

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

AMENDED

AGENDA
August 21, 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): *None*

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

- *Superintendent*

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

- *Director of Student Services (1)*
- *Director of Data and Accountability (1)*
- *Director of Research and Accountability (1)*
- *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

Juan Cruz, Associate Superintendent of Educational Services

Cari Vaeth, Associate Superintendent of Human Resources

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

- *Damages of L.Cruz; and,*
- *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):

- *One Roe, et al. v. Anthony Loza, East Side Union High School District, Esther Pollack,
and Does 1-100; Santa Clara County Superior Court Case No. 112CV234748*

Open Session at Approximately 6:00 P.M. – Education Center 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 San Jose Arena Authority

6.02 Spring Sports

Evergreen Valley High School

- **Boys' Golf CCS Champion and California Interscholastic Federation Champion**
 - Justin Suh

Piedmont Hills High School

- **Girls' Track and Field**
 - Reonna Collier
 - *Central Coast Section First Place 100m*
 - *Central Coast Section First Place 100mh*
 - *Central Coast Section First Place 300mh*
 - *Central Coast Section First Place 4x4*
 - *California Interscholastic Federation State Meet, Fourth Place 100mh*
 - *California Interscholastic Federation State Meet 300mh State Champion*
 - *California Interscholastic Federation State Meet, Second Place 4x400 relay*
 - *Central Coast Section, "All Time History List," 2nd fastest ever in 300mh*
 - *Piedmont Hills High School Record Holder in the 100m, 100mh and 300mh*
 - *Mercury News Athlete of the Year*
 - Bianca Bryant
 - *California Interscholastic Federation State Meet, Fourth Place 800m, one of the top ten fastest times ever in CCS*
 - *Piedmont Hills High School Record Holder at 800m*
 - *California Interscholastic Federation State Meet, Second Place 4x4 Relay Team*
 - Timarya Baynard
 - *California Interscholastic Federation State Finalist at 400m*
 - *California Interscholastic Federation State Finalist 4x4 Relay Team*
 - *Piedmont Hills High School Record Holder Runner-up at 400m and 3rd at 200m*

- Tammy Nguyen
- California Interscholastic Federation State Meet, Second Place 4x4 Relay Team
- Sophia Zhou
- California Interscholastic Federation State Meet, Second Place 4x4 Relay Team Alternate Member

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 Receive Citizens' Bond Oversight Committee's 2012-2013 Bond Program Annual Report for Measures G, E and I - 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, Joshua Barousse, Chairperson, Mariel Caballero, Vice Chairperson, and Ramon Martinez of Measure G, Measure E and Measure I Citizens' Bond Oversight Committee
- 8.03 Discussion and/or Action regarding the Membership of the Citizens' Bond Oversight Committee (CBOC) - Chris D. Funk, Superintendent

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

- 9.01 Hold Public Hearing at Approximately 6:10 p.m. regarding the NHU Foundation's Request for Material Revision to the Term of the B. Roberto Cruz Leadership Academy Charter - Juan Cruz, Associate Superintendent of Educational Services, Kirsten King, Director of Educational Services and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight
- 9.02 Discussion and/or Action of the NHU Foundation's Request for Material Revision to the Term of the B. Roberto Cruz Leadership Academy Charter Juan Cruz, Associate Superintendent of Educational Services

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 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 regarding Second Amendment to Employment Contract for Superintendent - J. Manuel Herrera, Board President
- 11.02 Discussion, Consideration and/or Action to Amend the January 2014, through June, 2015, Board Meeting Calendar – Chris D. Funk, Superintendent
- 11.03 Discussion and/or Action regarding California School Boards Association (CSBA) Candidate Nominations for Directors-at-Large: Asian Pacific Islander and Hispanic - J. Manuel Herrera, Board President

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

- 12.01 Discussion and/or Action to Accept the Technical Edits to the Local Control Accountability Plan (LCAP) as Defined by the Santa Clara County Office of Education (SCCOE) - Juan Cruz, Associate Superintendent of Educational Services
- 12.02 Presentation and/or Discussion regarding Students that have not Graduated due Solely to not having Passed the California High School Exit Exam (CAHSEE) - Juan Cruz, Associate Superintendent of Educational Services
- 12.03 Presentation and/or Discussion regarding District’s World Language Programs - Juan Cruz, Associate Superintendent of Educational Services
- 12.04 Presentation and/or Discussion regarding African American Student Support Services – Juan Cruz, Associate Superintendent of Educational Services
- 12.05 Receive the Second Valenzuela/CAHSEE and Williams Settlement Uniform Complaints Quarterly Report for Period Covering April 1, 2014, through June 30, 2014, as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727) - Juan Cruz, Associate Superintendent of Educational Services, and Tim Nguyen, Coordinator of English Language Learners Supplementary Education

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, Assistant Director of Capital Accounting and Purchasing, 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 Provisional Permit Requests for Certificated Employees - Cari Vaeth, Associate Superintendent of Human Resources

- 14.02 Discussion and/or Action to Approve Classified Job Description and Salary Range for Braille Transcriber - 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, 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 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

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 June 5, 2014, Regular Board Meeting
- 16.04 Approve Minutes of June 19, 2014, Regular Board Meeting
- 16.05 Approve Minutes of July 31, 2014, Special Board Meeting

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

- 17.01 Approval of Consolidated Program Application (CONAPP) for 2014-2015

17.02 Approve Expulsion Hearing Committee Personnel for 2014-2015

17.03 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 Ratification of Memoranda of Understanding

18.03 Approve Purchase Orders

18.04 Approve Change Orders to Purchase Orders

18.05 Accept Report of Credit Card Purchases for Statements Dated May 22, 2014 and June 23, 2014

18.06 Adopt Resolution #2014/2015-02 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 Months of June 2014 and July 2014

18.08 Accept Warrant Register for the Months of June 2014 and July 2014

18.09 Discussion and/or Action to Ratify Final Form of Executed Proposition 39 Facilities Use Agreement with ACE Charter High School

18.10 Discussion and/or Action to Ratify Final Form of Executed Proposition 39 Facilities Use Agreement with Downtown College Prep Charter School

18.11 Discussion and/or Action to Ratify Final Form of Executed Proposition 39 Facilities Use Agreement with Summit Public School: Rainier Charter School

19. Human Resources - Consent / Action Calendar

19.01 Ratify/Approve Classified Personnel Actions Presented August 21, 2014

19.02 Ratify/Approve Certificated Personnel Actions Presented August 21, 2014

19.03 Ratify/Approve Student Aide Personnel Actions Presented August 21, 2014

20. Facilities - Consent / Action Calendar

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

20.02 Award of Bids and Request for Proposals (RFPs) for Bond Capital Projects

21. Written Reports/Recommendations

21.01 Receive Update to Previously Approved Allowance for the Current Andrew Hill High

School New Building 100 Classroom Modernization

- 21.02 Receive Self-Insured Schools of California (SISC) GASB45 Quarterly Report Ending June 30, 2014
- 21.03 Receive Silicon Valley Community Foundation Quarterly Statement for the Go for It! Scholarship Fund as of June 30, 2014
- 21.04 Receive Report of Legal Expenses for Fiscal Year 2013-14
- 21.05 Receive Report of Board Members Expenses for Fiscal Year 2013-14
- 21.06 Receive Quarterly Report on the County of Santa Clara Treasury Investment Portfolio Status as of June 30, 2014

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
Child Nutrition Services Meals	October 16, 2014	Presentation/Discussion
Failed Courses	Quarterly	Report

Board Member Frank Biehl

Item	Date (tentative)	Type
Review of Board Policy regarding Alcohol	September 18, 2014 (1st Reading) October 16, 2014 (2nd Reading)	Discussion/Action

Board Member Lan Nguyen

Item	Date (tentative)	Type
Support Services Available/Offered to Foster Youth Students	September, 2014	Presentation/Discussion
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
Receive Annual Developer Fees 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
Latino Student Awards
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