

**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, September 12, 2019, 5:30 p.m. at the Alum Rock Union School
District Office Board Room, 2930 Gay Avenue, San Jose, CA 95127
Meeting #04-19/20**

1. OPEN SESSION

1.01 Call to Order / Roll Call/ Pledge of Allegiance

President Linda Chavez welcomed everyone in the audience. President Linda Chavez called the Board Meeting to order at 5:30 p.m. followed by Roll Call.

Board Members Present:

Linda Chavez	President
Ernesto Bejarano	Vice-President
Dolores Marquez-Frausto	Clerk (<i>absent</i>)
Andrés Quintero	Member (<i>arrived late at 5:38 p.m.</i>)
Corina Herrera-Loera	Member

Administrative and Support Staff Members Present:

Dr. Hilaria Bauer	Superintendent
Rene Sanchez	Assistant Superintendent, Instructional Services
Carlos Moran	Assistant Superintendent, Human Resources
Kolvira Chheng	Assistant Superintendent, Business Services
Maribel Carrillo	Sr. Executive Assistant, Superintendent's Office

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

1. OPEN SESSION *(continued)*

Public Comment:

- 1) Allen Dorem from Teamsters 150 said the Teamsters have reached an agreement he appreciated the relationship he has with staff and they are very professional. He is recommending the contact.
- 2) Jocelyn Merz from AREA wanted to acknowledge the teachers that they have here after a long workday and dressed in black. Asked the Board to keep them in mind while they are in closed session.

1.02 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.

President Linda Chavez announced that the Board would reconvene to Open Session at approximately 6:33 p.m. The Board adjourned to Closed Session at 5:33 p.m.

Superintendent Bauer asked President Linda Chavez respectfully to reopen the meeting for agenda item 2.01 for a presentation.

President Linda Chavez opened the Board meeting at 5:35 p.m.

2. SPECIAL PRESENTATION/RECOGNITION

2.01 Special Recognition for Elementary Spelling Bee Adelante I- Student Recognition.

Assistant Superintendent Rene Sanchez said over the summer there was a National Spelling Bee where Adelante I students went to led by Principal Ms. Maria Martinez.

Principal Ms. Maria Martinez said she was a proud principal of Adelante I Dual Language Academy was able to share fantastic work with two of her teachers and students. The National Spelling Bee has been happening for the past 7 seven years where students have gone to New Mexico, San Antonio Texas and Denver Colorado.

Teacher Ms. Magdalena Villegas said this was a wonderful opportunity to strengthen their Spanish skills and she was very proud. Thanked the Board for their support.

Teacher Ms. Patricia said there was a lot of participation of students from different schools. The students participated from 9:00 a.m. to 9:00 p.m.

Student Diego said he participated in the National Spelling Bee he was very proud. He said he really liked it and wants to work really hard so he can make it for the next year's National Spelling Bee.

2. SPECIAL PRESENTATION/RECOGNITION

Superintendent Bauer asked Diego how many words do you need to memorize in Spanish to participate.

Diego responded too many.

Vice-President Ernesto Bejarano asked how much time did they spend studying for the competition.

Diego responded he did not spend much time studying.

Principal Ms. Maria Martinez said there was 11 rounds cycling through. She commented she was not only proud of representing Adelante I but also representing Alum Rock School District.

Parent Aracely Rodriguez said she is the mother of Gabriel and Mateo. She said the question Vice-President Ernesto Bejarano should have asked how many times did they complain because her son did not want to study. She commented there was 10 rounds they exhausted the list. There were students from different parts of the world. She thanked everyone for their support.

Principal Maria Martinez had a PowerPoint presentation showing pictures of the students at the National Spelling Bee.

President Linda Chavez announced that the Board would reconvene to Open Session at approximately 6:46 p.m. The Board adjourned to Closed Session at 5:46 p.m.

1.03 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 5:35 p.m.

4. RECONVENE TO OPEN SESSION

4.01 Call to Order / Pledge of Allegiance

The Board reconvened to Open Session at 7:20 p.m. President Linda Chavez welcomed everyone and took a second Roll Call in which all Board Members were present.

4.02 Report of Action Taken in Closed Session

Superintendent Bauer reported that the Board took the following actions:

4. RECONVENE TO OPEN SESSION *(continued)*

3.01 *With a 4 in favor and 1 absent (Clerk Dolores Marquez-Frausto, the Board approved Matter of EECOC case#556201900489 materials of settlement a one lump payment in the amount of \$5,000 to the affected employee paid by the District and credit 25 days of sick release and claims a copy of the settlement agreement is available from the District upon request,*

3.06 *With a 4 in favor and 1 absent (Dolores Marquez-Frausto), the Board Approved an evaluation instrument for the Superintendent's 2019-2020 evaluation and a copy of the instrument is available at the District upon request.*

5. PUBLIC HEARING

President Linda Chavez opened up for Public Hearing at 7:22 p.m.

6. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

6.01 Requests to Address the Board

Member Andrés Quintero asked to move the following agenda items before *Agenda Item 5.02 Regarding Sufficiency of Instructional Materials.*

9.07 *Consideration of the Stipulation and order by the Fair Political Practices Commission in the matter of Dolores Marquez for School Board 2016, Dolores Marquez for Santa Clara County Board of Education 2014, Dolores Marquez, and Anjelica Frausto; FPPC No. 17/106, on August 15, 2019, and the findings therein, and applicable Board Bylaws, and options for Board action and recourse.*

14.10 *Resolution No. 07-19/20 Support for California Schools and Local Communities Funding Act.*

11.01 *Resolution No. 20 18-19 Update Agreement 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 (Education Code 42127 and 52070).*

9. Superintendent/ Board Business

9.07 Consideration of the Stipulation and order by the Fair Political Practices Commission in the matter of Dolores Marquez for School Board 2016, Dolores Marquez for Santa Clara County Board of Education 2014, Dolores Marquez, and Anjelica Frausto; FPPC No. 17/106, on August 15, 2019, and the findings therein, and applicable Board Bylaws, and options for Board action and recourse.

Superintendent Bauer received a message from Clerk Dolores Marquez-Frausto asking if the Board would consider tabling this item.

President Linda Chavez commented Clerk Dolores Marquez-Frausto was given the opportunity to be here today but she is at a conference.

Member Corina Herrera-Loera read Board Resolution #08-19/20 Censure of Board Member Dolores Marquez. She said in the interest of fairness she presented this resolution for consideration.

MOTION #04-01 by Corina Herrera-Loera to place resolution today on the agenda for our next regular board meeting on October 10, 2019; if Dolores Marquez has a response, she is to place it in writing, before the meeting. Response should include publicly disclosing the substantiating the source of the \$5,000 cashier's check referenced in the August 15, 2019, California Fair Political Practices Commission approved Stipulation, Decision and Order Case Number 17/0106 to assure the board and public there is no conflict of interest on any matters before the Board of Trustees. MOTION #04-01 was seconded by Member Andrés Quintero.

Vice-President Ernesto Bejarano said he wanted to make an amendment to the resolution to add remove Dolores Marquez from the Bond Committee effective immediately upon approval of the resolution. He asked Counsel Peter Rehon if that would be alright.

Counsel Peter Rehon replied a censure is a formal process one or more its members had a violation it cannot affect Board member's responsibility and duties. He would not recommend the amendment.

Member Corina Herrera-Loera said she spoke to Counsel Rogelio Ruiz before bringing this resolution and asked him about the Bond Committee if it should be added he said since it was voted on to bring it back to the Board.

Vice-President Ernesto Bejarano commented he spoke to Counsel Rogelio Ruiz and asked the same question.

9. Superintendent/ Board Business (continued)

Member Andrés Quintero said he agreed with Vice-President Ernesto Bejarano they cannot hold a band-aid and have the community wait around. He said the resolution presented by Corina Herrera-Loera is based on facts. Clerk Dolores Marquez-Frausto had the opportunity to defend herself to the FPPC and it resulted in a \$7000 settlement. He commented that basically, Clerk Dolores Marquez-Frausto admitted to it by signing a settlement. He said his concern is where did those \$5000 come from. He commented his colleague supported the Del Terra contract and he refused to participate.

Vice-President Ernesto Bejarano asked Counsel Peter Rehon if he feels what they are doing is logical or should they move on with it this evening.

Counsel Peter Rehon replied his recommendation is to what Member Corina Herrera-Loera noted to the calendar for the October 10th meeting. This will give the opportunity for Clerk Dolores Marquez-Frausto to respond in writing or appear before the Board and disclose questions and where the funds came from before the Board votes on the censure.

Member Andrés Quintero encouraged the Board to include the disclosure as to where did the funds come from.

Vice-President Ernesto Bejarano asked Counsel Peter Rehon assuming they did not get an answer from Clerk Dolores Marquez-Frausto at the October 10th meeting then how effective is the censure.

Counsel Peter Rehon replied the censure voted as proposed by Member Corina Herrera-Loera it is sufficient to protect the Board and to guide the Board in the future. The Board would need to take it on a case to case situation and the resolution would be inactive on October 10, 2019, framed by Member Corina Herrera-Loera this would not prejudice the problems and concerns in the future.

Vice-President Ernest Bejarano asked Counsel Peter Rehon if he could elaborate on his statement regarding the case by case situation.

Counsel Peter Rehon responded that clearly, the issue is the Board does not know where the funds came from and they are concerned about a potential conflict. He thinks it is fair to resolve those issues as they come up.

President Linda Chavez asked for Public Comments.

9. Superintendent/ Board Business (continued)

Public Comments:

1. Jocelyn Merz AREA President said she was going to read part of an email she sent to President Linda Chavez and Vice-President Ernesto Bejarano dated August 28, 2019, regarding this agenda item. She appreciates that there are being addressed. If Clerk Dolores Marquez-Frausto cannot account where the \$5000 came from how can she made decisions for the District with an annual budget of \$120,000,000 plus. Where is she going to substantiate where those funds came from. Can she substantiate that they did not come from a vendor that does business with the District which could be a potential conflict of interest.
2. Dilza Gonzalez thanked the Board for bringing this item to the public. She is worried about a Trustee that cannot manage \$5000 but is handling programs and money. She agrees that Clerk Dolores Marquez-Frausto should not be a part of the Bond Committee.
3. Flor De Leon thanked the Board for being transparent with this issue. Clerk Dolores Marquez-Frausto should not be part of the Bond Committee. There are schools that do not have air conditioning. She would like to invite the Board to a Community Forum on September 27, 2019, at 7:30 at FRC.
4. Ray Muller said he is highly concerned about having a person that has been here for a long time and has proven to have been doing things illegally. There is nothing she can say that she has not told FPPC. She has a tactic of missing meetings. He said they would be fighting on the issue of the contractor and she would miss month after month. He said Clerk Dolores Marquez-Frausto does not respect the people it would be nice to get this done. He said to the Board has the support of the community.

Member Corina Herrera-Loera asked Counsel Peter Rehon can the Board ask Clerk Dolores Marquez-Frausto to leave her sit and if he could the process if that could be done.

Counsel Peter Rehon replied as freedom of speech, yes you can ask Clerk Dolores Marquez-Frausto to do anything but you cannot direct her or remove her. That is part of the election process.

Vice-President Ernesto Bejarano asked what is the process to remove Clerk Dolores Marquez-Frausto from the Bond Committee.

Superintendent Bauer replied it is to her understanding the items can be moved by the majority and they can bring the item back to the body for amendment. She said Vice-President Ernesto Bejarano wants to know how to undo the Bond Committee.

9. Superintendent/ Board Business (continued)

Member Andrés Quintero said there was a previous Board member that attempted to use the parliamentary procedure to bring back an item again only the prevailing side can bring it back to the agenda.

Counsel Peter Rehon replied any item can be brought back to be agenized. He commented he is 80% certain.

Member Andrés Quintero said under the Robert Rules of Order you can bring the item back on the day of the meeting if you were on the prevailing side.

MOTION #20-01 carried with a vote of 4 in favor; no opposition; one absent (Dolores Marquez-Frausto); and no abstention.

Consent Calendar- Board Discussion And/ Or Action

14.10 Resolution No. 07-19/20; Support for California Schools and Local Funding Act.

MOTION #04-02 by Member Andrés Quintero to approve Action Items 6.02 as presented. MOTION #04-02 was seconded by Member Corina Herrera-Loera.

Member Andrés Quintero said the reason he put in this resolution was in support of schools and the community. Schools and community first is an effort to equalize us. He is asking his colleagues to support this resolution forward.

President Linda Chavez said she is not supporting this because proposition 13 will mean higher taxes on businesses and homeowners. Families are leaving because the rent is high.

Vice-President Ernesto Bejarano asked President Linda Chavez what source did she get her information.

President Linda Chavez replied from the Howard Jar Tax Association. They first adopted proposition 13 in California. She said the state said the District is not spending their money right.

Member Andrés Quintero said proposition 13 does not target residential property nor business'. He said there are massive corporations that never change owners and pay the same taxes. Proposition 13 puts us in line with other states.

President Linda Chavez said she is a retired business owner and she got taxed for the inventory space she rented. Her concern is if you are a mom and pop business how this affects them. She will not be supporting this item.

Consent Calendar- Board Discussion And/ Or Action

Member Andrés Quintero wanted to clarify this is a new proposal and business owners are exempt.

President Linda Chavez commented the reason why it has been difficult for small businesses because they cannot afford California tax and the small businesses are moving to the south of Texas.

Member Corina Herrera-Loera said she is supporting this item because she believes it is fair.

Member Andrés Quintero commented if California is a horrible place why is it the 5th largest economy of the world and businesses are doing so well.

President Linda Chavez said in the past 10 years 75% of businesses have left. They open up their business and close in 5 years because they are not successful.

President Chavez asked if there is any public comment.

Public Comments:

- 1) Flor De Leon said proposition 13 is very important this will bring in \$11.5 billion dollars to the community and \$4.5 billion for education per year. She said salaries for teachers need to increase. The empuje parents support this proposition. This proposition is already in the ballot for 2020.
- 2) Alison Lingolani Chair from CBOC said the proposition 13 was from 1978 and the intent was to protect homeowners especially the elderly from losing their homes. The proposition will have everyone pay their fair share. This will protect small businesses and our children deserve this.
- 3) Camille Llanes-Fontanilla Executive Director from Somos said this proposition will restore \$11 million in services. She commented the rest of the money would go into health care and public safety.
- 4) Dilza Gonzalez commented she is concerned about people misinforming parents the rent will go higher. The policy says otherwise. She said they are losing small businesses it is not because of the tax rate there is a housing problem.
- 5) Rafael Zarate said he sent a recent email to the Board addressing his concerns regarding his concerns about the Community Liaison cuts. He told President Linda Chavez she had an interest in self-preservation instead of the interest of the community and schools. He formally petitioned to get the minutes where there were cutbacks of the Community Liaisons.

Consent Calendar- Board Discussion And/ Or Action

MOTION #04-02 carried with a vote of 3 in favor; one opposition (President Linda Chavez); one absent (Dolores Marquez-Frausto); and no abstention.

Business Services- Board Discussion And/ Or Action

11.01 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 (Education Code 42127 and 52070).

Superintendent Bauer commented this was a recurring item. She asked Member Andrés Quintero if there was something in particular needed.

Member Andrés Quintero replied no the public requested this item to be moved up.

Assistant Superintendent Chheng said this item is a resolution the Board requested. This item will be on the agenda until January 2020. The County office is monitoring the progress.

Vice-President Ernesto Bejarano commented he has asked questions regarding this item. He said Superintendent Bauer has answered his questions. The Board approves the expenditures and it goes to the District from there to the County office.

Assistant Superintendent Chheng replied to Vice-President Ernesto Bejarano he was correct. He said it goes through the process for approval.

President Linda Chavez opened up the public hearing at 8:28 p.m.

5. Public Hearing

5.02 GANN Limit Calculations.

6. Public Members Who Wish to Address the Board

6.01 “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 requests that are brought before them at this time. Written matters may be placed on a future meeting.

6. Public Members Who Wish to Address the Board (continued)

- 1) Alma Fajardo a parent from Painter is thankful for the Board Agenda translation to Spanish and Vietnamese. She asked if legal documents be translated also.
- 2) Ray Muller spoke about the census not making it to this Board Agenda and it will be in the next Board Agenda.
- 3) Sandra Barra a kindergarten teacher at Cesar Chavez said she did not have air-conditioning in her classroom. She put a work order since August 15, 2019 and it has not been fixed.
- 4) Teacher at Fisher said in the conditions teachers are put in are hard. Fisher lost their Community Liaison for a couple of hours. They do not have a resource teacher, instructional coach and assistant principal.
- 5) Rita Mister a 5th grade teacher at Mc Collam stated she is asked to do cover it all even when the computers are not working nor the air-conditioning. She said there is no library books for students.
- 6) Brenda Zendejas said several parents are concerned about having a substitute teacher and they do not have the proper communication. She commented there is no bathroom for the kindergarten class that her son is in.

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)

Tara Brickford ARAA President and Principal of Joseph George thanked MOT for ensuring that everything was good for the first day of school.

5. COMMENTS AND COMMUNICATION *(continued)*

7.04 Alum Rock Educator's Association (AREA)

Jocelyn Merz said it was a bittersweet start with the tragic passing of Cynthia Mykkanen over the summer. She thanked the district for the monetary donation to Next Door Solutions in Cythina Mykkaen's name. She said AREA acknowledges the turmoil the district has been in. She commented that the district is asking the county for a waiver for the output of the teachers' salaries. She said they are grateful for the articles for the bargaining tentative agreement. She thanked whoever planned out the Back to School BBQ.

6.05 Superintendent

Superintendent Bauer said she appreciated AREA President Jocelyn Merz's remarks. She commented it has been very difficult at the beginning of the school year. She wished she had a magic wand and fix everything. She thanked everyone at Alum Rock School District.

6.06 Board of Trustees

Vice-President Ernesto Bejarano said there had been many challenges and they have made a lot of progress. He commented to expose students to other career paths. He mentioned to staff to follow up with Voler regarding the terms of the deliverables and to discuss an opportunity to do more for the district. He thanked Senior Executive Assistant Maribel Carrillo for setting up computers for the Board Meeting in order for him and the Board members to access Board Docs. He also acknowledged her hard work.

Member Corina Herrera-Loera said she remembers a year ago sitting in the audience and she knows there are many areas of growth as a new leader. She said as a leader she will continue to do her best. She commented that she spent many hours on the resolution she brought forth today. She said this type of behavior cannot be allowed in their district. She looks forward to seeing everyone at meetings.

Member Andrés Quintero said he shared many of his concerns with a lot of folks. He said he trusts that the staff has been doing a good job. He commented there were mistakes made in the past and he is glad that they moved ahead. The people who sign up to be on the Board need to do a good job. He thanked Superintendent Bauer for the great job she is doing and for bringing back credibility to the district.

President Linda Chavez thanked everyone for being at the Board meeting. She said there has been training for the Board. She commented she respected the staff because they are doing a great job. She said she is learning every day and said being a Board member is not easy.

8. Contracts Over \$100,000—Board Discussion And/ Or Action

8.01 Approve Contract with Accountable Healthcare Staffing for Occupational therapy services for students with this requirement in their IEP's, Special Education, \$100,800.00.

Superintendent Bauer asked respectfully that the Board approve this item.

MOTION #04-03 by Member Andrés Quintero to approve Action Items 8.01 as presented. MOTION #04-03 was seconded by Member Corina Herrera-Loera.

Vice-President Ernesto Bejarano asked if it will cover all the occupational services for this year.

Anthony Colonna, Director of Special Education Services responded it does cover the occupational services.

Vice-President Ernesto Bejarano asked if it covers all the sites.

Director Anthony Colonna replied yes it does.

President Linda Chavez asked if there was any Public Comment.

President Linda Chavez asked for a vote.

MOTION #04-03 carried with a vote of 4 in favor; no opposition; one absent (Dolores Marquez-Frausto); and no abstention.

9. Superintendent/Board Business

9.01 Second Reading of Amended Board Policy 1312.3 And Administrative Regulations-Uniform Complaint Procedures.

MOTION #04-04 by Member Corina Herrera-Loera to approve Action Items 9.01 as presented. MOTION #04-04 was seconded by Member Andrés Quintero.

MOTION #04-04 carried with a vote of 4 in favor; no opposition; one absent (Dolores Marquez-Frausto); and no abstention.

Superintendent Bauer said items 9.02, 9.03, 9.04, and 9.05 are for first reading this is for consideration and amendments.

President Linda Chavez said she wanted the Board to consider amending Board bylaw 9322.

Superintendent Bauer asked President Linda Chavez what is the change she wants to include.

9. Superintendent/Board Business (continued)

President Linda Chavez said she will bring changes for the next Board meeting for consideration.

Member Corina Herrera-Loera wants an amendment to Board bylaw 9220 in regards to the Limitation of Contribution and Expenditures for it to be changed from \$500 to \$1000. She will send over the changes through email to Superintendent Bauer.

Vice-President Ernesto Bejarano asked how soon are the edits needed.

Superintendent Bauer replied 7 days before the meeting.

MOTION #04-05 by Member Andrés Quintero to approve Action Items 9.03, 9.04 and 9.05 for a first reading as presented. MOTION #04-05 was seconded by Vice-President Ernesto Bejarano.

MOTION #04-05 carried with a vote of 4 in favor; no opposition; one absent (Dolores Marquez-Frausto); and no abstention.

9.06 Approve Board Members participation in the CSBA Masters Governance Training to address training recommended by the State Audit Report.

Vice-President Ernesto Bejarano said he will not be supporting this item. His understanding that this is for the Board to receive an additional amount of money from the allotted amount already given to the Board.

President Linda Chavez said she signed up for the Governance class that alone cost over \$5000. She commented it does not include meals.

Vice-President Ernesto asked if this was specifically for President Linda Chavez.

President Linda Chavez replied it was for the Board.

The Board had a discussion.

MOTION #04-06 by Member Andrés Quintero provide \$100 to Trustee Chavez's professional development fund in addition to her current professional development fund to get the training she needs. MOTION #04-06 was seconded by Vice-President Ernesto Bejarano.

MOTION #04-06 carried with a vote of 4 in favor; no opposition; one absent (Dolores Marquez-Frausto); and no abstention.

10. Instructional Services

10.01 2019 California Assessment of Student Performance and Progress (CAASPP) and English Language Proficiency Assessments for California (ELPAC).

Presentation from Ms. Britany Rykels Coordinator from Academic Services. Some of the highlights included the following:

- ELPAC four areas: reading, writing, and listening.
- Scores by the school- a total of each site
- Language Proficiency
- ELA second language
- ELPAC testing
- Homeless students 131 and 36 foster students
- California Dashboard ELA & Math
- 83% of Social Economic Students

Superintendent Bauer said for the past four years there has been a reduction of English learners.

Vice-President Ernesto Bejarano asked if the foster students in their own subgroup.

Coordinator Ms. Brittany Rykels replied that they do not have their own subgroup for the dashboard.

Vice-President Ernesto Bejarano thanked Coordinator Ms. Brittany Rykels for her presentation. He asked if there was information based on data.

Assistant Superintendent Rene Sanchez replied the data used is an ongoing process that their principals use. He said areas they focus on are through their data.

Vice-President Ernesto Bejarano said Alum Rock families face challenges that are beyond the classroom. He commented on more partnerships and resources for these families.

Member Corina Herrera-Loera said that intervention needs to be provided. She wanted to know if the district is getting grants.

Assistant Superintendent Sanchez asked for the Board members to look at slide 15 and explained this is where students are redesignated to English proficient. They are state average and or they are beyond the state average.

Member Corina Herrera-Loera commented that one thing she wanted to point out is homeless students were not present during the time of testing. She wants to know if there are any type of transportation that could be provided to these students.

10. Instructional Services (continued)

Superintendent Bauer commented the presentation of tonight is for the extended year.

President Linda Chavez said she is closing the Public Hearing of Gann Limit Calculations and Sufficiency of Instructional Materials at 9:48 p.m.

10.02 Regarding Sufficiency of Insufficiency of Instructional Materials.

Superintendent Bauer asked the Board to respectfully approve this resolution.

MOTION #04-07 by Member Andrés Quintero to approve Action Item 10.02 as presented. MOTION #04-07 was seconded by Vice-President Ernesto Bejarano.

MOTION #04-07 carried with a vote of 4 in favor; no opposition; one absent (Dolores Marquez-Frausto); and no abstention.

10.03 Presentation Extended Year Programs- Summer 2019

Presentation from Mr. Jason Scorch, Technology and Ms. Sandra Garcia Director of State and Federal.

Director Ms. Sandra Garcia presented Ms. Geinah Nerra and Ms. Gloria Hayas-Perkins to do the presentation.

Some of the highlights included the following:

- Two summers programs at Evergreen Valley College and San Jose City College
- 96.8 % of parents participation
- 91% of home visits
- 33% of Bridge to Kinder
- Advanced math program
- Steam program
- Jose Valdes program
- Special Education programs
- Workshop with Google employees
- Library Night

Gloria and Dina showed a short video of students.

Vice-President Ernesto Bejarano thanked Gloria and Dina for spending time with our kids during the summer. Helping them to develop access for the grade they will be in.

Member Corina Herrera-Loera thanked Gloria and Dina for supporting students especially the one that are struggling.

11. Business Services-Board Discussion And/Or Action

11.02 Unaudited Actual Financial Reports for 2018-2019 Report to the Board on Unaudited Actuals as Required by Law.

Assistant Superintendent Kolvira Chheng did a presentation of the 2018-2019 report. Some of the highlights included the following:

Combined General Fund Revenue Sources

- LCFF- State Aid & EPA \$73,316,094
- Federa/State/Local \$23,344,058
- LCFF- Property Taxes \$30,980,231

Combined General Fund Expenditures

- Employee Benefits 40,175,371
- Classified Salaries 19,556,817
- Certificated Salaries 60,394, 244
- Books and Supplies 4,241,383
- Capital Outlay 602,237

Superintendent Bauer asked the Board to repestfully approve this item.

MOTION #04-08 by Member Andrés Quintero to approve Action Item 10.02 as presented. MOTION #04-08 was seconded by Member Corina Herrea-Loera.

Member Corina Herrera-Loera thanked Assistant Superintendent Chheng for the report. She said it was easy to understand and for your hard work.

President Linda Chavez asked if there was any Public Comments.

MOTION #04-08 carried with a vote of 4 in favor; no opposition; one absent (Dolores Marquez-Frausto); and no abstention.

11.03 Application for Exemption from the Required Expenditures for Classroom Teachers' Salaries.

Superintendent Bauer asked the Board respectfully support and approve this application.

MOTION #04-09 by Vice-President Ernesto Bejarano to approve Action Item 10.02 as presented. MOTION #04-09 was seconded by Member Andrés Quintero.

Vice-President Ernesto Bejarano asked if Assistant Superintendent Chheng could explain the exemption.

11. Business Services-Board Discussion And/Or Action (continued)

Assistant Superintendent Chheng replied half of the elementary schools are not meeting these requirements are outdated. He said CFF and LCAP are coated unrestricted the dollars. He commented ore districts are going to be facing this.

Vice-President Ernesto Bejarano asked if certain districts will feel the impact more than others.

Assistant Superintendent Chheng replied yes, they will feel the impact. Those amounts to those districts described it will be in the way they spend their dollars.

President Linda Chavez asked if there was any Public Comment.

- 1) Jocelyn Merz said in the last years she has never heard of Alum Rock asking for a waiver except for the last two years. She said restricted funds can be moved to different places.

MOTION #04-08 carried with a vote of 4 in favor; no opposition; one absent (Dolores Marquez-Frausto); and no abstention.

12. Bonds

12.01 Citizen's Bond Oversight Committee (CBOC) Appointment.

MOTION #04-10 by Member Andrés Quintero to approve Action Item 12.01 as presented. MOTION #04-10 was seconded by Vice-President Ernesto Bejarano.

MOTION #04-10 carried with a vote of 4 in favor; no opposition; one absent (Dolores Marquez-Frausto); and no abstention.

Motion made by Member Andrés Quintero to extend the Board Meeting to 11:00 p.m. Second by Member Corina Herrera-Loera.

12.02 Citizen's Bond Oversight Committee Report

Presentation from Ms. Allsion Cingolani CBOC Chair. Some of the highlights included the following:

- Introducing the CBOC- Robert Duran
- Committee Activites
- Measure J-Francine Brissey
- Measure I- Francine Brissey

12.02 Citizen's Bond Oversight Committee Report *(continued)*

- Needs of ARUSD facilities
- Conditions impacting the ARUSD Bond program 2017/2018
- Bond projects active in 2017/2018-Allison Cingolanni
- Summary of Measure J Performance Audit, Financial Statements, and Internal Controls Report
- Performance Audit Summary
- Financial Statement Summary
- Internal Controls Report Summary
- Citizens' Bond Oversight Committee Response
- Concerns and Questions
- District's Answers to the Questions raised by the CBOC
- Conclusions of the Committee

Robert Duran said the community wants to regain trust with the district regarding the bonds. That they will be used to fix the schools.

Flor DeLeon said she is also part of this committee. She wanted to thank Minh Pham for all his help. She said this is an example of what kind of committees need to be created in Alum Rock School District.

Vice-President Ernesto Bejarano asked what was the amount that was roughly borrowed.

Alison Cingolani responded she does not know.

Vice-President Ernesto Bejarano asked Counsel Peter Rehon if he could meet with this committee.

Counsel Peter Rehon replied that yes he could as an individual and he does not see it being a problem with the Brown Act.

Alison Cingolani said she welcomed everyone to attend the meeting and told the Board members they are welcomed as long as there are only two Board members.

Vice-President Ernesto Bejarano asked Voler can post on social media postings of slots that need to be filled.

Alison Cingolani said they have one slot that needs to be filled it is for a senior citizen community member.

13. Human Resources

13.01 Information Regarding Resignations

14. CONSENT CALENDAR

There was a consensus from the Board to combine and take action on Agenda Items 14.01, 14.02, 14.04, 14.05, 14.06, 14.07, 14.08, 14.09, 14.10, 14.11, 14.12, 14.13 and 14.15 to discuss.

Member Corina Herrera-Loera asked to pull Agenda Item 14.03 Approval of Fundraising Activities to be discussed separately.

President Linda Chavez asked to pull Agenda Item 14.14 Approval of Fundraising Activities to be discussed separately.

14.01 Approval of Minutes for the following meeting: (1) June 27, 2019, Regular Board Meeting.

14.02 Acceptance of Donations.

14.04 Acceptance of Vendor & Payroll Warrants.

14.05 Approve the Santa Clara County Treasury Investment Portfolio Status.

14.06 Resolution No. 02-19/20: Creating a College Culture.

14.07 Resolution No. 03-19/20: Hispanic Heritage Month-September 15-October 15, 2019.

14.08 Resolution No. 04-19/20: Character Education Month-October, 2019.

14.09 Resolution No. 05-19/20: Week of the School Administrator- October 13-19, 2019.

14.10 Resolution No. 07-19/20: Support for California Schools and Local Communities Funding Act.

14.11 Resolution No. 06-19/20: GANN Limit Calculations

14.12 School-sponsored Field Trip List.

14.13 Approve/Ratify Notices of Employment and Changes of Status/September 12, 2019/Human Resources Department.

14.15 Approve Memorandum(s) of Understanding (s).

MOTION #04-11 by Member Andrés Quintero to approve Agenda Items 14.01 14.02, 14.04, 14.05, 14.06, 14.07, 14.08, 14.09, 14.10, 14.11, 14.12, 14.13 and 14.15 as presented. MOTION #04-11 was seconded by Vice-President Ernesto Bejarano.

MOTION #04-11 carried with a vote of 4 in favor; no opposition; one absent(Clerk Dolores-Marquez-Frausto); and no abstention.

14.03 Approval of Fundraising Activities

Member Corina Herrea-Loera mentioned to the staff to be mindful of the dates. This item is coming after the fact. She does not feel comfortable approving items that already occurred.

14. CONSENT CALENDAR *(continued)*

MOTION #04-12 by Member Corina Herrera-Loera to approve Agenda Item 14.03 as presented. MOTION #04-12 was seconded by Vice-President Ernesto Bejarano.

MOTION #04-12 carried with a vote of 4 in favor; no opposition; one absent(Clerk Dolores-Marquez-Frausto); and no abstention.

14.14 Approve Contracts for Professional Services Firms

President Linda Chavez said she is going to approve this item. She wants to state for the record approve Planned Parenthood because the state mandates it but under protest. She would like to see if anyone else could provide this kind of education that Planned Parenthood is offering.

MOTION #04-13 by Vice-President Ernesto Bejarano to approve Agenda Item 14.14 as presented. MOTION #04-13 was seconded by Member Corina Herrera-Loera.

MOTION #04-13 carried with a vote of 4 in favor; no opposition; one absent(Clerk Dolores-Marquez-Frausto); and no abstention.

15. FUTURE BOARD AGENDA REQUESTS

Vice-President Ernesto Bejarano wants to request two items to be on the October 2019 Board Meeting Agenda and one item for the November 2019.

- 1) The appointment of a new Board member- October 2019
- 2) Item to remove Trustee Marquez from the Bond Facilities Committee-October 2019.
- 3) Facilities Assessment- November 2019

Member Andrés Quintero would like a report back on an item regarding the preservation of murals and artwork approved 6 months ago. He would to know the policies in place.

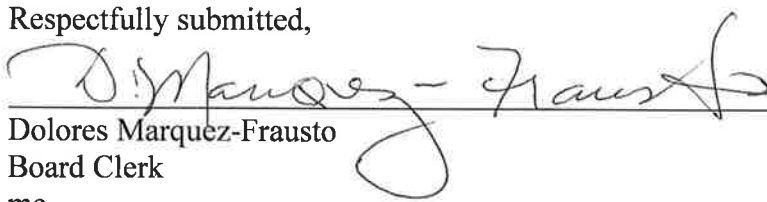
15.01 Requests from Board of Trustees and/or from the Public

16. ADJOURNMENT

16.01 President Adjourns the Meeting

President Linda Chavez adjourned the meeting at 10:55 p.m.

Respectfully submitted,



Dolores Marquez-Frausto

Board Clerk

mc