



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

AGENDA
December 7, 2017

**Translation services are available in Spanish and Vietnamese.
Servicios disponibles de traducción en español y en vietnamita.
Có dịch vụ thông dịch sang tiếng Tây Ban Nha và tiếng Việt.**

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 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).

2. CLOSED SESSION

2.01 Mindfulness Practice

2.02 Expulsion(s):

- 17-18-007
- 17-18-008
- 17-18-009
- 17-18-010

2.03 Public Employee Performance Evaluation (Government Code Section 54957)

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 J. Macy; and,
- Four (4) Potential Cases

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

- Two Cases
 - OAH No. 2016061098
 - Case No. 5:16-CV-07329-EJD

3. RESUME OPEN SESSION AT APPROXIMATELY 6:30 P.M. - EDUCATION CENTER BOARD ROOM

3.01 Pledge of Allegiance

4. WELCOME AND EXPLANATION TO AUDIENCE

4.01 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. Written information is located near the entrance to the Board Room.

5. ANNUAL ORGANIZATIONAL MEETING

5.01 Nomination and Election of Board Officers: President; Vice President; Clerk (One-Year Term)

5.02 Nomination and Appointment of Two Board Members to Board's Standing Audit Committee: Chairperson and Vice Chairperson (One-Year Term)

5.03 Nomination and Election of Representative to MetroED Board (Two-Year Term)

5.04 Nomination and Election of Alternate Representative to MetroED Governing Board (One-Year Term)

5.05 Nomination of One Member of the Board of Trustees to Vote in the Election of the Santa Clara County Committee on School District Organization

5.06 Nomination and Election of Representative to Santa Clara County School Boards Association (One-Year Term)

5.07 Nomination and Election of One Member to East Side Alliance Advisory Committee (One-Year Term)

5.08 Nomination and Election of One Alternate Member to East Side Alliance Advisory Committee (One-Year Term)

5.09 Nomination and Election of Two Members to District's Budget Advisory Committee (One-Year Term)

5.10 Nomination and Election of One Alternate Member to District's Budget Advisory Committee (One-Year Term)

5.11 Appointment of Board Secretary (One-Year Term)

6. SHORT BREAK

6.01 The Board will take a short break to allow for the rotation of new Board Officers.

7. ADOPTION OF AGENDA

7.01 The Superintendent and/or Board Member(s) may request that items be removed from the agenda for consideration and/or carried to a future Board meeting for consideration and/or action, and/or that the Board take action in a regular meeting on a subject not listed on the published agenda on an emergency basis or other basis allowed by law. (Gov. Code 54954.2)

8. BOARD SPECIAL RECOGNITION(S)

8.01 Santa Teresa High School Marching Band & Color Guard

- Winners of the 2017 Marine Corps Fleet Week Band Challenge

9. STUDENT BOARD LIAISON(S) (5 minutes each school)

9.01 Calero High School

- Teresa Liu, Calero Adult Transition Program
- Tommy Ortega, Student Body President, Calero High School

10. SPECIAL ORDER OF BUSINESS - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

10.01 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.

10.02 Presentation, Discussion and/or Action to Receive and Approve the First Interim Financial Report for Fiscal Year 2017/2018 - Marcus Battle, Associate Superintendent of Business Services, and Silvia Pelayo, Director of Finance

11. PUBLIC HEARING(S) - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

11.01 Hold a Public Hearing at Approximately 6:50 p.m. on a Charter Renewal Petition Submitted by Escuela Popular del Pueblo for Escuela Popular Center for Training and Careers - Glenn Vander Zee, Associate Superintendent of Educational Services

11.02 Hold Public Hearing at Approximately 6:55 p.m. Regarding the Proposed Adoption of the Initial Proposal for Contract Reopeners for 2018-2019: From East Side Union High School District to California School Employees Association, Chapter 187 - Cari Vaeth, Associate Superintendent of Human Resources

11.03 Discussion and/or Action Regarding the Proposed Adoption of the Initial Proposal for Contract Reopeners for 2018-2019: From East Side Union High School District to California School Employees Association, Chapter 187 - Cari Vaeth, Associate Superintendent of Human Resources

11.04 Hold Public Hearing at Approximately 7:00 p.m. - Regarding the Proposed Adoption of the Initial Proposal for Successor Contract: From East Side Union High School District to the East Side Teachers Association/CTA/NEA - Cari Vaeth, Associate Superintendent of Human Resources

11.05 Discussion and/or Action Regarding the Proposed Adoption of the Initial Proposal for Successor Contract: From East Side Union High School District to the East Side Teachers Association/CTA/NEA - Cari Vaeth, Associate Superintendent of Human Resources

12. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

12.01 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.

13. BOARD OF TRUSTEES/SUPERINTENDENT - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

13.01 Discussion and/or Action to Adopt Proposed Amendment to 2017-2018 Board Meeting Calendar - Frank Biehl, Board President

13.02 Presentation, Discussion and/or Action regarding Update on Parcel Tax - Jared Boigon, TBWBH

14. EDUCATIONAL SERVICES/STUDENT SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

14.01 Presentation, Discussion and/or Action regarding Charter Schools - Glenn Vander Zee, Associate Superintendent of Educational Services

15. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

15.01 Discussion and/or Action to Approve Formal Bid (RFB-01-17-18) with Colligo Systems, LLC and Enter Into a Contract Service Agreement and Purchase Order for the Districtwide Network Equipment (Switch Upgrade) Project - Marcus Battle, Associate Superintendent of Business Services, Randy Phelps, Chief Technology Officer, and Janice Unger, Director, Purchasing and Capital Accounting

15.02 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, Janice Unger, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager

16. HUMAN RESOURCES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

No Items on Calendar under this Section

17. FACILITIES/BOND - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

17.01 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, General Purchasing Manager

Consent / Action Calendar Sections 18-22

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.

18. BOARD OF TRUSTEES/SUPERINTENDENT - CONSENT/ACTION CALENDAR

18.01 Ratify/Approve Board Member(s) Lawful Expenses/Mileage to Conferences/Workshops/ Meetings

18.02 Approve Minutes of September 19, 2017, Regular Board Meeting

18.03 Approve Minutes of September 28, 2017, Board Study Session/Workshop

19. EDUCATIONAL SERVICES / STUDENT SERVICES - CONSENT/ACTION CALENDAR

19.01 Ratify/Approve School Field Trips

19.02 Approve Amendment to School Attendance Review Board (SARB) Representatives for 2017-2018 School Year

20. BUSINESS SERVICES - CONSENT/ACTION CALENDAR

20.01 Approve Award of Bids and Request for Proposals for General Purchasing

20.02 Approve Purchase Orders Dated November 1, through November 27, 2017

20.03 Ratify/Approve Change Orders to Purchase Orders

20.04 Ratify/Approve CUPCCAA Informal General Purchasing Project(s)

20.05 Adopt Resolution #2017/2018-13 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546

20.06 Approve Budget Transfers for the Month of October, 2017

20.07 Accept Warrant Register for the Month of October, 2017

20.08 Adopt Resolution #2017/2018-14 Authorized Signatures

21. HUMAN RESOURCES - CONSENT/ACTION CALENDAR

21.01 Ratify/Approve Classified Personnel Actions Presented December 7, 2017

21.02 Ratify/Approve Certificated Personnel Actions Presented December 7, 2017

21.03 Ratify/Approve Student Aide Personnel Actions Presented December 7, 2017

22. FACILITIES/BOND - CONSENT/ACTION CALENDAR

22.01 Approve Award of Bids and Request for Proposals for Bond/Capital Projects

22.02 Ratify Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000

22.03 Ratify CUPCCAA Informal Bond Project(s)

22.04 Approve Qualified Professional Service Providers

23. WRITTEN REPORTS/RECOMMENDATIONS

No Items on Calendar under this Section

24. FUTURE AGENDA ITEMS

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

24.02 Future Items:

Clerk Pattie Cortese

Item	Date (tentative)	Type
Teen Parents <ul style="list-style-type: none">• Education• Support• Identification	January/February, 2018	Presentation/Discussion
Burns Institute	January, 2018 Study Session	Presentation/Discussion
Substitutes	January, 2018	Presentation/Discussion

Board Member Van Le

Item	Date (tentative)	Type
Grading Policy	February 13, 2018	Report
Alternative Schools	February 13, 2018	Presentation/Discussion

24.03 Annual Governance Calendar

<p>July:</p> <ul style="list-style-type: none"> •Summer School Program (concludes session) •Summer School Graduation <p>August:</p> <ul style="list-style-type: none"> •Board Members' Expenses Report (Apr/May/June) •Expulsion Hearing Panel Committee •First Day of School •Superintendent's Annual Evaluation •Williams Quarterly Report <p>September:</p> <ul style="list-style-type: none"> •Board Study Session/Workshop •College Night •Conflict of Interest Board Policy (updates) •Public Hearing and Adoption: Gann Spending Limit •Public Hearing: Sufficiency/Insufficiency of Textbooks •Receive Annual Developer Fees Report •Unaudited Actuals <p>October:</p> <ul style="list-style-type: none"> •Bond Program Presentation •Solar Energy Presentation •Student Achievement Presentation •Williams Quarterly Report <p>November:</p> <ul style="list-style-type: none"> •Academic Success Analysis Biannual Presentation •Board Members Expenses' Report (July/Aug/Sept) •Board Study Session/Workshop •Election Orientation for New Board Members <p>December:</p> <ul style="list-style-type: none"> •Annual Organizational Board Meeting •CSBA Annual Conference •Election Orientation for New Board Members •End of First Semester •First Interim Report <p>January:</p> <ul style="list-style-type: none"> •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 ESUHSD and MetroED •Policies & ByLaws (Begin Review by Series) •Sports Recognitions (Fall) •Technology Report •Williams Quarterly Report 	<p>February:</p> <ul style="list-style-type: none"> •African American Students Achievement Awards •Audit Committee Charter Amendment(s) •Board Members' Expenses Report (Oct/Nov/Dec) •CSBA Delegate Assembly Election •IPC Annual Presentation •Non-Re-Elects •Safety Plan Goals for Each Site •State of the District <p>March:</p> <ul style="list-style-type: none"> •Academic Success Analysis Biannual Presentation •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 <p>April:</p> <ul style="list-style-type: none"> •Board Study Session/Workshop •Form 700 – Statement of Economic Interests Due to Santa Clara County (filing) •Honor Nights (April/May) •Migrant Education Awards Night •Williams Quarterly Report <p>May:</p> <ul style="list-style-type: none"> •Asian American/Pacific Islander History Month Poster & Essay Contest Awards/Celebration •Board Members' Expenses Report (Jan/Feb/Mar) •Board Self-Evaluation •Board Study Session/Workshop •Budget (Preliminary/Draft) Presentation •Employee Retiree & Recognition Event •Graduations •Honor Nights (April/May) •Last Day of School •Preliminary Review of Proposed LCAP <p>June:</p> <ul style="list-style-type: none"> •Annual Consolidated Program Application (CONAPP) •Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting) •Budget Adoption (second June Board Meeting) •Budget Advisory Committee: Nominate/Appoint Board Reps (2) & Alternative Board Rep (1) -- (2-yr term, fiscal year) •Employee Retirement Celebration •ESTA Safety Survey •International Student Program Annual Presentation •Master Contracts for Capital Projects •Plan for Expelled Youth (due every 3 years; due 2018) •Safety Plan Assessment for Each School •Single Plan for Student Achievement (SPSA) Each School •Sports Recognitions (Winter/Spring) •Summer School Program (session begins)
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25. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

25.01 Board of Trustees:

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

25.02 Chris D. Funk, Superintendent

26. REPORT CLOSED SESSION ACTION(S)

26.01 Legal Counsel will Report on Closed Session Actions

27. ADJOURNMENT

27.01 President Adjourns the Meeting