

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

AGENDA
April 16, 2015

AMENDED

In compliance with the Americans with Disabilities Act, if you need special assistance, disability-related modifications or accommodations, including auxiliary aids or services, in order to participate in the public meeting of the Board of Trustees, please contact the office of the District Superintendent at (408) 347-5010. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Upon request, the District shall also make available this agenda and all other public records associated with this meeting in appropriate alternative formats for persons with a disability.

Closed Session will begin at 4:00 P.M.

The Regular Meeting of the Board of Trustees will begin at 4:00 p.m. in the Board Room of the Education Center. Anyone wishing to address the Board regarding Closed Session items may speak at this time. The Board will then adjourn to Closed Session in the Superintendent's Conference Room.

1. Call to Order/ Roll Call

1.01 Roll Call

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

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

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



Closed Session

- 2.01 Expulsion(s): A
- 2.02 Public Employee Performance Evaluation
(Government Code Section 54957)
- *Superintendent*
- 2.03 Public Employment/Public Employee Appointment
(Government Code Section 54957)
- *Superintendent*
- 2.04 Public Employee Discipline/Dismissal/Release
(Government Code Section 54957)
- 2.05 Conference with Labor Negotiators
(Government Code Section 54957.6)

Agency Designated Representatives:

Chris D. Funk, Superintendent

Marcus Battle, Associate Superintendent of Business Services

Juan Cruz, Associate Superintendent of Educational Services

Cari Vaeth, Associate Superintendent of Human Resources

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

Administrator Collaborative of East Side (ACES)

Unrepresented Employees:

Administrators

Managers

Confidential Employees

- 2.06 Conference with Legal Counsel – Anticipated Litigation:
Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code Section 54956.9
- *Claim for Damages of State Farm Insurance as Subrogee of Y. Hoang;*
 - *Claim for Damages of State Farm Insurance as Subrogee of L. Rutab;*
 - *Claim for Damages of L. Bernardez, represented by: Roggeveen, Nguyen & Tran; and,*
 - *Two (2) Potential Cases*



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

- *Two (2) Potential Cases*

2.08 Conference with Legal Counsel – Existing Litigation
(Paragraph (1) of subdivision (d) of Section 54956.9)

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

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

3. Pledge of Allegiance

4. Welcome and Explanation to Audience

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

5. Adoption of Agenda

5.01 For consideration by the Board of Trustees

6. Board Special Recognition(s)

6.01 2015 National Center for Women & Information Technology Aspirations in Computing Educator Award

- Carol Ng, Santa Teresa High School

6.02 Synopsys Championship Winners:

Andrew Hill High School

- Kevin Dieu

Evergreen Valley High School

- Sampada Deglurkar
- Tanisha Joshi
- Aratrika Ghatak
- Labanya Mukhopadhyay
- Anushka Prasad Jogalekar
- Swetha Revanur

Oak Grove High School

- Claudia Toma

Piedmont Hills High School



- Andrew Cyril Shacker

Silver Creek High School

- Nora Abushaaban
- Manjot Kaur
- Erin Yurim Kim
- Jennifer Yura Kim
- Sophia Lau
- Whitney J. Lau
- Pratima Manga
- Priya Padmanaban
- Christian Justo
- Moses Rivera
- Helen Hanh Thio

6.03 Winter Sports Recognitions

Mt. Pleasant High School

- Boys' Soccer, Mt. Hamilton Division, Central Coast Section Champions

Oak Grove High School

- Girls' Basketball, West Valley Division, Blossom Valley Athletic League Champions
- Wrestling
 - ❖ Jordan Auen, 126 lb. weight class, Blossom Valley Athletic League Champion
 - ❖ Anthony Jimenez, 182 lb. weight class, Blossom Valley Athletic League Champion

Piedmont Hills High School

- Girls' Basketball, Mt. Hamilton Division, Blossom Valley Athletic League Champions
- Wrestling, West Valley Division, Blossom Valley Athletic League Champion

Santa Teresa High School

- Wrestling
 - ❖ Ray Carroll, 113 lb. weight class, Blossom Valley Athletic League Champion and Central Coast Section Champion
 - ❖ Jacob Thalín, 152 lb. weight class., Blossom Valley Athletic League Champion and Central Coast Section Champion, Fourth in California

Silver Creek High School

- Girls' Soccer, West Valley Division, Blossom Valley Athletic League Champion
- Wrestling
 - ❖ Sebastian Marin, 132 lb. weight class, Blossom Valley Athletic League Champion

Wm. C. Overfelt High School

- Wrestling
 - ❖ Keven Alvarenga, 138 lb. weight class, Blossom Valley Athletic League Champion

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



- 7.01 Luis Valdez Leadership Academy Student Ambassadors
- 7.02 Foothill High School
 - Luis Apreza, Student Representative
 - Jenny Thong, Student Representative
- 7.03 Oak Grove High School
 - Jennassa Dahlman, Student Representative / Safe School Ambassador
 - Omar Rivera, Student Representative / Safe School Ambassador

8. Special Order of Business – Operational Items/Board Discussion and/or Action

- 8.01 The Superintendent and/or Board Member(s) may request that items be considered, discussed, and acted on out of the order indicated on the agenda as per schedule.
- 8.02 Presentation and/or Discussion regarding Teach for America (TFA) - Cari Vaeth, Associate Superintendent of Human Resources
- 8.03 Presentation, Discussion and/or Action regarding the Child Nutrition Services Program Study by Total School Solutions - Marcus Battle, Associate Superintendent of Business Services, Julie Kasberger, Director of Child Nutrition, and Jose Alvarado from Total School Solutions
- 8.04 **Presentation, Discussion and/or Action regarding the Special Education Program – Juan Cruz, Associate Superintendent of Educational Services**

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 gold request form, which is located at the entrance of the Board Room. When your name is called, please come to the podium, state your name for the record, and limit your remarks to three (3) minutes.



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

- 11.01 Discussion and/or Action to Adopt Resolution #2014/2015-20 Recognizing May 2015 as Asian/Pacific American Heritage Month - Van Le, Board President
- 11.02 Discussion and/or Action to Approve 5% Base Salary Increase to Superintendent Chris D. Funk, Associate Superintendents Marcus Battle, Juan Cruz and Cari Vaeth, and Senior Manager of Internal Controls Kelly Kwong Consistent with Bargaining Unit Salary Considerations Granted - Van T. Le, Board President
- 11.03 Discussion and/or Action regarding Superintendent's Employment Contract - Van T. Le, Board President

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

- 12.01 Receive the First Valenzuela/CAHSEE and Williams Settlement Uniform Complaints Quarterly Report for Period Covering January 1, 2015, through March 31, 2015, as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727) - Juan Cruz, Associate Superintendent of Educational Services

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

- 13.01 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, and André Bell, Assistant Director of Capital Accounting and Purchasing

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

- 14.01 Ratify/Approve the Adult Education Calendar for the 2015-2016 School Year - Cari Vaeth, Associate Superintendent of Human Resources and Richard Uribe, Director of Adult Education and Career Services
- 14.02 Discussion and/or Action to Approve the Service Increment Schedule for Classified Management - Cari Vaeth, Associate Superintendent of Human Resources
- 14.03 Discussion and/or Action to Approve Classified Management Job Description and Salary Range for Custodial Operations Supervisor - Cari Vaeth, Associate Superintendent of Human Resources



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

- 15.01 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director of Capital Accounting and Purchasing, and Janice Unger, Capital Projects Purchasing Manager
- 15.02 Discussion and/or Action to Ratify CUPCCAA Informal Bond Project(s) - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director of Capital Accounting and Purchasing, and Janice Unger, Capital Projects Purchasing Manager
- 15.03 Discussion and/or Action to Determine the Design Build Delivery for the Fire Alarm Upgrade Project will Reduce Project Costs, Expedite the Project's Completion or Provide Features Not Achievable through the Design Bid Build Process - Marcus Battle, Associate Superintendent of Business Services, and Linda da Silva, Director of Construction, Maintenance and Facilities
- 15.04 Adopt Resolution #2014/2015-21 Approving Use of Design Build Delivery for the Fire Alarm Upgrade Project - Marcus Battle, Associate Superintendent of Business Services, and Linda da Silva, Director of Construction, Maintenance and Facilities

Consent / Action Calendar Sections 16-20

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

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

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

- 16.01 Ratify/Approve Board Member(s) Lawful Expenses/Mileage to Conferences/Workshops/Meetings
- 16.02 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/Workshops/Meetings
- 16.03 Approve Minutes of March 5, 2015, Regular Board Meeting



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

- 17.01 Ratify/Approve School Field Trips
- 17.02 Approve California Interscholastic Federation (CIF) Application for Renewal of 2015-2016 Multi-School Membership - Juan Cruz, Associate Superintendent of Educational Services

18. Business Services - Consent / Action Calendar

- 18.01 Approve Purchase Orders
- 18.02 Approve Change Orders to Purchase Orders
- 18.03 Accept Report of Credit Card Purchases for Statement Dated February 23, 2015
- 18.04 Ratification of Contract(s) for Professional Services At or Below \$25,000
- 18.05 Approve Budget Transfers
- 18.06 Accept Warrant Register for the Month of March, 2015

19. Human Resources - Consent / Action Calendar

- 19.01 Ratify/Approve Classified Personnel Actions Presented April 6, 2015
- 19.02 Ratify/Approve Certificated Personnel Actions Presented April 6, 2015
- 19.03 Ratify/Approve Student Aide Personnel Actions Presented April 6, 2015

20. Facilities/Bond - Consent / Action Calendar

- 20.01 Ratification of 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

21. Written Reports/Recommendation

Items under section 21 are written reports that are received into the public record. No action is taken by the Board. A Board Member or the Superintendent may request an item to be placed on the agenda for discussion and/or action at a future meeting.

- 21.01 Receive Independent Study Report - Juan Cruz, Associate Superintendent of Educational Services



22. Future Agenda Items

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

22.02 Future Items:

Board President Van Le

Item	Date (tentative)	Type
Failed Courses	Quarterly	Report

Board Vice President Lan Nguyen

Item	Date (tentative)	Type
International Baccalaureate (IB) Program	April 23, 2015	Presentation/Discussion

Board Clerk Frank Biehl

Item	Date (tentative)	Type
Special Education Program Update (County & District Wide)	May 14, 2015	Presentation/Discussion
Summer School Plans	May 14, 2015	Presentation/Discussion

22.03 Annual Governance Calendar

July
Summer School Program (concludes session)
Summer School Graduation

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

September
Board Study Session/Workshop
College Night
Conflict of Interest/Board Policy (updates)
Public Hearing and Adoption: Gann Spending Limit
Public Hearing: Sufficiency or Insufficiency of Textbooks
Receive Annual Developer Fees Report
Unaudited Actuals

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

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

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

January
Audit Report
Board Audit Committee Selections/Appointments
Board Retreat
Financial & Performance Audit Report for Bond Measures
Magnet Night
Martin Luther King, Jr. Writing, Art & Multi-Media Awards Ceremony & Reception
Policies & ByLaws (Begin Review by Series)
Sports Recognitions (Fall)
Technology Report
Williams Quarterly Report

February
African American Students Achievement Awards
Audit Committee Charter Amendment(s)
CSBA Delegate Assembly Election
Non-Re-Elects
Safety Plan Goals for Each Site

March
Cesar Chavez Writing, Art & Multi-Media Awards Luncheon
March 15 Notices
Second Interim Report
SJPD Secondary Employment Application
Vietnamese Students Achievement Awards

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

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

June
Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting)
Budget Adoption (second June Board Meeting)
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 – 2015)
Program Improvement Update
Safety Plan Assessment for Each School
Single Plan for Student Achievement (SPSA) for Each School
Summer School Program (session begins)
Superintendent's Annual Evaluation



24. Board of Trustees/Superintendent Communications/Comments

24.01 Board of Trustees

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

24.02 Chris D. Funk, Superintendent

25. Report Closed Session Action(s)

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

26. Adjournment

26.01 President Adjourns the Meeting

