

EAST SIDE UNION HIGH SCHOOL DISTRICT
Regular Meeting of the Board of Trustees
East Side Union High School District
Board Room
830 N. Capitol Avenue
San Jose, CA 95133

AMENDED

AGENDA
October 15, 2015

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 3:30 P.M.

The Regular Meeting of the Board of Trustees will begin at 3:30 p.m. in 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 6:30 p.m.)
SEE ITEM 2 ON AGENDA (CLOSED SESSION)



Closed Session

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

Agency Designated Representatives:

Chris D. Funk, Superintendent

Marcus Battle, Associate Superintendent of Business Services

Cari Vaeth, Associate Superintendent of Human Resources

Glenn Vander Zee, Assistant Superintendent of Educational Services

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

Administrator Collaborative of East Side (ACES)

Unrepresented Employees:

Administrators

Managers

Confidential Employees

- 2.06 Conference with Legal Counsel – Anticipated Litigation:
Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code Section 54956.9
 - *Claim for Damages of J. Carafachea Nares; and*
 - *Two (2) Potential Cases*

Open Session at Approximately 6:30 P.M. – Education Center Board Room

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



3. Pledge of Allegiance

4. Welcome and Explanation to Audience

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

5. Adoption of Agenda

5.01 For consideration by the Board of Trustees

6. Board Special Recognition(s)

No Items on Calendar Under this Section

7. Student Board Liaisons (5 minutes each)

No Items on Calendar Under this Section

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 Discussion and/or Action of District Board Policy for Charter Renewal and Recommended Renewal Protocol - Glenn Vander Zee, Assistant Superintendent of Educational Services, Kirsten King, Director of Assessment & Accountability, and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight

8.03 Discussion and/or Action to Receive Charter School Renewal Petition from Summit Public Schools: Rainier Charter School – Glenn Vander Zee, Assistant Superintendent of Educational Services, Kirsten King, Director of Assessment & Accountability, and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight

8.04 Discussion/Action to Review Relationship between San Jose Police Department Campus Security Services and Student Discipline Issues – Chris D. Funk, Superintendent

8.05 Discussion and/or Action to Receive Charter School Renewal Petition from Latino College Preparatory Academy Submitted by The Foundation for Hispanic Education – Glenn Vander Zee, Assistant Superintendent of Educational Services, Kirsten King, Director of Assessment & Accountability, and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight

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

9.01 Hold Public Hearing at Approximately 6:05 p.m. - Disclosure of Major Provisions of Proposed Tentative Agreement with East Side Teachers Association/CTA/NEA, August 31, 2015 - July 31, 2018 (Per AB1200; Government Code Section 3547.5); Discussion and/or Action - Cari Vaeth, Associate Superintendent of Human Resources



- 9.02 Discussion and/or Action to Ratify and Approve Tentative Agreement with East Side Teachers Association/CTA/NEA, August 31, 2015 - July 31, 2018 - Cari Vaeth, Associate Superintendent of Human Resources
- 9.03 Hold Public Hearing at Approximately 6:10 p.m. Regarding the Proposed Adoption of the Initial Proposal for Contract Reopeners for 2015-2016: From East Side Union High School District to the San Jose Federation of Teachers Local 957, AFT, AFL-CIO - Cari Vaeth, Associate Superintendent of Human Resources
- 9.04 Discussion and/or Action Regarding the Proposed Adoption of the Initial Proposal for Contract Reopeners for 2015-2016: From East Side Union High School District to the San Jose Federation of Teachers, Local 957, AFT, AFL-CIO - Cari Vaeth, Associate Superintendent of Human Resources
- 9.05 Hold Public Hearing at Approximately 6:15 p.m. To Receive and Sunshine the Initial Proposal for Contract Reopeners for 2015-2016: From San Jose Federation of Teachers, Local 957, AFT, AFL-CIO to East Side Union High School District - Cari Vaeth, Associate Superintendent of Human Resources

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

Members of the public may address the Board on any subject not on tonight's agenda; however, provisions of the Brown Act (Government Code Section 54954.2(a) and 54954.3) preclude any action. As an unagendized item, no response is required from the Board or District staff and no action can be taken; however, the Board may instruct the Superintendent to agendize the item for a future meeting.

Any person may address the Board on any item on the meeting agenda. Persons wishing to address the Board must fill out a gold request form, which is located at the entrance of the Board Room. When your name is called, please come to the podium, state your name for the record, and limit your remarks to three (3) minutes.

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

- 11.01 Discussion and/or Action to Approve Senior Manager of Internal Controls' Proposed Work Plan - Kelly D. Kwong, Senior Manager of Internal Controls
- 11.02 Discussion and/or Action regarding Broadcasting District Board Meetings - Marcus Battle, Associate Superintendent, Randy Phelps, Chief Technology Officer

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

- 12.01 Discussion and/or Action to Accept the Technical Edits to the Local Control Accountability Plan (LCAP) as Defined by the Santa Clara County Office of Education (SCCOE) - Glenn Vander Zee, Assistant Superintendent of Educational Services



- 12.02 Receive the Third Quarterly Valenzuela/CAHSEE and Williams Settlement Uniform Complaints Quarterly Report for Period covering July 1, 2015 through September 30, 2015, as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727) - Glenn Vander Zee, Assistant Superintendent of Educational Services
- 12.03 Discussion and/or Action to Correct and Reauthorize Resolution #2015/2016-06 regarding the Sufficiency of Textbooks and Instructional Materials - Glenn Vander Zee, Assistant Superintendent of Educational Services

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

- 13.01 Presentation and Discussion regarding the Electric Bus Project - Marcus Battle, Associate Superintendent of Business Services, and Julie Kasberger, Director of General Services
- 13.02 Presentation and Discussion regarding the Child Nutrition Services Administrative Review - Marcus Battle, Associate Superintendent of Business Services, and Julie Kasberger, Director of General Services
- 13.03 Presentation and Discussion regarding the Short-Term Non-Certificated Summer Staffing Initiative - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance & Facilities, Andre Bell, Director of Purchasing and Capital Accounting, and Randy Phelps, Chief Technology Officer
- 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, Assistant Director of Capital Accounting and Purchasing, and Francine Brissey, General Purchasing Manager
- 13.05 Discussion and/or Action to Approve First Amendment to Metropolitan Education District Joint Powers Agreement - Marcus Battle, Associate Superintendent of Business Services

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

- 14.01 Discussion and/or Action to Approve Variable Term Waiver Request for Certificated Employees - Cari Vaeth, Associate Superintendent of Human Resources
- 14.02 Discussion and/or Action to Approve Provisional Internship Permit Request for Certificated Employees - Cari Vaeth, Associate Superintendent of Human Resources
- 14.03 Discussion and/or Action to Approve Classified Management Job Description and Salary Range for Facilities Rental Manager - Cari Vaeth, Associate Superintendent of Human Resources
- 14.04 Discussion and/or Action to Approve Compensation to Staff Not Represented by a Bargaining Unit - Cari Vaeth, Associate Superintendent of Human Resources



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

- 15.01 Presentation and/or Discussion regarding the Bond Program Update - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Farshid Samsami, Program Manager, SGI Construction Management, Inc.
- 15.02 Presentation, Discussion, and/or Action to Allocate Funds for Alternative Education Facility Upgrades at Independence Adult Education Center, Independence, Oak Grove, W.C. Overfelt, and Yerba Buena High Schools - Marcus Battle, Associate Superintendent of Business Services, and Linda da Silva, Director of Construction, Maintenance and Facilities
- 15.03 Discussion and/or Action to Ratify CUPCAA 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

Consent / Action Calendar Sections 16-20

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

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

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

- 16.01 Approve Minutes of August 20, 2015, Regular Board Meeting
- 16.02 Approve Minutes of August 20, 2015, Special Board Meeting
- 16.03 Approve Minutes of September 17, 2015, Regular Board Meeting
- 16.04 Approve Minutes of September 24, 2015, Board Study Session

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

- 17.01 Approve Inter-District Attendance Agreement with Morgan Hill Unified School District
- 17.02 Ratify/Approve School Field Trips



18. Business Services - Consent / Action Calendar

- 18.01 Ratification of Contract(s) for Professional Services At or Below \$25,000
- 18.02 Approve Purchase Orders
- 18.03 Approve Change Orders to Purchase Orders
- 18.04 Approve Memoranda of Understanding
- 18.05 Approve Facilities Use Agreements
- 18.06 Adopt Resolution #2015/2016-07 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546
- 18.07 Approve Budget Transfers for the Month of September, 2015
- 18.08 Accept Warrant Register for the Month of September, 2015

19. Human Resources - Consent / Action Calendar

- 19.01 Ratify/Approve Classified Personnel Actions Presented October 15, 2015
- 19.02 Ratify/Approve Certificated Personnel Actions Presented October 15, 2015
- 19.03 Ratify/Approve Student Aide Personnel Actions Presented October 15, 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 Certificated Class Size Report – Compliance with 10/08/04 Stipulated Arbitrator’s Award
- 21.02 Receive from Santa Clara County Office of Education the Approval Letter for the 2015-16 Adopted Budget and Local Control Accountability Plan
- 21.03 Accept the Annual Energy Savings and Performance Report of the Solar Program, Year 4



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	Twice Year: October & March	Report
Vietnamese & Chinese Language Classes Update	November 19, 2015	Presentation/Discussion
English Language Learners (ELL) Update	December 10, 2015	Presentation/Discussion

Board Vice President Lan Nguyen

Item	Date (tentative)	Type
Anti-Bullying Efforts	December 10, 2015	Presentation/Discussion
International Baccalaureate Program (IB) Plan for Recruitment and Expansion	April 21, 2016	Presentation/Discussion

Board Clerk Frank Biehl

Item	Date (tentative)	Type
Consideration and Steps to Place Bond on 2016 Ballot	November 19, 2015	Presentation/Discussion
Police Referrals: Relationship versus Citations	TBD	Discussion

Board Member Pattie Cortese

Item	Date (tentative)	Type
School Involvement in the Participatory Budgeting Process	TBD	Presentation/Discussion
Plan to Bring Back Expelled Students	November 19, 2015	Presentation/Discussion
Early Alert / Warning System	April 21, 2016	Presentation/Discussion

Board of Trustees & Superintendent Chris D. Funk

Item	Date (tentative)	Type
Property and Other Land Use	November 19, 2015	Presentation/Discussion



22.03 Annual Governance Calendar

July
Summer School Program (concludes session)
Summer School Graduation

August
Expulsion Hearing Panel Committee
First Day of School
Superintendent's Annual Evaluation
Williams Quarterly Report

September
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

October
Bond Program Presentation
Solar Energy Presentation
Student Achievement Presentation
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

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
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

February
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

March
Cesar Chavez Writing, Art & Multi-Media Awards Luncheon
Latino Student Awards Recognition Ceremony
March 15 Notices
NSBA Annual Conference
Second Interim Report
SJPD Secondary Employment Application
Superintendent's Mid-Year Evaluation
Vietnamese Students Achievement Awards

April
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

May
Asian American/Pacific Islander History Month: Poster & Essay Contest Awards/Celebration
Board Self-Evaluation
Budget (Preliminary/Draft) Presentation
Employee Recognition Event
Graduations
Honor Nights
Last Day of School
Sports Recognitions (Winter/Spring)

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 – 2018)
Program Improvement Update
Safety Plan Assessment for Each School
Single Plan for Student Achievement (SPSA) for Each School
Summer School Program (session begins)
Superintendent's Annual Evaluation



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