

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

AGENDA
November 17, 2016

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 6:30 p.m.)
SEE ITEM 2 ON AGENDA (CLOSED SESSION)

Closed Session

2.01 Mindfulness Practice

2.02 Expulsion(s): *A-G*



- 2.03 Public Employee Performance Evaluation
(Government Code Section 54957)
- Superintendent
 - Associate Superintendent of Business Services
 - Associate Superintendent of Human Resources
 - Senior Manager of Internal Controls
- 2.04 Public Employment/Public Employee Appointment
(Government Code Section 54957)
- 2.05 Public Employee Discipline/Dismissal/Release
(Government Code Section 54957)
- 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 Employees:

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
- Claim for Damages of D. Deleon; and,
 - Two (2) Potential Cases
- 2.08 Conference with Legal Counsel – Existing Litigation
Paragraph (1) of subdivision (d) of Government Code Section 54956.9
- One (1) Case
 - Office of Administrative Hearings (OAH) Case No. 2016051140



Resume 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 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)

Recognitions to be made under Section 7

7. Student Board Liaisons (5 minutes each)

7.01 Solar Suitcase Project - Independence High School

Student Recognitions:

- Kevin Abad
- Akshath Aravindakshan
- Jonathan Basto
- Joseph Doan
- Rowell Domingo
- Isaiah Fimbrez
- Sarah Fong
- Marinel Garan
- Amy Hua
- Quan Kuo
- Vincent Lakilak
- Esteban Llanaeza
- David Ly
- Kyle Mondina
- Kenneth Nguyen
- Zyril Rodas
- Samantha Salomon
- Ashlynn Steen
- Andy Tran
- Peter Truong
- Dallin Vu
- Kevin Yu



Academy Graduates:

- Jenifer Herrera
- Josue Hunter
- Kevin N. Huynh
- Tristan C. Huynh
- Agustin B. Lara
- John Le
- Melody R. Puyot
- Angelina Vu
- Savanna K. Vu

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.

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

- 9.01 Hold Public Hearing at Approximately 6:45 p.m. on a Charter School Renewal Petition Submitted by ACE Charter Schools for ACE Charter High School - Glenn Vander Zee, Associate Superintendent of Educational Services, Kirsten King, Director of Assessment & Accountability, and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight

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 and/or Action regarding Call for Nominations to CSBA Delegate Assembly – Frank Biehl, Board Vice President

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

- 12.01 Presentation, Discussion and/or Action regarding Strategic Plan/LCAP Key Performance Measure Data Points - Glenn Vander Zee, Associate Superintendent of Educational Services, and Kirsten King, Director of Assessment & Accountability



- 12.02 Presentation, Discussion and/or Action on Academic Success Analysis - Glenn Vander Zee, Associate Superintendent of Educational Services, and Kirsten King, Director of Assessment & Accountability
- 12.03 Presentation, Discussion and/or Action regarding Instructional Policies Committee (IPC) Course Submission Process - Glenn Vander Zee, Associate Superintendent of Educational Services, and Teresa Marquez, Director of Professional Development and Instructional Services
- 12.04 Presentation, Discussion and/or Action regarding Vietnamese Language Program Report - Glenn Vander Zee, Associate Superintendent of Educational Services, and Teresa Marquez, Director of Professional Development and Instructional Services

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

- 13.01 Presentation, Discussion and/or Action Regarding Land Use at James Lick High School, 57 N. White Road, San Jose, CA 95127 - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Interim Director of Capital Planning & Design, and Patricia Reguerin, Executive Director, Escuela Popular
- 13.02 Discussion and/or Action to Receive First Reading of the New Proposed Board Policy 3461 District Debt Management - Marcus Battle, Associate Superintendent of Business Services, and Dale Scott, President, Dale Scott & Company
- 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

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

- 14.01 Presentation, Discussion and/or Action Regarding Certificated Class Size Report - Compliance with 10/08/04 Stipulated Arbitrator's Award - Cari Vaeth, Associate Superintendent of Human Resources
- 14.02 Review, Consideration and Adoption of Resolution #2016/2017-14 - Authorizing Reduction in Classified Workforce - Cari Vaeth, Associate Superintendent of Human Resources
- 14.03 Discussion and/or Action to Approve Provisional Permit Request for Certificated Employee – Cari Vaeth, Associate Superintendent of Human Resources
- 14.04 Discussion and/or Action to Receive First Reading of Proposed Amendments to Board Policy #4119.11/4219.11/4319.11 - Sexual Harassment - Cari Vaeth, Associate Superintendent of Human Resources
- 14.05 Discussion and/or Action to Approve First Amendment to Superintendent’s Employment Agreement – Cari Vaeth, Associate Superintendent of Human Resources



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, André Bell, Director of Purchasing and Capital Accounting, Julio Lucas, Interim Director of Capital Planning and Design, and Janice Unger, Capital Projects Purchasing Manager
- 15.02 Discussion and/or Action to Ratify CUPCAA Informal Bond Project(s) - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, Julio Lucas, Interim Director of Capital Planning and Design, 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 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/Workshops/Meetings
- 16.03 Approve Minutes of October 20, 2016, Special Board Meeting
- 16.03 Approve Minutes of November 1, 2016, Special Board Meeting

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

- 17.01 Approval of W.C. Overfelt's Parental Involvement Procedure Policy
- 17.02 Ratify/Approve School Field Trips
- 17.03 Receive Charter School Renewal Petition for San Jose Conservation Corps Charter School Submitted by the San Jose Conservation Corps Charter School Board
- 17.04 Receive Charter School Renewal Petition for Escuela Popular Accelerated Family Learning Center Submitted by Escuela Popular del Pueblo



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 Award of Bids and Request for Proposals
- 18.06 Approve Budget Transfers for the Month of October, 2016
- 18.07 Accept Warrant Register for the Month of October, 2016

19. Human Resources - Consent / Action Calendar

- 19.01 Ratify/Approve Classified Personnel Actions Presented November 17, 2016
- 19.02 Ratify/Approve Certificated Personnel Actions Presented November 17, 2016
- 19.03 Ratify/Approve Student Aide Personnel Actions Presented November 17, 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 Ratification of Bond/Capital Projects Change Orders to Construction Contracts and Purchase Orders At or Below \$175,000
- 20.03 Approve Award of Bids and Request for Proposals for Bond/Capital Projects
- 20.04 Approve the Capital Program Budget Adjustment Report

21. Written Reports/Recommendation

- 21.01 Receive Quarterly Report on the County of Santa Clara Treasury Investment Portfolio as of March 31, 2016

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
Vietnamese Language Report	TBD	Presentation/Discussion

Frank Biehl, Vice President

Item	Date (tentative)	Type
Guidance Plan / Naviance	Spring, 2017	Presentation/Discussion
San Jose/Evergreen Community College District: Dual Enrollment Program	December 8, 2016	Report
Instructional Policies Committee (IPC) Course Submission Process	TBD	Presentation/Discussion

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
Certificated Class Size Report	TBD	Presentation/Discussion

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
Student Board Representative	TBD	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 (<i>March or April</i>)
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

