

**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, February 14, 2019, 5:30 p.m. at the Alum Rock Union School
District Office Board Room, 2930 Gay Avenue, San Jose, CA 95127
Meeting #10-18/19**

1. OPEN SESSION

1.01 Call to Order / Roll Call

President Linda Chavez welcomed everyone in the audience. President Linda Chavez called the Board Meeting to order at 5:33 p.m. followed by Roll Call.

Board Members Present:

Linda Chavez	President
Ernesto Bejarano	Vice-President
Dolores Marquez-Frausto	Clerk
Andrés Quintero	Member
Corina Herrera-Loera	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

President Linda Chavez welcomed everyone and led the Pledge of Allegiance at this time.

1. **OPEN SESSION** *(continued)*

1.02 **Ceremonial Oath of Office for Newly Appointed Trustee Corina Herrera-Loera**

The Ceremonial Oath of Office for Corina Cihuachimalli Herrera-Loera was held outside in the patio. The newly appointed Trustee was given the Oath of Office by her husband, Mr. Gerardo Loera.

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

President Linda Chavez announced the items that would be discussed in Closed Session. There were no public comments from the audience at this time.

1.04 **The Board will Adjourn to Closed Session at Approximately 5:35 p.m.**

President Linda Chavez announced that the Board would reconvene to Open Session at approximately 6:30 p.m. The Board adjourned to Closed Session at 5:52 p.m.

3. **RECONVENE TO OPEN SESSION**

3.01 **Call to Order / Pledge of Allegiance**

The Board reconvened to Open Session at 7:08 p.m. President Linda Chavez welcomed everyone and took a second Roll Call in which all Board Members were present.

3.02 **Report of Action Taken in Closed Session**

Superintendent Hilaria Bauer reported that the ***Board, with a unanimous vote, took action to vote to approve a written settlement agreement to resolve the litigation for the family.***

3.03 **Agenda Review and Adoption**

President Linda Chavez reported that the public requested from her to move ***Agenda Items 9.01 Review and Approve the Implementation Plan for the Low Performing Students Block Grant and 10.02 Resolution No. 20-18/19 Update Agreement Between the Governing Board of the Alum Rock Union Elementary School District and the Santa Clara County Superintendent of Schools regarding Necessary Revisions for Compliance with Statutory Budget Requirements in Conjunction with the Local Control Accountability Plan to follow Agenda Item 4.01 Special Recognition.***

The Board was in consensus to accept this request.

4. SPECIAL PRESENTATION

4.01 Special Recognition: Ms. Ella Southworth

Superintendent Hilaria Bauer introduced Dr. George Kleidon, Painter Principal, who introduced Ms. Ella Southworth, long-term substitute paraprofessional at Painter Elementary. Dr. George Kleidon reported that Ms. Ella Southworth was being recognized for her immediate action to resolve an incident involving action and performing the Heimlich Maneuver on a 4-year old student and ultimately saving her life!

Member Andrés Quintero thanked Ms. Ella Southworth for her quick action and changing the life of the family.

Vice-President Ernesto Bejarano joined in on the gratitude. He commented that his daughter had shared this incident with him and she attends Sheppard Middle School.

Clerk Dolores Marquez-Frausto gave thanks to Ms. Ella Southworth and expressed her appreciation for what she did and commented that she remembered her from many years ago.

President Linda Chavez also gave thanks to Ms. Ella Southworth for the action she took and stated she wished other people could be trained to acquire these skills.

9. INSTRUCTIONAL SERVICES

9.01 Review and Approve the Implementation Plan for the Low Performing Students Block Grant

Assistant Superintendent Rene Sanchez introduced Ms. Sandra Garcia, Director for State and Federal, who gave a Power Point presentation on the grant. Some of the highlights included the following:

Details of the Grant

- One time grant
- Timeframe: March 2019 - November 2021
- Serves students currently in 4th - 8th grades
- Serves students identified as low-performing on state English Language Arts or Mathematics Assessments

Requirements of the Grant

- Create a plan describing how the funds will provide support for identified pupils
- Plan must be approved by the Local Governing Board
- Submit first report by March 1, 2019
- Submit last report by November 2021

9. INSTRUCTIONAL SERVICES *(continued)*

9.01 Review and Approve the Implementation Plan for the Low Performing Students Block Grant

Student Breakdown by Middle Schools

School	Students
Adelante	27
Fischer / Renaissance @ Fischer	13
George	14
Hubbard	11
Mathson / Renaissance @ Mathson	6
Ocala	17
Sheppard	20
Total	108

Students Breakdown by Elementary Schools

School	Students	School	Students
Aptitud	1	Lyndale	1
Chavez	2	Cureton	1
Dorsa	3	Adelante II	2
LUCHA	3	McCollam	3
McEntee/Russo	2	Linda Vista	4
Painter	3	Cassell	1
Ryan	3	Meyer	1
		Total	30

Draft Plan

- Small group tutoring (8.1) to support ELA/Math – 8 week sessions
- Access to online learning programs with regular monitoring by certificated teachers
- All students identified for math will be given priority spots in a Summer Math Institute
- Provide professional development for teachers in Differentiated Instruction strategies for addressing the needs of these students in their classroom
- Consult with site administrators

Board Comments: Corina Herrera-Loera, Ernesto Bejarano, and Dolores Marquez-Frausto.

9. INSTRUCTIONAL SERVICES *(continued)*

9.01 Review and Approve the Implementation Plan for the Low Performing Students Block Grant

Public Comments:

- 1) Maria Martinez – Community member, asked if there were any students from Mathson Institute of Technology, what is their ethnicity were they, and in what area did they need improvement?
- 2) Rudy Macias – Community member, asked how the students were identified and how the students' hearing and vision were being evaluated. Lastly, he commented that Painter School needed a crossguard at that site.
- 3) Flor DeLeon – Community member, commented that she was concerned about the online classes because some students need one-on-one instruction. She also commented that the vendors need to be evaluated because some of them are not good vendors. She also commented that counselors are needed for students because not all teachers teach properly.
- 4) Brenda Zendejas – Community member, commented that teachers need better support programs like one-to-one for teachers who have students who are not performing.

Vice-President Ernesto Bejarano asked if there is a plan for evaluating effectiveness and if there would be more community engagement. He also asked if the district has a plan to get more input from principals and the teaching staff.

MOTION #10-01 by Member Andrés Quintero to accept and approve the Implementation Plan for the Low Performing Students Block Grant as presented. MOTION #10-01 was seconded by Clerk Dolores Marquez-Frausto.

Clerk Dolores Marquez-Frausto commended administration for bringing this in so quickly and wants a summer program for them.

Member Corina Herrera-Loera commented she wants a parent committee and is looking forward to the program.

MOTION #10-01 carried with a vote of 5 in favor; no opposition; no absent; and no abstention.

10. BUSINESS

10.02 Resolution No. 20-18/19 Update Agreement Between the Governing Board of ARUSD and the SCCOE Superintendent of Schools Regarding Necessary Revisions for Compliance with Statutory Budget Requirements in Conjunction with the Local Control Accountability Plan (Ed Code 42127 and 52070)

Assistant Superintendent Kolvira Chheng, reported that at the December 13, 2018 board meeting, the Board adopted Resolution No. 20-18/19. As a result, the District is required to comply with the recommendation and necessary revisions as outlined in said Resolution. Staff will provide a status report to the Board on a monthly basis.

Updates

Assistant Superintendent Kolvira Chheng reported the District is required to comply with the following:

- 1) Starting in January 2019 and continuing at a minimum through January 2020, the District will present a monthly report of certificated FTE. The report will be reconciled monthly with payroll to ensure the accuracy of the count. The monthly report of FTE will be compared to the current budgeted FTE to ensure the budget is on track.

Status: Attachment A includes the position control and payroll reports for the month of January 2019.

- 2) Starting in January 2019 and continuing at a minimum through January 2020, the District will present a monthly report of cash reconciliation for all funds.

Status: Attachment B includes a cash reconciliation report for all funds for the month of December 2018.

Clerk Dolores Marquez-Frausto and Vice-President Ernesto Bejarano both asked for clarification of the attachments. Assistant Superintendent Kolvira Chheng gave his response. Superintendent Hilaria Bauer commented that she would be more than happy to provide additional clarification to each of the Board members during their 1:1 board prep appointments with her.

5. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

5.01 Requests to Address the Board

- 1) Ellen Turner – Community member and representative for Better Alum Rock Schools, commented she was happy to finally see a full board in attendance. She stated that the community was paying attention and they would be holding the Board to their promises. She called on the community and Board to work on student success.

5. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

5.01 Requests to Address the Board

- 2) Natalie Dowd-Abal – Community member and representative from Rise Up Alum Rock, with a child at Ryan, gave thanks to the current Board for putting the students ahead of other agendas. She urged to the Board to use the process that was used for filling vacancies for future vacancies since it seemed to work well. She commented that the community will continue to keep the Board accountable – we need to work together!
- 3) Brenda Zendejas – Community member, congratulated Member Corina Herrera-Loera for her seat on the Board. She also commented on the process used for filling the board vacancy and stated they did not follow agreed protocol because they went with 4 instead of 3 finalists. She encouraged the Board to make sure things are more transparent for future candidates. Lastly, she reminded the Board not to forget the conversation about installing cameras at the schools for safety reasons.
- 4) Olivia Alma Fajardo – Community member, who read a letter from a parent that had to leave the meeting to go to work. The letter mentioned that in the past, the Board has asked for respect from the audience; however, when a Board member disrespects the audience, the same respect is not expressed and this is “inequality and one-sided”. When parents are in attendance at the meetings, the purpose is to advocate for the education of the students! The community hopes to work in collaboration with the Board.
- 5) Dilza Gonzalez – Community member, commented the LCAP forums were successful, the youth were involved and they left the room feeling important. She is looking forward to the new LCAP draft. Lastly, she commented that we are now on the right track working together and putting the students first. She gave thanks for finally having a relaxed meeting and focusing on the students!
- 6) Judy Thompson – Community member representing the Indivisible East San Jose Organization. She gave special recognition to the new Board and commented she was looking forward to a new beginning.
- 7) Flor DeLeon – Community member, gave thanks for the LCAP forums and for providing budget information. She spoke about several items that she felt were important such as: social and emotional development; arts to motivate students; restorative justice; and maintaining our budget.

6. COMMENTS AND COMMUNICATION

6.01 Teamsters

There were no representatives from Teamsters at this time.

6. COMMENTS AND COMMUNICATION *(continued)*

6.02 California School Employee's Association (CSEA)

There were no representatives from CSEA at this time.

6.03 Alum Rock Administrator's Association (ARAA)

Tara Bickford, President-Elect, congratulated the new Board members. She shared brief information on ILT, ELPAC, Interim Assessments, and the 3 ACSA candidates for moving forward to the State level. Candidates include Tracy Leathers, Ocala Principal, Middle School Administrator of the Year; Anna Nguyen, Renaissance Assistant Principal, Middle School Co-Administrator of the Year; and Denisse Mendez, Coordinator, Child Nutrition Services, Classified Leader of the Year. Alum Rock is proud to have these amazing leaders!

6.04 Alum Rock Educator's Association (AREA)

Jocelyn Merz – AREA President, welcomed Member Corina Herrera-Loera to the Board and commented that she knows she will bring a fresh start and is looking forward to working together. She also thanked the remaining members for not having to go the special election route. She also commented that she is hopeful the coaches will find a position and placement in the District. She now has more confidence for the future of the District and appreciates all the friendships she has made throughout the years.

6.05 Superintendent

Superintendent Hilaria Bauer acknowledged the Board with a “Happy Valentines Day”. She gave the Board a book entitled, “Leadership and Self-Deception” that had previously been given to the management team. She announced that Linda Vista had recently held a presentation, “The Grinch”, where Ms. Jessica Aguirre, anchor from NBC, donated a check for \$1,000 to the school. She shared that some of our Alum Rock students from the EL Summer Program had recently been on the cover of THINK Magazine 2018. Lastly, she gave thanks to the Board for giving her the opportunity to work as the Superintendent of Alum Rock Union Elementary School District!

6.06 Board of Trustees

Member Corina Herrera-Loera gave thanks and was very grateful to the community for their support. She also gave thanks to the staff that greets and smiles at our students each and every day. She commented that she is looking forward to connecting with the community. She stated that we need to love ourselves as well!

6. COMMENTS AND COMMUNICATION *(continued)*

6.06 Board of Trustees

Vice-President Ernesto Bejarano gave thanks to everyone for coming to the meeting on Valentines Day. He welcomed Member Corina Herrera-Loera to the Board. He also gave thanks to the community for their participation in the selection process and the candidates for applying. Vice-President Ernesto Bejarano commented that he was not happy and felt offended about what the media had portrayed about the District. He wanted ‘embattled’ gone and loves the idea of ‘resurgent’.

Member Andrés Quintero stated “Happy New Year” to those who celebrate Lunar New Year! He commented that he was very appreciative of the staff supporting the student in need at Painter Elementary.

President Linda Chavez shared that she recently visited three schools and was very pleased to see that Linda Vista has a ‘kids club’. She reported that she has been attending various meetings held at the Santa Clara County Office of Education and recently attended a Homeowners “Empower Home Buyers Program” – a great opportunity for certificated staff.

Clerk Dolores Marquez-Frausto welcomed Member Corina Herrera-Loera to the Board. She gave special thanks to Ms. Ella Southworth for her heretic gesture. Lastly, she spoke about her disappointment with the recent process used with the selection of the newest board member. There was a tie and the Board should have moved forward with 3 instead of taking the 4th.

7. BOND / FACILITIES

7.01 Approve the 2017-2018 Annual Performance and Financial Audit of General Obligation Bonds Reports for Measures J and I

Superintendent Hilaria Bauer reported that this agenda item was being pulled because the reports were not ready yet.

8. SUPERINTENDENT / BOARD BUSINESS

8.01 2019 Ballot for CSBA Delegate Assembly

The Board had dialogue on this agenda item.

MOTION #10-02 by Vice-President Ernesto Bejarano to move forward with the followings candidates for the 2019 CSBA Delegate Assembly (see names on following page):

8. SUPERINTENDENT / BOARD BUSINESS (continued)

8.01 2019 Ballot for CSBA Delegate Assembly

NAME OF CANDIDATE	SCHOOL DISTRICT
Andrés Quintero	Alum Rock SD
Bonnie Mace	Evergreen SD
David Cohen	Berryessa SD
George Sanchez	Franklin McKinley SD
Reid Myers	Sunnyvale SD
Van Le	East Side SD

MOTION #10-02 was seconded by Member Andrés Quintero.

The Board had additional dialogue.

A FRIENDLY AMENDMENT TO MOTION #10-02 by Vice-President Ernesto Bejarano to delete Candidate Reid Myers, Sunnyvale SD from his original MOTION and replace him with Candidate Danielle Cohen, Campbell SD. Member Andrés Quintero accepted his FRIENDLY AMENDMENT.

The revised list of candidates for the 2019 CSBA Delegate Assembly was as follows:

NAME OF CANDIDATE	SCHOOL DISTRICT
Andrés Quintero	Alum Rock SD
Bonnie Mace	Evergreen SD
Danielle Cohen	Campbell SD
David Cohen	Berryessa SD
George Sanchez	Franklin McKinley SD
Van Le	East Side SD

MOTION #10-02 carried with a vote of 5 in favor; no opposition; no absent; and no abstention.

8.02 Board Study Sessions

The Board had lengthy dialogue on this agenda item.

MOTION #10-03 by Member Andrés Quintero to move forward to set-up Board Study Sessions and authorize the Superintendent and her staff to poll the Board with appropriate times to move forward with goal-setting and team-building. MOTION #10-03 was seconded by Member Corina Herrera-Loera.

8. SUPERINTENDENT / BOARD BUSINESS *(continued)*

8.02 Board Study Sessions

Superintendent Hilaria Bauer stated the purpose of this was to set goals for the District and align them with their goals. The sessions would be designed to goal-setting and team-building.

Board Comments: Dolores Marquez-Frausto; Andrés Quintero; Ernesto Bejarano, and Linda Chavez.

MOTION #10-03 carried with a vote of 4 in favor; no opposition; no absent; and 1 abstention (Clerk Dolores Marquez-Frausto).

10. BUSINESS

10.01 Adopt Board Policy First Reading, BP5030-Student Wellness

Superintendent Hilaria Bauer reported during her 1:1 board prep with some of the board members, they indicated to her this Board Policy 5030 Student Wellness was not ready for the First Reading. She stated that there was no timeframe on this policy and they could bring it forward at the next meeting and this would allow the members to come back with edits.

Member Andrés Quintero cautioned his colleagues with coming back with too many edits because we pay CSBA to give us the proper language in order to stay within the law on all documents.

Vice-President Ernesto Bejarano stated he wants to ensure balance between the needs of our students and still remaining prudent with CSBA.

There was consensus from the Board to table this agenda item until March.

10.03 Alpha Public Schools Playground Structure Project

Assistant Superintendent Kolvira Chheng reported that Alpha Public Schools (APS) was requesting approval to build a playground structure located on the Slonaker School site and was intending to partner with KaBOOM, Inc., in order to secure a grant to fund the project. He stated that the District would not bear any financial responsibility and all costs would be the sole responsibility of APS. Assistant Superintendent Kolvira Chheng also reported that in the case of either party permanently ending its lease of the Slonaker site, APS would gift the proposed playground structure to the District. He was recommending that this project be approved. He reported the financial expert had reviewed the MOU for the structure.

10. BUSINESS (continued)

10.03 Alpha Public Schools Playground Structure Project

A few of the Board members had concerns regarding this MOU and asked if legal counsel could also review it.

Attorney Manuel Martinez shared that he could not analyze this MOU in a matter of an hour—he had to take many factors into account.

President Linda Chavez recommended this agenda item be tabled until the March meeting. There was consensus from the Board to table this agenda item until March.

11. HUMAN RESOURCES

11.01 Information Regarding Resignations

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

11.02 Approve Resolution No. 29-18/19 Elimination of Particular Kinds of Service and Criteria for Skipping and for Tie-Breaking for Certificated Employees

Interim Assistant Superintendent Jess Serna reported that given the current State of California budget crisis, the District is forced to consider the elimination of Particular Kinds of Service (PKS), for certificated positions for the 2019-20 school year. He reported that in order to implement this reduction in force, it might be necessary to apply the tie-breaker criteria to distinguish among permanent or probationary employees who first rendered paid service to the District on the same date. Interim Assistant Superintendent Jess Serna reported that the Superintendent was recommending the Board adopt the resolution to reduce the programs and services for 2019-20 as follows:

SERVICES	# OF FULL-TIME EQUIVALENT POSITIONS
Assistant Principals	3.0
Chief Special Services Officer	1.0
Coordinator, Special Education	1.0
Instructional Coaches (teachers)	25.1
Teacher, Physical Education	1.0
Total FTE Reduction	31.1

11. HUMAN RESOURCES *(continued)*

11.02 Approve Resolution No. 29-18/19 Elimination of Particular Kinds of Service and Criteria for Skipping and for Tie-Breaking for Certificated Employees

Interim Assistant Superintendent Jess Serna reported that Education Code Section 44949 and 44955 set forth the process and procedure that school districts must follow in order to conduct a reduction in force of certificated staff. This procedure requires a board resolution to reduce or eliminate particular kinds of services and the issuance of a March 15 notice to employee(s) affected by this action.

The Board had dialogue on this agenda item. They shared concerns they had about some of the affected positions. The Board was in consensus these suggested positions were the furthest away from the classroom.

Public Comments:

- 1) Flor DeLeon – Community member, commented she was concerned about losing the principals and assistant principals at certain schools. She was specifically concerned about losing the coach at Renaissance. She asked administration what the solutions were.
- 2) Jocelyn Merz – AREA President, commented she believes the instructional leadership at the school is the site administrator. She stated that come June, July, and August, the District will be hiring teachers to fill the classroom positions.

President Linda Chavez commented that the Board was elected by the voters to be here, and they have to balance the budget and make \$14M cuts somewhere—yes, these are very hard decisions that have to be made!

MOTION #10-04 by Member Andrés Quintero to accept and approve Resolution No. 28-18/19 as submitted. MOTION #10-04 was seconded by President Linda Chavez.

MOTION #10-04 carried with a vote of 5 in favor; no opposition; no absent; and no abstention.

12. CONSENT CALENDAR

Member Andrés Quintero asked to pull *Agenda Items 12.03 Contracts for Professional Services-Firms, specifically the Franklin Global Education Foundation Contract and 12.09 Resolution No. 23-18/19 Women's History Month-March 2019* to be discussed separately.

12. CONSENT CALENDAR *(continued)*

MOTION #10-05 by Member Andrés Quintero to accept the remainder of the Consent Calendar as amended. MOTION #10-05 was seconded by Clerk Dolores Marquez-Frausto.

MOTION #10-05 carried with a vote of 5 in favor; no opposition; no absent; and no abstention.

**12.03 Contracts for Professional Services-Firms
Franklin Global Education Foundation, McCollam School**

Contract provides 10 weeks of immersive Chinese learning sessions. As a result, students will establish a foundation of basic mandarin and raise the cultural awareness.

Member Andrés Quintero gave thanks and congratulated administration for bringing this contract forward. He commented a dual-immersion Mandarin school would be nice!

MOTION #10-06 by Member Andrés Quintero to accept and approve the Franklin Global Education Foundation as submitted. MOTION #10-06 was seconded by Vice-President Ernesto Bejarano.

MOTION #10-06 carried with a vote of 5 in favor; no opposition; no absent; and no abstention.

12.09 Resolution No. 23-18/19 Women’s History Month, March 2019

Member Andrés Quintero spoke about the importance of recognizing the female gender. He gave kudos to the many important and powerful women but especially his mother for being a very strong-willed woman.

Vice-President Ernesto Bejarano commented that he was fine with the resolution as written except for one sentence. He requested that the word “**now**” be deleted from the sentence found in the 5th **WHEREAS**. The revised sentence should read as follows:

WHEREAS, the role of women in history has been overlooked and undervalued and is an important part of the body of American and world history; and

12. CONSENT CALENDAR *(continued)*

12.09 Resolution No. 23-18/19 Women's History Month, March 2019

MOTION #10-07 by Vice-President Ernesto Bejarano to accept and approve Resolution No. 23-18/19 Women's History Month, March 2019 as amended. **MOTION #10-07** was seconded by Member Andrés Quintero.

MOTION #10-07 carried with a vote of 5 in favor; no opposition; no absent; and no abstention.

13. FUTURE BOARD AGENDA REQUESTS

13.01 Requests from Board of Trustees and/or from the Public

There were no requests made at this time.

14. ADJOURNMENT

14.01 President Adjourns the Meeting

MOTION #10-08 by Member Corina Herrera-Loera to adjourn the board meeting. **MOTION #10-08** was seconded by Member Andrés Quintero.

MOTION #10-08 carried with a vote of 5 in favor; no opposition; no absent; and no abstention.

President Linda Chavez adjourned the meeting at 9:28 p.m.

Respectfully submitted,


Dolores Marquez-Frausto
Board Clerk