

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

AGENDA
January 19, 2017

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):

- 16-17-012



- 2.02 Public Employee Performance Evaluation
(Government Code Section 54957)
- 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, 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

- *Claim for Damages of V. Lara; and,*
- *Three (3) Potential Cases*

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

- *Two (2) Cases*
 - *Office of Administrative Hearings: Case No. 2016061098*
 - *Office of Administrative Hearings: Case No. 2016110329*



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. 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)

Fall Sports Recognitions

7. Student Board Liaisons (5 minutes each)

7.01 Mt. Pleasant High School

- Lisa Vu, CVC President
- Joanne Nguyen, ASB President
- Lester Lavarro, CVC Vice-President
- Joanna Landeros, AVID Student
- Julissa Escobar, AVID Student

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 San Jose Conservation Corps Charter School Renewal Petition - Glenn Vander Zee, Associate 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 of Escuela Popular Accelerated Family Learning Center Charter Renewal Petition - Glenn Vander Zee, Associate Superintendent of Educational Services, Kirsten King, Director of Assessment & Accountability, and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight



- 8.04 Presentation and/or Discussion regarding Relationship-Centered Schools Initiative - Angeles Rojas, Californians for Justice
- 8.05 Discussion and/or Action to Adopt Resolution #2016/2017-18 Relationship-Centered Schools Initiative – Chris D. Funk, Superintendent, and Angeles Rojas, Californians for Justice
- 8.06 Discussion and/or Action to Review and Accept the Annual Financial and Performance Audit Report for Fiscal Year Ending June 30, 2016 and Reports for Measures G, E, 2012-I, and 2014-I Technology GO Bond Funds - Marcus Battle, Associate Superintendent of Business Services, Karen Poon, Director of Finance and Joyce Peters, Vavrinek, Trine, Day & Co., LLP
- 8.07 Presentation, Discussion and/or Action to Adopt Resolution #2016/2017-15A Amending Resolution #2016/2017-15 in Certain Respects Relating to Issuance and Sale of General Obligation Bonds, 2008 Election, Series E, and Engaging Professional Services - Marcus Battle, Associate Superintendent of Business Services, Dale Scott, President, Dale Scott and Company, and Charles F. Adams, Bond Counsel, Jones Hall
- 8.08 Presentation, Discussion and/or Action to Receive and Adopt Second 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
- 8.09 Presentation and/or Discussion regarding Bond Program Update - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Interim Director of Capital Planning & Design, and Farshid Samsami, Program Manager, SGI
- 8.10 Presentation, Discussion and/or Action of Measure Z Equity Distribution Methodology - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Interim Director of Capital Planning & Design, and Farshid Samsami, Program Manager, SGI
- 8.11 Presentation, Discussion and/or Action regarding District Property and Other Land Use, 830 N. Capitol Avenue, San Jose, CA 95133 - Update #5 - Chris D. Funk, Superintendent

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 Selection/Appointment of Board Audit Committee Members - Pattie Cortese, Board Audit Committee Chair, and Lan Nguyen, Audit Committee Vice Chair
- 11.02 Discussion and/or Action to Receive First Reading of Proposed Amendments to Board Policy #3460 Financial Reports and Accountability – Frank Biehl, Board President, and Pattie Cortese, Board Clerk & Audit Committee Chairperson
- 11.03 Discussion and/or Action to Adopt Resolution #2016/2017-20 Affirming Support of Students and Families regarding Immigration Enforcement Actions at Schools – Frank Biehl, Board President, and Marisa Hanson, ESTA President
- 11.04 Discussion and/or Action to Adopt Resolution #2016/2017-21 Designating the Citizens Bond Oversight Committee for the Bonds authorized under Measure Z – Chris D. Funk, Superintendent

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

- 12.01 Discussion and/or Action to Receive Second Reading and Adopt Amended Board Policy #5145.3 Nondiscrimination/Harassment – 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 #5146 Married/Pregnant - Glenn Vander Zee, Associate Superintendent of Educational Services
- 12.03 Discussion and/or Action to Receive Second Reading and Adopt Amended Board Policy #5145.7 Sexual Harassment – Glenn Vander Zee, Associate Superintendent of Educational Services
- 12.04 Receive the Fourth Quarterly Williams Settlement Uniform Complaint Report for Period Covering October 1, 2016, through December 31, 2016, as required by EC 35186 (Williams Settlement Legislation SB350 and AB2727) - Glenn Vander Zee, 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, 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 Discussion and/or Action to Receive and Adopt the Second Reading of Proposed Amendments to Board Policy #4262 - Differential Pay for Maternity and Paternity Leave - Classified Service (Amended Policy Title: Differential Pay for Child Bonding/Parental Leave - Classified Service) - Cari Vaeth, Associate Superintendent of Human Resources
- 14.02 Discussion and/or Action to Adopt Resolution #2016/2017-17 Declaring the Observance of Lincoln's Birthday on February 24, 2017 - Cari Vaeth, Associate Superintendent of Human Resources
- 14.03 Discussion and/or Action Regarding the Approval of the Student/Certificated Calendar for the 2017-2018 School Year - Cari Vaeth, Associate Superintendent of Human Resources
- 14.04 Discussion and/or Action Regarding Update on Board Resolution #2016/2017-02 Supplemental Early Retirement Program (SERP) - 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 Capital Program Budget Adjustment Report - Marcus Battle, Associate Superintendent of Business Services, and André Bell, Director of Purchasing and Capital Accounting
- 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
- 15.03 Discussion and/or Action to Approve Joint Use Shared Access and Parking Agreement with Escuela Popular del Pueblo - Marcus Battle, Associate Superintendent of Business Services
- 15.04 Discussion and/or Action to Approve Full Cost Recovery Agreement with Escuela Popular del Pueblo - Marcus Battle, Associate Superintendent of Business Services



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 Statement of Votes and Certification of Election Results from the Santa Clara County Registrar of Voters Office and Declare the Totals to be the Final Results of the Election, and; Approval and Adoption of Resolution #2016/2017-16 Certifying to the Board of Supervisors of Santa Clara County all Proceedings in the November 8, 2016, General Obligation Bond Election
- 16.02 Ratify/Approve Board Member(s) Lawful Expenses/Mileage to Conferences/Workshops/Meetings
- 16.03 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/Workshops/Meetings
- 16.04 Approve Minutes of November 14, 2016, Board Study Session
- 16.05 Approve Minutes of November 17, 2016, Regular Board Meeting

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

- 17.01 Ratify/Approve School Field Trips

18. Business Services - Consent / Action Calendar

- 18.01 Ratify 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 Accept Report of Credit Card Purchases for Statement Dated June 22, and July 22, 2016
- 18.06 Accept Donations, Grants and Awards for October, November and December of the 2016/17 School Year



- 18.07 Approve Budget Transfers for the Month of December, 2016
- 18.08 Accept Warrant Register for the Month of December, 2016
- 18.09 Approve Memorandum of Understanding with Foothill Health Center, Inc.
- 18.10 Adopt Resolution #2017/2018-19 Authorization for Administration to Submit School Facility Program Applications to the State Allocation Board
- 18.11 Ratify CUPCCAA Informal General Purchasing Project(s)
- 18.12 Approve the Use of Carnival Equipment during the Vietnamese Voluntary Foundations Facilities Rental of Yerba Buena High School on February 10 - 12, 2017

19. Human Resources - Consent / Action Calendar

- 19.01 Ratify/Approve Classified Personnel Actions Presented January 19, 2017
- 19.02 Ratify/Approve Certificated Personnel Actions Presented January 19, 2017
- 19.03 Ratify/Approve Student Aide Personnel Actions Presented January 19, 2017
- 19.04 Ratify/Approve Memorandum of Understanding (AFT "Agency Shop") with the San Jose Federation of Teachers, AFT #957 and the East Side Union High School District

20. Facilities - Consent / Action Calendar

- 20.01 Ratify Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000
- 20.02 Ratify 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 Ratify CUPCCAA Informal Bond Project(s)

21. Written Reports/Recommendation

- 21.01 Receive Report of Board Members Expenses for October, November and December of the 2016/17 Fiscal Year

22. Future Agenda Items

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



22.02 Future Items:

Frank Biehl, Board President

Item	Date (tentative)	Type
Project Word	February 16, 2017	Presentation/Discussion
Guidance Plan / Naviance	Spring, 2017	Presentation/Discussion

J. Manuel Herrera, Board Vice President

Item	Date (tentative)	Type
Chinese Language Instruction	February 16, 2017	Presentation/Discussion
STEAM	May 4, 2017 Study Session	Presentation/Discussion
IPC Annual Update • Activities To-Date	Annually (beginning February 2018)	Presentation/Discussion

Pattie Cortese, Board Clerk

Item	Date (tentative)	Type
Student Board Representative	February 16, 2017	Discussion
Teen Parents • Education • Support • Child Care at James Lick HS	March, 2017	Presentation/Discussion
School Linked Services	March, 2017	Presentation/Discussion
Community Liaisons vs. PCIS and Attendance Clerks • Delineation of Roles and Expectations and How they Work Together	March, 2017	Presentation/Discussion

Van Le, Board Member

Item	Date (tentative)	Type
Failed Courses	Twice Year: November & March	Report
Grading Policy	Fall, 2017	Presentation/Discussion
Role of PCIS vs. Liaisons • Ethnicity/Diversity compared to Site Enrollment • Roles and Responsibilities	March, 2017	Presentation/Discussion
Accel Program	April 13, 2017	Report
Challenge Exams for Course Advancement	April 13, 2017	Report
Child Nutrition Services Program	April 13, 2017	Presentation
Transportation Program	April 13, 2017	Presentation



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

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
Sports Recognitions (Winter/Spring)
Summer School Program (session begins)

23. Board of Trustees/Superintendent Communications/Comments

23.01 Board of Trustees

- Frank Biehl, President
- J. Manuel Herrera, Vice President
- Pattie Cortese, Clerk
- Lan Nguyen, 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

