



Preparing every student to thrive in a global society.

### Agenda Item Details

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Meeting May 18, 2017 - ESUHSD REGULAR BOARD MEETING - 4:30 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 -- AMENDED

Category 16. BOARD OF TRUSTEES/SUPERINTENDENT - CONSENT/ACTION CALENDAR

Subject 16.02 Approve Minutes of March 23, 2017, Regular Board Meeting

Access Public

Type Action

Recommended Action It is recommended that the Board of Trustees approve the March 23, 2017, Regular Board Meeting minutes as presented.

### Public Content

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## EAST SIDE UNION HIGH SCHOOL DISTRICT

**TO:** Board of Trustees

**FROM:** Chris D. Funk, Superintendent

**SUBJECT:** Approve Minutes of March 23, 2017, Regular Board Meeting

Attached are the minutes of the March 23, 2017, 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 March 23, 2017, Regular Board Meeting minutes as presented.

BA\_2017\_03\_23\_Regular\_Minutes.pdf (1,379 KB)

### Executive Content

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East Side Union High School District

**APPROVED**

Board of Trustees

*Minutes 5-18-17*



**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**REGULAR MEETING**  
**OF THE**  
**BOARD OF TRUSTEES**  
**Meeting Held at**  
**East Side Union High School District**  
**Board Room**  
**830 N. Capitol Avenue, San Jose, CA 95133**  
**March 23, 2017**  
**3:30 p.m.**

**1. CALL TO ORDER/ROLL CALL**

**1.01 Roll Call**

*Board President Frank Biehl called the Regular Board meeting to order at 3:41 PM.*

*Present for roll call:*

- President Frank Biehl*
- Vice President J. Manuel Herrera*
- Clerk Pattie Cortese*

*Member Van Le arrived at 3:46 PM.*

*Member Lan Nguyen arrived at 4:08 PM.*

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

*Board President Frank Biehl 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.*

*There were no public speakers.*

**1.03 Recess to Closed Session in the Superintendent's Conference Room (Open Session will resume at the end of Closed Session at approximately 6:00 p.m.) See item 2 on agenda (Closed Session).**

*The Board of Trustees recessed to Closed Session in the Superintendent's Conference Room.*

## **2. CLOSED SESSION**

### **2.01 Mindfulness**

### **2.02 Expulsion(s): 16-17-015; 16-17-016**

#### **Student 16-17-015**

*Motion by President Frank Biehl, second by Member Van Le, to approve the expulsion of student #16-17-015.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Van Le*

*Not present at vote: Member Lan Nguyen*

*Vote: 4/0; Motion carries; Member Lan Nguyen was absent from vote*

#### **Student 16-17-016**

*Motion by Vice President J. Manuel Herrera, second by Clerk Pattie Cortese, to approve the expulsion of student #16-17-016.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

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

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

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

#### **Motion #1**

*Motion by Member Van Le, second by Vice President J. Manuel Herrera, to approve the service of one notice of intent to recommend three-day suspension without pay and statement of charges on one certificated teacher.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

#### **Motion #2**

*Motion by President Frank Biehl, second by Member Pattie Cortese, to approve the notice of removal and removal from added instructional responsibilities to one certificated teacher pursuant to Appendix C.7 of the collective bargaining agreement.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

**2.06 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, Associate 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 Organizations:**

**Administrators**

**Managers**

**Confidential Employees**

**2.07 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 – Existing Litigation**

**Paragraph (1) of subdivision (d) of Section 54956.9**

- **Two (2) Cases**

- **Office of Administrative Hearings: Case No. 2017010352; and,**
- **Office of Administrative Hearings: Case No. 2016061098**

**Motion #1**

*Motion by Member Van Le, second by Vice President J. Manuel Herrera, to approve the settlement agreement and general release in OAH matter 2017010352, including a payment for instructional services of not to exceed \$65,120 and the payment of \$8,000 in attorneys fees.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

**Motion #2**

*Motion by President Frank Biehl, second by Clerk Pattie Cortese, to approve the modification to settlement agreement and general release in OAH matter 2016061098, which reduces the effective date for the provision of services under the agreement and the placement of the student.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

**3. RESUME 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 speaker request form, which is located at the entrance of the Board Room.

**3.01 Pledge of Allegiance**

*Presenting the colors from Andrew Hill High School is Sergeant First Class Cochran, Army Instructor, with the Army JROTC.*

**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 of the Board Room.**

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

**5. ADOPTION OF AGENDA**

**5.01 The Superintendent and/or Board Member(s) may request that items be removed from the agenda for consideration and/or carried to a future Board meeting for consideration and/or action, and/or that that the Board take action in a regular meeting on a subject not listed on the published agenda on an emergency basis or other basis allowed by law. (Gov. Code 54954.2)**

- *Item 21.01: Pulled -- to be placed on the April 13, 2017, meeting agenda*
- *Item 13.02: Pulled -- to be placed on the April 13, 2017, meeting agenda*

**6. BOARD SPECIAL RECOGNITION(S)**

**6.01 Film Festival Winner: *A Cuban Immigrant Story***

**Produced by:**

- **Mitch Orozco, James Lick High School**
- **Deandre Mendoza, James Lick High School**
- **Erik Hernandez, James Lick High School**

**Film Festival Runner Up: *The Circuit***

**Produced by:**

- **Christina Luong, James Lick High School**
- **Cody Huoch, James Lick High School**
- **Silvia Amaya, James Lick High School**

## **6.02 Evacuation Centers Support Team for Flood Relief Victims**

### *Public speaker:*

- *Kent Fielden, American Red Cross*

#### **James Lick High School**

- **Xavier Aguirre, Night Custodian**
- **Jorge Avila, Custodian**
- **Wenceslao Fernandez, Custodian**
- **Guadalupe Godoy Estrada, Custodian**
- **John Rego, Head Custodian**
- **Jesus Quintero, Gardener**
- **Thelma Mooney Guevara, Associate Principal**
- **Kelly Daugherty, Principal**

#### **Evergreen Valley High School**

- **Deric Dang, Night Custodian**
- **Vernon Goins, Custodian**
- **Lucila Hernandez-Guardian, Night Custodian**
- **Jose Maldonado, Night Custodian**
- **Minh Vu, Night Custodian**
- **Francisco Padilla, Lead Custodian**
- **Rafael Flores, Head Custodian**
- **Emmanuel Torres, Gardener**
- **Annette Kennedy, Dean of Students**
- **Raul Betancourt, Associate Principal**
- **Lauren Kelly, Principal**
- **EVHS Red Cross Student Club**
- **Melissa Marfia-Roza, Red Cross Faculty Coordinator**

#### **Mt. Pleasant High School**

- **Carlos Estrada, Custodian**
- **Alexander Friend, Custodian**
- **Francisco Rodriguez, Night Custodian**
- **Martha Guerrero, Principal**

#### **Child Nutrition Services**

- **Darlene Martinez, Child Nutrition Services Supervisor**
- **Julie Kasberger, Director of Child Nutrition Services**
- **Sonia Vargas, Child Nutrition Services Manager I**

#### **Facilities**

- **Jim Ducato, Skilled Trades Worker: Heating/Air Conditioning**
- **Jose Espinoza, Lead Groundskeeper**
- **Henry Guerrero, Skilled Trades Worker: Boiler/Plumber**
- **Larry Tumale, Maintenance Lead**
- **Nick Valadao, Skilled Trades Worker: Heating/Air Conditioning**
- **Elizabeth Cardoso, Custodial Operations Supervisor**
- **Debbie Ramirez, Facilities Rental Manager**
- **Carlos Salazar, Senior Project Manager**

**7. STUDENT BOARD LIAISONS (5 MINUTES EACH SCHOOL)**

**7.01 Andrew Hill High School:**

- Eric Huynh, ASB President
- Anthony Alvarez, ASB Vice President
- Mel Len, ASB Spirit Leader
- Kelly Nguyen, ASB Secretary
- Antony Le, ASB Treasurer

**7.02 Silver Creek High School:**

- Bellisa Bui, ASB Vice President
- Nicholas Gonzalez, ASB Secretary
- Zayn Cochinwala, ASB Treasurer
- Jackie Dungca, ASB Chief Justice
- Denise Medina, ASB Spirit Leader

**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.**

*Item 12.03 was moved up on the agenda and heard prior to item 8.02.*

**8.02 Presentation, Discussion and/or Action to Receive and Approve the Second Interim Financial Report for Fiscal Year 2016/2017 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance**

*Public speaker(s):*

- Becky Hopkins
- Coleen Montesano
- Marisa Hanson, ESTA President
- Janine Epstein
- Kevin Murphy
- Virginia Ingelfinger
- Alison Brundson
- Martha Espinoza
- Mike Winsatt
- Tricia Bolster

*Motion by Vice President J Manuel Herrera, second by President Frank Biehl, to receive and approve the positive certification of the Second Interim Financial Report to the operating budget as presented for fiscal year 2016/2017.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

**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.**

**Any person may address the Board on any item on the meeting agenda. Persons wishing to address the Board must fill out a speaker 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.**

*There were no public speakers under this section.*

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

**11.01 Discussion and/or Action regarding Naming of Music Building at Andrew Hill High School - Chris D. Funk, Superintendent**

*Motion by President Frank Biehl, second by Clerk Pattie Cortese, to name the Music Building at Andrew Hill High School as “Eschenfelder Hall.”*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

**11.02 Discussion and/or Action regarding Naming of Baseball Field at Mt. Pleasant High School - Chris D. Funk, Superintendent**

*Motion by President Frank Biehl, second by Member Van Le, to name the Baseball Field at Mt Pleasant High School as “Jesse Tamez Field.”*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

**11.03 Discussion and/or Action to Authorize the Superintendent to Convene an Advisory Subcommittee on Vietnamese Language and Cultural Education and Programs – Van Le, Board Member**

*Public speaker(s):*

- Marisa Hanson, ESTA President*
- Tom Huynh, ACES President*



**Motion #1**

*Motion by Member Le to authorize the Superintendent form an advisory subcommittee, consisting two Board Members, who will work with Legal Counsel to work on the Vietnamese language cultural textbook sensitivity awareness and the honoring of the Freedom Flag. Also, in honor of the Fall of Saigon on April 30, Member Le, with the assistance of Legal Counsel, will bring back this item at the April 13 Board meeting in the form of a resolution honoring the Freedom Flag.*

*Motion Fails*

**Motion #2**

*Motion by President Frank Biehl, second by Member Lan Nguyen, to direct the administration to work with Legal Counsel to draft a resolution honoring the Vietnamese Freedom Flag for adoption by the Board at the April 13, 2017, meeting. The adopted resolution will be shared with staff.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

**12. EDUCATIONAL SERVICES/STUDENT SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**

**12.01 Presentation and/or Discussion regarding Guidance Plan / Naviance - Glenn Vander Zee, Associate Superintendent of Educational Services, and Kirsten King, Director of Assessment and Accountability**

*Presentation item; no action taken*

**12.02 Presentation and/or Discussion regarding School Linked Services - Glenn Vander Zee, Associate Superintendent, and Kenya Edison, Director of Student Services**

*Presentation item; no action taken*

**12.03 Discussion and/or Action to Adopt Proclamation: Youth Art Month – Glenn Vander Zee, Associate Superintendent of Educational Services, and Rebecca Palmer, Visual Arts Subject Area Coordinator**

*Public speaker(s):*

- *The-Vu Nguyen*

*Motion by Member Lan Nguyen, second by Clerk Pattie Cortese, to adopt a proclamation declaring the month of March as Youth Art Month.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

**12.04 Discussion and/or Action to Receive and Adopt Second Reading of Proposed New Board Policies and Proposed Amendments and Deletions to Existing Board Policies in Alignment with Board Policy #1312.3 Uniform Complaint Procedures and #1312.3E Uniform Complaint Procedures: Board Policies 0410; 0460; 4030; 4112.9; 4212.9; 4312.9; 5113.1; 5114; 5131.2; 5145.31; 5148; 6141; 6143; 6145; 6145.2; 6145.5; 6146.1; 6164.2; 6164.6; 6173; 6178.2; and 6190 - Glenn Vander Zee, Associate Superintendent of Educational Services**

*Motion by Vice President J. Manuel Herrera, second by Member Van Le, to receive and adopt the second reading of proposed amendments, deletions and new Board Policies in alignment with the amendments to Board Policy #1312.3 Uniform Complaint Procedure (UCP) as follows: Board Policies 0410; 0460; 4030; 4112.9; 4212.9; 4312.9; 5113.1; 5114; 5131.2; 5145.31; 5148; 6141; 6143; 6145; 6145.2; 6145.5; 6146.1; 6164.2; 6164.6; 6173; 6178.2; and 6190.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

**12.05 Discussion and/or Action to Receive First Reading of Proposed Amendments to Board Policy #6158 Independent Study - Glenn Vander Zee, Associate Superintendent of Educational Services, and ShaKenya Edison, Director of Student Services**

*Received first reading of proposed amendments to Board Policy #6158 Independent Study*

**12.06 Discussion and/or Action to Approve Distribution of "Go For It" Scholarship Funds - Glenn Vander Zee, Associate Superintendent of Educational Services**

*Motion by Member Lan Nguyen, second by President Frank Biehl, to approve the distribution of the "Go For It" Scholarship Funds, 16 scholarships worth \$2,000.00 each and totaling \$32,000.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

**12.07 Discussion and/or Action to Approve the 2017 Adult Education Summer School Program - Glenn Vander Zee, Associate Superintendent of Educational Services, and Richard Uribe, Director of Adult Education**

*Motion by Vice President J. Manuel Herrera, second by Member Lan Nguyen, to approve the 2017 Adult Education Summer School Program.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

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

**13.01 Discussion and/or Action to Adopt Resolution #2016/2017-30 to hire short-term Non-Certificated Summer Staffing - Marcus Battle, Associate Superintendent of Business Services**

*Motion by Member Lan Nguyen, second by Clerk Pattie Cortese, to adopt the Resolution #2016/2017-30 to hire short-term Non-Certificated Summer Staffing.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

**13.02 Discussion and/or Action to Adopt Resolution #2016/17-31 Mitigated Negative Declaration for the Escuela Popular School Site Expansion Project in Compliance with the California Environmental Quality Act and Adopt Resolution #2016/2017-32 Charter School Location Amendment and Full Cost Recovery Agreement - Marcus Battle, Associate Superintendent of Business Services, and Julio Lucas, Director of Capital Planning and Design**

*Item pulled / moved to April 13, 2017, Board meeting.*

**13.03 Discussion and/or Action to Approve Suspension of Silver Creek Athletic Booster Club'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**

*Motion by Clerk Pattie Cortese, second by Member Van Le, to approve the suspension of the Silver Creek Athletic Booster Club authorization to solicit contributions or funds on any District site for any purpose and/or upon the representation that any money received is to be used wholly or in part for the benefit of any District students or academic or athletic programs.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

**13.04 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**

*Motion by Vice President J. Manuel Herrera, second by Member Lan Nguyen, to approve the contract(s) for professional services over \$25,000 as presented and authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

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

**14.01 Discussion and/or Action to Approve Provisional Permit Request for Certificated Employees – Cari Vaeth, Associate Superintendent of Human Resources**

*Motion by Vice President J. Manuel Herrera, second by Member Lan Nguyen, to approve the provisional internship permit request for certificated employees as presented.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

**14.02 Discussion and/or Action to Approve New Teacher Hiring Incentives (One Year Trial) - Cari Vaeth, Associate Superintendent of Human Resources**

*Motion by President Frank Biehl, second by Clerk Pattie Cortese, to authorize and approve a new teacher hiring incentive (one year trial) of \$5,000 to be offered to teachers with appropriate credentials in the specific areas of Speech Therapy, Psychologists and Special Education.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

**14.03 Discussion and/or Action Regarding the Approval of the Proposed Revision of Classified Management Job Description and Job Title from Payroll Manager to Fiscal/Payroll Manager - Cari Vaeth, Associate Superintendent of Human Resources**

*Motion by Vice President J. Manuel Herrera, second by Member Lan Nguyen, to approve the revised classified management job description from Payroll Manager to Fiscal/Payroll Manager.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

**14.04 Discussion and/or Action Regarding the Approval of the Proposed Reclassification of the Classified Management Job Description and Salary Range from Attendance Accounting and E-Rate Coordinator to Attendance Accounting and International Student Coordinator - Cari Vaeth, Associate Superintendent of Human Resources**

*Public speaker(s):*

- *Julio Pardo, CSEA President*

*President Frank Biehl requested that a presentation on the Foreign Exchange Program be added to the Future Items list and that an update on the program will be presented annually to the Board.*

*Per Associate Superintendent Battle, a presentation will be coming to the Board in June.*

*Motion by Member Lan Nguyen, second by Vice President J. Manuel Herrera, to approve the reclassification of the classified management job description and salary range from Attendance Accounting and E-Rate Coordinator to Attendance Accounting and International Student Coordinator.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

**14.05 Ratify/Approve Memorandum of Understanding (Braille Transcriber) with the California School Employees Association, Chapter #187 and the East Side Union High School District - Cari Vaeth, Associate Superintendent of Human Resources**

*Public speaker(s):*

- *Julio Pardo, CSEA President*

*Motion by Vice President J. Manuel Herrera, second by Clerk Pattie Cortese, to ratify/approve the Memorandum of Understanding (Braille Transcriber) with the California School Employees Association, Chapter #187 and the East Side Union High School District.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

**14.06 Ratify/Approve Memorandum of Understanding (Sanitation Truck Operator) with the California School Employees Association, Chapter #187 and the East Side Union High School District - Cari Vaeth, Associate Superintendent of Human Resource**

*Public speaker(s):*

- *Julio Pardo, CSEA President*

*Motion by Member Van Le, second by Vice President J. Manuel Herrera, to ratify/approve the Memorandum of Understanding (Sanitation Truck Operator) with the California School Employees Association, Chapter #187 and the East Side Union High School District.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

**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, Julio Lucas, Interim Director of Capital Planning and Design, André Bell, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by Member Lan Nguyen, second by Clerk Pattie Cortese, to approve the bond/capital projects contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

**15.02 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Interim Director of Capital Planning and Design, André Bell, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by President Frank Biehl, second by Member Van Le, to approve waiver of the qualification requirements adopted in February, 2004 and direct staff to follow Public Contract Code 22034(a) contractor qualification for CUPCCAA Public Works Projects under \$175,000.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

## **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.

*Motion by Member Lan Nguyen, second by Clerk Pattie Cortese, to approve the remainder of the consent/action calendar as presented, except item 18.03 which was pulled from the consent calendar by Board President Frank Biehl for discussion.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

### **16. BOARD OF TRUSTEES / SUPERINTENDENT - CONSENT / ACTION CALENDAR**

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

**16.02 Approve Minutes of January 19, 2017, Regular Board Meeting**

**16.03 Approve Minutes of February 4, 2017, Board Retreat**

### **17. EDUCATIONAL SERVICES / STUDENT SERVICES - CONSENT / ACTION CALENDAR**

**17.01 Ratify/Approve School Field Trips**

### **18. BUSINESS SERVICES - CONSENT / ACTION CALENDAR**

**18.01 Ratify/Approve Contract(s) for Professional Services At or Below \$25,000**

**18.02 Ratify/Approve Purchase Orders Dated February 1, through February 28, 2017**

**18.04 Ratify/Approve CUPCCAA Informal General Purchasing Project(s)**

**18.05 Accept Report of Credit Card Purchases for Statements Dated August and September 22, 2016**

**18.06 Ratify/Approve Memoranda of Understanding**

**18.07 Adopt Resolution #2016/2017-29 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546**

**18.08 Approve Budget Transfers for the Month of February, 2017**

**18.09 Accept Warrant Register for the Month of February, 2017**

**18.10 Approve Lawful Business Travel Expense of Nadia Davis, Attendance Accounting Manager and International Student Program - Designated School Official (DSO), to China**

**19. HUMAN RESOURCES - CONSENT / ACTION CALENDAR**

**19.01 Ratify/Approve Classified Personnel Actions Presented March 23, 2017**

**19.02 Ratify/Approve Certificated Personnel Actions Presented March 23, 2017**

**19.03 Ratify/Approve Student Aide Personnel Actions Presented March 23, 2017**

**20. FACILITIES - CONSENT / ACTION CALENDAR**

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

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

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

**20.04 Approve the Capital Program Budget Adjustment Report**

**20.05 Approve Qualified Professional Service Providers**

**Item pulled from the consent calendar for discussion:**

**18.03 Ratify/Approve Change Orders to Purchase Orders**

*Motion by President Frank Biehl, second by Clerk Pattie Cortese, to ratify/approve the change orders to purchase orders as presented.*

*Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le*

*Vote: 5/0; Motion carries*

**21. WRITTEN REPORTS/RECOMMENDATION**

**21.01 Receive Preliminary Point-Counterpoint Budget Task Force Report**

*Vice President J. Manuel Herrera pulled/moved item 21.01 to the April 13, 2017, Board meeting agenda.*

**21.02 Receive Internal Audit Report FY 16-1 Staff Time Charged to Bond Program**

*Due to the lateness of the meeting, President Frank Biehl requested item 21.02 be placed on the April 13, 2017, Board meeting agenda.*



**21.03 Receive Internal Audit Report FY 16-2 Accounts Payable Timelines**

*Due to the lateness of the meeting, President Frank Biehl requested item 21.03 be placed on the April 13, 2017, Board meeting agenda.*

**21.04 Receive Internal Audit Report FY 16-3 Facilities Rental Revenue versus Cost**

*Due to the lateness of the meeting, President Frank Biehl requested item 21.04 be placed on the April 13, 2017, Board meeting agenda.*

**21.05 Receive Internal Audit Report FY 16-4 Facilities Rental Custodial Hours**

*Due to the lateness of the meeting, President Frank Biehl requested item 21.05 be placed on the April 13, 2017, Board meeting agenda.*

**22. FUTURE AGENDA ITEMS**

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

**Frank Biehl, Board President**

Item	Date (tentative)	Type
Safe Trans	April 13, 2017	Presentation/Discussion
Foreign Exchange Program	June (annually)	Presentation/Discussion

**Pattie Cortese, Board Member**

Item	Date (tentative)	Type
Transformational Learning Project	TBD	Presentation/Discussion

**22.02 Future Items**

**J. Manuel Herrera, Board Vice President**

Item	Date (tentative)	Type
STEAM	May 4, 2017 Study Session	Presentation/Discussion
IPC Annual Update • Activities To-Date	February (Annually -- beginning February 2018)	Presentation/Discussion

**Pattie Cortese, Board Clerk**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
<b>Teen Parents</b> <ul style="list-style-type: none"> <li>• Education</li> <li>• Support</li> <li>• Child Care at James Lick HS</li> </ul>	<b>August, 2017</b>	<b>Presentation/Discussion</b>
<b>Community Liaisons vs. PCIS and Attendance Clerks</b> <ul style="list-style-type: none"> <li>• Delineation of Roles and Expectations and How they Work Together</li> </ul>	<b>TBD</b>	<b>Presentation/Discussion</b>

**Van Le, Board Member**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
<b>Failed Courses</b>	<b>Twice Year (annually): November &amp; March</b>	<b>Report</b>
<b>Child Nutrition Services Program</b>	<b>April 13, 2017</b>	<b>Presentation</b>
<b>Accel Program</b>	<b>April 13, 2017</b>	<b>Report</b>
<b>Challenge Exams for Course Advancement</b>	<b>August, 2017</b>	<b>Report</b>
<b>Grading Policy</b>	<b>Fall, 2017</b>	<b>Presentation/Discussion</b>
<b>Role of PCIS vs. Liaisons</b> <ul style="list-style-type: none"> <li>• Ethnicity/Diversity compared to Site Enrollment</li> <li>• Roles and Responsibilities</li> </ul>	<b>TBD</b>	<b>Presentation/Discussion</b>
<b>Adult Education</b>	<b>TBD</b>	<b>Report</b>

**Lan Nguyen, Board Member**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
<b>After School Programs</b>	<b>August, 2017</b>	<b>Presentation/Discussion</b>

## 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 ( <i>March or April</i> )
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
Board Study Session/Workshop
Budget (Preliminary/Draft) Presentation
Employee Recognition Event
Graduations
Honor Nights
Last Day of School

<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 – next due date: 2018)
Program Improvement Update
Safety Plan Assessment for Each School
Single Plan for Student Achievement (SPSA) for Each School
Sports Recognitions (Winter/Spring)
Summer School Program (session begins)

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

23.01 **Board of Trustees**

• **Board President Frank Biehl**

*I've been visiting sites. I am inspired. I always learn something new. It's a very good experience. I really appreciate the work that is being done.*

• **Board Vice President J. Manuel Herrera** (no comments made)

• **Board Clerk Pattie Cortese**

*I've been making a concerted effort to get out to some of the sites. I am so inspired by the work being done. I went to Independence and today I went to Piedmont Hills and visited their construction programs. The cross-curricular program they have around building tiny homes and things like that is just amazing! I encourage you all to get out there and see it. It is really exciting what is going on the campuses.*

• **Board Member Lan Nguyen** (no comments made)

• **Board Member Van Le**

*MetroED Report – We have approximately 748 students from East Side Union High School District that have been approved and admitted to MetroED for next school year. This is the highest number of students in the past four years.*

*I've been working with Tim Nguyen to broadcast information to the community about the District's career and college program.*

*I will be catching up on my sites visits prior to the close of the school year.*

23.02 **Chris D. Funk, Superintendent** (no comments made)

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

24.01 **Legal Counsel will report on Closed Session action item(s).**

*See section 2.0 for reporting out of Closed Session items.*

25. **ADJOURNMENT**

25.01 **President adjourns the meeting.**

*President Frank Biehl adjourned the meeting at 10:26 PM.*

*Respectfully submitted,*



Board Clerk



Preparing every student to thrive in a global society.

## Agenda Item Details

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Meeting	Mar 23, 2017 - ESUHS D REGULAR BOARD MEETING - 3:30 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	13.04 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
Access	Public
Type	Action
Recommended Action	It is recommended that the Board of Trustees approve the contract(s) for professional services over \$25,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.

## Public Content

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### EAST SIDE UNION HIGH SCHOOL DISTRICT

**TO:** Board of Trustees

**FROM:** Chris D. Funk, Superintendent

**PREPARED BY:** Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager

**SUBJECT:** Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000

The attached contract(s) for professional services over \$25,000 are being presented for Board review and approval and to authorize administration to amend said contracts in accordance with Board Policy 3312.1.

**Fiscal Impact:**

As indicated in the attachment

**Funding Source:**

As indicated in the attachment

**Recommendation:**

It is recommended that the Board of Trustees approve the contract(s) for professional services over \$25,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.

 [2017 0323 Contracts Over 25K.pdf \(100 KB\)](#)

# EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000  
Board Meeting of March 23, 2017 – Item 13.04

## 1. Silicon Valley Education Foundation (SVEF)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Tim Nguyen Francine Brissey	July 1, 2016 – June 30, 2017	\$40,000.00 California Career Pathway Trust Grant	Tim Nguyen/ Director of Career Services

### Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Silicon Valley Education Foundation. SVEF will provide leadership to support and expand the Elevate Math and Elevate Science Programs.

### Selection Process

Grant Agreement

### Recommendation

It is recommended that the Board of Trustees approve the contract with SVEF in the amount of \$40,000.00 for the term of July 1, 2016, through June 30, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

## 2. California Department of Education (CDE) – CCTR 6268 & CSPP 6535 - Amendment 01

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Deborah Barnes Francine Brissey	July 1, 2016 – June 30, 2017	CCTR 6268: Original value: \$930,363.00 New Value: \$978,151.00 CSPP 6535: Original Value: \$569,102.00 New Value: \$598,334.00	Deborah Barnes/ Coordinator of Child Development

### Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the Amendment 01 with the CDE for contract CCTR-6268 and CSPP 6535. These amendments are effective January 1, 2017.

CCTR-6268 amendment details:

Title	Original Value	New Value
Maximum Reimbursable Amount	\$930,363.00	\$978,151.00
Maximum Rate per Child	\$38.29	\$40.20
Minimum Child Days of Enrollment	24,298	24,332

CSPP-6535 amendment details:

Title	Original Value	New Value
Maximum Reimbursable Amount	\$569,102.00	\$598,334.00
Maximum Rate per Child	\$38.53	\$40.45
Minimum Child Days of Enrollment	14,770	14,792

# EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000  
Board Meeting of March 23, 2017 – Item 13.04

## Selection Process

N/A

## Recommendation

It is recommended that the Board of Trustees approve the CDE Amendments in the amount of \$978,151.00 for CCTR-6268 and in the amount of \$598,334 for CSPP-6535 for the 2016/2017 Fiscal Year.

### 3. First 5 Santa Clara County – Revenue (Grant # 2017-117-010)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Richard Uribe Deborah Barnes Francine Brissey	October 1, 2016 – September 30, 2017	\$41,388.00 Child Development	Deborah Barnes/ Coordinator of Child Development

## Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the revenue contract with First 5 Santa Clara County.

The California State Preschool Program (CSPP) Quality Rating Improvement System (QRIS) Block Grant (CDE 16-25276-1043-00) received from California Department of Education (CDE), through Santa Clara County Office of Education (SCCOE), supports local quality early learning efforts and increases the number of low-income children in high quality state preschool programs, thus preparing these children for success in school and life. By having more state preschool children high quality programs over time, it is anticipated that these efforts will result in a significant reduction in the achievement gap.

The CSPP QRIS Block Grant to ESUHSD is based on site information from CSPP QRIS Block Grant Application. ESUHSD is awarded \$36,126 in award dollars at four sites and \$5,262 in incentive dollars for quality improvement activities at one site.

## Selection Process

CSPP QRIS Block Grant Application

## Recommendation

It is recommended that the Board of Trustees approve the revenue contract with First 5 Santa Clara County in the amount of \$41,388.00 for the term of October 1, 2016, through September 30, 2017.

# EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000  
Board Meeting of March 23, 2017 – Item 13.04

## 5. Passageworks Institute

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Teresa Marquez Francine Brissey	January 1, 2017 – June 30, 2017	\$67,200.00 Transformation Learning - Mindfulness	Teresa Marquez/ Director of Professional Development and Curriculum

### Contract Request

East Side Union High School District (ESUHSD) administration is requesting the Board of Trustees to approve the contract with Passageworks Institute. Passageworks Institute will provide a series of professional development workshops and retreats throughout the remainder of the fiscal year.

### Selection Process

N/A

### Recommendation

It is recommended that the Board of Trustees approve the contract with Passageworks institute in the amount of \$67,200.00 for the term of January 1, 2016, through June 30, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

## 6. McArthur & Levin, LLP

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Francine Brissey	October 1, 2016 – June 30, 2017	\$100,000.00 SDC	Barbara Moore/ Director of Special Services

### Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with McArthur & Levin, LLP. McArthur & Levin, LLP will provide legal services in Special Education Matters for ESUHSD.

### Selection Process

N/A

### Recommendation

It is recommended that the Board of Trustees approve the contract with McArthur & Levin, LLP in the amount of \$100,000.00 for the term of October 1, 2016, through June 30, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.



# EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000

Board Meeting of March 23, 2017 – Item 13.04

## 7. Teach for America

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Cari Vaeth André Bell Francine Brissey	July 1, 2017 – April 30, 2019	\$100,000.00 (not to exceed) Personnel Administration	Cari Vaeth/ Associate Superintendent of Human Resources

### **Contract Request**

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Teach for America. Teach for America will perform recruitment services for ESUHSD, obtaining a minimum of four highly qualified teachers.

### **Selection Process**

N/A

### **Recommendation**

It is recommended that the Board of Trustees approve the contract with Teach for America in the amount not to exceed \$100,000.00 for the term of July 1, 2017, through April 30, 2019. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.



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## Agenda Item Details

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Meeting	Mar 23, 2017 - ESUHSD REGULAR BOARD MEETING - 3:30 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	15. FACILITIES/BOND - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION
Subject	15.01 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Interim Director of Capital Planning and Design, André Bell, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager
Access	Public
Type	Action, Discussion
Recommended Action	It is recommended that the Board of Trustees approve the bond/capital projects contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

## Public Content

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### EAST SIDE UNION HIGH SCHOOL DISTRICT

**TO:** Board of Trustees

**FROM:** Chris D. Funk, Superintendent

**PREPARED BY:** Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Interim Director of Capital Planning and Design, André Bell, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager

**SUBJECT:** Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000

The attachment for the bond/capital projects contract(s) over \$50,000 is being presented for Board review and approval.

#### Fiscal Impact:









As indicated in the attachment

#### Funding Source:

As indicated in the attachment

#### Recommendation:

It is recommended that the Board of Trustees approve the bond/capital projects contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

-  2017\_0323 Contract Over \$50K.pdf (147 KB)
-  Attachment A.pdf (785 KB)
-  Attachment B.pdf (128 KB)
-  Attachment B.1.pdf (6,034 KB)
-  Attachment C.pdf (702 KB)
-  Attachment D.pdf (4,493 KB)
-  Attachment E.pdf (521 KB)
-  Attachment F.pdf (1,019 KB)

## Executive Content

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**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Bond/Capital Projects Contract(s) for Services over \$50,000**  
**Board Meeting March 23, 2017 – Item 15.01**

**1. Quintessential School Systems**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Randy Phelps Marcus Battle Andre Bell Janice Unger	July 01, 2017 – June 30, 2018	\$99,731.00 (not to exceed)  Fund 22 – Measure I Tech Bond	Districtwide/Information Technology  Randy Phelps, Chief Technology Officer

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to award a purchase order agreement for the continued software support for QSS Business Systems for Fiscal Year 2017 – 2018. (Project No.: IT-013-005).

**Selection Process**

No solicitation process was performed. (Attachment A)

**RECOMMENDATION**

It is recommended that the Board of Trustees approve the purchase order agreement with **Quintessential School Systems (QSS)** for an amount not to exceed **\$99,731.00** for the continued software support for QSS Business Systems for Fiscal Year 2017 – 2018. (Project # IT-013-005) and authorize Administration to execute change orders in accordance with Board Policy 3312.1, if needed.

**2. Statewide Education Owner Controlled Insurance Program (Wrap Up) Program c/o Keenan & Associates (SEWUP/OCIP)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Marcus Battle Andre Bell Janice Unger	See Below:	See Below	Foothill, Independence and Santa Teresa High Schools/Facilities/Construction  Julio Lucas, Interim Director of Capital Planning/Design

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the following three (3) proposals for the projects list below that have called for in the bids for an Owner Controlled Insurance Program (OCIP). The program would provide Workers' Compensation, General/Excess Liability, and under certain conditions, Builders' Risk insurance coverage for all contractors and their sub-contractors of all tiers on the project. Bidders were asked to exclude contractor insurance in their base bid.

**Selection Process**

Resolution #1998/99-27 was passed and adopted by the Board of Trustees of the East Side Union High School District on June 24, 1999. At that time ESUHSD declared membership in the Statewide Educational Wrap Up Program/JPA. (Attachment B)

(Proposals: Attachment B.1)

Project Name	Contract Term	Proposal Fee Total	School Site
IH Blds G,H,K,L Modernization (G & H)	February 3, 2017 through July 20, 2017	\$124,115.07 (PO 702559)	Independence High School
ST Student Parking Lot Improvements & Landscape & Hardscape Upgrades	March 9, 2017 through September 03, 2017	\$54,920.84	Santa Teresa High School
FH Hooper Hall Modernization & Quad Upgrades	April 10, 2017 through September 25, 2017	\$51,815.89	Foothill High School

**RECOMMENDATION**

It is recommended that the Board of Trustees approve the purchase order agreements with **SEWUP c/o Keenan & Associates** for a total amount not to exceed **\$230,851.80** for three (3) Owner Controlled Insurance Program (OCIP) proposals for the projects listed above and authorize Administration to execute change orders in accordance with Board Policy 3312.1, if needed.

**3. Skyline Engineering**

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas André Bell Marcus Battle Janice Unger	June 24, 2016 through project completion (No change)	\$24,000.00 (not to exceed)  Measure E	District Wide School Sites/Facilities/Construction  Julio Lucas, Interim Director of Capital Planning/Design

East Side Union High School District (ESUHSD) Administration is requesting that the Board ratify Amendment No. 01 to Work Authorization No. 01 and Change Order No. 01 to Purchase Order 700003 for the increase of additional architectural/engineer design services for additional scope for the District Wide Roof Project (Z-XXX-803).

On June 23, 2016 (Item No. 20.01) the Board of Trustees approved an architectural work authorization agreement for the design of the District Wide Roof Project with Skyline Engineering in the amount of \$300,000.00 (Attachment C)

This Amendment No. 01, Change Order No. 01 to Purchase Order 700003 is to increase for additional scope of design services required that were not included in the existing Work Authorization No. 01. (Attachment D)

Original Contract Amount	\$300,000.00
Previous Change Order Amounts	\$0.00
Contract Amount Prior to This Change Order	\$300,000.00
Change Order No. 01 (Amendment No.01 increase for additional design services)	\$24,000.00
Revised Contract Amount	\$324,000.00

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify Amendment No.01 and Change Order No. 01 to Purchase Order 700003 for additional design services with **Skyline Engineering** for the District Wide Roof Project in the increased amount of \$24,000.00.

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**4. Construction Inspection Services, Inc. (CIS, Inc.) – DSA Project Inspector**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Julio Lucas André Bell Marcus Battle Janice Unger	December 06, 2016 through project completion (Adjusted completion date: April 30, 2017	\$17,600.00 (not to exceed)  Measure I	Various District School Sites/Facilities/Construction  Julio Lucas, Interim Director of Capital Planning/Design

East Side Union High School District (ESUHSD) Administration is requesting that the Board approve Amendment No. 01 to Professional Services Agreement and Change Order No. 01 to Purchase Order 702021 for the increase of additional hours needed for DSA required observation and inspection reporting to ensure code compliance and adherence to approved DSA plans for the District Wide Swimming Pool Modernization Project (Z-XXX-701).

On January 19, 2017 (Item No. 20.01) the Board of Trustees ratified a professional services agreement for the DSA Inspector of Record services for the Swimming Pool Modernization Project with Construction Inspection Services, Inc. (CIS, Inc.) in the amount of \$42,240.00 (Attachment E)

This Amendment No. 01, Change Order No. 01 to Purchase Order 702021 is to increase for additional inspection hours needed for the completion of the swimming pool projects at various sites. (Attachment F)

Original Contract Amount	\$42,240.00
Previous Change Order Amounts	\$0.00
Contract Amount Prior to This Change Order	\$42,240.00
Change Order No. 01 (Amendment No.01 increase for additional inspection hours)	\$17,600.00
Revised Contract Amount	\$59,840.00

**RECOMMENDATION**

It is recommended that the Board of Trustees approve Amendment No.01 and Change Order No. 01 to Purchase Order 702021 for additional DSA inspector of record services with **Construction Inspection Services, Inc., (CIS, Inc.)** for the Swimming Pool Modernization Project in the increased amount of \$17,600.00.

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## Agenda Item Details

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Meeting Mar 23, 2017 - ESUHS D REGULAR BOARD MEETING - 3:30 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR

Subject 18.01 Ratify/Approve Contract(s) for Professional Services At or Below \$25,000

Access Public

Type Action

Recommended Action It is recommended that the Board of Trustees ratify the projects contract(s) for professional services at or below \$25,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

## Public Content

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### EAST SIDE UNION HIGH SCHOOL DISTRICT

**TO:** Board of Trustees

**FROM:** Chris D. Funk, Superintendent

**PREPARED BY:** Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing

**SUBJECT:** Ratify/Approve Contract(s) for Professional Services At or Below \$25,000

The attached lists the General Purchasing Contracts for Professional Services at or below \$25,000 being recommended for Board ratification.

**Fiscal Impact:**

As presented in the attachment

**Funding Source:**

As presented in the attachment

**Recommendation:**

It is recommended that the Board of Trustees ratify the projects contract(s) for professional services at or below \$25,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

[03-23-17 Prof Serv Contracts under \\$25K.pdf \(85 KB\)](#)

**The EAST SIDE UNION HIGH SCHOOL DISTRICT  
Contract(s) for Professional Services At or Below \$25,000**

Board Meeting of March 23, 2017 – Item 18.01

A Conflict of Interest Statement has been collected for each service contract listed below.

<b>Consultant</b>	<b>Contract Period</b>	<b>Contract Amount/Funding Source</b>	<b>PO Number</b>	<b>Location of Services</b>	<b>Description of Services</b>	<b>Date Contract Assigned</b>
AMS Enterprise	November 1, 2016 – June 30, 2017	\$1,000.00/ Special Ed.	702889	Education Center	Provide written translation and interpretation services for IEP's from English to Spanish and Spanish to English.	February 16, 2017
Jerome P. Dixon	February 1, 2017 – April 1, 2017	\$600.00/ English Dept.	702855	Evergreen Valley	Provide motivational speaking services on Juvenile Justice and Racial Profiling at Evergreen Valley High School.	February 9, 2017
John T. Barrick	February 1, 2017 – June 30, 2017	\$2,700.00/ Principal	702801	Mt. Pleasant	Provide services to paint memorial on scoreboards at Mt. Pleasant High School.	February 14, 2017
Michael R. Boitz	February 2, 2017	\$200.00/ Supt.	702777	Education Center	Provide Adjudication services for the district's Orchestra Festival.	February 2, 2017
Stanford University-California World Language Project (SWLP)	November 1, 2016 – June 30, 2017	\$3,000.00/ Principal	702910	Independence	Provide 2 all day workshops on World Language for the language teachers at Independence High School.	February 20, 2017
The Princeton Review	April 15, 2017 – August 13, 2017	\$8,500.00/ Migrant Ed.	702725	Education Center	The Princeton Review will provide certified instructors 25 hours of classroom curriculum to teach SAT test preparation course for 11 <sup>th</sup> graders at ESUHSD.	February 9, 2017
WestEd	January 5, 2017 – June 30, 2017	\$20,000.00/ Special Ed.	702888	Education Center	Provide Special Education and General Education teachers, District and Site Administrators, and support personnel with a series of workshops addressing identified needs for Educators as they continue to move towards more inclusive practices for students with disabilities in accordance with Attachment A - West Ed's Scope of Work 2016-17.	February 9, 2017





Preparing every student to thrive in a global society.

## Agenda Item Details

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Meeting	Mar 23, 2017 - ESUHSD REGULAR BOARD MEETING - 3:30 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	20. FACILITIES/BOND - CONSENT/ACTION CALENDAR
Subject	20.01 Ratify Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000
Access	Public
Type	Action (Consent)
Recommended Action	It is recommended that the Board of Trustees ratify the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

## Public Content

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### EAST SIDE UNION HIGH SCHOOL DISTRICT

**TO:** Board of Trustees

**FROM:** Chris D. Funk, Superintendent

**PREPARED BY:** Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Interim Director of Capital Planning and Design, André Bell, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager

**SUBJECT:** Ratify Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000

The attached lists the Bond/Capital Projects Contracts for Professional Services at or below \$50,000 being recommended for Board ratification.

#### Fiscal Impact:


As indicated in the attachment

#### Funding Source:

As indicated in the attachment

#### Recommendation:

It is recommended that the Board of Trustees ratify the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

 [2017 0323 Prof Serv Contract under \\$50K.pdf \(108 KB\)](#)

**Executive Content**

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*Our adopted rules of Parliamentary Procedure, Robert's Rules, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all Board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.*

**East Side Union High School District**  
**Construction-Related Professional Services Contracts under \$50,000 for Ratification**  
**Board Meeting of March 23, 2017 - Item 20.01**

<b>Project Number &amp; Name</b>	<b>Project Description</b>	<b>Purchase Order Number/ Contract Number</b>	<b>Contract Period</b>	<b>Consultant</b>	<b>Contract Amount</b>	<b>Date Purchase Order Assigned</b>
Z-060-601 / YB New Student Union and Quad Modernization	Provide complete commissioning service for the YB New Student Union and Quad project to meet LEED requirements for enhanced commissioning	702558 / CP1799	February 6, 2017 through project completion	Axiom Engineers, Inc.	\$28,500.00	2/6/2017
F40-025-811 / AH ERP Roofing	Consultant shall provide a biddable asbestos and lead abatement specifications and scope of work for Andrew Hill High School - Building 500	702563 / CP1849	February 6, 2017 through project completion	Hazmat Doc	\$550.00	2/6/2017
Z-065-603 / IH Blds G,H,K,L Modernization (G & H Mod)	Provide abatement monitoring and management services for the Independence High School - Buildings G & H Modernization Project per DSA #: 01-115924	702600 / CP1818	February 8, 2017 through project completion	Hazmat Doc	\$46,185.00	2/8/2017
IT-013-004 / DW Professional Services	Scope of work is to integrate filemaker to help maintain data flow. Contract is for 117 service hours at the rate of \$85.00 per hour	702626 / CP1847	March 16, 2017 to June 30, 2017	Accelatron	\$9,945.00	2/9/2017
IT-013-003 / DW Professional Development	Cue will provide four (4) days of high quality professional development services to increase the educator's skills with and knowledge of pedagogical implementation of G Suite and prepare individuals to take the Google Educator Level 1 certification exam	702627 / CP1864	January 2017 to May 2017	Cue Conference	\$13,000.00	2/9/2017

**East Side Union High School District**  
**Construction-Related Professional Services Contracts under \$50,000 for Ratification**  
**Board Meeting of March 23, 2017 - Item 20.01**

Project Number & Name	Project Description	Purchase Order Number/ Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
F40-060-811 / YB ERP Roofing (Bld 200 and 1100)	Consultant shall provide a comprehensive pre-renovation roof hazmat survey and report on Building 200 and 1100 at Yerba Buena High School for the emergency repair program (ERP) roofing project. Scope of work includes but not limited to materials testing and sampling, perform analysis, and prepare reports and/or documentation for compliance with NESHAPS	702628 / CP1876	February 9, 2017 through project completion	Millennium Consulting Associates	\$1,568.00	2/9/2017
F40-030-811 / JL ERP Roofing	To provide construction management services at James Lick High School for the emergency repair program (ERP) roofing project. Services will include assisting in bid documents, job walk, coordination, etc. The cost will be based on T&M not to exceed the total amount	702649 / CP1884	February 10, 2017 through project completion	Gilbane Building Company	\$14,800.00	2/10/2017
IT-013-003 / DW Professional Development	Contract services scope of work is to assist ESUHSD with the health and information security organization. Help determind ESUHSD's information security program gaps. Ascertain program/department information security maturity levels. Determine areas of investment needed, etc. Provide the subject matter expertise, technical knowledge, staff support, and other related resource necessary to execute on the project objectives during a one day (up to eight hours) workshop using Dtech's Asena information security insight tool	702700 / CP1887	February 1, 2017 to June 30, 2017	Derivative Technology LLC	\$1,600.00	2/15/2017

**East Side Union High School District**  
**Construction-Related Professional Services Contracts under \$50,000 for Ratification**  
**Board Meeting of March 23, 2017 - Item 20.01**

Project Number & Name	Project Description	Purchase Order Number/ Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
Z-043-602 / IAC Admin New Bld	Contractor shall provide labor, materials, equipment and supervision to move (14) staff members, (4) department chair members, (3) counselors and (1) director from the Administration Building to Interim Housing in Building 100. Work includes but not limited to moving modular office furniture (cubicles), office furniture and equipments; disconnect all electronic devices, computers, printers, and electronic equipments; set-up rectangular tables; provide 500 boxes and labels (1.5 cf); pack 50 1.5 cf boxes	702733 / CP1842	February 20, 2017 through project completion	Venezia Construction, Inc.	\$11,375.00	2/16/2017
Z-065-602 / IH Streetscape, Infrastructure, Wayfinding Modernization (Marquee)	Provide DSA project inspection services for IH Streetscape, Infrastructure, Wayfinding Modernization (Marquee)	702734 / CP1841	February 16, 2017 through project completion	CIS, Inc.	\$1,950.00	2/16/2017
Z-030-601 / JL Student Center & Quad Modernization	Consultant to provide the following scope of work: asbestos sample collection, laboratory analysis, and a final written report for the Student Center and Quad Modernization Project at James Lick High School per DSA #: 01-116045	702748 / CP1890	February 17, 2017 through project completion	Hazmat Doc	\$6,445.00	2/17/2017
Z-070-602, E-070-005 / ST Student Parking Lot Entry, ST Infrastructure Modernization	Project inspector services for the ST Student Parking Lot Entry / ST Infrastructure Modernization project per Artik Art and Architecture provided plans and specifications, per DSA #: 01-116194	702749 / CP1836	February 17, 2017 through project completion	CIS, Inc.	\$19,500.00	2/17/2017

**East Side Union High School District**  
**Construction-Related Professional Services Contracts under \$50,000 for Ratification**  
**Board Meeting of March 23, 2017 - Item 20.01**

Project Number & Name	Project Description	Purchase Order Number/ Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
Z-060-601 / YB New Student Union and Quad Modernization	Consultant to provide the following scope of work: geotechnical observation and testing services for Yerba Buena New Student Union & Quad Modernization Project, per DSA #: 01-116156	702750 / CP1804	February 17, 2017 through project completion	Earth Systems Pacific	\$10,216.00	2/17/2017
Z-005-602, Z-005-601, I-005-002 / FH Hooper Hall Modernization, FH Quad Upgrade (Hardscape-Landscape), FH Site Infrastructure Improvements	To provide DSA project inspection services for the Foothill Hooper Hall Modernization, Quad Upgrade & Site Infrastructure project per DSA #: 01-116131	702751 / CP1775	February 17, 2017 through project completion	CIS, Inc.	\$33,000.00	2/17/2017
Z-052-993 / District Program Cost	Advise and assist the District as its Continuing Disclosure Dissemination Agent. Continuing disclosure services provided includes: preparation of annual report, preparation of debt policy, annual filing of annual report, budget and audit, and preparation of filing significant events	702852 / CP1921	January 11, 2017 through January 10, 2022	Dale Scott & Company, Inc.	\$6,500.00	3/7/2017
Z-052-993, IT-013-005 / District Program Cost, DW License & Renewal	Provide EchoSign Enterprise Edition software/licenses for 50 users annually. Software is used for uploading and routing documentation for signatures and approvals	702853 / CP1942	February 15, 2017 to February 14, 2018	Adobe Systems, Inc.	\$18,000.00	3/8/2017