

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

AMENDED

AGENDA
April 17, 2014

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 Board Meeting 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 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 6:00 p.m.)
SEE ITEM 2 ON AGENDA (CLOSED SESSION)

Closed Session

2.01 Expulsion(s): A-D



2.02 Public Employee Performance Evaluation
(Government Code Section 54957)

- *Senior Manager of Internal Controls*
- *Superintendent*

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

- *Title: Director of Curriculum and Instruction & Professional Development*
- *Title: Director of Student Services*
- *Title: Manager of Classified Personnel*

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

Juan Cruz, Assistant Superintendent of Instructional Services

Cari Vaeth, Director of Human Resources

Vida Branner, Director of Compensation and Classified Employee Relations

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

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

- *Two (2) Potential Cases*



2.07 Conference with Legal Counsel – Anticipated Litigation:
Initiation of litigation pursuant to subdivision (d)(4) of Government Code Section 54956.9

- *One (1) Potential Case*

2.08 Conference with Legal Counsel — Existing Litigation
(Paragraph (1) of subdivision (d) of Section 54956.9)

- *Cato v. East Side Union High School District*
(Santa Clara County Superior Court Case No.: 1-11-CV-204232)
- *Cal-Pacific Construction, Inc. v. East Side Union High School District*
(Santa Clara County Superior Court Case No.: 114CV259895)

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 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)

6.01 California Language Teacher Association’s (CLTA) Teacher of the Year: Marcelo Leal

6.02 Apollo High School - Selected by State Schools Chief Tom Torlakson as One of Twenty-Four Model Continuation High Schools in the State for 2014

6.03 Andrew Hill High School Robotics Team



7. Student Board Liaisons (5 minutes each)

7.01 James Lick High School

- Cyril Garcia, Student Representative
- Reyna Rivera, Student Representative

7.02 Santa Teresa & Phoenix High Schools

- Salvatore Giannone, ST ASB President
- Emily Godkin, ST ASB Secretary
- Kaila Grieve, ST ASB Treasurer
- Stephanie Robles, Phoenix Senior
- Valerie Parr, Phoenix Senior

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 regarding MetroED Regional Occupational Program (ROP) - Alyssa Lynch, Superintendent, MetroED

8.03 Discussion and/or Action to Adopt Resolution #2013/2014-22 Authorizing the Issuance and Sale of 2014 General Obligation Refunding Bonds in the Principal Amount Not to Exceed \$50,000,000 for the Purpose of Refunding Outstanding General Obligation Bonds of the District - Marcus Battle, Associate Superintendent of Business Services, Dale Scott, Dale Scott & Company, and Charles Adams, Jones Hall

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

9.01 Hold Public Hearing at Approximately 6:05 p.m. regarding the Proposed Adoption of the Initial Proposal for Contract Reopeners for 2014-2015: From the East Side Union High School District to the California School Employees Association, Chapter 187 - Cari Vaeth, Director, Human Resources and Vida L. Branner, Director of Compensation and Classified Employee Relations

9.02 Hold Public Hearing at Approximately 6:10 p.m. to Receive and Sunshine the Initial Proposal for Contract Reopeners for 2014-2015: From the California School Employees Association, Chapter 187, to the East Side Union High School District - Cari Vaeth, Director, Human Resources and Vida L. Branner, Director of Compensation and Classified Employee Relations



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. 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 Metropolitan Education District (MetroED) Funding Agreement between the Metropolitan Education District (MetroED) and East Side Union High School District - Chris D. Funk, Superintendent

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

12.01 Discussion and/or Receipt of Charter School Petition Alpha: Cindy Avitia High School submitted by the Alpha Public Schools - Juan Cruz, Assistant Superintendent of Instructional Services

12.02 Discussion and/or Action to Approve Distribution of "Go For It" Scholarship Funds - Juan Cruz, Assistant Superintendent of Instructional Services

12.03 Discussion and/or Action to Approve California Interscholastic Federation (CIF) Application for Renewal of 2014-2015 Multi-School Membership - Juan Cruz, Assistant Superintendent of Instructional Services

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

13.01 Discussion and/or Action to Receive First Reading of New Board Policy #3312.1 Contract Change Orders - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, Andre Bell, Assistant Director of Capital Accounting and Purchasing, Janice Unger, Capital Projects Purchasing Manager, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

13.02 Discussion and/or Action to Adopt Resolution #2013/2014-23 to Hire Short-Term Non-Certificated Summer Staff - Marcus Battle, Associate Superintendent of Business Services, and Vida Branner, Director of Compensation and Classified Employee Relations

13.03 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator



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, Director, Human Resources
- 14.02 Ratify/Approve the Adult Education Calendar for the 2014-2015 School Year - Cari Vaeth, Director, Human Resources
- 14.03 Discussion and/or Action Regarding the Approval of the Proposed Classified Job Description and Salary Range for Parent Involvement Specialist - Cari Vaeth, Director, Human Resources and Vida L. Branner, Director of Compensation and Classified Employee Relations
- 14.04 Discussion and/or Action Regarding the Approval of the Memorandum of Understanding Between the East Side Union High School District and the Administrators Collaborative of East Side (ACES) - Cari Vaeth, Director, 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, 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
- 15.02 Discussion and/or Action to Approve Final Facility Sublease Agreement, Development Agreement and Related Agreements with Educare of Silicon Valley and Franklin McKinley School District for Early Childhood Education Program Facilities for ESUHSD Programs - 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 Ratify/Approve Board Member(s) Lawful Expenses/Mileage to Conferences/ Workshops/Meetings



16.02 Approve Minutes of March 6, 2014, Regular Board Meeting

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

17.01 Approve School Field Trips

17.02 Receive/Accept the First Valenzuela/CAHSEE and Williams Settlement Uniform Complaint Quarterly Report for Period Covering January 1, 2014, through March 31, 2014, as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727)

18. Business Services - Consent / Action Calendar

18.01 Approve Award of Bid(s)

18.02 Approve Contract(s) for Professional Services At or Below \$50,000

18.03 Approve Memoranda of Understanding

18.04 Approve Budget Transfers

18.05 Approve Purchase Orders

18.06 Approve Change Orders to Purchase Orders

18.07 Accept Report of Credit Card Purchases for Statement Dated January 22, 2014

18.08 Accept Warrant Register for the Month of March 2014

18.09 Acceptance of Donations, Grants and Awards

18.10 Adopt Resolution #2013/2014-24 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546

19. Human Resources - Consent / Action Calendar

19.01 Ratify/Approve Classified Personnel Actions Presented April 17, 2014

19.02 Ratify/Approve Certificated Personnel Actions Presented April 17, 2014

19.03 Ratify/Approve Student Aide Personnel Actions Presented April 17, 2014



20. Facilities - Consent / Action Calendar

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

20.02 Approve Award of Bids 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.

No Items on Calendar Under this Section

22. Future Agenda Items

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

22.02 Future Items:

Board President J. Manuel Herrera & Board Member Frank Biehl

Item	Date (tentative)	Type
PE Credit	January, 2015	Presentation/Discussion

Board Vice President Van Le

Item	Date (tentative)	Type
Foreign Language Classes	June 19, 2014	Presentation/Discussion
Adult Education ESL Program	June 19, 2014	Presentation/Discussion

Board Member Frank Biehl

Item	Date (tentative)	Type
Review of Board Policy regarding Alcohol	August 21, 2014	Discussion/Action

Board Member Lan Nguyen

Item	Date (tentative)	Type
International Baccalaureate (IB) Program	November, 2014	Presentation/Discussion



22.03 Annual Governance Calendar

July
Summer School Program (concludes session)
Summer School Graduation

August
Board Retreat
Expulsion Hearing Panel Committee
First Day of School
Williams Quarterly Report

September
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
Unaudited Actuals

October
Bond Program Presentation
Solar Energy Presentation
Student Achievement Presentation
Superintendent's Annual Evaluation
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
Superintendent's Mid-Year Evaluation

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
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

March
Cesar Chavez Writing, Art & Multi-Media Awards Luncheon
March 15 Notices
Safety Plan Goals for Each Site
Second Interim Report
SJPD Secondary Employment Application
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
NSBA Annual Conference
Williams Quarterly Report

May
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)
Employee Retirement Celebration
ESTA Safety Survey
Master Contracts for Capitol Projects
Plan for Expelled Youth (due every three years – 2015)
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



23. Board of Trustees/Superintendent Communications/Comments

23.01 Board of Trustees

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

23.02 Chris D. Funk, Superintendent

24. Report Closed Session Action(s)

24.01 Legal Counsel will Report on Closed Session Action Item(s)

25. Adjournment

25.01 President Adjourns the Meeting

