

**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, December 12, 2019, 5:30 p.m. at the Alum Rock Union School
District Office Board Room, 2930 Gay Avenue, San Jose, CA 95127
Meeting #08-19/20**

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 (arrived late at 5:39 p.m.)
Andrés Quintero	Member
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

1. OPEN SESSION *(continued)*

1.01 Call to order/Roll Call/Pledge of Allegiance

President Linda Chavez said there was a quorum.

1.02 Nomination for Board President

Vice-President Ernesto Bejarano nominated himself for Board President. There was no second made to this nomination and no vote was taken.

Member Andrés Quintero nominated Member Corina Herrera-Loera for Board President. There was no second made to this nomination. Member Corina Herrera-Loera accepted the nomination.

President Linda Chavez said she voted for Vice-President Ernesto Bejarano. She said the vote was two against two. She commented that the Board should wait for Clerk Dolores Marquez-Frausto to continue with the vote.

Vice-President Ernesto Bejarano asked Counsel Rogelio Ruiz if they can wait vote for Clerk Dolores Marquez-Frausto to continue with the vote.

Member Andrés Quintero said to continue and have a revote.

Member Corina Herrera-Loera retracted her nomination for Board President.

The nomination carried with a vote of 4 in favor, 0 opposition; one absent (Clerk Dolores Marquez-Frausto); and no abstention.

Ernesto Bejarano is now the new Board President.

1.03 Nomination for Board Vice-President

Member Andrés Quintero nominated Member Corina Herrera-Loera for Board Vice-President and she accepted the nomination.

The nomination carried with a vote of 4 in favor, 0 opposition; one absent (Clerk Dolores Marquez-Frausto); and no abstention.

Corina Herrera-Loera is now the new Board Vice-President.

1. OPEN SESSION *(continued)*

1.04 Nomination for Board Clerk

Newly-elected Board Vice-President Corina Herrera-Loera nominated Member Andrés Quintero for Board Clerk. There was no second made to this nomination. Member Andrés Quintero accepted the nomination.

The nomination carried with a vote of 4 in favor; no opposition; one absent (Member Dolores Marquez-Frausto); and no abstention.

Andrés Quintero is now the new Board Clerk.

1.05 Approve and Appoint the Superintendent as the Secretary of the Board.

MOTION #08-01 by Clerk Andrés Quintero to approve Action Item 1.05 as presented. MOTION #08-01 was seconded by Vice-President Corina Herrera-Loera.

MOTION #08-01 carried with a vote of 4 in favor; no opposition; one absent (Member Dolores Marquez-Frausto); and no abstention.

Superintendent Bauer said she had received an email regarding if the Board would consider moving public comment before closed session.

2. Special Presentation-Discussion And Consideration Only (No Action)

2.01 Healthier Kids Foundation Presentation

Superintendent Bauer spoke on item 2.01 and asked Director of Student Services Norma Flores could start the presentation.

Director Ms. Norma Flores spoke about the Healthier Kids Foundation and introduced Ms. Kathleen King CEO from Healthier Kids Foundation, who gave a Power Point presentation. Some of the highlights included the following:

Kids Matter	Vision First
-Alum Rock Union School District+ Healthier Kids Foundation=Our impact as Partners Screenings=50,466. Success cases, children that received care=5,646 Children that received glasses= 2177 - Parents participating in Healthy Lifestyle classes= 3900 Babies and children enrolled in health insurance=4,843 Received Dental Education=89 Total Services=64,944	-Our impact in ARUSD -29,188 children vision screened since 2015 -14% of children were found to have some type of vision issue -53% of these children ended up in a pair of new glasses

2. Special Presentation-Discussion And Consideration Only (No Action)(continued)

Hearing First	Dental First
-Our impact in ARUSD -10,836 children hearing screened since 2017 -4% of children were found to have some type of hearing issue after the 2 nd screening -77% were successfully treated	-10,442 children dental screened since 2014 -36% of children were found to have some type of dental issue -68% of these children had successful outcomes

President Ernesto Bejarano said there are children with serious dental situations.

Ms. Kathleen King said there is a child that has severe autism and he has Kaiser. She said getting funded to get him in to get dental work done is hard.

Ms. Norma Flores said there are 12 kids the community liaisons are working with and sometimes they are unable to reach the parents.

Member Linda Chavez asked what the date was for a class in January 2020.

Ms. Kathleen King replied she will get back to her with a date.

Vice-President Corina Herrera-Loera asked about a comment Ms. Kathleen King made regarding children of immigrants. She wants to know where Ms. Kathleen King got her data.

Ms. Kathleen King replied she would look into it and get back to her.

Vice-President Corina Herrera-Loera commented that she is a daughter of an immigrant and when comments are made like that there should be data to back up what is being said.

Ms. Kathleen King replied she was glad Vice-President Corina Herrera-Loera said she needed data to back up what was said. She said she should not be making assumptions without having the proper backup.

Member Andrés Quintero was thankful for what Ms. Kathleen King has done going through hoops to get assistance for the Alum Rock children.

Ms. Kathleen King mentioned there are 21,000 children getting screened from this side of town, Morgan Hill, and Gilroy.

2. Special Presentation-Discussion And Consideration Only (No Action)(continued)

President Ernesto Bejarano thanked Ms. Kathleen King for her presentation and for what is being done at the district.

Ms. Kathleen King commented that if the Board knows of any children that need screenings, to let Ms. Norma Flores know or herself.

2.02 Volersa Presentation

Mr. Rolando Bonilla of Voler gave a Power Point presentation. Some of the highlights included the following:

- Media outreach
- Enrollment marketing & outreach
- Social Media
- Video production
- Engage parents and families
- Build trust and support in our community

Partner to enroll and retain students

- \$ 2.3 M in publicity value
- 3.4 k mentions
- 967.3 M reach

President Ernesto Bejarano said he was happy with the video quality and social media posts. He asked what the narrative is of the district.

Mr. Rolando Bonilla replied the narrative is that good things are coming out of the district and Alum Rock rocks in East San Jose.

President Ernesto Bejarano said the narrative is the highlight of the successes and asked if you are able to see the outcomes.

Mr. Rolando Bonilla responded it is the lifestyle with basic quality teachers and students.

President Ernesto Bejarano asked if the brochures and social media would be the fastest communication strategy.

Mr. Rolando Bonilla replied that those were tools being used. He said you need to demonstrate what is going on in the district.

President Ernesto Bejarano said Cision is a primary way to show the effectiveness

2. Special Presentation-Discussion And Consideration Only (No Action)(continued)

Mr. Rolando Bonilla commented they do not want to get information from any source they do not trust. He said Cision is being used by big companies and, for those reasons, they partnered with Cision.

President Ernesto Bejarano asked if there is any anticipated target on social media coming this year.

Mr. Rolando Bonilla responded there is no need for that. He said the community is engaged.

President Ernesto Bejarano said the population would like to engage with these programs with an intentional target.

Mr. Rolando Bonilla replied you can have an intentional target but there is a target with the community already and it is not necessary.

6. Public Members Who Wish to Address the Board

President Ernesto Bejarano commented there will only be 2 minutes for each speaker a total of 20 minutes.

Vice-President Corina Herrera-Loera said she was not opposed to open public comments now and reopen them after closed session.

Counsel Rogelio Ruiz replied there is no rule that prohibits the reopening of public comments.

Public Comments:

- 1) Natalie Ball said she is a community leader and she spoke on term limits. She said there are 558 signatures of parents who also want term limits.
- 2) Claudia Cuello commented, as parents, they want two-term limits. She said there needs to be an effective school board policy.
- 3) Deliza Gonzalez said term limits have been a topic that has been brought up many times and she wants the Board to take action.
- 4) Flor De Leon spoke about term limits and she asked to have transparency. She said there need to be new Board members with new innovative ideas.

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

President Ernesto Bejarano asked the public if there are any other items that are not agendaized that they would like to speak about.

3. Closed Session

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

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

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

President Ernesto Bejarano announced that the Board would reconvene to Open Session at approximately 8:38 p.m. The Board adjourned to Closed Session at 6:38 p.m.

4. RECONVENE TO OPEN SESSION

4.01 Call to Order / Roll Call

The Board reconvened to Open Session at 8:46 p.m. President Ernesto Bejarano welcomed everyone and took a second Roll Call in which all Board Members were present. There was a quorum.

President Ernesto Bejarano asked Counsel Rogelio Ruiz to report out what was discussed in Closed Session.

4.02 Report of Action Taken in Closed Session

Counsel Rogelio Ruiz reported that the Board took the following action:

3.04 To approve settlement agreement of E Garza, payment in the amount of \$25,000.00 and parties will pay their own attorney fees, with a vote of 3 in favor; 2 opposition (Member Dolores Marquez-Frausto and Linda Chavez); no absent; and no abstention.

Counsel Rogelio Ruiz said there were no further actions to report.

4.03 Discussion And/Or Modification(s) of the Agenda

There was none.

5. Public Hearing

5.01 Public Hearing

President Ernesto Bejarano opened the public hearing at 8:52 pm.

Assistant Superintendent Moran said there will be reopeners with Alum Rock Educators' Association for negotiations for the 2019-2020 school year.

President Ernesto Bejarano closed the public hearing at 8:53 pm.

7. Comments and Communications

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 (ARAA)

Le Tran, vice-president of ARAA and principal at Painter Elementary, said December 2019 was a very eventful month with VAPA, that held an amazing program at Eastridge Mall. She spoke about the Vietnamese Dual Program at Painter and invited the Board to the next meeting on January 15, 2020.

Member Linda Chavez clarified that the Board President is Ernesto Bejarano, the Vice-President is Corina Herrera-Loera and the Clerk is Andrés Quintero.

7.04 Alum Rock Educator's Association (AREA)

There were no representatives from AREA at this time.

7. Comments and Communications (continued)

7.05 Superintendent

Superintendent Bauer asked Avtar Gill, director of Information Technology Services to share what he experienced during his conference in Mexico.

Director Avtar Gill thanked the Board and Superintendent Bauer for the opportunity to travel to Mexico. He said Mr. Juan Carlos Miramontes, Secretary of Education from Guadalajara, Jalisco, Mexico invited him to attend the event as a state guest. He showed a video of his trip.

Superintendent Bauer thanked Andres Martinez from NASA for connecting Director Avtar Gill to Mr. Juan Carlos Miramontes.

7.06 Board of Trustees/Communication/Comments

Vice-President Corina Herrera-Loera said she attended the Golden Bell Awards and went to the VAPA program at Eastridge Mall. She commented she is grateful to all the staff for leading their children. She reminded the community of the Safety and Wellness Committee Meeting which will take place on January 21, 2020, and if anyone is interested, to let her know.

Clerk Andrés Quintero said he attended the Delegate Assembly at CSBA. He said there were a lot of actions that took place at the Delegate Assembly with which he did not agree. He mentioned Albert Gonzalez from San Jose Unified School District always makes sure there is geographic representation. He commented he attended the Golden Bell Awards where Ocala Steam Academy was presented with an award.

Member Dolores Marquez-Frausto said, unfortunately, she was unable to attend the CSBA Conference but she will be attending the NALEO conference. She commented that CSBA is too expensive and she does not like the organization. She mentioned she attended the VAPA program at Eastridge Mall. She thanked the staff that was present and the staff that see it through. She wished everyone a happy holiday and she mentioned she will try to go to as many schools as possible.

Member Linda Chavez thanked the district for sending her to CSBA and she mentioned she returned early because she got sick. She said CSBA she will not submit to the district the cost she incurred at CSBA.

7. Comments and Communications (continued)

President Ernesto Bejarano spoke about a comment that was made of him on social media regarding how he wanted to be a Trustee for 20 years or more. He wants to make a clarification that he came into this position because he wants to make a difference. He commented he attended CSBA and he said he learned a lot there. He said he attended a class for first time trustees and he learned a lot. He said he spoke to other neighboring districts regarding term limits and found out none of them have term limits in their districts. He said the voters should decide who they want to represent the district. He said he encourages people to share information with him that could make a difference in the district.

Clerk Andrés Quintero gave a shout out to the newly elected CSBA President Xilonin Cruz and said she is a Board Member from Pasadena, California. He said President Xilonin Cruz has dedicated her time to the community.

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

8.01 Approve contract with T-Mobile Empower Ed Award, which will support the District in expanding digital access and narrowing the digital divide for all Alum Rock students, Business Services Division, \$428,000.00.

Superintendent Bauer commented there is a presentation prepared for this item. She said the district is preparing the children for the future. She introduced Mr. Jason Sorich, Educational Technology Administrator and Mr. Avtar Gill, Director of Information Technology Support Services to give a presentation.

Mr. Jason Sorich shared a short video. He spoke about transforming education for students and teachers. He said this would include developing flexible classrooms and spaces. He commented this program will be based on learning.

MOTION #01-08 by Clerk Andrés Quintero to approve Action Item 8.01 as presented. MOTION #01-08 was seconded by Member Linda Chavez.

Public Comments:

- 1) Maria Martinez, parent, asked to make sure the teacher is ready to show the students how to use the technology. She thanked Mr. Jason Sorich.

President Ernesto Bejarano asked Maria Martinez if she was speaking about drums.

Vice-President Corina Herrera-Loera thanked Mr. Jason Sorich for the presentation. She commented she was glad this was going to prepare their students for the future. She said this prepares our students with the right materials and that we train their teachers in order to teach the students how to use the tools.

8. Contract Over \$100,000—Board Discussion And/Or Action *(continued)*

Clerk Andrés Quintero commented he embraces technology and said there is a crisis in the teaching field. He said there is a lack of teachers.

Superintendent Bauer said this contract will allow internet access to parents. She said Verizon does not provide elementary school students this service.

Member Linda Chavez said a lot of jobs are going to be obsolete. She said there is going to be a need with this expertise.

Member Dolores Marquez-Frausto asked Superintendent Bauer if this is connectivity is a simpler term for wifi. She said a lot of families she has visited do not have wifi. She said she would hold her comments regarding this program. She will be monitoring it whether she is a Trustee or not. She commented to Superintendent Bauer that she applauds her for bringing this program to the table.

Superintendent Bauer said T-Mobile will be bringing the devices to the district but the connectivity will not be free.

President Ernesto Bejarano said this is a significant investment in our families and it is also a significant monetary investment. He asked about the cycle of purchasing, lottery, and the rollover to give a summary.

Superintendent Bauer said she would turn over the question to Assistant Superintendent Chheng.

Assistant Superintendent Chheng replied in regards to the cost of the program, the lottery funds would be allocated. He said there is a total of \$511 thousand dollars. He commented that there are two potential grants from the City of San Jose and the district will know if that it will be recipient by Valentine's Day.

President Ernesto Bejarano asked if the lottery funds are earmarked for materials.

Assistant Superintendent Chheng replied it is for textbooks.

President Ernesto Bejarano asked if textbooks and materials have already been purchased for the earmark for this year and if bringing access tools to the district would this prepare teachers. He asked in phase three what is the thought.

Mr. Jason Sorich replied it is currently at Sheppard and it is an observation tool in the classroom on the surface. He said it allows you to pinpoint the needs and provides videos for the teachers. He said it also provides online professional development.

8. Contract Over \$100,000—Board Discussion And/Or Action *(continued)*

President Ernesto Bejarano asked if that would be the model as we move forward.

Member Dolores Marquez-Frausto said she wanted clarification on where the 48 thousand dollars are going to come from.

Assistant Superintendent Chheng replied there are allocated funds that would cover the cost. He said one of them would be from the City of San Jose and the district would know by mid-February and the other one would be a potential merger with Sprint and T-Mobile which would reduce the connectivity cost.

Member Linda Chavez asked Assistant Superintendent Chheng if he had that in writing.

Assistant Superintendent Chheng replied yes he does have it in writing with the City of San Jose.

Clerk Andrés Quintero commented that digital conclusion fund will be coming out of the towers. He said the City of San Jose was able to negotiate with the big cell phone companies.

MOTION #01-08 carried with a vote of 5 in favor; no opposition; no absent; and no abstention.

9. Superintendent/Board Business—Board Discussion And/ Or Action

9.01 Approval of First Amendment to Superintendent's Employment Agreement Memorializing Three Percent (3%) increase to Base Salary Retroactive to July 1, 2018.

Counsel Rogelio Ruiz said at the last Board meeting during the open session the Board had approved the 3% salary increase and 9.01 is an amendment to the employment agreement which is included in Section I for Board approval. He said the current base salary is 212,178.00 thousand dollars annually and with the 3% increase it is 218,543.34 annually. He commented this was the first amendment and he is recommending approval.

MOTION #02-08 by Clerk Andrés Quintero to approve Action Item 9.01 as presented. MOTION #02-08 was seconded by Vice-President Corina Herrera-Loera.

Member Dolores Marquez-Frausto said she did not vote for the retro because the district cannot afford it. She said where is the district getting all this money. She commented she supported the 428 thousand dollars for T-Mobile because it is a tool that is needed for students. She said she will not be supporting this item.

9. Superintendent/Board Business—Board Discussion And/ Or Action

President Ernesto Bejarano commented on the raise which will be 68 thousand dollars more annually. He said this is a very competitive salary versus the male superintendents in the area that make much more money. He feels this is justified.

Clerk Andrés Quintero said the law requires an administrator which is the superintendent and the district needs to have a good superintendent. He said Superintendent Bauer time and time again has proven that. He commented that partnerships require trust. He said he trusts the action that is being taken today because the district has a good superintendent.

Vice-President Corina Herrera-Loera commented there are many reasons why the Board needs to move ahead with the item and there was a discussion about this item at last month's Board Meeting.

Member Linda Chavez said her focus is on student achievement. She said under Superintendent Bauer the student achievement has not been doing well and she will not be supporting this item.

Clerk Andrés Quintero commented that the buck stops with the Board of Trustees. He said the blame should not be on Superintendent Bauer in something that is out of her control. He commented that the Board should hold themselves to the same standards. He said when he sees someone putting in the work, that person deserves remuneration.

Member Dolores Marquez-Frausto said the district is at 'orange' according to Dashboard. She said it is our job to have student achievement. She commented that partnerships cost the district money. She said the last time it did not cost us money, it cost people their jobs. She said this was going to cost the district money that it does not have. She commented she will not support it.

Member Linda Chavez said she wants to support the district and the superintendent but she cannot support the retro based on the comment Superintendent Bauer made that she would not change anything. She mentioned there are a lot of good things Superintendent Bauer has done and she has made a lot of mistakes, too. She commented she would support Superintendent Bauer but not her 3% retro.

President Ernesto Bejarano said the Board needs to make sure that the staff and superintendent are held accountable for the work they are supposed to do. He commented that everyone is responsible for the Dashboard. He said the Board needs to work as a team, provide guidance and structure. He commented at the end of the day, the buck stops with the Board and the superintendent, and for those reasons, he is supporting this item.

9. Superintendent/Board Business—Board Discussion And/ Or Action *(continued)*

Public Comments:

- 1) Deliza Gonzalez said since Superintendent Bauer has been here, the district has grown. She sees how parents engage and are being a part of the school. She said the community loves Superintendent Bauer and respects her. She commented that Superintendent Bauer is going to get about 6 thousand dollars more and she deserves that and more.
- 2) Maria Martinez commented that Superintendent Bauer refused to get an increase in 2017 and she is very proud of her.

MOTION #02-08 carried with a vote of 3 in favor; two opposition (Member Dolores Marquez-Frausto and Member Linda Chavez); no absent; and no abstention.

9.02 Approval of Renewal of Superintendent's Employment Agreement for the Period July 1, 2020-June 30, 2023.

Counsel Rogelio Ruiz said last month at the Board Meeting the superintendent's contract was renewed starting July 1, 2020, through June 30, 2023. He said there are copies of the renewal of the contract made available for the public. He commented the new contract will not take effect until July 1, 2020, and must be in good terms by the Board. He said the changes are the updated salary provision which was approved for 218,543.34 thousand dollars and cents and he added language for the nonduty days. He said the superintendent cannot take more than 5 consecutive nonduty days during the school year at any given month based on the superintendent's existing contract.

MOTION #03-08 by Vice-President Corina Herrera-Loera to approve Action Item 9.01 as presented. MOTION #03-08 was seconded by Clerk Andrés Quintero.

Clerk Andrés Quintero said the district is moving in the right direction despite the previous Board Members. He commented there was the approval of nonexisting contracts and there were contracts that did harm to the district. He said despite all of that, the district is moving forward. He commended Superintendent Bauer and said he will be supporting this item.

Member Linda Chavez said she will be supporting the superintendent. She commented there were a lot of things done bad, but there were a lot of good things. She said there has been a lot of partners coming to Alum Rock and they have been noticing Alum Rock. She said Superintendent Bauer is trying, and she is trying to support her. She said she will be supporting this item and Superintendent Bauer has a lot of work that she still has to do.

9. Superintendent/Board Business—Board Discussion And/ Or Action *(continued)*

Member Dolores Marquez-Frausto said she will not be supporting this item. She said she was hoping to come to an agreement about nonduty days. She said 5 consecutive days is a long time for the superintendent to be away. She commented that other neighboring districts superintendents only take two days off. She said she would have supported this contract but because of 5 nonduty days, she will not be supporting this item.

President Ernesto Bejarano said the Board was informed there were other district superintendents that took only two days off, but those districts do not meet in July. He commented that 5 days is a reasonable amount of time, but in an event, she needs to take the time to make sure her staff is prepared and capable.

Vice-President Corina Herrera-Loera commented she trusts Superintendent Bauer and her team.

MOTION #03-08 carried with a vote of 4 in favor; one opposition (Member Dolores Marquez-Frausto); no absent; and no abstention.

MOTION by Clerk Andrés Quintero to extend the Board Meeting to 11:15 pm. Second by Member Linda Chavez.

The Board was in consensus.

9.03 Form J-13A; Request for Allowance of Attendance Due to Emergency Conditions.

Superintendent Bauer explained Form J-13A that needs to be submitted to the state to cancel out the days the district was off due to the power outage.

MOTION #04-08 by Vice-President Corina Herrera-Loera to approve Action Item 9.03 as presented. MOTION #04-08 was seconded by President Ernesto Bejarano.

Vice-President Corina Herrera-Loera asked President Ernesto Bejarano if the Board can vote by name so it could be easier for Senior Executive Assistant, Maribel Carrillo.

President Ernesto Bejarano replied that he had asked legal counsel and it is not required.

Senior Executive Assistant Maribel Carrillo explained to President Ernesto Bejarano the reasons why it would be better to vote by name.

Superintendent Bauer commented that it would be easier for Senior Executive Assistant Maribel Carrillo to do the minutes of the Board vote by name.

9. Superintende]nt/Board Business—Board Discussion And/ Or Action *(continued)*

Vice-President Corina Herrera-Loera said she would help Senior Executive Assistant Maribel Carrillo due to the interest of time.

MOTION #04-08 carried with a vote of 4 in favor; no opposition; one absent (Clerk Andrés Quintero); and no abstention.

9.04 Board Self-Evaluation

President Ernesto Bejarano said this a potential Study Session to further the Board Self Evaluation.

Vice-President Corina Herrera-Loera commented that in terms of transparency we need to do what we were elected to do and one of the Board members did not do the Board Self Evaluation. She said she spoke to one of the CSBA representatives who recommended that the one member that has not done the Board Self Evaluation complete it. She asked if it was alright to ask Member Dolores Marquez-Frausto to complete it before a certain time.

President Ernesto Bejarano asked Counsel Rogelio Ruiz if the information provided by the CSBA representative is accurate.

Counsel Rogelio Ruiz replied that it is accurate and CSBA is willing to open the Board Self Evaluation.

Clerk Andrés Quintero said this item should be tabled because the Board is wasting valuable time.

President Ernesto Bejarano asked if there is a timeframe for this item and since there is a motion on the floor to table this at this time, he asked if there was a second.

Member Dolores Marquez-Frausto said there is a lot of miscommunication. She said if the Board had spoken to Senior Executive Assistant, Maribel Carrillo or had Maribel Carrillo spoken to Superintendent Bauer this would have been on the agenda.

President Ernesto Bejarano asked Member Dolores Marquez-Frausto if this discussion was pertinent to table this item.

Member Dolores Marquez-Frausto replied that the discussion is pertinent to table this item. She said there was miscommunication superintendent's staff and Superintendent Bauer regarding why she was unable to do the Board Self Evaluation. She commeted that when she was supposed to do it, she had to wait three hours for Mr. Avtar Gill's staff to see why she was unable to do her Board Self Evaluation.

9. Superintendent/Board Business—Board Discussion And/ Or Action *(continued)*

President Ernesto Bejarano said he had the authority to moderate the Board Meeting.

Member Dolores Marquez-Frausto said this should have never happened if there would have been communication.

President Ernesto Bejarano said to Member Dolores Marquez-Frausto to summarize what happened if there were things out of her control.

Member Dolores Marquez-Frausto said President Ernesto Bejarano missed the point she was trying to make. She said it was CSBA's fault. They did not take responsibility for her not being able to take her Board Self Evaluation.

President Ernesto Bejarano apologized to Member Dolores Marquez-Frausto for cutting her off, but he needed to be mindful of the time. He commented that the Board is not looking to see who is at fault. The Board is seeking a solution.

Member Dolores Marquez-Frausto said when this is being brought to CSBA and brought to the board meeting making it look like she failed, it needs to be addressed.

President Ernesto Bejarano replied he does not agree with what Member Dolores Marquez-Frausto said. He said in terms of this item, the Board is trying to move forward. He said this is not to point fingers at anyone as far as he is concerned. He asked if the Board was alright with the motion that is on the floor to table this item.

Vice-President Corina Herrera-Loera said to Member Dolores Marquez-Frausto that she was not saying it was her fault because there are always glitches. She commented that the only reason why she mentioned Member Dolores Marquez-Frausto's name was that she was the only one that has not completed the Board Self Evaluation. She said she wants to make sure the person that did not complete the Board Self Evaluation completes it.

President Ernesto Bejarano mentioned the motion on the floor does not give time to complete the Board Self Evaluation. He asked Counsel Rogelio Ruiz if all of the Board needs to complete the Board Self Evaluation for it to be completed.

Counsel Rogelio Ruiz replied, in the end, you cannot compel people to do something. He said CSBA has offered to reopen the Board Self Evaluation for additional time. He mentioned if the Board can agree to open it for additional time and have all members complete it, then the Board can schedule the Board Study Session now. He said then CSBA can give you the results again.

President Ernesto Bejarano asked Clerk Andrés Quintero if he would like to amend his motion to reflect a completion date.

Clerk Andrés Quintero said he would like to table the item until they choose to participate. If not, it is a clear picture of the dysfunction of the Board.

9. Superintendent/Board Business—Board Discussion And/ Or Action *(continued)*

President Ernesto Bejarano asked Clerk Andrés Quintero to restate his motion.

Motion #05-08 by Clerk Andrés Quintero to table this to get to the point where the evaluation is completed.

President Ernesto Bejarano asked Clerk Andrés Quintero if he could amend the motion.

Amended Motion #06-08 by President Ernesto Bejarano to table this item giving two weeks for completion. If we do not have that completion at that time then we move forward with or without the completion. Second by Vice-President Corina Herrera-Loera.

Member Linda Chavez asked if the Board Self Evaluation could be completed with only four and she asked Member Dolores Marquez-Frausto if she wanted to complete the Board Self Evaluation.

Member Dolores Marquez-Frausto replied she would like to have a discussion to have another agency do the Board Self Evaluation. She commented that CSBA is willing to reopen it when it was their fault as to why she did not complete it.

Clerk Andrés Quintero commented on his own experience with the Board Self Evaluation. He said the Board received multiple reminders from Superintendent Bauer. As a result of the reminders, he went on the CSBA site and completed it.

President Ernesto Bejarano said he was going to call for the vote.

MOTION #06-08 carried with a vote of 3 in favor; one opposition (Member Dolores Marquez-Frausto); no absent and one abstention (Member Linda Chavez).

9.05 The Board will consider setting up a Board Study Session to review the Facilities Assessment.

Motion #07-08 by Clerk Andrés Quintero to hold the Board Study Session and to have the staff poll the Board for a time that works for all of us for the Study Session. Second by Vice-President Corina Herrera-Loera.

Member Dolores Marquez-Frausto asked the staff when they start the poll, please do not consider weekends because she had three grandkids she takes care of because the parents work weekends.

Clerk Andrés Quintero said some members of the Board have day jobs and weekends work better.

9. Superintendent/Board Business—Board Discussion And/ Or Action *(continued)*

President Ernesto Bejarano commented the point of the poll is to find a good time that works with everyone's schedules. He said the Board will need to make adjustments to attend. He said he understands the challenges.

Member Linda Chavez mentioned adjustments will need to be made to make it work.

MOTION #07-08 carried with a vote of 5 in favor; no opposition; no absent and no abstention.

9.06 Proposed Board Meeting Calendar for 2020. The Board will discuss and determine the proposed schedule for the Regular Board Meetings for the calendar year from January through December 2020. Proposed dates include: January 16; February 13; March 12; April 9; May 14; June 11 and June 25; July 9; August 14; September 10; October 8; November 12; and December 17.

MOTION #08-08 by Vice-President Corina Herrera-Loera to approve Action Item 9.06 as presented. MOTION #08-08 was seconded by Clerk Andrés Quintero.

Member Linda Chavez asked if the December 17th meeting could be moved to December 24th. Then she said it was the wrong date. She wanted to move from January 16th to January 23rd. She commented that she had requested this to be moved a month ago.

Superintendent Bauer commented to Member Linda Chavez that she had requested it for the 16th of January and now she wants to move it to the 23rd.

Clerk Andrés Quintero said the date being changed is for January 2020 and no other dates should be changed. He said people expect the meetings to take place on the second Thursday of the month.

Superintendent Bauer asked the Board if they would consider moving the July meeting to the last week of July because staff would like to take a vacation in the middle of the month. She mentioned when there are Special Board Meetings, the staff needs to cancel their plans.

Member Dolores Marquez-Frausto asked why the December meeting was scheduled for the 17th of December.

Counsel Rogelio Ruiz said the reason for the December 17th date meeting is because there are changes in the law for 2020. He said the current law says the newly elected member can assume office the first Friday in December. He mentioned the new law changed where the newly elected or re-elected member is to participate in the organizational meeting on the second Friday of December.

Member Linda Chavez asked if they can continue the discussion regarding the July meeting.

9. Superintendent/Board Business—Board Discussion And/ Or Action *(continued)*

President Ernesto Bejarano asked if changing the July meeting is more valuable than the January date.

Superintendent Bauer said the July meeting date is fine.

Clerk Andrés Quintero said to leave the meeting date for July. If someone cannot figure out how to take a vacation in the three-week timeframe, then they need to figure it out.

Member Dolores Marquez-Frausto mentioned during that time there are graduations going on.

Motion #09-08 by Clerk Andrés Quintero to proceed with the change of January and approve the remainder of the balance as listed. Second by Vice-President Corina Herrera-Loera.

Counsel Rogelio Ruiz said the Board Bylaw states the Board Meeting will be the second Thursday of each month. He said the Board would need to change the Board Bylaw.

The Board had a discussion.

MOTION #09-08 carried with a vote of 5 in favor; no opposition; no absent and no abstention.

9.07 Appoint the Board Representative for the Annual County Committee Election for 2020. The California Education Code requires that the Governing Board of each school, at its annual initial meeting, select one of its members to vote in the election for members of the County Committee on School District Organization.

Motion #10-08 by Clerk Andrés Quintero to nominate President Ernesto Bejarano. Second by Vice-President Corina Herrera-Loera.

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

9.08 Board-Created Committees. Creation/Discussion of and/or appointment to, Board-Created committees, as per Board Bylaw 9130, including but not limited to (1) Budget and Finance Committee; (2) Curriculum Committee; (3) District Marketing Committee; (4) District Growth and Development Committee; and (5) Safety and Wellness Committee.

Motion #11-08 by Clerk Andrés Quintero to approve the committees' stated with the committees serving to continue on, if they choose, with the addition of the Small Schools Innovation, which I intend to serve. Second by Vice-President Corina Herrera-Loera.

9. Superintendent/Board Business—Board Discussion And/ Or Action *(continued)*

Vice-President Corina Herrera-Loera said she did not see the Strategic Planning Committee and asked if this was separate.

Superintendent Bauer responded it is separate.

Vice-President Corina Herrera-Loera said to keep the committees in place and take the rest off.

President Ernesto Bejarano asked if there was any committee that anyone wanted to keep on.

Member Linda Chavez asked to establish the Curriculum Committee at a later time.

Motion #12-08 by Clerk Andrés Quintero to approve Action Item 9.08 as presented with the Budget Committee, Curriculum Committee, Safety & Wellness, and Small Schools Innovation, committees serving to continue on. MOTION #12-08 was seconded by Vice-President Corina Herrera-Loera.

MOTION #12-08 carried with a vote of 5 in favor; no opposition; no absent and no abstention.

9.09 Census 2020 Resolution

MOTION #13-08 by Clerk Andrés Quintero to approve Action Item 9.06 as presented. MOTION #13-08 was seconded by Vice-President Corina Herrera-Loera.

MOTION #13-08 carried with a vote of 5 in favor; no opposition; no absent and no abstention.

9.10 Board will consider setting a date for a Board Study Session regarding the MACSA building.

Motion #14-08 by Clerk Andrés Quintero to hold a Study Session and have staff to poll the member for a date. Space this out so they will not be back to back. MOTION #14-08 was seconded by Vice-President Corina Herrera-Loera.

Member Linda Chavez said she would like to see the vision statement and Board Governance Handbook because those are some of the things the state asked for.

President Ernesto Bejarano asked if what Member Linda Chavez is speaking of is a part of the item being discussed.

Member Linda Chavez replied that it is. She requested to first set up the date for a Board Study Session for the vision statement and then the Board Governance Handbook. Then the Board sets up a date for the MACSA building.

9. Superintendent/Board Business—Board Discussion And/ Or Action *(continued)*

Member Dolores Marquez-Frausto asked if what Member Linda Chavez is discussing is on the agenda.

Member Linda Chavez replied it was not on the agenda and for those reasons she is bringing it up now.

Member Dolores Marquez-Frausto said this should be on the next agenda for next month.

Clerk Andrés Quintero said to move forward with this item. He commented this is a big asset that the district has and it is just sitting there.

President Ernesto Bejarano said he agreed it is an asset and it is a high priority.

MOTION #14-08 carried with a vote of 4 in favor; one opposition (Member Linda Chavez); no absent and no abstention.

9.11 Board Bylaw 9250 Remuneration, Reimbursement and Other Benefits, Second Reading.

**MOTION #15-08 by Clerk Andrés Quintero to approve Action Item 9.11 as presented.
MOTION #15-08 was seconded by Vice-President Corina Herrera-Loera.**

Board had a discussion.

Counsel Rogelio Ruiz said in the Board Bylaw you approve the Board Bylaw at the second reading.

Member Linda Chavez said she was questioned because she went over 100 dollars. She commented she is always mindful of what the district spends for her. She said the district is not paying for her husband's medical insurance. She said next time she is questioned about going over there will be a conversation and discussion about it.

Vice-President Corina Herrera-Loera asked if there were any changes made to Board Bylaw 9250.

Member Linda Chavez commented she went over her 100 dollars because she was taking some governance classes.

President Ernesto Bejarano pointed out that Vice-President Corina Herrera-Loera asked if any modifications were made.

Member Dolores Marquez-Frausto said that Vice-President Corina Herrera-Loera asked if there are any changes.

9. Superintendent/Board Business—Board Discussion And/ Or Action *(continued)*

MOTION #15-08 carried with a vote of 5 in favor; no opposition; no absent and no abstention.

9.12 Board Bylaw 9323 Meeting Conduct, Second Reading.

**MOTION #16-08 by Clerk Andrés Quintero to approve Action Item 9.12 as presented.
MOTION #16-08 was seconded by Vice-President Corina Herrera-Loera.**

President Ernesto Bejarano said he wants to remove the part that says, “can effect the Board’s decision-making ability,” and he wants to change the part that says, “Individual speakers shall be allowed three minutes” to be “Individual speakers shall be allowed two minutes”.

Member Dolores Marquez-Frausto said she was going to oppose the change to two minutes. She said never take away minutes from speakers.

President Ernesto Bejarano asked Counsel Rogelio Ruiz if there is anything further that needs to be done.

Counsel Rogelio Ruiz replied no and that this item will need to come back for the next board meeting.

Counsel Rogelio Ruiz said he wants to make a recommendation to go to item 10.02 then to consent calendar for approval. The remainder of section 9 items can be carried over to the next meeting.

MOTION #17-08 by Member Dolores Marquez-Frausto for the rest of the remaining section 9 items to be tabled. MOTION #17-08 was seconded by Member Linda Chavez.

MOTION #17-08 carried with a vote of 5 in favor; no opposition; no absent and no abstention.

10. Business Services—Board Discussion And/ Or Action

10.02 To receive and approve the First Interim Financial Report

Assistant Superintendent Chheng gave a presentation and some of the highlights are as follows:

10. Business Services—Board Discussion And/ Or Action *(continued)*

Changes in Unrestricted General Fund:

	Beginning Balance	Adopted Balance	First Interim	Difference
	5,042,600		11,249,262	6,206,662
Total Revenues	112,390,496		114,161,965	1,771,469
Total Expenditures	90,937,362		95,335,026	4,417,665
Total Contributions/Transfers	22,218,051		22,629,099	411,048
Surplus/Deficit	764,917		3,822,160	3,057,244
Reserve for Economic Uncertainties	3,960,961		4,470,568	509,607
Unassigned/Unappropriated Amount	296,723		2,936,533	2,639,811
Total Components of Ending Fund Balance	4,277,683		7,427,101	3,149,418

Next Steps:

- January Governor's Budget Proposal
- Budget Development Process Begins-January 2020
- Collaborative Efforts with Academic Services to Develop LCAP
- Second Interim-March 2020
- May Revise-May 2020
- Public Hearing for 2020-21 Budget and LCAP-June 2020
- Adoption of Budget and LCAP-June 2020

MOTION #18-08 by Clerk Andrés Quintero to approve Action Item 10.02 as presented. MOTION #18-08 was seconded by Member Linda Chavez.

Member Dolores Marquez-Frausto asked Assistant Superintendent Chheng if the amounts of 3,960,961 thousand dollars and 509,607 thousand dollars are on page 8 correct.

Assistant Superintendent Chheng said they are correct and said they painted out the ending balance of 11,249,262 thousand dollars.

Member Dolores Marquez-Frausto said she is asking about the reserves for economic uncertainties.

Assistant Superintendent Chheng replied the requirement is 3% of the bottom line.

Member Dolores Marquez-Frausto asked about the 509,607 thousand dollars.

10. Business Services—Board Discussion And/ Or Action (continued)

Assistant Superintendent Chheng replied the 3% requirement went up by a half of million dollars.

Member Dolores Marquez-Frausto said she thought the amount of 509,607 thousand dollars was a negative amount.

Assistant Superintendent Chheng mentioned the budget carries over a 3% requirement which is the total amount of the expenditure.

Member Dolores Marquez-Frausto asked if the district is not having the County Office of Education self-qualify the district.

Assistant Superintendent Chheng replied the district is self qualified because this will give the district time to identify the 2.1 million dollars.

Member Dolores Marquez-Frausto said she does not feel comfortable with the district being self qualified because that is the reason why the County Office of Education is here.

Assistant Superintendent Chheng said that is the reason why the county is allowing the district 2 years to budget and make changes.

Member Dolores Marquez-Frausto commented in the 12 years she has never heard of anything like this.

President Ernesto Bejarano asked Counsel Rogelio Ruiz if this item is approved now, whether it can be discussed at a later time because he has questions.

Counsel Rogelio Ruiz replied that it can be discussed at a later time.

MOTION #18-08 carried with a vote of 4 in favor; one opposition (Member Dolores Marquez-Frausto); no absent and no abstention.

11. Human Resources

11.01 Information Regarding Resignations

12. CONSENT CALENDAR

There was a consensus from the Board to combine and take action on Agenda Items 12.01, 12.02, 12.03, 12.04, 12.05, 12.06, 12.07, 12.08, 12.09, 12.10, 12.11, and 12.12.

President Ernesto Bejarano asked to pull Agenda Item 12.01 Approval of Minutes for the following meeting: (1) November 14, 2019, Regular Board Meeting to be discussed separately.

- 12.02 Acceptance of Donations.
- 12.03 Approval of Fundraisers
- 12.04 Acceptance of Vendor & Payroll Warrants.
- 12.05 Acceptance of Enrollment/Attendance Report for Month 3 (October 14, 2019, thru November 8, 2019).
- 12.06 Acceptance of Grant/Award Notification.
- 12.07 Approve the Santa Clara County Treasury Investment Portfolio Status.
- 12.08 School sponsored Field Trip List.
- 12.09 Approve/Ratify Notices of Employment and Changes of Status/December 12, 2019/Human Resources Department.
- 12.10 School Plan Achievement (SPSA) 2019-2020
- 12.11 Approve Contracts for Professional Services- Firms/Organizations
- 12.12 Approve Resolution No. 13-19/20 Inventory Disposal

MOTION #19-08 by Member Linda Chavez to approve Agenda Items 12.02, 12.03, 12.04, 12.05, 12.06, 12.07, 12.08, 12.09, 12.10, 12.11, and 12.12 as presented. MOTION #19-08 was seconded by Clerk Andrés Quintero.

MOTION #19-08 carried with a vote of 5 in favor; no opposition; no absent; and no abstention.

MOTION #20-08 by President Ernesto Bejarano to table item Agenda Item #12.01. MOTION #20-08 was seconded by Member Dolores Marquez-Frausto.

MOTION #20-08 carried with a vote of 5 in favor; no opposition; no absent; and no abstention.

13. RECEIVE REPORTS

There were none.

14. FUTURE BOARD AGENDA REQUESTS

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

Member Linda Chavez said she wants to have the Governance Handbook added to the next meeting.

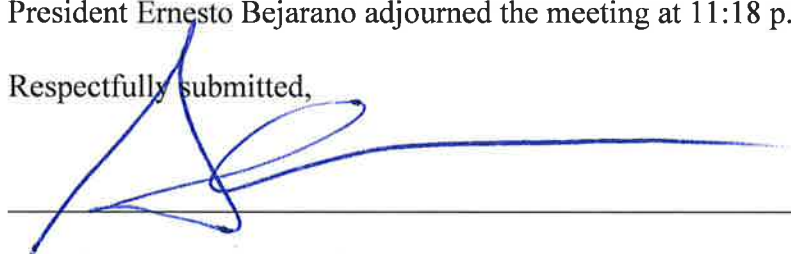
Clerk Andrés Quintero asked to bring the policy to control the expenditures of the Board President for services obtained from legal counsel and for the Board President to receive training from legal counsel on things the Board President can and cannot do.

15. ADJOURNMENT

15.01 President Adjourns the Meeting

President Ernesto Bejarano adjourned the meeting at 11:18 p.m.

Respectfully submitted,



Andrés Quintero, Board Clerk
mc