

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

**MINUTES OF A SPECIAL MEETING OF THE BOARD OF TRUSTEES
of the Alum Rock Union School District
Held on Tuesday, February 27, 2018, 6:00 p.m. at the Alum Rock Union School
District Office Board Room, 2930 Gay Avenue, San Jose, CA 95127
Meeting #16-17/18**

1. OPEN SESSION

1.01 Call to Order / Roll Call

President Esau Ruiz Herrera welcomed everyone in the audience and called the Board Meeting to order at 6:02 p.m. followed by Roll Call.

Board Members Present:

Esau Ruiz Herrera	President
Karen Martinez	Vice-President
Andrés Quintero	Member
Dolores Marquez-Frausto	Member
Khanh Tran	Member

Administrative and Support Staff Members Present:

Dr. Hilaria Bauer	Superintendent
Rene Sanchez	Assistant Superintendent, Instructional Services
Kolvira Chheng	Assistant Superintendent, Business Services
Jess Serna	Interim Assistant Superintendent, Human Resources
Marie Sanchez	Sr. Executive Assistant/Superintendent's Office
Jacqueline Guevara	Executive Assistant, Superintendent's Office

President Esau Ruiz Herrera reminded the audience about the rules of the board meeting.

1. OPEN SESSION *(continued)*

1.02 Announcement and Public Comments regarding Items to be Discussed in Closed Session

President Esau Ruiz Herrera announced the items that would be discussed in Closed Session. He also reminded the audience that speakers would be limited to 3 minutes.

Public Comments:

- 1) Randy Barber – A 15 year teacher veteran from Renaissance at Fischer and Fischer Middle, commented that Superintendent Hilaria Bauer should be treated fairly and evaluated in Open Session. He also commented that Superintendent Hilaria Bauer was an excellent leader! He stated, “She is not underrepresented – she’s represented by myself.”
- 2) Amy Marco – Ocala student, gave thanks to Superintendent Hilaria Bauer and President Esau Ruiz Herrera for coming to Ocala to judge the STEAM Fair.
- 3) Jenny Dao – Ocala student, gave thanks to Superintendent Hilaria Bauer for her support of the AVID Program at Ocala. She stated that behind every great student is a teacher; behind every great teacher is a principal; and behind every great principal is the Superintendent!
- 4) Shane Rodriguez – A student that gave thanks to Superintendent Hilaria Bauer and President Esau Ruiz Herrera for coming to Ocala to judge the STEAM Fair and for the shark tank! He also thanked Superintendent Hilaria Bauer for staying behind to provide additional feedback – very much appreciated.
- 5) Student Aguilera (no first name given) – Commented ‘thank you Dr. Bauer’
- 6) Angel Flores – Ocala student, gave thanks to Superintendent Hilaria Bauer.
- 7) Isaiah Torres – Ocala student gave thanks to Superintendent Hilaria Bauer for making the Ocala STEAM Academy possible and all the special projects.
- 8) Andres Cruz – AVID student, gave thanks to Superintendent Hilaria Bauer for keeping the AVID Program alive! AVID has changed his life, made him a better person, he is connected with people. He has made great decisions because of AVID.
- 9) Student Frank (no first name given) – Ocala student, gave thanks to Superintendent Hilaria Bauer for helping with all the projects.
- 10) Female speaker (no name given) – Ocala teacher, stated, “.... and that’s her evaluation” referencing all the above student comments.
- 11) Flor DeLeon – Renaissance and LUCHA parent, briefly commented on the following:
 - Appreciates the Superintendent and is thankful for her being here and hopes that she remains
 - She wants to see a change here with the Board
 - Parents were not happy that three of the Trustees have not been in attendance for the past couple of meetings and are requesting that those three Trustees resign!

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

1.02 Announcement and Public Comments regarding Items to be Discussed in Closed Session

- 12) Laura Correa– Dorsa teacher, veteran teacher who has been here for a while, read a list of Superintendents that had been “bought-out” since 1995. Some of the names she read were: Santiago Woods, Pedro Pedrales, Anthony Russo, Joseph Carrillo, Aurora Quevedo, Alfonso Anaya, Norma Martinez, Jose Manzo, and Stephen Fiss. She commented that we finally “got it right – don’t mess it up”! Superintendent Hilaria Bauer is what this district needs for our students – she has heart, comes from the trenches, and she wants to do the right thing.
- 13) Cindy Doan – AVID student, stated that she supports Superintendent Hilaria Bauer. She needs to continue as our leader. She cares about Alum Rock students.
- 14) Olivia (no last name given) – Parent that asked for transparency by having the superintendent’s evaluation open to the public. This is our district. She has been doing an amazing job. We don’t have to like each other, but we do need to start working together!
- 15) Conrad Garcia – Veteran teacher at Ocala, stated that Superintendent Hilaria Bauer has been the best thing that has happened to Alum Rock since he has been here. With regards to the three Trustees in question, it appears that you have no shame in your actions and this is disturbing. He commented that he sees too much of this at the federal level and now he is seeing it here. Please remember who you work for.
- 16) Antonio Martinez – Mathson and Jovenes Unidos student, commented that we need to focus on running the school—let the Superintendent do her job!
- 17) Natalie (no last name given) – Parent that thanked Superintendent Hilaria Bauer for her work and for keeping focused on the students. She commented that she finds it very disturbing when Superintendent Hilaria Bauer speaks up and the majority of the Board does not like what she has said, her evaluation is brought up on a special board meeting agenda – this is a form of bullying. How are our children supposed to be protected from bullying when our own board members are doing the bullying!
- 18) Stephanie Sanchez – Parent, commented that we need an open process to ensure accountability. What is there to hide? Make her evaluation public—we are not going anywhere.
- 19) Jamie (no last name given) – Parent, commented that although her children are still young, she sees the good work that Superintendent Hilaria Bauer is doing. She requested that her evaluation be open. Parents see the good stuff—maybe we are not seeing what the Board is seeing and we need to know.
- 20) Ray Mueller – Speaking as the Chair of the Citizens Oversight Committee (COC) and as a parent, he gave thanks to Superintendent Hilaria Bauer and her staff for everything they have done in their power to fix the errors found in the FCMAT audit. He also stated that Angel Rodriguez will soon have the COC minutes online. As a parent, he commented that his son is now thriving—his son did not come from a place of thriving when he first started in this district. Superintendent Hilaria Bauer

1. OPEN SESSION *(continued)*

1.02 Announcement and Public Comments regarding Items to be Discussed in Closed Session

has had a great influence on his family. Lastly, he stated that when the Board attacks her, she takes it for the children – it's time you take one for the children and leave her alone!

- 21) Ernesto Bejarano – Sheppard parent and community member, commented that the last time he spoke, he asked the Board to be objective in their decision-making. In this process, he was appealing to the Board to act in their role and be objective and to take their personal opinion and biases out of this—our community believes Superintendent Hilaria Bauer has exceeded expectations!
- 22) Pilar Navarette – Cureton parent, gave thanks to Superintendent Hilaria Bauer for all the good things that she has done for the District, the families of Alum Rock, and the entire community. Her son now knows who Superintendent Hilaria Bauer is and by having her remain here with us, the children will be better every day!
- 23) Jocelyn Merz – AREA president, commented that the last time she was present at the previous meeting, the Board reported that the AREA Executive Board does not represent membership; however, she stated that the AREA Executive Board represents more than 600 teachers and they all stand behind the Superintendent! She also commented that she was very disappointed that after Superintendent Hilaria Bauer asked that her evaluation be made public, the Board denied that request. Jocelyn Merz reported that AREA sent out a Public Records Request for the template that would be used to evaluate Superintendent Hilaria Bauer and the new attorney informed AREA that it was confidential; therefore, now the CTA attorney is looking into this task. She commented to the Board that if they were privy to other information, to please share and make them aware.
- 24) Tanya Freudenberger – Former Trustee and community member, along with six other former Trustees, presented a letter to Trustees Esau Ruiz Herrera, Dolores Marquez-Frausto, and Khanh Tran, respectfully requesting that they review their tenure as an Alum Rock Trustee and reflect on their contributions to the District. To further the best interest of the students, they are asking them to resign their position as Trustee immediately. Each of the former Trustees shared reading parts of the letter out loud to the entire Board and to the audience. The former Trustees noted certain specific actions of the Board majority that had created the current environment of dysfunction and turmoil.
- 25) Tony Alexander – Former Trustee, commented that he still has family in the district. He mentioned a few items that were noted as dysfunctional. Hiring an attorney who was fired from other firms and then counter-sued. Refusing to hold meetings at times when community members can attend. Board majority has created a board climate that includes bullying and harassment.
- 26) Frank Chavez – Former Trustee, stated that everyone loves Superintendent Hilaria Bauer and that means that the evaluation she receives should be the best evaluation possible.

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

1.02 Announcement and Public Comments regarding Items to be Discussed in Closed Session

- 27) Gustavo Gonzalez – Former Trustee, stated he has his child in this district. He asked the Board to step down and pledge that they would never run for office again. The actions that this Board has taken—dysfunction of Board majority demonstrates that the needs of the students are not a priority—the community has lost confidence in them. He asked the Board to do something productive with their lives and find something else to do.
- 28) Kim Mesa – Former Trustee, that served on the school board, stated that in a time of turmoil in her short 4-year term with three different Superintendents, the District lost three board members including Trustee Esau Ruiz Herrera’s resignation. She commented that students thrive on continuity—and our students have not had continuity for such a long time until now with Superintendent Hilaria Bauer. She commented that the Superintendent leads the school district every day, she takes her work home with her, and she “breathes” Alum Rock all the time! She also commented that the Board should be putting the children first. This is not political—you have no business maintaining your seat here on the school board.
- 29) Andrea Flores-Shelton – Former Trustee, went back in time to 2014, when Superintendent Hilaria Bauer was hired. She stated that she could recall the goals that were set for her with improvement of English Learners and improvement of middle schools. She asked the Board to get out of her way and stop managing the District and be a vessel for your constituents. You are hearing from the community and we want to move forward—get out of her way and ‘have her back’!
- 30) Female student (no name given) – LUCHA student, gave thanks to Superintendent Hilaria Bauer for bringing happiness to her and her community.
- 31) Joel Ramos – SOMOS representative that reported there was concern spoken at the County Supervisors Meeting by a Supervisor asking if Alum Rock was the right partner given the issue with the Board and the negative publicity. However, some staff members from the County spoke very highly of Alum Rock’s leadership—Superintendent Hilaria Bauer!
- 32) Christine Villarreal – Adelante parent of three students, has been living here for the past nine years and has seen a marked change in the last three years in the initiatives of the District and how our tax dollars are being used. She also reported that having been a SPARC committee member, Superintendent Hilaria Bauer has explained how we get results and the difficulties faced by the District which has helped her learn. She commented that the parents are the Board’s constituents and in a time of turmoil, we look to the Board to be the leaders of our students.

1. OPEN SESSION *(continued)*

1.02 Announcement and Public Comments regarding Items to be Discussed in Closed Session

33) Camille Llanes-Fontanilla – SOMOS representative, reported that Superintendent Hilaria Bauer is the first to set a vision based on equity and in partnership with the community. She commented that this will be the 7th time that we are doing the Superintendent's evaluation. She asked the Board to make her evaluation public. She stated that some of the notable measurements have been as follows: increased English proficiency; English Learners have been reclassified; increase in math in grades 5 and 6—with a 10% increase from 2014; universal preschool; and authentic parent engagement.

1.03 Adjournment to Closed Session

Vice-President Karen Martinez asked President Esau Ruiz Herrera to speak prior to adjourning to Closed Session. President Esau Ruiz Herrera refused.

Vice-President Karen Martinez goes to the microphone and states the following:

“Does the Superintendent want her evaluation out in public? Has she waived the right to privacy? Anything I have to say, I have no problem with my community hearing it and holding me accountable”.

The Board recessed to Closed Session at 6:51 p.m. President Esau Ruiz Herrera announced that the Board would reconvene to Open Session in approximately 45-60 minutes. He commented that the Board would be discussing the legalities that Vice-President Karen Martinez was seeking.

3. RECONVENE TO OPEN SESSION

3.02 Report of Action Taken in Closed Session

The Board reconvened to Open Session at 7:38 p.m. President Esau Ruiz Herrera reported that there was nothing to report from Closed Session at this time.

Vice-President Karen Martinez announced to the public that she had to apologize to President Esau Ruiz Herrera for the way she handled her attitude by letting her emotions and frustrations get out of control. In addition, she also apologized to Attorney Maribel Medina for her shortness toward her during Closed Session. She commented that she teaches her own children to act respectfully and she needs to model this as well.

3. RECONVENE TO OPEN SESSION *(continued)*

3.02 Report of Action Taken in Closed Session

Member Andrés Quintero commented that he wanted to express his anger at the fact that President Esau Ruiz Herrera had informed him during Closed Session that his input for Superintendent Hilaria Bauer's evaluation would not be computed or counted. He commented that he was "fed up with all this" – he did not think that this district could get any lower – our name is so tarnished and the only thing that saves our reputation was our staff. His last comment was that "*Esau has been sold*".

Member Khanh Tran reported that, at that time, he was the Board President and the Board was supposed to renew the Superintendent's Contract that evening. He clarified to the public that when he was a recently new board member, he only received a \$500 contribution from the teacher's union. He also clarified that he has been disappointed since day one because he has been asking for the books to be balanced and they are not! He commented that we will hold Del Terra Group accountable for any evidence of wrong doing. As for the administration and politics, he will do his best to ensure that administration will do the right thing—he has done nothing wrong.

President Esau Ruiz Herrera read aloud a gospel from Chapter 5.

4. ADJOURNMENT

4.01 President Adjourns the Meeting

President Esau Ruiz Herrera adjourned the meeting at 7:50 p.m.

Respectfully submitted,



Esau Ruiz Herrera
Board President *(in lieu of no Board Clerk)*

HB/mcs