

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

AGENDA
January 15, 2015

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 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-C



2.02 Public Employee Performance Evaluation
(Government Code Section 54957)

- *Superintendent*

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

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

- *Claim for 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

- *Two (2) Potential Cases*

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



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 Santa Clara County Mathematics Association Math Olympiad 2014 Winner and Math Prize Girls Olympiad Nationwide Gold Medal 2014 Winner Danielle Wang, Andrew Hill High School, Presented by Padma Mani

6.02 Fall Sports

James Lick High School

- Girls' Cross Country, West Valley Division, Blossom Valley Athletic League Champions

Mt. Pleasant High School

- Boys' Cross Country, West Valley Division, Blossom Valley Athletic League Champions

Oak Grove High School

- Football, Mt. Hamilton Division, Blossom Valley Athletic League Champions

Santa Teresa High School

- Boys' Water Polo, Santa Teresa Division, Blossom Valley Athletic League Champions

Silver Creek High School

- Girls' Volleyball, West Valley Division, Blossom Valley Athletic League Champions



6.03 Go For It Scholarship Winners

Andrew Hill High School

- Ernesto Avalos
- Uyen Thy Le Dang

Evergreen Valley High School

- Alisha Khieu
- Vivian Yip Luu

Independence High School

- Tran Lam
- Jacky Chen

James Lick High School

- Daryl Cristobal
- Jennifer Quezada

Mt. Pleasant High School

- Austin Drake

Oak Grove High School

- Jeannette Le
- Thuy Phuong

Piedmont Hills High School

- Hillary Brenda Nguyen

Santa Teresa High School

- Tracey Ha
- Jonathan Tran

Silver Creek High School

- Jennifer Do
- Tiffany Nguyen

Wm. C. Overfelt High School

- Zayra Lorena Galindo Lopez
- Carlos Gonzalez
- Evelyn Ortiz

Yerba Buena High School

- Diep Nguyen
- Ngoc Bao Nguyen

Accel

- Shreya Chadd



7. Student Board Liaisons (5 minutes each)

7.01 Emilio Gutierrez, ASB President - Mt. Pleasant High School

7.02 Shawdina Meas, ASB President – Yerba Buena High School

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 to Review and Accept the Annual Financial Audit Report for Fiscal Year Ending June 30, 2014 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance, and Joyce Peters, Vavrinek, Trine, Day & Co., LLP

8.03 Discussion and/or Action to Review and Accept the Annual Financial and Performance Audit Reports for Fiscal Year Ending June 30, 2014, for Measures G, E, and I - Marcus Battle, Associate Superintendent of Business Services, Karen Poon, Director of Finance, and Joyce Peters, Vavrinek, Trine, Day & Co., LLP

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

9.01 Hold Public Hearing at Approximately 6:30 p.m. - Disclosure of Major Provisions of Proposed Tentative Agreement with San Jose Federation of Teachers, AFT Local 957, AFL-CIO, July 1, 2014 - June 30, 2016 (Per AB1200); Discussion and/or Action - Cari Vaeth, Associate Superintendent of Human Resources

9.02 Discussion and/or Action to Ratify and Approve Tentative Agreement with San Jose Federation of Teachers, AFT Local 957, AFL-CIO, July 1, 2014- June 30, 2016 - Cari Vaeth, Associate Superintendent of Human Resources

9.03 Hold Public Hearing at Approximately 6:35 p.m. - Disclosure of Major Provisions of Proposed Tentative Agreement for 2014-2015 Contract Reopeners with California School Employees Association, Chapter 187 (Per AB1200); Discussion and/or Action - Cari Vaeth, Associate Superintendent of Human Resources

9.04 Discussion and/or Action to Ratify and Approve Tentative Agreement for 2014-2015 Contract Reopeners with the California School Employees Association, Chapter 187 - Cari Vaeth, Associate Superintendent of Human Resources

9.05 Hold Public Hearing at Approximately 6:38 p.m. - Disclosure of Major Provisions of Proposed Tentative Agreement with East Side Teachers Association/CTA/NEA, August 31, 2014 - August 31, 2015 (Per AB1200); Discussion and/or Action - Cari Vaeth, Associate Superintendent of Human Resources



- 9.06 Discussion and/or Action to Ratify and Approve Tentative Agreement with East Side Teachers Association/CTA/NEA, August 31, 2014 - August 31, 2015 - Cari Vaeth, Associate Superintendent of Human Resources
- 9.07 Hold Public Hearing at Approximately 6:40 p.m. Regarding the Proposed Adoption of the Initial Proposal for the Successor Contract: From East Side Union High School District to the East Side Teachers Association/CTA/NEA - Cari Vaeth, Associate Superintendent of Human Resources
- 9.08 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

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, Consideration and/or Action regarding Selection / Appointment of Board Audit Committee Members - Frank Biehl, Audit Committee Chair
- 11.02 Discussion and/or Action to Establish a Board Task Force Committee to Review Schools' Start Times - Frank Biehl, Board Clerk
- 11.03 Discussion and/or Action regarding Board Vacancy: Process for Appointment and Provisional Appointment to the Governing Board - J. Manuel Herrera, Board Trustee

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

- 12.01 No Items on Calendar Under this Section

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

- 13.01 Discussion and/or Action to Approve the 2014 Budget Development Action Calendar for Fiscal Year 2015/16 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance



- 13.02 Discussion and/or Action regarding Master Business Relationship Agreement between East Side Union High School District and Metropolitan Education District for 2015-16 - Marcus Battle, Associate Superintendent of Business Services
- 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, Assistant Director of Capital Accounting and Purchasing, and Donna Bertrand, C.P.M., Contracts Administration Coordinator
- 13.04 Discussion and/or Action to Receive First Reading and Adopt Amendment to Board Policy 3105 Fund Balance (GASB 54) - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance
- 13.05 Discussion and/or Action to Adopt Resolution #2014/2015-14 Committing Fund Balance in Accordance with GASB 54 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance

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

- 14.01 Discussion and/or Action to Adopt Resolution #2014/2015-13 Declaring the Observance of Lincoln's Birthday on February 20, 2015 - Cari Vaeth, Associate Superintendent of Human Resources

15. Facilities/Bond - 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 Receive First Reading of Proposed New and Amended Policies in the 7000 - Facilities Board Policy Series - Marcus Battle, Associate Superintendent of Business Services, and Linda da Silva, Director of Construction, Maintenance and Facilities



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 November 13, 2014, Board Study Session
- 16.03 Approve Minutes of November 20, 2014, Special Board Meeting
- 16.04 Approve Minutes of December 11, 2014, Annual Organizational and Regular Board Meeting

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

- 17.01 Approve School Field Trips
- 17.02 Approve the 2015 Summer School Program

18. Business Services - Consent / Action Calendar

- 18.01 Ratification of Contract(s) for Professional Services At or Below \$25,000
- 18.02 Accept Report of Credit Card Purchases for Statement Dated November 24, 2014
- 18.03 Approve Purchase Orders
- 18.04 Approve Change Orders to Purchase Orders
- 18.05 Approve Award of Bids and Request for Proposals
- 18.06 Approve Budget Transfers
- 18.07 Accept Warrant Register for the Month of December, 2014
- 18.08 Approve Memorandum of Understanding



19. Human Resources - Consent / Action Calendar

- 19.01 Ratify/Approve Classified Personnel Actions Presented January 15, 2015
- 19.02 Ratify/Approve Certificated Personnel Actions Presented January 15, 2015
- 19.03 Ratify/Approve Student Aide Personnel Actions Presented January 15, 2015

20. Facilities/Bond - Consent / Action Calendar

- 20.01 Ratification of Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000
- 20.02 Approve Award of Bids and Request for Proposals 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.

- 21.01 Receive Update to Previously Approved Allowance for the Current Andrew Hill High School New Building 100 Classroom Modernization
- 21.02 Receive Update on After School Programs/Homework Centers
- 21.03 Receive English Language Development (ELD) Report
- 21.04 Receive Self Insured Schools of California GASB 45 Trust B (SISC) Annual Financial Report Ending 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 Van Le

Item	Date (tentative)	Type
Failed Courses	Quarterly	Report
Independent Study Program Report	March, 2015	Report

Board Vice President Lan Nguyen

Item	Date (tentative)	Type
International Baccalaureate (IB) Program	March, 2015	Presentation/Discussion

Board Clerk Frank Biehl

Item	Date (tentative)	Type
Special Education Program Update (County & District Wide)	March, 2015	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
Receive Annual Developer Fees Report
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
Safety Plan Goals for Each Site

March
Cesar Chavez Writing, Art & Multi-Media Awards Luncheon
Latino Student Awards
March 15 Notices
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)
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 – 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



24. Board of Trustees/Superintendent Communications/Comments

24.01 Board of Trustees

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

24.02 Chris D. Funk, Superintendent

25. Report Closed Session Action(s)

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

26. Adjournment

26.01 President Adjourns the Meeting

