion on this and has determined that what we will do is ask Human Resources to check on references and after that has been completed, the Board will conduct interviews at our Closed Session on the 16th of September. We are planning on meeting an hour earlier that day so that we have enough time to conduct these interviews that we expect will take a half hour each. After the interviews, the Board will have discussion and decide what they want to do next.

9.02 Discussion and/or Action regarding Parent Voluntary Donations as Recommended by the Latino Parent Coalition - Patricia Martinez-Roach, Board Clerk

Motion by Member Herrera, second by Clerk Martinez-Roach, to refer the recommendations (below) to the Superintendent and to bring back the particulars on how to implement the plan full force and even expand the scope of the plan beyond the initiating group to grow the effort.

Recommendations:

- *The Board direct the Interim Superintendent to send solicitation letters and or voice messages (in the appropriate languages) to parents asking for monetary donations for the purpose of providing financial support to maintain the level and quality of teaching necessary in our district.*
- *Funds be used to maintain staffing needs.*
- *Do not recommend a set amount of money to afford personal choice in the amount of donation from an individual, donor or group.*
- *Post on the district's website links to the district's established donation websites used to support the sports programs.*
- *Appoint an oversight committee of parents and district staff to oversee the proper protocol and recommendation to this Governing Board.*

Vote: 4/0, President Garcia absent

9.03 Discussion regarding Board By Law #9270, Conflict of Interest; Revolving Door Policy - Patricia Martinez-Roach, Board Clerk

Clerk Martinez-Roach submitted a memo to the Board of Trustees with the following recommendation:

Amend policy to prevent:

- *Board members leaving office due to the retirement or loss of election shall not be given benefits or monetary compensation; i.e. consultants, contractors.*
- *Former and current administrative district employees should not be employed as consultants, advisor, contractors or providers for a period of three years.*

Item referred to the Interim Superintendent to research, according to the scope of the law, and bring back item with recommendations.

9.04 Discussion regarding Hiring Practices of Teachers from Other Countries Who Hold Visas - Patricia Martinez-Roach, Board Clerk

Clerk Martinez-Roach submitted a memo to the Board with the following recommendation:

Recommendation:

- *Direct the Interim Superintendent to provide a detailed report of the teachers currently employed and their positions and those who have left the district and why they have left.*
- *Establish a policy which will establish hiring practices and protocols for all foreign teachers and place for action/discussion.*

Discussion on this item only. No action taken.

9.05 Excuse Absence of Board President Eddie Garcia from July 28, 2010 and August 19, 2010, Board Meetings (Education Code Section 35120) - Dan Moser, Interim Superintendent

Motion by Member Biehl, second by Member Herrera, to excuse the absence of Board President Eddie Garcia from the July 28, 2010, and August 19, 2010, Board Meetings (Education Code Section 35120) due to President Garcia's illness.

Vote: 4/0, President Garcia absent

9.06 Community Communication Initiative - Frank Biehl, Board Member

A plan will be developed to share with the public the Interim Superintendent's Weekly Reports, such as posting on the District's website and the creation of an e-mail group list to share the weekly reports with the public.

Dan Moser, Interim Superintendent

We will be able to start implementing this right away. Prior versions of the weekly reports will be made available immediately on the District's website for the public to view.

No action by the Board on this item.

10. INSTRUCTIONAL SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

10.01 Hold Public Hearing at Approximately 6:15 p.m. on the Provisions of the Charter School Petitions of: 1) Summit Public School: Rainer Public School; and, 2) Summit Public School: Tahoma Public School to Consider the Level of Support for Each Petition by Teachers Employed by the District, Other Employees of the District, and Parents - Cathy Giammona, Associate Superintendent, Human Resources and Instruction

Public hearing held.

Speakers:

- Diane Tavenner
- David Richards
- Diego Arambula
- Rolando Loera
- David Gonzales
- Yaceni Cortez
- Silvia Martinez
- Alicia Gallegos
- Mark VanBuller
- Brad Geldert
- Micaela Hoskins
- Art Meza
- Gilne Tosco
- Chinnamma Reeves
- Mary Dominguez
- Bernie Kotlier

10.02 Discussion Regarding Proposed Charter School Petition for Summit Public School: Rainier Public School - Cathy Giammona, Associate Superintendent, Human Resources and Instruction

Speakers:

- Gricelda Heredia
- Diane Tavenner
- Art Meza
- Julio Pardo

Patricia Martinez-Roach, Board Clerk

For the record, I just want to say that East Side does offer personalized programs. We also offer small campuses, excellent curriculum, innovative programs, fully credentialed teachers, after school programs, leadership, college AP courses, and award winning sports programs.

Discussion item only.

10.03 Discussion Regarding Proposed Charter School Petition for Summit Public School: Tahoma Public School - Cathy Giammona, Associate Superintendent, Human Resources and Instruction

Discussion item only.

10.04 Adopt Resolution #2010/2011-03 and Contract – CCTR-0324 General Child Care & Development Program - Cathy Giammona, Associate Superintendent, Human Resources and Instruction

Motion by Clerk Martinez-Roach, second by Member Herrera, to adopt Resolution #2010/2011-03 and Contract #CCTR-0324 General Child Care & Development Program.

Vote: 4/0, President Garcia absent

10.05 Adopt Resolution #2010/2011-04 and Contract – CCAP-9081 Infant Toddler Resource Program - Cathy Giammona, Associate Superintendent, Human Resources and Instruction

Motion by Clerk Martinez-Roach, second by Member Herrera, to adopt Resolution #2010/2011-04 and Contract #CCAP-9081 Infant Toddler Resource Program.

Vote: 4/0, President Garcia absent

10.06 Adopt Resolution #2010/2011-05 and Contract – CSPP-0575 California State Preschool Program - Cathy Giammona, Associate Superintendent, Human Resources and Instruction

Motion by Member Herrera, second by Clerk Martinez-Roach, to adopt Resolution #2010/2011-05 and Contract #CSPP-0575 California State Preschool Program.

Vote: 4/0, President Garcia absent

10.07 Approve Funding Change in Contract CCTR-9321 and CSPP-9585 - Cathy Giammona, Associate Superintendent, Human Resources and Instruction

Motion by Member Biehl, second by Member Herrera, to approve funding change in Contract #CCTR-9321 and #CSPP-9585..

Vote: 4/0, President Garcia absent

10.08 Receive the Second Valenzuela/CASHEE and Williams Settlement Uniform Complaints Quarterly Report for Period Covering April 1 through June 30, 2010 as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727) - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Robert Ibarra, Coordinator of Professional Development/Migrant Education

Motion by Clerk Martinez-Roach, second by Member Herrera, to receive the second Valenzuela/CASHEE and Williams Settlement Uniform Complaints Quarterly Report for Period Covering April 1 through June 30, 2010 as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727).

Vote: 4/0, President Garcia absent

11. STUDENT SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

None

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

12.01 Approve Variable Term Waiver Requests for Certificated Employees - Cathy Giammona, Associate Superintendent, Human Resources and Instruction

Motion by Clerk Martinez-Roach, second by Member Herrera to approve the variable term waiver requests for certificated employees.

Vote: 4/0, President Garcia absent

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

13.01 Adopt Resolution 2010/2011-06 an Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546 - Jerry Kurr, Associate Superintendent of Administration and Business Services

Motion by Member Biehl, second by Member Herrera, to adopt Resolution #2010/2011-06 an Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546.

Vote: 4/0, President Garcia absent

13.02 Approve Change Orders to Purchase Orders for Year-End Reconciliation - Jerry Kurr, Associate Superintendent of Administration and Business Services

Motion by Clerk Martinez-Roach, second by Member Biehl, to approve the change orders to purchase orders for year-end reconciliation.

Vote: 4/0, President Garcia absent

13.03 Acceptance of Donations, Grants and Awards - Jerry Kurr, Associate Superintendent of Administration and Business Services

Motion by Member Herrera, second by Member Biehl, to accept the donations, grants and awards as presented.

Vote: 4/0, President Garcia absent

13.04 Accept Warrant Register for the Months of June and July of 2010 - Jerry Kurr, Associate Superintendent of Administration and Business Services

Motion by Vice President Nguyen, second by Member Herrera, to accept the warrant register for the months of June and July as presented.

Vote: 4/0, President Garcia absent

13.05 Approve Budget Transfers Presented August 19, 2010 - Jerry Kurr, Associate Superintendent of Administration and Business Services

Motion by Member Biehl, second by Member Herrera, to approve the budget transfers as presented on August 19, 2010.

Vote: 4/0, President Garcia absent

13.06 Approve Purchase Orders Presented August 19, 2010 - Jerry Kurr, Associate Superintendent of Administration and Business Services

Item pulled.

13.07 Approve Contracts for Professional Services at or below \$50,000 Jerry Kurr, Associate Superintendent of Administration and Business Services

Motion by Member Herrera, second by Member Biehl, to approve the contracts for professional services at or below \$50,000 as presented (copy attached).

Vote: 4/0, President Garcia absent

13.08 Approve Contracts for Professional Services over \$50,000 - Jerry Kurr, Associate Superintendent of Administration and Business Services

Speaker:

- *Angie Nunn*

Motion by Member Herrera, second by Member Biehl, to approve the contracts for professional services over \$50,000 as presented (copy attached).

Vote: 4/0, President Garcia absent

13.09 Approve Memoranda of Understanding - Jerry Kurr, Associate Superintendent of Administration and Business Services

Motion by Member Biehl, second by Member Herrera, to approve the memoranda of understanding as presented.

Vote: 4/0, President Garcia absent

14. FACILITIES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

14.01 Presentation/Update and Discussion and/or Action regarding Proposition 39 CBOC Membership Requirements - Jon Reinke, Measures G and E CBOC Chairperson

Presentation by Jon Reinke, Chairperson of Measure G and Measure E Citizens' Bond Oversight Committee.

Mr. Reinke indicated that, per Prop 39, there are two CBOC positions that need to be filled. He indicated that there should be a solicitation for an active member of the senior citizens organization and a parent who is active in a school support organization and whose child is currently attending school to serve on the Committee.

Mr. Reinke recommends that two new members be solicited to serve on the Committee.

Discussion item only. No action taken by the Board.

The solicitation for candidates to apply to serve on the Measure G and Measure E Citizens' Bond Oversight Committee will be posted on the District's website.

14.02 Presentation and Approval of the Plan for Technology at Latino College Preparatory Academy - June Francis Rono, Ph.D., Director of Facilities and Planning, and Dr. Anthony Monreal, Latino College Preparatory Academy

Motion by Member Biehl, second by Member Herrera, to approve the plan for technology at Latino College Preparatory Academy.

Vote: 3/0, Clerk Martinez-Roach out of the room, President Garcia absent

15. ATTACHMENT A – CONSENT CALENDAR ITEMS

Motion by Member Biehl, second by Member Herrera, to approve the entire consent calendar.

Vote: 3/0, Clerk Martinez-Roach out of the room, President Garcia absent

15.01 Ratify/Approve Classified Personnel Actions Presented August 19, 2010

15.02 Ratify/Approve Certificated Personnel Actions Presented August 19, 2010

15.03 Ratify/Approve Student Aide Personnel Actions Presented August 19, 2010

15.04 Approve Award of Bids

15.05 Approve the Request for Proposals (RFP), RFP-09-09-10, for Contracts for the Purchase of Stores Warehouse Supplies

15.06 Approve Change Order #1 for Foothill High School Science Building Project (Andy's Roofing Company)

15.07 Approve Notice of Completion for Foothill High School, New Science Building Project (Andy's Roofing Company)

16. **WRITTEN REPORTS/RECOMMENDATIONS**

16.01 **Receive Quarterly Report on Santa Clara County Treasury Investment Portfolio Status as of June 30, 2010**

Report received.

16.02 **Santa Clara County Civil Grand Jury Report: Achieving School District Efficiency through Consolidation**

Report received.

16.03 **Santa Clara County Civil Grand Jury Report: Looking at Policies Our Schools Use to Find and Place Employees**

Report received.

17. **BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS**

17.01 **Board of Trustees**

Patricia Martinez-Roach, Board Clerk

I just wanted to echo the same concerns that Angie Nunn made about the Health Clerks. It is important that we find a solution to this problem. I am wondering legally, how can we get away with this? I want to echo my concerns not only for the sake of health, but also for safety. We need to have something done immediately.

Frank Biehl, Board Member

MetroED:

MetroED has received a positive budget certification from the County Office of Education. The meeting went very well last night. All of the issues that related to the transfer of the Campbell Adult Education Program have been resolved and, interestingly enough, the spirit at MetroED has lifted considerably now that the issue has been resolved.

A lot of construction has been completed at MetroED. They are getting ready to do another building and we have open house coming up in September and that enrollment is up.

Things look good over there. A well run organization.

Lan Nguyen, Vice President

There was a great turn out with the school opening day at Independence. It was a bigger crowd than we anticipated. There were close to a 1,000 people there.

17.02 **Dan Moser, Interim Superintendent**

We are now in day three of school. We are well over 24,000 youngsters. With the help of our teachers and staff members, we were able to implement Infinite Campus.

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

Attorney will report on closed session action item(s).


Nothing reported out of Closed Session.

19. **ADJOURNMENT**

President adjourns the meeting.

Vice President Nguyen adjourned the meeting at 10:40 p.m.

Respectfully submitted,


Board Clerk

Agenda Item Details

Meeting Aug 19, 2010 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

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

Subject 13.07 Approve Contracts for Professional Services at or below \$50,000 Jerry Kurr, Associate Superintendent of Administration and Business Services

Access Public

Type Action, Discussion

Recommended Action It is recommended that the Board of Trustees approve and ratify the contracts for professional services under \$50,000 and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 13.07

TO: Board of Trustees

FROM: Dan Moser, Interim Superintendent

PREPARED BY: Jerry Kurr, Associate Superintendent of Administration and Business Services

SUBJECT: Approve Contracts for Professional Services at or below \$50,000

The attach list of contracts for professional services are recommended for approval and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

FISCAL IMPACT:
Various

FUNDING SOURCE:
Various

RECOMMENDATION:
It is recommended that the Board of Trustees approve and ratify the contracts for professional services under \$50,000 and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

[13.07 Under 50k Contracts.pdf \(43 KB\)](#)

East Side Union High School District

Approved

Board of Trustees

August 19, 2010



EAST SIDE UNION HIGH SCHOOL DISTRICT

PROFESSIONAL CONTRACT SERVICES at or Below \$50,000

A. SCHOOL SITES/EDUCATION CENTER

	Contractor Name	Reviewed By	Contract Period	Cost/ Funding	School/Dept. Manager	Purpose
1	ERT, Inc.	J. Lawrence J. Kurr D. Bertrand	August 20, 2010 – June 30, 2011	\$18,500.00 Restricted Maintenance	Education Center District Wide John Lawrence Jerry Kurr	<p>This Contract is for the re-inspection services and mandatory written report updates for compliance with 2 6-month periodic surveillance renewals as required under the Asbestos Hazard Emergency Response Act AHERA. This is required for all schools and the Education Center.</p> <p>Proposals were solicited from three known consultants. ERT, Inc provided a complete response and was selected based on lowest price, experience and past relationship with ESUHSD.</p>
2	ERT, Inc.	J. Lawrence J. Kurr D. Bertrand	August 20, 2010 – June 30, 2011	\$1,850.00 Restricted Maintenance	District Wide John Lawrence Jerry Kurr	<p>This Contract is for the provision of hazardous waste manifest management/oversight services, including monthly evaluation of the hazardous waste manifest manual and files.</p> <p>Proposals were solicited from three known consultants. ERT, Inc provided a complete response and was selected based on lowest price, experience and past relationship with ESUHSD.</p>
3	San Jose State University Research Foundation, MESA Schools Program	C. Giammona D. Moser D. Bertrand	September 1, 2010 – May 30, 2011	\$7,500.00 Cash Contribution Title 1	Education Center District Wide Cathy Giammona	<p>Provide teacher training and materials, student educational materials and academic monitoring.</p> <p>No solicitation process took place for this contract.</p>
4	Smartetools, LLC	C. Vaeth C. Giammona D. Bertrand	September 1, 2010 – August 31, 2011	\$44,500.00 \$19,500.00 Maintenance Agreement; \$25,000 for professional services	Adult Education Cari Vaeth Cathy Giammona	<p>Maintenance & Support Agreement for the Adult Education attendance and tracking system.</p> <p>No solicitation process took place for the professional services as they are the best to provide the integration services from SASI to Infinite Campus because it is their proprietary software.</p>

5	Syserco, Inc	J. Lawrence J. Kurr D. Bertrand	July 1, 2010 – July 30, 2013	\$15,129.00 Restricted Maintenance	Evergreen Valley John Lawrence Jerry Kurr	<p>This Contract is for preventative maintenance of the Alerton Building Automation System installed at Evergreen Valley High School. By signing a three year agreement vendor has agreed to keep the maintenance renewal costs the same for the entire length of the 3-year contract.</p> <p>No solicitation process was conducted for this project as this is the only authorized company who can provide this service on the Alerton system.</p>
6	West Ed	C. Giammona D. Bertrand	August 1, 2010 – July 31, 2011	\$25,000.00 Small Learning Communities	Andrew Hill Bettina Lopez W. C. Overfelt Vito Chiala	<p>Provide school redesign coach for Smaller Learning Communities (total of 20 days – 10 days per site). The coach will offer both school redesign expertise and a “critical friend” perspective as implementation of the SLC project continues. Specific coaching areas will include: Assisting SLC teams with “team building; facilitating and managing project-based learning and cross-curricula instruction; provide professional development for teaching character education; coaching on obtaining student commitment and buy-in; and develop positive ways to address student discipline.</p> <p>Proposals were solicited from three known vendors. WestEd provided a complete response and was selected based on price, locality, experience, and past relationship with the ESUHSD.</p>

B. FACILITIES

	Contractor Name	Reviewed By	Contract Period	Cost/ Funding	School/Dept Manager	Purpose
1	Bruce Flyn & Associates, Inc.	K. Lanford J. Rono D. Bertrand	May 5, 2010 – June 30, 2011	\$14,550.00 Measure E	Education Center Facilities June Rono James Lick Glenn VanderZee Independence Grettel Castro- Stanley Piedmont Hills Traci Williams	<p>Provide DSA Required Project Inspection for scoreboard projects for the three high schools listed.</p> <p>No solicitation process was conducted even though ESUHSD had an established process in place. When requested facilities to follow the process they indicated that the previous administrator had already signed the contract and instructed the vendor to start work.</p>

2	Bruce Flynn & Associates, Inc.	K. Lanford J. Rono D. Bertrand	July 1, 2009 – June 30, 2011	\$3,120.00 Measure E	Education Center Facilities June Rono Santa Teresa John Duran	New Purchase Order will need to be issued as the original Purchase Order has expired.
3	Cleary Consultants, Inc.	K. Lanford J. Rono D. Bertrand	Work already completed	\$2,500.00 Measure E	Education Center Facilities June Rono James Lick Glenn VanderZee	Supplemental Geotechnical Survey work required by California Geological Survey and DSA to update previous Geotech Report for James Lick High School Fire Science Academy.
4	Consolidated Engineering Laboratories	K. Lanford J. Rono D. Bertrand	August 20, 2010 – August 10, 2011	\$20,921.70 Measure E	Education Center Facilities June Rono Oak Grove Martha Brazil	Provide DSA required special inspection and testing services for the Oak Grove high School Building D Modernization project (contingent approval based on the award of the bid under the “Consent” Calendar). Proposals were solicited from three known consultants. Consolidated Engineering Laboratories provided a complete response and was selected based on value per unit and hourly rates. The quantity of special inspection and testing services is subject to change based on project needs.
5	Facilities Management Planning and Operations, Inc. (FMPO) (Architectural Services)	K. Lanford J. Rono D. Bertrand	April 10, 2009 – October 31, 2012	\$9,625.00 (Increased Amount) Measure E	Education Center Facilities June Rono Piedmont Hills Traci Williams	Change Order #2 to Purchase Order #905238 is issued to increase FMPO's contract and purchase order due to DSA imposing additional requirements for the Basketball backboards. Original PO was issued by the Board on April 09, 2009 for \$242,900.00; Change Order #1 was issued by the Board on October 8, 2009 in the amount of \$23,590.13. With this change order the total amount of the PO / Contract is now \$276,115.13. (10% rule does not apply to services) No solicitation process required for this transaction.
6	Facilities Management Planning and Operations, Inc. (FMPO)	K. Lanford J. Rono D. Bertrand	April 10, 2009 – October 31, 2012	\$32,082.00 (Increased Amount) Measure E	Education Center Facilities June Rono Silver Creek Thelma Boac	Change Order #2 to Purchase Order #905232 is issued to increase FMPO's contract and purchase order due to DSA imposing additional requirements for the ADA path of travel design. Original PO was issued by the Board on April 09, 2009 for \$261,203.00; Change Order #1 was issued to add the 10%

	(Architectural Services)					<p>reimbursable expense which was done on an administrative memo in the amount of \$26,120.31. With this change order the total amount of the PO / Contract is now \$319,405.31. (10% rule does not apply to services)</p> <p>No solicitation process required for this transaction.</p>
7	Kier & Wright	K. Lanford J. Rono D. Bertrand	April 10, 2009 – October 31, 2012	\$220.73 Measure E	Education Center Facilities June Rono James Lick Thelma Boac	<p>Reimbursable Expenses not included in the Original Purchase Order #002283 for James Lick High School Fire Science Academy. New Purchase Order is needed as the old Purchase Order and contract has expired.</p> <p>Original PO was issued by the Board on November 19, 2009 for \$6,800.00. New total for the project is \$7,020.73</p> <p>No solicitation process required for this transaction.</p>
8	Portable Facilities Leasing	K. Lanford J. Rono D. Bertrand	One-Time purchase	\$3,500.00 Measure E	Education Center Facilities June Rono Foothill Lynne Murray	<p>Purchase of Relocatable Building Serial #0060.1 AS IS from Portable Facilities Leasing for Foothill High School to replace maintenance shed.</p> <p>The portable was a County owned building in which ESUHSD would like to purchase to be used at Foothill High School.</p>

Agenda Item Details

Meeting Aug 19, 2010 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

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

Subject 13.08 Approve Contracts for Professional Services over \$50,000 - Jerry Kurr, Associate Superintendent of Administration and Business Services

Access Public

Type Action, Discussion

Recommended Action It is recommended that the Board of Trustees approve the contracts for professional services as listed in the attachment and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 13.08

TO: Board of Trustees

FROM: Dan Moser, Interim Superintendent

PREPARED BY: Jerry Kurr, Associate Superintendent of Administration and Business Services

SUBJECT: Approve Contracts for Professional Services over \$50,000

The attached list of Contracts for Professional Services over \$50,000 are being recommended for Board approval and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

FISCAL IMPACT:
Various

FUNDING SOURCE:
Various

RECOMMENDATION:
It is recommended that the Board of Trustees approve the contracts for professional services as listed in the attachment and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

[13.08 Over 50k Contracts.pdf \(80 KB\)](#)

East Side Union High School District
Approved
Board of Trustees
August 19, 2010 

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contracts for Professional Services over \$50,000

1. AchieveKids

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Carole Hersom Donna Bertrand	September 1, 2010 through and including August 31, 2011	\$371,500 (estimated annual expenditures) Tuition - Special Education	Carole Hersom, Coordinator of Special Services

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with AchieveKids for the provision of non-public school services for special education students. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program (IEP) plan.

Reason for the Purchase of Outside Services

Due to the specialized educational services required to appropriately serve students who are presented with severe, unique emotional and/or developmental disabilities including mental retardation, autistic spectrum disorder, mood, disruptive behavior, anxiety and psychotic disorders residing in the ESUHSD, AchieveKids is a Non-Public School (NPS) offering such services that meet the widely, varying needs of this unique group of students.

Selection Process

There was no competitive solicitation done for this type of service.

There is a determination made by the IEP team that ESUHSD is not currently able to meet particular students' educational needs. Recommendations are then presented at the students' IEP meeting. Referrals to AchieveKids were made at the students' IEP meeting by a District Program Specialist after consultation with the District's Special Services Coordinator.

AchieveKids is a NPS that offers specialized educational services for this unique group of ESUHSD students. The vendor pool for these specialized services is very small especially locally.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with Achieve Kids for the contract term September 1, 2010, through and including August 31, 2011, for the provision of non-public school services for special education students, and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contract on an as needed basis, including funding.

2. Bay School

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Carole Hersom Donna Bertrand	September 1, 2010 through and including August 31, 2011	\$251,460.00 (estimated annual expenditure services) \$87,348.00 (estimated annual expenditure transportation) Tuition – Special Education	Carole Hersom, Coordinator of Special Services

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with Bay School for the provision of non-public school services

for special education students. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program (IEP) plan.

Reason for the Purchase of Outside Services

Due to the specialized educational services required to appropriately serve the severely involved Autism Spectrum students residing in the ESUHSD, Bay School is a non public school (NPS) offering such services that meet the widely, varying needs of this unique group of students.

Selection Process

There was no competitive solicitation done for this type of service.

There is a determination made by the IEP team that ESUHSD is not currently able to meet particular students' educational needs. Recommendations are then presented at the students' IEP meeting. Referrals to Bay School were made at the students' IEP meeting by a District Program Specialist after consultation with the District's Special Services Coordinator.

Bay School is a NPS that offers specialized educational services for this unique group of ESUHSD students. Bay School is one of two local NPS's that offer these unique services and ESUHSD contracts with both vendors.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with Bay School for the contract term September 1, 2010, through and including August 31, 2011, for the provision of non-public school services for special education students, and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contract on an as needed basis, including funding.

3. Beacon School

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Carole Hersom Donna Bertrand	September 1, 2010 through and including August 31, 2011	\$1,180,340.00 (estimated annual expenditure) Tuition – Special Education	Carole Hersom, Coordinator of Special Services

The District is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with Beacon School for the provision of non-public school services for special education students. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program (IEP) plan.

Reason for the Purchase of Outside Services

ESUHSD's relationship with this Non Public School (NPS) goes back many years. In the ESUHSD's attempts to offer services to a growing population of Emotionally Disturbed (ED) classified students, Beacon worked with the ESUHSD on first establishing the transitional ED classroom and then therapeutic classrooms on our comprehensive sites starting at Oak Grove High School and eventually expanding to Independence, Mt. Pleasant and Andrew Hill High Schools. Having this established relationship facilitates giving ED students the appropriate continuum of services both in the comprehensive setting and in the more restrictive off campus setting of an NPS.

Beacon is extremely proactive in returning students to the comprehensive campus when appropriate. Approximately ten (10) students were returned to ESUHSD schools during the 2008-09 school year from Beacon School.

Selection Process

ESUHSD has single sourced this vendor based on the complexity of building a long term relationship that benefits both ESUHSD and the students.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with Beacon School for the contract term September 1, 2010, through and including August 31, 2011, for the provision of non-public school services for special education students, and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contract on an as needed basis, including funding.

4. Beacon School for the provision of Therapeutic Services for Programs

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Carole Hersom Donna Bertrand	September 1, 2010 through and including June 30, 2011	\$723,911.00 (estimated annual expenditure) Tuition – Special Education	Carole Hersom, Coordinator of Special Services

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with Beacon School for the provision of non-public school services for special education students. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program (IEP) plan.

Reason for the Purchase of Outside Services

ESUHSD's relationship with this Non Public School (NPS) goes back many years. In the ESUHSD's attempts to offer services to a growing population of Emotionally Disturbed (ED) classified Students, Beacon worked with the ESUHSD on first establishing the transitional ED classroom and then therapeutic classrooms on our comprehensive sites starting at Oak Grove High School and eventually expanding to Independence, Mt. Pleasant and Andrew Hill High Schools. Having this established relationship facilitates giving ED students the appropriate continuum of services both in the comprehensive setting and in the more restrictive off campus setting of an NPS.

Beacon is extremely proactive in returning students to the comprehensive campus when appropriate. Approximately ten (10) students were returned to ESUHSD schools during the 2008-09 school year from Beacon School.

Selection Process

ESUHSD has single sourced this vendor based on the complexity of building a long term relationship that benefits both ESUHSD and the students.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with Beacon School for the contract term September 1, 2010, through and including June 30, 2011, for Therapeutic Services for Programs at Mt. Pleasant, Andrew Hill, Independence, and Oak Grove High Schools, and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contract on an as needed basis, including funding.

5. Bruce Flynn & Associate, Inc. - James Lick High School Building 500

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
June Rono, Ph.D Donna Bertrand	August 19, 2010 through and including July 30, 2013	\$159,300.00 (includes expenses) Measure E	June Francis Rono, Ph.D., Director

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Contract for DSA required project inspection services for James Lick High School New Two Story Classroom Building 500.

Reason for the Purchase of Outside Services

N/A

Selection Process

The District completed a formal Request for Qualifications (RFQ), RFQ-03-08-09 which went to the Board for approval of the recommended "Measure E & G Pre-Approved Inspector of Record Firms (IOR) List" on March 10, 2009. With this list in place, the District requested proposals from all three of the pre-approved to submit a "Project Inspector Selection Questionnaire (PISQ)" which included their proposed costs and project team. In this case, Facilities requested PISQ's from the three approved firms.

After careful review of each proposal submitted it was concluded that ESUHSD would move forward with the recommendation to the Board of Trustees to award the contract to Bruce Flynn & Associates was selected based on their proposed costs and project team.

RECOMMENDATION

It is recommended that the Board of Trustees enter into an approve an agreement with Bruce Flynn & Associate, Inc. in an amount of \$159,300.00, which includes expenses, for the term August 19, 2010, through and including July 30, 2013, for the provision of DSA required project inspection services for James Lick New Two Story Classroom Building 500.

6. Bruce Flynn & Associate, Inc. - James Lick Child Development Center

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
June Rono, Ph.D Donna Bertrand	April 10, 2010 through and including October 31, 2012	\$156,800.00 (includes expenses) Measure G	June Francis Rono, Ph.D., Director

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve Change Order #2, to Purchase Order #000208, with Bruce Flynn & Associate, Inc. in an increased amount of \$84,800.00, including expenses for the term of April 10, 2010, through and including October 31, 2012, for the provision of DSA required project inspection services for multiple sites.

Reason for the Change Order

Change Order #2, is issued for additional required DSA project inspection services at the James Lick Child Development Center (line 3 of the original PO). Originally the proposals for this particular project were based on a specific level of inspection services required for this type of project. However, after the project went through DSA review, DSA issued a requirement that the inspection services needed to be full time rather that what was previous proposed. Based on the fact that Bruce Flynn & Associate has already begun working on this project it would not be in the best interest of the District to send the project back out for solicitation.

The typical 10% rule does not apply to professional services.

Selection Process

The solicitation process took place during the original contract award (April 9, 2009 Board Meeting)

RECOMMENDATION

It is recommended that the Board of Trustees enter into an approve Change Order #2, to Purchase Order #000208, with Bruce Flynn & Associate, Inc. in an increased amount of \$84,800.00, including expenses for the term of April 10, 2010, through and including October 31, 2012, for the provision of DSA required project inspection services for multiple sites.

7. Michael Henley & Co.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
June Rono, Ph.D Donna Bertrand	August 19, 2010 through and including July 30, 2013	\$341,000.00 (includes expenses) Measure E	June Francis Rono, Ph.D., Director

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into an agreement with Michael Henley & Co. in an amount of \$341,000.00, including expenses for the term of August 19, 2010, through and including July 30, 2013, for the provision of DSA required project inspection services for Title IX Interior at Andrew Hill, James Lick, W. C. Overfelt, Piedmont Hills, Oak Grove, Silver Creek, Independence, Yerba Buena, Santa Teresa, James Lick Fire Science Academy, and Piedmont Hills New Gym Projects.

Reason for the Purchase of Outside Services

N/A

Selection Process

The District completed a formal Request for Qualifications (RFQ), RFQ-03-08-09, which went to the Board for approval of the recommended "Measure E & G Pre-Approved Inspector of Record Firms (IOR List)" on March 10, 2009. With this list in place, the District requested proposals from all three of the pre-approved to submit a "Project Inspector Selection Questionnaire (PISQ)" which included their proposed costs and project team. In this case, Facilities requested PISQ's from the three approved firms.

After careful review of each proposal submitted it was concluded that ESUHSD would move forward with the recommendation to the Board of Trustees to award the contract to Michael Henley & Co. who was selected based on their proposed costs and project team.

RECOMMENDATION

It is recommended that the Board of Trustees approve an agreement with Michael Henley & Co., in an amount of \$341,000.00, which includes expenses, for the term August 19, 2010, through and including July 30, 2013, for the provision of DSA required project inspection services for Title IX Interior at Andrew Hill, James Lick, W. C. Overfelt, Piedmont Hills, Oak Grove, Silver Creek, Independence, Yerba Buena, Santa Teresa, James Lick Fire Science Academy, and Piedmont Hills New Gym Projects.

8. Morgan Center

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
June Rono, Ph.D Donna Bertrand	September 1, 2010 through and including August 31, 2011	\$251,460.00 (estimated annual expenditure services) \$87,348.00 (estimated annual expenditure transportation) Tuition – Special Education	Carole Hersom, Coordinator of Special Services

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with Morgan Center for the provision of non-public school services for special education students. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program (IEP) plan.

Reason for the Purchase of Outside Services

Due to the specialized educational services required to appropriately serve the severely involved Autism Spectrum students residing in the ESUHSD, Morgan Center is a non public school (NPS) offering such services that meet the widely, varying needs of this unique group of students.

Selection Process

There was no competitive solicitation done for this type of service.

There is a determination made by the IEP team that ESUHSD is not currently able to meet particular students' educational needs. Recommendations are then presented at the students' IEP meeting. Referrals to Morgan Center were made at the students' IEP meeting by a District Program Specialist after consultation with the District's Special Services Coordinator.

Morgan Center is a NPS that offers specialized educational services for this unique group of ESUHSD students. Morgan Center is one of two local NPSs that offer these unique services and ESUHSD contracts with both vendors.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with Morgan Center School for the contract term September 1, 2010, through and including August 31, 2011, for the provision of non-public school services for special education students, and to delegate authority to the Interim Superintendent/ Superintendent or designee to amend said contract on an as needed basis, including funding.

9. Nascent Group, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Tim Nguyen Donna Bertrand	August 19, 2010 through and including June 30, 2011	\$98,500.00 NCLB/Title I	Tim Nguyen, Coordinator

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve an Agreement with Nascent Group, Inc. for the term August 19, 2010, through and including June 30, 2011, for District Assistance Intervention Team (DAIT) Services in an amount not-to-exceed \$98,500, to declare this vendor as a Single Source Vendor; and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contract on an as needed basis, including funding.

Reason for Purchase of Outside Services

The No Child Left Behind legislation requires every district in program improvement to hire and work with a State approved outside evaluator as long as the district is in program improvement.

Selection Process

No solicitation process was done for this service.

The ESUHSD is requesting the Board to Single Source this vendor since Nascent is a state approved outside evaluator and has worked with ESUHSD for the past 4 years. Nascent has worked with ESUHSD leadership team and site leadership teams to implement the state mandated curriculum, programs and evaluation tools to guide the ESUHSD out of program improvement. Nascent continues to help ESUHSD reflect on our implementation and give ESUHSD an outside view of ESUHSD's practices which leads to ESUHSD improvement and it is largely due to Nascent's work that the ESUHSD has not progressed to more severe program improvement sanctions. Allowing ESUHSD to continue with Nascent will allow ESUHSD to move forward in our work which will lead to greater improvement in ESUHSD AYP performance.

Therefore, to try and bid out this service amongst other state approved vendors would not be in the best interest of the ESUHSD because we would have to re-establish relationships, trust, processes, and programs that we have already accomplished over the past 4 years with Nascent. This process would halt any progress that we are currently making and could possibly stall ESUHSD's growth and improvement that we have been making over the past 4 years.

RECOMMENDATION

Approve an Agreement with Nascent Group, Inc. for the Term August 19, 2010, through and including June 30, 2011, for District Assistance Intervention Team (DAIT) Services in an amount not-to-exceed \$98,500, to declare this vendor as a Single Source Vendor, and to delegate authority to the Interim Superintendent/ Superintendent or designee to amend said contract on an as needed basis, including funding.

10. Pacific Autism Center for Education (PACE)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Carole Hersom Donna Bertrand	September 1, 2010 through and including August 31, 2011	\$239,040.00 (estimated annual expenditure) Tuition – Special Education	Carole Hersom, Coordinator of Special Services

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with Pacific Autism Center for Education (PACE) for the provision of non-public school services for special education students. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program plan (IEP).

Reason for the Purchase of Outside Services

Due to the specialized educational services required to appropriately serve the severely involved Autism Spectrum students residing in the ESUHSD, PACE is a non public school (NPS) offering such services that meet the widely, varying needs of this unique group of students.

Selection Process

There was no competitive solicitation done for this type of service.

There is a determination made by the IEP team that ESUHSD is not currently able to meet particular students' educational needs. Recommendations are then presented at the students' IEP meeting. Referrals to PACE were made at the students' IEP meeting by a District Program Specialist after consultation with the District's Special Services Coordinator.

PACE is a NPS that offers specialized educational services for this unique group of ESUHSD students. PACE is one of two local NPSs that offer these unique services and ESUHSD contracts with both vendors.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with Pacific Autism Center for Education (PACE) for the contract term September 1, 2010, through and including August 31, 2011, for the provision of non-public school services for special education students, and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contract on an as needed basis, including funding.

11. Pine Hill School

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Carole Hersom Donna Bertrand	September 1, 2010 through and including August 31, 2011	\$700,667.00 (estimated annual expenditure) Tuition – Special Education	Carole Hersom, Coordinator of Special Services

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with Pine Hill School for the provision of non-public school services for special education students. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program (IEP) plan.

Reason for the Purchase of Outside Services

Due to the specialized educational services required to appropriately serve students who present with severe, unique emotional and/or developmental disabilities including mental retardation, autistic spectrum disorder, mood, disruptive behavior, anxiety and psychotic disorders residing in the ESUHSD, Pine Hill is a Non Public School (NPS) offering such services that meet the widely, varying needs of this unique group of students.

Selection Process

There was no competitive solicitation done for this type of service.

There is a determination made by the IEP team that ESUHSD is not currently able to meet particular students' educational needs. Recommendations are then presented at the students' IEP meeting. Referrals to Pine Hill School were made at the students' IEP meeting by a District Program Specialist after consultation with the District's Special Services Coordinator.

Pine Hill School is a NPS that offers specialized educational services for this unique group of ESUHSD students. The vendor pool for these specialized services is very small especially locally.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with Pine Hill School for the contract term September 1, 2010, through and including August 31, 2011, for the provision of non-public school services for special education students, and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contract on an as needed basis, including funding.

12. San Jose/Evergreen Community College District

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
June Rono, Ph.D Donna Bertrand	August 15, 2009 through and including August 14, 2010 August 15, 2010 through and including August 14, 2011	\$221,197.00 Capital Facilities Fund	June Francis Rono, Ph.D., Director

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve the Lease Agreements with San Jose/Evergreen Community College District for the term of August 15, 2009, through and including August 14, 2010, for the provision of ten (10) portable units and any applicable easements for access to the property in the amount of \$109,863.00; a Lease Agreement for the term of August 15, 2010, through and including August 14, 2011, for the provision of ten (10) portable units and any applicable easements for access to the property in the amount of \$111,334.00, with annual rent increase.

Reason for the Lease Agreement

ESUHSD has been using these rented portables for approximately six years for the Accel, Genesis and Post Senior Transition Classes. The 2009-10 rent distribution is as follows: Accel \$16,883, Genesis \$33,765 and Post Senior Transitions \$7,878.

The ESUHSD intends to continue with these programs or similar programs on the campus of San Jose/Evergreen College and recommends the Board to approve this lease.

Selection Process

No solicitation process required for this lease agreement.

RECOMMENDATION

It is recommended that the Board of Trustees approve Lease Agreements with San Jose/Evergreen Community College District for the term of August 15, 2009, through and including August 14, 2010, for the provision of ten (10) portable units and any applicable easements for access to the property in the amount of \$109,863.00; a Lease Agreement for the term of August 15, 2010, through and including August 14, 2011, for the provision of ten (10) portable units and any applicable easements for access to the property in the amount of \$111,334.00, with annual rent increase.

13. Spectrum Center

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Carole Hersom Donna Bertrand	September 1, 2010 through and including August 31, 2011	\$687,378.00 (estimated annual expenditure) Tuition – Special Education	Carole Hersom, Coordinator of Special Services

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with Spectrum Center for the provision of non-public school services for special education students. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program (IEP) plan.

Reason for the Purchase of Outside Services

Due to the specialized educational services required to appropriately serve students who present with severe, unique emotional and/or developmental disabilities including mental retardation, autistic spectrum disorder, mood, disruptive behavior, anxiety and psychotic disorders residing in the ESUHSD, Spectrum Center is a Non Public School (NPS) offering such services that meet the widely, varying needs of this unique group of students.

Selection Process

There was no competitive solicitation done for this type of service.

There is a determination made by the IEP team that ESUHSD is not currently able to meet particular students' educational needs. Recommendations are then presented at the students' IEP meeting. Referrals to Spectrum Center were made at the students' IEP meeting by a District Program Specialist after consultation with the District's Special Services Coordinator.

Spectrum Center is a NPS that offers specialized educational services for this unique group of ESUHSD students. The vendor pool for these specialized services is very small especially locally.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with Spectrum Center for the contract term September 1, 2010, through and including August 31, 2011, for the provision of non-public school services for special education students, and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contract on an as needed basis, including funding.