



**Thursday, April 12, 2018  
AGENDA - REGULAR BOARD MEETING**

**Type: AGENDA - REGULAR BOARD MEETING**

**Time: 5:30 p.m.**

**Code: Regular #18-17/18**

**Location: ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT, 2930 Gay Avenue, San Jose, CA 95127; Board Room.**

**In compliance with the Americans with Disabilities Act, if you need special assistance in order to participate in the public meeting of the Board of Trustees, please contact the Office of the Superintendent at (408) 928-6822. Notification 72 hours prior to the meeting will enable the District to make reasonable accommodations.**

**1. OPEN SESSION - CALL TO ORDER AND ROLL CALL**

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1.01 CALL TO ORDER / ROLL CALL -- BOARD PRESIDENT ESAU RUIZ HERRERA.

1.02 ANNOUNCEMENT AND PUBLIC COMMENTS REGARDING ITEMS TO BE DISCUSSED IN CLOSED SESSION (Government Code Section 54957.7).

1.03 ADJOURNMENT TO CLOSED SESSION: The Board will adjourn to Closed Session at approximately 5:35 p.m. Open Session will resume approximately one hour after the commencement of Closed Session.

**2. CLOSED SESSION**

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2.01 CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) (4 potential cases). Discussion/Action.

2.02 CONFERENCE WITH LEGAL COUNSEL -- INITIATION OF LITIGATION. Pursuant to Government Code Section 54956.9 (c)(1). Discussion/Action.

2.03 CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION. Pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9): Professional Asbestos & Lead Services, Inc. v. Everlast Builders, Inc., and Alum Rock Union Elementary School District. Santa Clara County Superior Court Case No 17 CV305853. Discussion/Action.

2.04 CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION. Pursuant to paragraph (1) of Subdivision (d) of Government Code Section 54956.9: Bay Area Asphalt and Cement, et al. v. Alum Rock Union Elementary School District, et al. Santa Clara County Superior Court Case No. 17CV306628. Discussion/Action.

2.05 CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: AREA (Alum Rock Educator's Association); District Negotiators: (1) Hilaria Bauer, Ph.D., Superintendent; (2) Jess

Serna, Interim Assistant Superintendent, Human Resources; and (3) Maribel Medina, Attorney. Discussion/Action.

2.06 CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: CSEA (California Schools Employees Association); District Negotiators: (1) Hilaria Bauer, Ph.D., Superintendent; (2) Jess Serna, Interim Assistant Superintendent, Human Resources; and (3) Maribel Medina, Attorney. Discussion/Action. Discussion/Action.

2.07 CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: TEAMSTERS; District Negotiators: (1) Hilaria Bauer, Ph.D., Superintendent; (2) Jess Serna, Interim Assistant Superintendent, Human Resources; and (3) Maribel Medina, Attorney. Discussion/Action.

2.08 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957). Discussion/Action.

### **3. RECONVENE TO OPEN SESSION - DISTRICT OFFICE BOARD ROOM**

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3.01 CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE BY BOARD PRESIDENT ESAU RUIZ HERRERA.

3.02 REPORT OF ACTION TAKEN IN CLOSED SESSION.

3.03 DISCUSSION AND/OR MODIFICATION(S) OF THE AGENDA. The Board may change the order of business including, but not limited to, an announcement that an agenda item will be considered out of order, that consideration of an item has been withdrawn, postponed, rescheduled or removed from the Consent Calendar for separate discussion and possible action.

### **4. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD**

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4.01 "REQUESTS TO ADDRESS THE BOARD" provides members of the public an opportunity to speak to the Board about any matter under the jurisdiction of the Board and not otherwise on the agenda. Those who wish to address specific agenda items will have an opportunity to do so when that agenda item is introduced and presented during this meeting. Individuals wishing to speak are requested to proceed to the podium. There is a three-minute time limit for each speaker. The Board will automatically refer to staff any formal written requests that are brought before them at this time. Written matters may be placed on a future meeting.

### **5. COMMENTS AND COMMUNICATION**

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5.01 Teamsters.

5.02 California School Employee's Association (CSEA).

5.03 Alum Rock Administrator's Association (ARAA).

5.04 Alum Rock Educator's Association (AREA).

5.05 Superintendent.

5.06 Board of Trustees/Communications/Comments.

### **6. SPECIAL PRESENTATION AND/OR RECOGNITION**

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6.01 SPECIAL PRESENTATION: RENAISSANCE @ FISCHER AND RENAISSANCE @ MATHSON.

### **7. PUBLIC HEARING**

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7.01 PUBLIC HEARING. CSEA Chapter 305 Initial Bargaining Proposal to Open Negotiations with the Alum Rock Union Elementary School District for the period of July 1, 2018-June 30, 2019.

### **8. BOND / FACILITIES**

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8.01 INFORMATION: The Board will receive a written update on the status of bond projects.

8.02 INFORMATION: The Board will receive a written update from the Citizens Bond Oversight Committee.

8.03 ACTION: Award of Contract Hazard Management Services.

8.04 ACTION: Award of Contract National Econ Corp.

8.05 ACTION: Award of Contract Applied Material & Engineering, Inc.

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## **9. CONTRACTS OVER \$100,000**

9.01 ACTION: Approve Contract Increase with Mohawk Commerical Inc., Maintenance, \$40,000.00.

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## **10. SUPERINTENDENT/BOARD BUSINESS**

10.01 INFORMATION/DISCUSSION/ACTION: Ratification of Alum Rock Union Elementary School District's Appeal of the Santa Clara County Office of Education's Determination to Stay and Rescind All Actions.

10.02 INFORMATION/DISCUSSION/ACTION: The Board will have discussion around School Safety.

10.03 INFORMATION/DISCUSSION: CSBA Sample of Board Policy 5112.5, Students, Closed Campus.

10.04 INFORMATION/DISCUSSION/ACTION: Discussion around Next Steps pertaining to the George/Fischer Multi-Purpose Rooms.

10.05 INFORMATION/DISCUSSION/ACTION: Discussion around George Multi-Purpose Community Room that will exclude the George campus pertaining to the Earthquake Faultline.

10.06 INFORMATION/DISCUSSION/ACTION: Mathson Community Center Update (Former MACSA center).

10.07 INFORMATION: The Board will have discussion on Beautiful Day.

10.08 DISCUSSION/ACTION: Adopt the 2nd Reading of the Amended Board Policy 2121, Superintendent's Contract, Administration.

10.09 DISCUSSION/ACTION: Board-Created Standing Committees. The Board will discuss the merits of, and may take action to create various Board Committees, such as (1) Bonds, Facilities, and Finance Committee; (2) Curriculum and Technology Committee; (3) Parent Engagement Committee; and (4) Small Schools and Innovation Committee. If Board-Created Committees are created, committee appointments will also be made.

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## **11. INSTRUCTIONAL SERVICES**

11.01 INFORMATION/PRESENTATION: Local Control Accountability Plan (LCAP)-Initial Findings Presentation.

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## **12. BUSINESS**

12.01 INFORMATION/DISCUSSION: FISCAL EXPERT UPDATE. Assistant Superintendent Kolvira Chheng will provide a Fiscal Expert update to the Board.

12.02 INFORMATION/DISCUSSION: FCMAT UPDATE. Assistant Superintendent Kolvira Chheng will provide a FCMAT update to the Board.

12.03 ACTION: Approval of Easement Agreement between Alum Rock Union Elementary School District (Grantor) and the City of San Jose (Grantee) to allow Grantee permission to install an underground public sanitary sewer line and related underground sanitary sewer activities which includes construction, maintenance, operation, repair and replacement at the Horace Cureton School site.

12.04 ACTION: Approve the 2016-2017 Annual Performance Audit Report.

12.05 ACTION: Approve the 2016-2017 Annual Performance Audit Report for Measure J and Measure I.

12.06 INFORMATION/ACTION: Approval of Escuela Popular Proposition 39 Project.

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### **13. HUMAN RESOURCES**

13.01 INFORMATION Regarding Resignations.

13.02 ACTION: Accept CSEA Chapter 305 Initial Bargaining Proposal to Open Negotiations for the period of July 1, 2018-June 30, 2019 with the Alum Rock Union Elementary School District.

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### **14. CONSENT CALENDAR**

14.01 ACTION: Approval of Minutes for the following meetings: (1) December 14, 2017, Organizational Board Meeting; and (2) February 27, 2018, Special Board Meeting.

14.02 ACTION: Approve Contracts for Professional Services - Firms.

14.03 ACTION: Approve Memorandum(s) of Understanding(s).

14.04 ACTION: Acceptance of Donations.

14.05 ACTION: Approval of Fundraising Activities.

14.06 ACTION: Enrollment/Attendance Report for Month 6 (January 22, 2018 thru February 16, 2018).

14.07 ACTION: Enrollment/Attendance Report for Month 7 (February 19, 2018 thru March 16, 2018)

14.08 ACTION: Approve the Santa Clara County Treasury Investment Portfolio Status.

14.09 ACTION: Resolution No. 33-17/18; Asian Pacific Heritage Month.

14.10 ACTION: Resolution No. 34-17/18; Cinco De Mayo Week.

14.11 ACTION: Resolution No. 35-17/18; Week of the Teacher.

14.12 ACTION: Approve/Ratify Notices of Employment and Changes of Status/April 12, 2018/Human Resources Department.

14.13 ACTION: Approve Out of State Travel, 2018 City Year Investors Summit, Washington D.C., March 14-15, 2018 for Hilaria Bauer. Estimated cost \$550.

14.14 ACTION: Approve the AREA 2018-2019, 2019-2020 and 2020-2021 Calendars.

14.15 ACTION: Quarterly Report on Williams Uniform Complaints.

14.16 ACTION: School-Sponsored Field Trip List.

**15. FUTURE BOARD AGENDA REQUESTS**

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15.01 Requests from Board of Trustees and/or from the Public.

**16. ADJOURNMENT**

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16.01 President adjourns the meeting.