

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

**AGENDA**  
**February 4, 2016**

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 5:00 P.M.**

The Regular Meeting of the Board of Trustees will begin at 5:00 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*)
- 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, Assistant 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 M. Cabrales; and*
  - *Two (2) Potential Case*
- 2.07 Conference with Legal Counsel – Existing Litigation:  
(Paragraph (1) of subdivision (d) of Section 54956.9)
- *Two (2) Potential Cases*



## **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)**

No Items on Calendar Under this Section

### **7. Student Board Liaisons (5 minutes each)**

7.01 Mt. Pleasant High School

- PRIDE:
  - Joanne Nguyen
  - Vanessa Cabuag
  
- Safe School Ambassadors:
  - Lianna Martinez
  - Jenna Vega

7.02 Piedmont Hills High School

- Richard Nguyen - ASB President

### **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 and/or Discussion regarding Family College Success Center at James Lick High School - Ron Gonzales, President & CEO, Hispanic Foundation of Silicon Valley

8.03 Presentation and/or Discussion regarding iMentor Program - Nate Falkner, Executive Director, iMentor Bay Area



- 8.04 Presentation and/or Discussion regarding Imani Village Program - Wil Cason, Director of Education, Unity Care
- 8.05 Presentation, Discussion and/or Action regarding Independence High School's Growth Impacts and Mitigations - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, Julio Lucas, District Architect, and Farshid Samsami, Bond Program Manager, SGI
- 8.06 Discussion and/or Action to Approve and Allocate Funds for Alternative Education Facility Upgrades for Pegasus High School and the Post Senior Program - Marcus Battle, Associate Superintendent of Business Services, and Linda da Silva, Director of Construction, Maintenance and Facilities
- 8.07 Presentation, Discussion and/or Action Regarding Authorization to Enter Into Negotiations for Proposition 39 Charter School Facilities/Land Agreement at Education Center Property - Chris D. Funk, Superintendent

**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 Successor Contract: From East Side Union High School District to the San Jose Federation of Teachers Local 957, AFT, AFL-CIO - Cari Vaeth, Associate Superintendent of Human Resources
- 9.02 Discussion and/or Action Regarding the Proposed Adoption of the Initial Proposal for Successor Contract: From East Side Union High School District to the San Jose Federation of Teachers Local 957, AFT, AFL-CIO - Cari Vaeth, Associate Superintendent of Human Resources
- 9.03 Hold Public Hearing at Approximately 6:10 p.m. to Receive and Sunshine the Initial Proposal for Successor Contract: From San Jose Federation of Teachers Local 957, AFT, AFL-CIO to East Side Union High School District - 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 and/or Action regarding 2016 California School Boards Association (CSBA) Delegate Assembly Election - **Frank Biehl, Board Vice President**

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

- 12.01 Presentation, Discussion and/or Action regarding the California Career Pathways Trust Grant - Glenn Vander Zee, Assistant Superintendent of Educational Services, and Tim Nguyen, Director of Career Services
- 12.02 Discussion and/or Action regarding Members of the Schools' Start Times Task Force - Glenn Vander Zee, Assistant Superintendent of Educational Services
- 12.03 Discussion and/or Action to Approve Distribution of "Go For It" Scholarship Funds - Glenn Vander Zee, Assistant Superintendent of Educational Services

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

- 13.01 Discussion and/or Action to Receive and Adopt Second Reading of Proposed Draft Amendment to Board Policy 3100 Budget - Marcus Battle, Associate Superintendent of Business Services, Karen Poon, Director of Finance
- 13.02 Discussion and/or Action to Ratify CUPCCAA Informal General Purchasing Project(s) - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager
- 13.03 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, and 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 Adopt a Salary Schedule for Substitute Classified Employees - Cari Vaeth, Associate Superintendent of Human Resources
- 14.02 Discussion and/or Action to Adopt a Substitute Classified Management and Confidential Salary Schedule - Cari Vaeth, Associate Superintendent of Human Resources
- 14.03 Discussion and/or Action to Adopt Substitute Certificated Administrative Rate of Pay - Cari Vaeth, Associate Superintendent of Human Resources



## **15. Facilities - Operational Items/Board Discussion and/or Action**

- 15.01 Adopt Resolution #2015/2016-12 Approving Use of Design Build Delivery for the W.C. Overfelt High School Music, Art and Administration Building and Central Quad Modernization Project - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager
- 15.02 Discussion and/or Action to Determine that Design-Build Delivery for the W.C. Overfelt High School Music, Art and Administration Building and Central Quad Modernization Project will Reduce Project Costs, Expedite the Project's Completion, or Provide Features Not Achievable Through the Design-Bid-Build Process – Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager
- 15.03 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, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager
- 15.04 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, Director of Purchasing and Capital Accounting, 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 Approve Minutes of November 19, 2015, Regular Board Meeting
- 16.03 Approve Minutes of December 10, 2015, Annual Organizational and 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 Ratification of 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 Accept Report of Credit Card Purchases for Statement Dated October 22, 2015, and November 23, 2015

### **19. Human Resources - Consent / Action Calendar**

- 19.01 Ratify/Approve Classified Personnel Actions Presented February 4, 2016
- 19.02 Ratify/Approve Certificated Personnel Actions Presented February 4, 2016
- 19.03 Ratify/Approve Student Aide Personnel Actions Presented February 4, 2016



**20. Facilities - Consent / Action Calendar**

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

**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 from Santa Clara County Office of Education the Positive Certification Letter for the 2015-16 First Interim Report

- 21.02 Receive Summary Report of Governor's Budget Updates for 2016-17





## 22. Future Agenda Items

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

22.02 Future Items:

### **Lan Nguyen, Board President**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
Anti-Bullying Efforts	March 3, 2016	Presentation/Discussion
International Baccalaureate Program (IB) Plan for Recruitment and Expansion	April 21, 2016	Presentation/Discussion

### **Frank Biehl, Board Vice President**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
ALearn Summer Program	March 3, 2016	Presentation/Discussion
Bilingual Support Staff	March 3, 2016	Presentation/Discussion
Payroll Audit Report Out	April 21, 2016	Presentation/Discussion
Computer Science (Coding)	April 21, 2016	Presentation/Discussion
Livestream Board Meetings (combined with J. M. Herrera's Broadcast Board Meetings)	Spring 2016	Presentation Update

### **J. Manuel Herrera, Board Member**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
Broadcast Board Meetings (combined with F. Biehl's Livestream Board Meetings)	Spring 2016	Presentation Update
Toner cartridge (supplies) budget (instructional materials budget)	Spring 2016	Presentation/Discussion

### **Pattie Cortese, Board Member**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
Plan to bring Back Expelled Students	March 3, 2016	Presentation/Discussion



## Van Le, Board Member

Item	Date (tentative)	Type
Failed Courses	Twice Year: October & March	Report
Salad Bar Update	March 3, 2016	Presentation/Discussion
Accel Program	April 21, 2016	Report
Board Policy 6173 Education for Homeless Children (review language)	April 21, 2016	Report
STEM Program	April 21, 2016	Presentation/Discussion
Adult Education Program – new funding model	May 3, 2016	Report



## 22.03 Annual Governance Calendar

<b>July</b>
Summer School Program (concludes session)
Summer School Graduation

<b>August</b>
Expulsion Hearing Panel Committee
First Day of School
Superintendent's Annual Evaluation
Williams Quarterly Report

<b>September</b>
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

<b>October</b>
Bond Program Presentation
Solar Energy Presentation
Student Achievement Presentation
Williams Quarterly Report

<b>November</b>
Board Study Session/Workshop
Election Orientation for New Board Members

<b>December</b>
Annual Organizational Board Meeting
CSBA Annual Conference
Election Orientation for New Board Members
End of First Semester
First Interim Report

<b>January</b>
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 East Side Union High School District and Metropolitan Education District
Policies & ByLaws (Begin Review by Series)
Sports Recognitions (Fall)
Technology Report
Williams Quarterly Report

<b>February</b>
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

<b>March</b>
Cesar Chavez Writing, Art & Multi-Media Awards Luncheon
Latino Student Awards Recognition Ceremony
March 15 Notices
NSBA Annual Conference
Second Interim Report
SJPD Secondary Employment Application
Superintendent's Mid-Year Evaluation
Vietnamese Students Achievement Awards

<b>April</b>
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

<b>May</b>
Asian American/Pacific Islander History Month: Poster & Essay Contest Awards/Celebration
Board Self-Evaluation
Budget (Preliminary/Draft) Presentation
Employee Recognition Event
Graduations
Honor Nights
Last Day of School
Sports Recognitions (Winter/Spring)

<b>June</b>
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 – 2018)
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

- Lan Nguyen, President
- Frank Biehl, Vice President
- J. Manuel Herrera, Clerk
- Pattie Cortese, 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 Action Item(s)

**25. Adjournment**

25.01 President Adjourns the Meeting

