

**APPROVED MINUTES
ALUM ROCK ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue
San Jose, CA 95127**

**MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES
of the Alum Rock Union School District
Held on Thursday, November 8, 2018, 5:30 p.m. at the Alum Rock Union School
District Office Board Room, 2930 Gay Avenue, San Jose, CA 95127
Meeting #05-18/19**

1. OPEN SESSION

1.01 Call to Order / Roll Call

President Esau Ruiz Herrera welcomed everyone in the audience. President Esau Ruiz Herrera called the Board Meeting to order at 5:32 p.m. followed by Roll Call.

Board Members Present:

| | |
|-------------------------|----------------|
| Esau Ruiz Herrera | President |
| Karen Martinez | Vice-President |
| Dolores Marquez-Frausto | Clerk |
| Andrés Quintero | Member |

Board Member Absent:

| | |
|------------|--------|
| Khanh Tran | Member |
|------------|--------|

Administrative and Support Staff Members Present:

| | |
|-------------------|--|
| Dr. Hilaria Bauer | Superintendent |
| Rene Sanchez | Assistant Superintendent, Instructional Services |
| Jess Serna | Interim Assistant Superintendent, Human Resources |
| Kolvira Chheng | Assistant Superintendent, Business Services |
| Marie Sanchez | Sr. Executive Assistant, Superintendent's Office |
| Angel Rodriguez | Executive Assistant/Communications Support, Superintendent's Office |
| Jackie Guevara | Executive Assistant, Superintendent's Office |

1. OPEN SESSION *(continued)*

**1.02 Announcement and Public Comments Regarding Items to be Discussed
In Closed Session**

President Esau Ruiz Herrera announced the items that would be discussed in Closed Session.

1.03 The Board will Adjourn to Closed Session at Approximately 5:30 p.m.

The Board recessed to Closed Session at 5:33 p.m. President Esau Ruiz Herrera announced that the Board would reconvene to Open Session at approximately 6:05 p.m.

3. RECONVENE TO OPEN SESSION

3.01 Call to Order / Pledge of Allegiance

The Board reconvened to Open Session at 5:54 p.m. President Esau Ruiz Herrera welcomed everyone and took a second Roll Call in which all Board Members were present with the exception of Member Khanh Tran.

3.02 Report of Action Taken in Closed Session

Superintendent Hilaria Bauer reported that in Closed Session under *Agenda Item 2.01 Public Employee Appointment/Employment*, the Board took action, with a vote of 4 in favor and Member Khanh Tran absent, to appoint Mr. Doug Durham as the new Coordinator of Student Information Systems, effective immediately.

3.03 Agenda Review and Adoption

President Esau Ruiz Herrera asked to move *Agenda Items 10.03 KIPP Bay Area Schools: KIPP Heartwood Academy and 10.04 KIPP Bay Area Schools: KIPP Prize Preparatory Academy* up in order to follow *Agenda Item 7.06 Board of Trustees/Communications and Comments* and to precede *Agenda Item 8.01 Update on Bond Projects*. There was consensus from the Board to accept the agenda as amended.

4. PUBLIC HEARING

4.01 Public Hearing: GANN Limit Calculations

President Esau Ruiz Herrera opened the Public Hearing at 5:56 p.m.

4. PUBLIC HEARING (continued)

4.01 Public Hearing: GANN Limit Calculations

Public Comments:

- 1) Rudy Macias – Community member, spoke about the degrading of the Board President and demanded that the Board begin to learn how to work together. His comments had nothing to do with the GANN Limit Calculations agenda item.
- 2) Ray Mueller – Community member, applauds the community for making some positive changes; however, the community is still not happy and is still working for better positive things. He commented the community has had enough and the votes show it.

President Esau Ruiz Herrera closed the Public Hearing at 6:02 p.m.

4.02 Resolution No. 08-18/19 GANN Limit Calculations

MOTION #05-01 by Member Andrés Quintero to accept and approve Resolution No. 08-18/19 as presented. MOTION #05-01 was seconded by Vice-President Karen Martinez.

MOTION #05-01 carried with a vote of 4 in favor; no opposition; 1 absent (Member Khanh Tran); and no abstention.

5. SPECIAL PRESENTATION

5.01 2018 CA Assessment of Student Performance and Progress (CAASPP)

Assistant Superintendent Rene Sanchez introduced Mr. Ivan Montes, EL Coordinator, Academic Services, who gave a Power Point presentation. Some of the highlights included the following:

| English Language Arts/Literacy | Mathematics |
|--|--|
| -Reading: How well do students understand stories and information that they read? -Writing: How well do students communicate in writing? -Listening: How well do students understand spoken information? -Research/Inquiry: How well can students find and present information about a topic? | -Concepts & Procedures: How well do students use mathematical rules and ideas? -Problem Solving and Modeling & Data Analysis: How well can students show and apply their problem-solving skills? -Communicating Reasoning: How well can students think logically and express their thoughts in order to solve a problem? |

5. SPECIAL PRESENTATION *(continued)*

5.01 2018 CA Assessment of Student Performance and Progress (CAASPP)

- ARUSD ELA Area Achievement Level Descriptors by: Reading; Writing; Listening; and Research/Inquiry
- Mathematics Area Achievement Level Descriptors Above Standard by: Concepts and Procedures; Problem-Solving and Modeling and Data Analysis; and Communicating Reasoning
- School Achievement Overall ELA and Mathematics – Met/Exceeded Standards by: Site; Language Proficiency; Economic Status; and Disability Status
- Ethnicity: English Language Arts Met or Exceeded Standard by Ethnicity

Initiatives for 2018-19

Common Core Aligned Instructional Tools

- Balanced Literacy Professional Learning Community
- Guided Reading Professional Learning Community

Common Core Instructional Shifts

- Math Professional Learning Communities (elementary and middle school)
- Teacher Driven Professional Learning Opportunities

English Language Learner Support

- English 3D, deepening implementation of an English Language Development Program, specifically designed for our long-term English Learners
- Deepening professional learning around ELD Standards and ELPAC tasks
- Year 2-iPads and digital technology to support our ELs in K-2
- Year 2-Targeted EL summer learning opportunity for ELs K-3

Special Education Support

- Participation in the Inclusion Collaborative with the SCCOE
- Targeted cross-departmental learning opportunities for our staff
- Application of supports from SCCOE's English Learners with Disabilities Community of Practice

A copy of this presentation was made available to the public.

Vice-President Karen Martinez asked Mr. Ivan Montes what the District was doing to collaborate amongst our schools and provide support to teachers and staff.

Clerk Dolores Marquez-Frausto commented she would like to know the advantages of the succeeding students. What are the things that are making them successful vs. the students not succeeding?

5. SPECIAL PRESENTATION (continued)

5.01 2018 CA Assessment of Student Performance and Progress (CAASPP)

Public Comments:

- 1) Flor DeLeon – Community member, commented that we are not where we want or need to be. We still have a problem with hiring teachers. Her daughter’s teacher used to teach grade 2 and now she has to teach grade 7! The district has a lot of teacher and substitute vacancies that have been difficult to fill and this is affecting our students. We need to establish a parent committee in order to vet teachers and subs before they are allowed in the classrooms.
- 2) Maria Martinez – Community member, commented that Clerk Dolores Marquez-Frausto asked a very good question regarding LCAP for student improvement.

5.02 Progress of Local Performance Indicators

Assistant Superintendent Rene Sanchez introduced Ms. Barbara Campbell, Director of Academic Services, who gave a Power Point presentation on California Dashboard Local Indicators. Some of the highlights included the following:

Purpose of the Dashboard

- Parents and guardians, educators, other stakeholders and the public can use the Dashboard to see how local educational agencies and schools are performing under California’s new school accountability system
- Provides a quick overview about overall performance and student group performance on multiple measures of student success
- Information provided will assist in identifying strengths, weaknesses and areas in need of improvement for local educational agencies and schools

| State Indicators | Local Indicators |
|--|---|
| -Academic Indicators (State Priority 4) with ELA Assessment (SBAC scores) and Math Assessment (SBAC score) -Suspension Rate Indicator (State Priority 6) -English Learner Indicator (State Priority 5) Progress of ELL’s -Chronic Absenteeism Rate (State Priority 5) [new this year] | State approves local indicators and a required self-reflection tool, which is based on information the local Educational agencies collect locally: -Basic Services and Conditions of learning (State Priority 1) -Implementation of State Academic Standards (State Priority 2) -Parent Engagement (State Priority 3) -School Climate (State Priority 6) -Broad Course of Study (State Priority 7) |
| NOTE: Not reported in elementary districts, Graduation Rate Indicator (State Priority 7); and College/Career Indicator (State Priority 8) | |

5. SPECIAL PRESENTATION *(continued)*

5.02 Progress of Local Performance Indicators

Barbara Campbell reviewed the Local Indicator District Performance and spoke about the various State Priorities.

Next Steps

- Upload data to the Dashboard – the anticipated release date is December 3, 2018
- Continue work on eight state priorities
- Administer survey in the Spring

Board Comments: Karen Martinez and Dolores Marquez-Frausto.

A copy of this presentation was made available to the public.

6. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

6.01 Requests to Address the Board

Public Comments:

- 1) Vanessa Rios – Ryan parent, commented that she was in attendance tonight to report that she was also present at the October 11, 2018 board meeting where Trustee Khanh Tran was participating in a teleconference call and she heard when he stated that the Superintendents' days were numbered—which was a threat! She observed that the Board President did not bring this to his attention and call it out—on the contrary, he seemed like he was approving the threat! She addressed this comment to the Board President, “You have been in power for 26 years, how much more people will you allow to be bullied? How many Superintendents have you fired? You do not deserve to wear Cesar Chavez shirts because you do not have the respect of the District school workers. You approve bullies like Trustee Khanh Tran and we do not accept these values in our school district. We want respect, security, tranquility, and to focus on our students. This is the reason why this District needs to establish a term-limit so that people like you cannot be re-elected.”
- 2) Lily (*no last name given*) – Middle school parent, commented that when there are incidents at the schools, parents should be informed and counselors should be made available! She reported that when this specific incident occurred, some parents received a robo-call and other parents did not.
- 3) Dilza Gonzalez – Parent and community member, commented that we need to establish term-limits because we cannot have the same people making the same decisions. At the previous board meeting, certain board members did not do their homework and came to the meeting unprepared!

6. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD *(continued)*

6.01 Requests to Address the Board

- 4) Esperanza (no last name given) – Renaissance at Mathson student, commented that the Board has bad governance. She has been present at the board meetings and has witnessed board members sleeping at these meetings and have threatened community members by calling the police. Board members have praised charter students but silence the public school students. Board members come to the board meetings but do not speak about instructional programs that the students need. This is why we need to establish term-limits now!
- 5) Ray Mueller – Community member, read an email message sent to him. He read excerpts from the email that was originated by President Esau Ruiz Herrera which stated that Member Khanh Tran was an elected member of the Governing Board of Alum Rock School District and had a right and a duty to attend board meetings. The email stated that given the pending election, this November 8 board meeting might be the last meeting that Member Khanh Tran would be obligated to attend. President Esau Ruiz Herrera was directing Superintendent Hilaria Bauer to absent herself from the District office premises no later than 5:15 p.m. on November 8 so that both Member Khanh Tran and Superintendent Hilaria Bauer could have their respective interest addressed and protected. Ray Mueller also commented that he would like the Board to start using District emails since they are elected officials and should be using public emails and not their own personal emails. He requested that this item be agendized for a future board meeting.

Member Andrés Quintero reported that, for the record, he uses a District-issued email.

- 6) Maria Martinez – Community member, commented that she dittoed what Esperanza, Renaissance at Mathson student, had commented on earlier. We do have poor board governance in our district. She commented that it was a disappointment to see Clerk Dolores Marquez-Frausto supporting Member Khanh Tran in the courthouse the previous week. This bad board governance must end now. This is a democracy and we should have term-limits now!
- 7) Sharon Chin – Community member, stated that she wanted to express support for Superintendent Hilaria Bauer and the work that she has done for the district. She commented that she has noticed some incompetency of some board members how they come unprepared to the board meetings and have been members with 20 years experience. One board member has a restraining order and the board president has requested that the Superintendent not attend the board meeting-he should know better! Lastly, she commented that she would like to see school board members put the students first and not themselves.

7. COMMENTS AND COMMUNICATION

7.01 Teamsters

There were no representatives from Teamsters at this time.

7.02 California School Employee's Association (CSEA)

There were no representatives from CSEA at this time.

7.03 Alum Rock Administrator's Association (ARAA)

Ms. Lyssa Perry, ARAA President, gave a few highlights. There are two administrators attending an ACSA event in San Diego this week. She gave kudos to the Parent University event that held 600+ families for such a big success! ARAA will be hosting a Winter Showcase during the Christmas season and will be decorating a Christmas tree.

7.04 Alum Rock Educator's Association (AREA)

Jocelyn Merz, AREA President, stated that the campaign season is over; however, ballots are still being counted. The board majority will no longer have the power they have been exercising. She stated that it was safe to say that students and the community will prevail—the necessary changes will happen, and the board majority will be overthrown! She gave thanks to those that voted and took the time to study the candidates. She reported that she attended the Civil Grand Jury the prior week to support Superintendent Hilaria Bauer. There were several take-a-ways, the first was that Member Dolores Marquez-Frausto was in defense of Member Khanh Tran and that Attorney Maribel Medina helped Member Dolores Marquez-Fausto prepare a declaration. She asked, "Isn't that a conflict of interest and who is paying for her services?" Another observation was that the judge offered advice to Member Khanh Tran and instructed him to take it down a notch. After the judge made her order, Member Khanh Tran made several attempts to bargain with her. She stated that President Esau Ruiz Herrera also made a declaration. In addition, President Esau Ruiz Herrera had suggested that Superintendent Hilaria Bauer not be present at this board meeting so that Member Khanh Tran could be present. She commented that if it was so important for Member Khanh Tran to be present at this meeting, why did he not call in tonight?

7.05 Superintendent

Superintendent Hilaria Bauer reported that she wanted to ditto what ARAA President Lyssa Perry said about Parent University. She gave special thanks to Norma Flores and all her staff in Student Services for their magnificent work with Parent University. It takes devoted staff to make events like this happen and be successful! She reported that 98% of the evaluations were positive.

7. COMMENTS AND COMMUNICATION *(continued)*

7.05 Superintendent

Superintendent Hilaria Bauer reported that Alum Rock has just launched a Universal Preschool Pilot Program at Painter Elementary beginning with 12 families. This is a pilot program with our Santa Clara County and First 5 partners. She reported that we just have McCollam Elementary that needs preschool. Adelante 1 and II are already in the works. Superintendent Hilaria Bauer commented that Universal Preschool is going to be a reality here are Alum Rock. She gave special thanks to all her outside partners for their support and assistance.

7.06 Board of Trustees

Vice-President Karen Martinez commented that her heart goes out to the families of Thousand Oaks. She asked the audience to take a moment tonight and count their blessings. She reported that she had requested three agenda items to be placed on this agenda and the Board President denied her request. The agenda items included: (1) Request to receive copies of invoices from Leal & Trejo; (2) Termination of the Leal and Trejo Contract with Alum Rock; and (3) Termination of Del Terra Contract with Alum Rock. Vice-President Karen Martinez reported that she will not be resigning from her seat – she has choices, and this is not the time for her to leave. She will not back down regardless of the threats from some members of this Board. She commented that she believes in term-limits for the board members – after a while, members get stale!

Member Andrés Quintero gave thanks to the Alum Rock Community for entrusting him when they cast their ballot. He commented that the last two years have not been easy here at Alum Rock. It would have been easy to just say goodbye and leave the district. However, it is very personal for him because his children attend this district, and if the schools are not good enough for them, then they are not good enough for any student.

Clerk Dolores Marquez-Frausto stated that she had gotten a call from Member Khanh Tran informing her that he had gotten married over the weekend and wanted to thank the community for putting him back on the Board for another four years. She also explained her reason for reaching out to Attorney Maribel Medina for helping her with a declaration. She had to be present at the courthouse because she was named on the complaint. She stated that she was very happy with the successful event with the Parent University. She gave special thanks to all the staff that made this event a success. Lastly, she announced that she was very pleased with the opening of another preschool.

10. BUSINESS

10.03 KIPP Bay Area Schools: KIPP Heartwood Academy Renewal

10.04 KIPP Bay Area Schools: KIPP Prize Preparatory Academy Renewal

Superintendent Hilaria Bauer stated that these two KIPP Charter Renewal Petitions were a follow-up of the Public Hearings from the previous board meeting in October and both of these agenda items would be addressed at the same time.

Public Comments:

- 1) Susan Oba -- KIPP Heartwood Academy principal, stated that she was very grateful to be here at this meeting. She gave special thanks to Superintendent Hilaria Bauer and her staff for their support with the renewal. She also thanked those board members that visited her site. She reported that for the past 15 years, KIPP Heartwood Academy has had the honor of educating students. They are committed to growing, including strengthening instructional practices and intervention programs.
- 2) Kimberly Flores – KIPP Heartwood Academy student, briefly shared her experience at her school.
- 3) Alexandria Wasco – Leader, spoke about her experience.
- 4) Jamie Juni – Speaker gave special thanks to Vice-President Karen Martinez for visiting her school.
- 5) Jose Vasquez – KIPP Prize parent and community member, spoke about his good experience at KIPP. He stated that when he was a student, he was pushed to pursue a blue collar job and not really encouraged to pursue higher education.
- 6) Autumn Zangrilli - KIPP Prize principal, gave thanks to Superintendent Hilaria Bauer and her staff for renewing their petition for another five years. She commented that KIPP has been recognized by Innovate Public Schools. Their mission is grounded in providing equity and instilling a rigorous program.
- 7) Mimi (*no last name given*) - 7th grade KIPP Prize student, spoke about her experience at school and stressed the educational opportunities offered at KIPP.
- 8) Sam (*no last name given*) - KIPP teacher, stressed the educational and emotional impact KIPP has had on him.
- 9) Male speaker – Retired fire captain, commented that his son has endured many challenges and thanks to KIPP, he is now a 4.0 student.
- 10) Heriberto (*no last name given*) - KIPP Prize parent, asked the Board to give their children the opportunity to continue at both schools.

MOTION #05-02 by Member Andrés Quintero to accept and approve both Agenda Items 10.03 KIPP Heartwood Academy and 10.04 KIPP Prize Preparatory Academy Renewal Petitions as presented. MOTION #05-02 was seconded by Member Esau Ruiz Herrera.

10. BUSINESS (continued)

10.03 KIPP Bay Area Schools: KIPP Heartwood Academy Renewal

10.04 KIPP Bay Area Schools: KIPP Prize Preparatory Academy Renewal

Member Andrés Quintero stated that he wanted to make sure to inform the audience where his stance was, which was that he is all for public education. He commented that it is very disheartening to him to hear disrespect on public schooling. He commented that he is proud of the education that is provided at Alum Rock and the only way to get a good education is through charters—that is not true! However, he will be supporting these two renewals.

Member Dolores Marquez-Frausto apologized for not visiting the KIPP sites yet; however, she commented that she appreciates the partnership that they have with Alum Rock.

President Esau Ruiz Herrera commented that he will be supporting these two renewals. This is a good partnership and excellent collaboration that they have. He invites them to be even a stronger partner.

MOTION #05-02 carried with a vote of 4 in favor; no opposition; 1 absent (Member Khanh Tran); and no abstention.

8. BOND / FACILITIES

8.01 The Board will receive a written update on the status of Bond Projects

There was no action taken on this agenda item.

8.02 Citizen's Bond Oversight Committee (CBOC)

Mr. Ray Mueller, CBOC Chair, reported that this was going to be his last week as Chair of the CBOC. He reported that there has been another opening and he would like for it to be on the agenda for the next board meeting. He announced that the next CBOC meeting was scheduled for Tuesday, November 13, 2018, 6:30 p.m., District Office.

9. CONTRACTS OVER \$100,000

9.01 Approve New Tech Network (contract continuation from 2017-18 FY), Fischer and Sheppard Middle Schools, 2018-19 Year 2, \$190,200; 2019-20 Year 3, \$201,900

9. CONTRACTS OVER \$100,000 (continued)

- 9.01 Approve New Tech Network (contract continuation from 2017-18 FY), Fischer and Sheppard Middle Schools, 2018-19 Year 2, \$190,200; 2019-20 Year 3, \$201,900**

MOTION #05-03 by Member Andrés Quintero to accept and approve the New Tech Network Contract as presented. MOTION #05-03 was seconded by Vice-President Karen Martinez.

MOTION #05-03 carried with a vote of 3 in favor; no opposition; 2 absent (Clerk Dolores Marquez-Frausto temporarily absent and Member Khanh Tran absent); and no abstention.

- 9.02 Approve Silicon Valley Education Foundation, \$103,586.40**

MOTION #05-04 by Member Andrés to accept and approve the Silicon Valley Education Foundation as presented. MOTION #05-04 was seconded by Vice-President Karen Martinez.

MOTION #05-04 carried with a vote of 3 in favor; no opposition; 2 absent (Clerk Dolores Marquez-Frausto temporarily absent and Member Khanh Tran absent); and no abstention.

10. BUSINESS

10.01 Fiscal Expert and FCMAT Update

Dr. Donald Zimring, Fiscal Expert, briefly spoke about the Conditional Approval Letter from the Santa Clara County Office of Education regarding the 2018-19 Adopted Budget. He reported that the District's governance structure continues to be a destabilizing factor towards a resolution of outstanding items from the FCMAT report. Dr. Donald Zimring reported that a key issue we have on the fiscal side was the failure to meet the targeted staffing reductions this year. He stated that the SCCOE did not approve the LCAP, which triggered the disapproval of the budget. He also emphasized the fact that the SCCOE takes this very serious. He briefly spoke about the waiver budget committee.

Vice-President Karen Martinez commented that she was concerned about the LCAP, and if it was not approved, did this mean we loose it? She asked Dr. Donald Zimring if the District staff was performing their duties and needing to do what they were supposed to be doing?

10. BUSINESS (continued)

10.01 Fiscal Expert and FCMAT Update

Dr. Donald Zimring replied that the District would not lose the LCAP funds, the district staff was capable and yes they were doing what was expected of them.

Member Dolores Marquez-Frausto commented that she does not believe that the fiscal experts are here to help the district alongside with the Business Office. She could not understand how the LCAP was disapproved if we have the two SCCOE Fiscal Experts assisting with this—so what's going on? She asked what was the cost of the two SCCOE Fiscal Experts?

Dr. Donald Zimring replied that the SCCOE was covering the costs for the Fiscal Expert and the Fiscal Advisor only through December 31, 2018; however, the problem was from the bad board governance and Del Terra issues.

10.02 Waiver Budget Committee

Assistant Superintendent Kolvira Chheng, briefly reported on the Waiver Budget Committee. He reported that no later than November 8, the County Superintendent must do the following:

Approve or disapprove the revised budget for the districts whose budgets were conditionally approved or disapproved as of September 15, 2018. If the County Superintendent disapproves the revised budget, they will need to call for a Budget Review Committee under Education Code 42127.1 unless the Governing Board of the district and the County Superintendent agree to waive the requirement for a committee and the California Department of Education approves the waiver. Assistant Superintendent Kolvira Chheng reported that based on the waiver, the County Superintendent immediately has the authority and responsibility provided by Education Code Section 42127.3.

Dr. William Gillaspie, Fiscal Advisor, commented that the SCCOE's only intent is to help the Board and the District. Dr. Mary Ann Dewan, County Superintendent, requests a waiver to help reduce the demands on the over-worked Business Office.

MOTION #05-05 by Vice-President Karen Martinez to accept and approve the Waiver of the statutory Budget Committee as presented. MOTION #05-05 was seconded by Member Andrés Quintero.

President Esau Ruiz Herrera stated that he disagrees that the Business Office staff is overworked because of the investigations! He stated that he wished the Board had received this information in advance and not during the board meeting. This was very frustrating! The Board had been informed that our budget was good for this year and the next – and now was not! He did not understand why this was happening if the two SCCOE Fiscal Experts have full access to our budget information and our board books.

10. BUSINESS *(continued)*

10.02 Budget Waiver Committee

Clerk Dolores Marquez-Frausto stated that the SCCOE Fiscal Experts are the gatekeepers of the budget often giving district staff recommendations. She commented that the Fiscal Experts knew this was coming and should have given the Board more ample time. She commented that she felt the same way that President Esau Ruiz Herrera did and agreed with his comments. She will not be supporting this motion.

Member Andrés Quintero stated that he just wants the Board to vote on this and do what is needed. The reason district staff is overworked is because of the decisions that this Board has made—it should not be a huge surprise!

Public Comment:

- 1) Janet Odelle – Community member, asked what was the timeframe?

Superintendent Hilaria Bauer commented that the sentiment had nothing to do with the work put in—the recommendation has more to do with the timeline in order to fulfill this requirement. She commented if the Board has already made up their mind, then just vote on this.

MOTION #05-05 failed with a vote of 2 in favor (Vice-President Karen Martinez and Member Andrés Quintero); 2 in opposition (President Esau Ruiz Herrera and Clerk Dolores Marquez-Frausto); 1 absent (Member Khanh Tran); and no abstention.

11. HUMAN RESOURCES

11.01 Information Regarding Resignations

There was consensus from the Board to accept the resignations as submitted.

12. CONSENT CALENDAR

Clerk Dolores Marquez-Frausto asked to pull *Agenda Items 12.07 Acceptance of Vendor & Payroll Warrants* and *12.10 Approve/Ratify Notices of Employment and Changes of Status/November 8, 2018* to discuss separately.

MOTION #05-06 by Member Andrés Quintero to accept the Consent Calendar as amended. MOTION #05-06 was seconded by President Esau Ruiz Herrera.

12. CONSENT CALENDAR *(continued)*

MOTION #05-06 carried with a vote of 4 in favor; no opposition; 1 absent (Member Khanh Tran); and no abstention.

12.07 Acceptance of Vendor & Payroll Warrants

Clerk Dolores Marquez-Frausto ask administration if this agenda item could be visible on the agenda as separate items with more detailed information and not bundled together.

The Board had brief discussion on this agenda item.

Clerk Dolores Marquez-Frausto asked the Superintendent make herself available to review some of the material under this agenda item on an as-needed basis from the Board.

MOTION #05-07 by Member Andrés Quintero to accept and approve the Vendor & Payroll Warrants as presented. MOTION #05-07 was seconded by President Esau Ruiz Herrera.

MOTION #05-07 carried with a vote of 4 in favor; no opposition; 1 absent (Member Khanh Tran); and no abstention.

12.10 Notices of Employment and Changes of Status/November 8, 2018

Clerk Dolores Marquez-Frausto asked the Superintendent to elaborate the changes listed on the changes of status.

Superintendent Hilaria Bauer explained the changes listed on the document.

President Esau Ruiz Herrera requested to bring back the names listed on Roman Numeral I of the Classified list.

MOTION #05-08 by Member Andrés Quintero to accept and approve the entire agenda item as presented. MOTION #05-08 was seconded by Vice-President Karen Martinez.

MOTION #05-08 failed with a vote of 2 in favor (Vice-President Karen Martinez and Member Andrés Quintero); 2 in opposition (Clerk Dolores Marquez-Frausto and President Esau Ruiz Herrera); 1 absent (Member Khanh Tran); and no abstention.

MOTION #05-09 by Clerk Dolores Marquez-Frausto to remove Roman Numeral I of the Classified list and approve the remaining document as amended. MOTION #05-09 was seconded by President Esau Ruiz Herrera.

12. CONSENT CALENDAR *(continued)*

12.10 Notices of Employment and Changes of Status/November 8, 2018

Member Andrés Quintero commented that he can't imagine what is now happening and finds this very sickening that as a Board, two individuals are now going down to the parent classified level.

Clerk Dolores Marquez-Frausto stated that this was far from the truth! She has had several complaints from other individuals with higher seniority.

Public Comments:

- 1) Ernesto Bejarano – Community member, commented that from a very objective position, the level of gross incompetence that explains the budget issues is on full display here. Anybody with common sense—this is just pure incompetence! It is very clear to me, and two years is too long from now!
- 2) Dilza Gonzales – Community member, commented that it was the lowest of the low—retaliating against a mother who has been doing a wonderful job—this is low—and this is the message that the Board is trying to send to the employees. The students will be punished for this—this is not right!
- 3) Victor Vasquez – Somos Mayfair representative, commented that there was no conflict of interest and for the Board to do this, you are singling her out. This employee is allowed to have freedom of speech and she is also a part of the union. You are picking on someone—this is collusion—the three amigos!
- 4) Janet Odelle – Community member, commented that the comments that were shared by a certain Board member about the employee's church, she could sue you and that was a wrong thing to do!
- 5) Dan Flores – MOT Director, commented that he has sat during various board meetings quietly and has not said anything, but this was the last straw! He reported that he also goes to church and now the Board can fire him as well. Member Khanh Tran recently approached him and threatened his family! Dan Flores commented that he would appreciate it if the Board fires him so that he can be the one to sue them. This is enough—please fire me!

The Board had more discussion on this agenda item.

Clerk Dolores Marquez-Frausto withdrew MOTION #05-09.

MOTION #05-10 by Member Andrés Quintero to accept and approve the entire Agenda Item 12.10 as presented. MOTION #05-10 was seconded by President Esau Ruiz Herrera.

MOTION #05-10 carried with a vote of 3 in favor (President Esau Ruiz Herrera, Vice-President Karen Martinez, and Andrés Quintero); no opposition; 1 absent (Member Khanh Tran); and 1 abstention (Clerk Dolores Marquez-Frausto).

13. FUTURE BOARD AGENDA REQUESTS

13.01 Requests from Board of Trustees and/or Public

Vice-President Karen Martinez asked to include the following items on the December agenda:

- 1) Terminate the contract with legal counsel, Leal & Trejo and Alum Rock Union Elementary School District
- 2) Terminate the contract with Del Terra and Alum Rock Union Elementary School District

14. ADJOURNMENT

14.01 President Adjourns the Meeting

President Esau Ruiz Herrera adjourned the meeting at 9:27 p.m.

Respectfully submitted,



Dolores Marquez-Frausto
Board Clerk