

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

AGENDA
October 20, 2016

CORRECTED

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 speaker 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): *None*

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

- *Superintendent*



2.03 Public Employment/Public Employee Appointment
(Government Code Section 54957)

- *Associate Principal (1)*

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, 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 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

- *Four (4) Potential Cases*

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

- *Two (2) Cases*

(1) Office of Administrative Hearings: Case no. 2016061098; and

(2) Office of Administrative Hearings: Case no. 2016060617



2.08 Conference with Real Property Negotiators

Property:	A portion (approximately 2.3 acres) of the District property at 830 N. Capitol Avenue, San Jose, CA
Agency negotiator:	Superintendent Chris D. Funk
Negotiating parties:	East Side Union High School District and KIPP Bay Area Schools
Under negotiation:	Price and terms of payment

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. 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 Akshay Venkatesan, Evergreen Valley High School

- Raising over \$17,000 for ACT - Mental Health

6.02 Tommy Cabral, Mt. Pleasant High School
Sergio Conriquez, Mt. Pleasant High School
Adam Nguyen, Mt. Pleasant High School
Mariah Barreda, Mt. Pleasant High School

- Film: Into Sergio:
 - Recipients of Best Biography from the Real to Reel Global Youth Film Festival
 - United States Congressional Recognition



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 Presentation and/or Discussion regarding Silicon Valley Career Technical Education Program (SVCTE) - Alyssa Lynch, Superintendent, MetroED
- 8.03 Presentation and/or Discussion regarding Yale National Initiative Program (YNI) - Vanessa Vitug and ESUHSD Yale National Initiative Fellows
- 8.04 Discussion and/or Action to Approve Funding Agreement with the City of San Jose regarding Installation of a Community Wireless Network in the District - Marcus Battle, Associate Superintendent of Business Services, Randy Phelps, Chief Technology Officer, Julie Edmonds-Mares, Deputy City Manager, City of San Jose, and Steven DiNoto, Director, Office of Civic Innovation & Digital Strategy, City of San Jose
- 8.05 Discussion and/or Action to Receive Charter School Renewal Petition for ACE Charter High School: submitted by ACE Charter Schools - Glenn Vander Zee, Associate Superintendent of Educational Services, and Lucretia Peebles, PH. D, Administrator for Charter School Oversight

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.



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

- 11.01 Discussion, Consideration and/or Action regarding the Selection/Appointment of Member to Measures G, E, I and Ed-Tech I Citizens' Bond Oversight Committee - Mariel Caballero, CBOC Chairperson, Frank Biehl, Board Vice President, and Pattie Cortese, Board Member

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

- 12.01 Discussion and/or Action to Receive the Third Quarterly Valenzuela and Williams Settlement Uniform Complaints Quarterly Report for period covering July 1, 2016 through September 30, 2016 as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727) - Glenn Vander Zee, Associate Superintendent of Educational Services
- 12.02 Discussion and/or Action to Receive and Adopt Second Reading of Proposed Amendments to Board Policy #1312.3 Uniform Complaint Procedures and Exhibit 1312.3E Uniform Complaint Procedures - Glenn Vander Zee, Associate Superintendent of Educational Services

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

- 13.01 Presentation, Discussion and/or Action regarding Proposed Ground Lease Agreement with KIPP Bay Area Schools for Proposition 39 Charter School Facilities at District's Education Center Site - Marcus Battle, Associate Superintendent of Business Services, April Chou, Director of Operations, KIPP Bay Area Schools, and Adam Kaye, Director of Real Estate
- 13.02 Presentation and/or Discussion regarding the Case Study of the Lease Leaseback Delivery Method at Independence High School - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Interim Director of Capital Planning & Design, Farshid Samsami, SGI Bond Program Manager, and Mike Van Pelt, Van Pelt Construction Services
- 13.03 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
- 13.04 Discussion and/or Action to Ratify CUPCAA Informal General Purchasing Project(s) - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager
- 13.05 Adopt Resolution #2016/2017-11 and New Contract CCTR-6268 General and Child Care Development - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager



- 13.06 Adopt Resolution #2016/2017-12 and New Contract CSPP-6535 California State Preschool Program - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, Francine Brissey, General Purchasing Manager and Deborah Barnes, Coordinator of Child Development

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

- 14.01 Discussion and/or Action to Approve Variable Term Waiver Requests for Certificated Employees - Cari Vaeth, Associate Superintendent of Human Resources
- 14.02 Discussion and/or Action to Approve Compensation to Staff Not Represented by a Bargaining Unit - Cari Vaeth, Associate Superintendent of Human Resources

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

- 15.01 Discussion and/or Action to Ratify CUPCCAA Informal Bond Project(s) – Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, 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 Ratify/Approve Board Member(s) Lawful Expenses/Mileage to Conferences/ Workshops/Meetings
- 16.02 Approve Minutes of September 15, 2016, Special Board Meeting
- 16.03 Approve Minutes of September 22, 2016, Regular Board Meeting



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

17.01 Approve 2016-2017 Career Technical Educational Advisory Committee

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 Accept Report of Credit Card Purchases for Statement Dated April 22 and May 23, 2016

18.05 Approve Memoranda of Understanding

18.06 Adopt Resolution #2016/2017-13 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, 2016

18.08 Accept Warrant Register for the Month of September, 2016

18.09 Accept Donations, Grants and Awards for July, August and September of the 2016/17 School Year

19. Human Resources - Consent / Action Calendar

19.01 Ratify/Approve Classified Personnel Actions Presented October 20, 2016

19.02 Ratify/Approve Certificated Personnel Actions Presented October 20, 2016

19.03 Ratify/Approve Student Aide Personnel Actions Presented October 20, 2016

20. Facilities - 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

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



21. Written Reports/Recommendation

- 21.01 Receive Annual Developer Fees Report for 2015-16
- 21.02 Receive Certificated Class Size Report – Compliance with 10/08/04 Stipulated Arbitrator’s Award
- 21.03 Receive Report of Board Members Expenses for July, August and September of the 2016/17 Fiscal Year
- 21.04 Receive Vietnamese Language Program Report
- 21.05 Receive Instructional Policies Committee (IPC) Course Submission Process

22. Future Agenda Items

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

Lan Nguyen, President

Item	Date (tentative)	Type
Special Education Program	November 3, 2016 Study Session	Presentation/Discussion

Frank Biehl, Vice President

Item	Date (tentative)	Type
Guidance Plan / Naviance	Spring, 2017	Presentation/Discussion
LCAP Matrix	November 3, 2016 Study Session	Presentation/Discussion
San Jose/Evergreen Community College District: Dual Enrollment Program	December 8, 2016	Report

J. Manuel Herrera, Board Clerk

Item	Date (tentative)	Type
STEAM	May 4, 2017 Study Session	Presentation/Discussion

Van Le, Board Member

Item	Date (tentative)	Type
Failed Courses	Twice Year: November & March	Report
Accel Program	December 8, 2016	Report
Career Pathways	March, 2017	Presentation/Discussion
Challenge Exams for Course Advancement	TBD	Report

Pattie Cortese, Board Member

Item	Date (tentative)	Type
Teen Parents <ul style="list-style-type: none">• Education• Support• Child Care at James Lick HS	TBD	Presentation/Discussion
Parent Community Involvement Specialists (PCIS) – LCAP Update	November 3, 2016 Study Session	Presentation/Discussion

22.03 Annual Governance Calendar

July
Summer School Program (concludes session)
Summer School Graduation

August
Board Members' Expenses Report (Apr/May/June)
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
Board Members Expenses' Report (July/Aug/Sept)
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 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

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 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

May
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
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 – next due date: 2018)
Program Improvement Update
Safety Plan Assessment for Each School
Single Plan for Student Achievement (SPSA) for Each School
Summer School Program (session begins)

23. Board of Trustees/Superintendent Communications/Comments

23.01 Board of Trustees

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

23.02 Chris D. Funk, Superintendent

24. Report Closed Session Action(s)

24.01 Legal Counsel will Report on Closed Session Actions

25. Adjournment

25.01 President Adjourns the Meeting

