

**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, January 18, 2018, 5:30 p.m. at the Alum Rock Union School
District Office Board Room, 2930 Gay Avenue, San Jose, CA 95127
Meeting #13-17/18**

1. OPEN SESSION

1.01 Call to Order / Roll Call

President Andrés Quintero welcomed everyone in the audience and called the Board Meeting to order at 5:35 p.m. followed by Roll Call.

Board Members Present:

Andrés Quintero	President
Karen Martinez	Vice-President (<i>arrived late at 5:36 p.m.</i>)
Esau Ruiz Herrera	Clerk

Board Members Absent:

Khanh Tran	Member
Dolores Marquez-Frausto	Member

Administrative and Support Staff Members Present:

Dr. Hilaria Bauer	Superintendent
Rene Sanchez	Assistant Superintendent, Instructional Services
Kolvira Chheng	Assistant Superintendent, Business Services
Marie Sanchez	Sr. Executive Assistant, Superintendent's Office
Angel Rodriguez	Executive Assistant/Communications Support
Jackie Guevara	Executive Assistant, Superintendent's Office

Administrative Staff Member Absent:

Jess Serna	Interim Assistant Superintendent, Human Resources
------------	---

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

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

Public Comments:

- 1) Violeta Perez Castillo – Parent with a 1st grade student, commented on the following:
 - Board has lack of transparency with numerous investigations and inexplicable support for contractors who are known to have bad reputations
 - Lost the support and the trust of the community you were elected to serve
 - Requested that Esau Ruiz Herrera, Dolores Marquez-Frausto, and Khanh Tran resign their seat because it will take years to rebuild this district—if you care a bit, move on so that we can start to rebuild
- 2) Valerie *(last name not given)* – Parent that commented on the following:
 - Message is for the “Alum Rock 3” which includes Esau Ruiz Herrera, Dolores Marquez-Frausto, and Khanh Tran. Time was taken away from my child’s time tonight coming to these board meetings. Shame on you 3 for hijacking my child’s education, for stealing the community’s time from our kids
 - Board Member Herrera has mastered the art of ingenuity—the cameras are rolling and the eyes are watching. The nature of your actions behind closed doors and in the public paint a completely different picture
 - Board Member Tran—you have stated that you do not represent us and again you are not here—have also called us “goons” and have attacked parents—take a look into this audience which consists of different demographics and levels of education!
- 3) Rita Minster – McCollam teacher that commented on the following:
 - Everyone supports our Superintendent. In the last 2 years, the district has done so much to let teachers teach teachers; middle schools have never been better—I’m mad right now because I should be in the classroom working on report cards and doing the work that matters
 - Millions of dollars have been paid to Del Terra and they have not done their work and then you get a lawyer who is corrupt!
 - The district needs to stay with our current lawyer
 - The Alum Rock 3 need to resign!
- 4) Martha Ramirez – Linda Vista parent that addressed Agenda Item 2.04 Public Employee Discipline/Dismissal/Release and requested that it be removed especially since the Board Members that are trying to discuss this are not even at this meeting. She requested to “stop this circus” because it is creating a big distraction for our students and teachers and even the district staff are not able to do any work. Learning has stopped because we are all focused on being at these meetings

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

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

- 5) Tanya Freudenberger – Previous board member, commented that she stands in this room with an aching heart. The Board is supposed to work with the Superintendent involving the community and ensuring accountability to the public. Board should be providing community leadership and advocacy building support with the community. She then reads out the Board Bylaws listed on our own website. She stated that it was evident that the Board majority refuses to adhere to their own policy and refuses to involve the community. The Board should have self-respect and should provide the Superintendent more support and especially more respect. She commented that it was so appalling—the disrespectful behavior of the Trustees with flagrant disregard and unintelligible comments believing in their own supremacy way too much!
- 6) Camille Llanes-Fontanilla – Somos Director, commented that the public is demanding a public hearing on the Superintendent’s performance. She asked that the Del Terra contract be suspended and stated they had lots of leaders standing behind them. She starts to read a letter out loud that was delivered to the trustees from Public Advocates
- 7) Ray Mueller – COC Chair, continues to read the letter from the Public Advocates. He reported that the COC now has a vice-president and a secretary but are still looking for two additional members
- 8) Catalina Nichols—Community member, directed her comments to Clerk Esau Ruiz Herrera. Commented that they grew up in the same neighborhood just around the block and she was saddened that you have not been respecting our community. She does her best and always has the students as her priority. She commented that she thinks he had good intentions at the beginning of his term, but now has forgotten them—she is ashamed, saddened, and heartbroken! A family that has done alot, has broken peace. She asked him to resign and let someone else move for the students—please listen to my advice.
- 9) Alma Fajardo – Parent with students at Painter and Mathson commented on the following:
 - She is here representing all the parents and families that are here tonight as she is expressing their wishes and seeking a better education and better schools
 - Parents have 3 demands: (1) Request for a public process for the Superintendent’s evaluation and the reason is, would give them a voice and trust in the board members; (2) Terminate the contract with Del Terra, they want transparency and accountability. Del Terra does not prioritize children but only their own benefits; and (3) Terminate the contract with the new legal counsel, they want benefits for the students and not for the vendors. As parents, we are united and committed to pursuing the fight for the education of our children and we will not give up!

1. OPEN SESSION *(continued)*

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

- 10) Flor DeLeon – Parent and community member, stated she is upset that we are still looping around to the same old thing, making business with Del Terra. She attends the board meetings and the Alum Rock 3 always get what they want. You are wasting our time—we need someone that really cares about the education of our students—you 3 need to resign and do not run for the November elections!
- 11) Rubi Solis – Community Liaison at LUCHA, commented that she supports our superintendent and our schools need a lot of help. LUCHA has no air conditioning and that is unacceptable!
- 12) Olivia (no last name given) – Parent that commented that she supports our superintendent. She came to this district 3 years ago and cares what happens to this district—she believes in the importance of working together with the community. We need a board that has passion to work for our students—if not, then you need to give up your seat to someone who does!
- 13) Dilza Gonzalez – Parent that asked the Board how would they be discussing Closed Session items without legal counsel on record? Lastly, she stated that we are here to support Superintendent Hilaria Bauer who is showing us what a true latina leader looks like!

President Andrés Quintero announced the items that would be discussed in Closed Session.

1.03 The Board will Adjourn to Closed Session at Approximately 5:30 p.m.

The Board recessed to Closed Session at 6:13 p.m. and President Andrés Quintero announced that the Board would reconvene to Open Session at approximately 6:40 p.m.

3. RECONVENE TO OPEN SESSION

3.01 Call to Order / Pledge of Allegiance

The Board reconvened to Open Session at 6:35 p.m. President Andrés Quintero welcomed everyone in the audience and led the Pledge of Allegiance.

3.02 Report of Action Taken in Closed Session

President Andrés Quintero reported that there was nothing to report from Closed Session at this time.

3. RECONVENE TO OPEN SESSION *(continued)*

3.03 Agenda Review and Adoption

Vice-President Karen Martinez asked to move *Agenda Item 8.01 Bond/Facilities Update* after *Agenda Item 6.02 ASES Program Presentation*. President Andrés Quintero asked to move *Agenda Item 6.01 Early Learning Strategic Plan* right after *Agenda Item 3.03 Modification of the Agenda*. The Board was in consensus with these modifications to the agenda.

6. SPECIAL PRESENTATION

6.01 Early Learning Strategic Plan

Superintendent Hilaria Bauer commented that this has been a dream for the past 3 years and now a reality.

Superintendent Hilaria Bauer introduced Dr. Dianna Ballesteros, Director of Early Learning, who reported that one of her main objectives has been to address parent needs. She spent a month before coming on board with community groups, people in parks and in their homes. She discovered the biggest need was early learning and access to preschool. She wanted to integrate students into the education process earlier to make sure children were on grade level by 3rd grade. Dr. Dianna Ballesteros gave thanks to the following Alum Rock partners:

Applied Survey Research	Families in the District	First 5 Santa Clara
Gruil Family Services	Healthier Kids Foundation	Kidango
San Juan Bautista	Santa Clara County Office of Education	SOMOS Mayfair
Other partners		

Dr. Dianna Ballesteros commented that she was very much inspired by the story of a particular parent, Carina, which was her driver to get to where we are now. Carina told her story of how difficult it was for her. When her daughter was 3, she learned about being an educated parent and received her training from SOMOS. When she first went to the enrollment center, she was informed she did not qualify for universal preschool nor TK because she was not low income. The cost to get her daughter enrolled was \$700 that she did not have at the time. She continued with her story and explained the long process that took months.

Dr. Dianna Ballesteros gave a PowerPoint presentation along with other partners. Ms. Wendi Mahaney-Gurahoo, Deputy Chief of Early Learning of FIRST 5, stated that she was here on behalf of Ms. Jolene Smith and spoke about the mission which was to work in partnership with families to build an inclusive, equitable and universal system that closes the opportunity, readiness and achievement gaps, ensuring all children in Alum Rock are succeeding in school by the end of 3rd grade.

6. **SPECIAL PRESENTATION** *(continued)*

6.01 Early Learning Strategic Plan

Ms. Mahaney-Gurahoo also reported on the Vision of Success which asserts that all children of Alum Rock are healthy, thriving, and on the path to reaching their full potential in school and in life. Ms. Mahaney-Gurahoo gave special thanks to Superintendent Hilaria Bauer for her vision of this project.

Dr. Mary Ann Dewan, Interim County Superintendent of Schools, confirmed her support of this pilot project and stated that she believes it will have the impact that is necessary.

Ms. Veronica Goei, Executive Director of Grail Services, stated that she has provided services to families for the past 18 years and this project is a true example of a partnership. She gave special thanks to Dr. Hilaria Bauer for her vision of this program.

Mr. Scott Moore, Executive Director of Kidango, thanked Dr. Hilaria Bauer and Dr. Dianna Ballesteros for their leadership and stated that the most important thing for a child is the foundation from pregnancy to 3rd grade—the social development of the child.

Mr. Adolfo Pando, SCCOE Head Start Manager, Planning and Support, reported that he has been with the Santa Clara Office of Education for the past 35 years and has been helping the neediest families. He reported that Head Start is fully invested in creating futures for Alum Rock in conjunction with county social services and other resources to help these families succeed. He commented that this project is very important and is blessed to be working under the leadership of Superintendent Hilaria Bauer and her staff.

Cecilia Rodriguez, SOMOS Mayfair representative, commented that she has learned a lot from sitting in these meetings. She also commented that this program is actually setting up our children for success.

Superintendent Hilaria Bauer reported that not too long ago, she brought to the Board \$300K from the county to be used for socio-emotional support to every elementary school in Alum Rock. In addition, she reported that we have tripled the number of T4 students and are at capacity at all our centers.

MOTION #13-01 by Vice-President Karen Martinez to accept and adopt the Early Learning Strategic Plan as presented. MOTION #13-01 was seconded by Clerk Esau Ruiz Herrera.

Board Comments: Karen Martinez and Andrés Quintero.

MOTION #13-01 carried with a vote of 3 in favor; no opposition; 2 absent (Members Khanh Tran and Dolores Marquez-Frausto); and no abstension.

4. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

4.01 Requests to Address the Board

There were no public comments at this time.

5. COMMENTS AND COMMUNICATION

5.01 Teamsters

There were no representatives from Teamsters at this time.

5.02 CSEA

There were no representatives from CSEA at this time.

5.03 Alum Rock Administrator's Association (ARAA)

Dr. Sandra Sarmiento, Cassell Principal and President of ARAA, reported that teachers throughout the District are preparing for their Professional Development day on January 29 and gave a reminder to parents that there will be no school on this day. She reported that this will be the first time that they are able to do a mid-year planning session that normally only happens for a few hours at the beginning or at the end of school. She reported that a group of students from Ocala Middle have been chosen for a Google internship that students created an application to communicate at various sites. Lastly, she reported that it was very exciting that counseling interns are going to be deployed at elementary sites.

5.04 Alum Rock Educator's Association (AREA)

There were no representatives from AREA at this time.

5.05 Superintendent

Superintendent Hilaria Bauer gave thanks to all those that spoke on her behalf and for their kind words. She asked the Board to have her evaluation process done in open session at a special board meeting at some point. She stated she understands there are some requirements we need to agree on with regards to her contract, but she is willing to waive her confidentiality so that this is a public and open transparent process.

5.06 Board of Trustees

Vice-President Karen Martinez gave thanks to all those partners believing in Alum Rock, in our kids—it starts there! She commented that what we are doing with the Early Learning Strategic Plan is helping us move in the right direction, thanks to Superintendent Hilaria Bauer.

5. COMMENTS AND COMMUNICATION *(continued)*

5.06 Board of Trustees

Vice-President Karen Martinez spoke about the recent talks of recalls and having been asked if she was planning to step down. She apologized for the fact that she appears to be frustrated but she is not planning to step down or resign and give up her seat. She commented that she has been to the podium many times as a mother and as a parent—and our voice does matter! We can make it happen and she is a living testimony. She commented that she wants to be transparent and it would be nice to schedule two board meetings monthly; a regular and a special. The special meetings could be used to discuss special items as needed.

President Andrés Quintero stated that he wanted to give Member Khanh Tran credit who had foresight to show that the District does have the best interest of the students by setting aside funds in preparation and is here to support them regardless of immigration status. He commented that he will personally stand with the students so he will not have to worry about them getting deported. He encouraged those folks that were present to reconsider coming back to a process that really analyzes the proposal of an attorney and at the end of the day, we can all say we were aware—let's go through the process and determine the pros and cons. Lastly, he urged his colleagues to reconsider the legal counsel search process.

6. SPECIAL PRESENTATION *(continued)*

6.02 After School Education and Safety Program (ASES)

Assistant Superintendent Rene Sanchez introduced Mr. Josh Felix, Director of Operations, and Ms. Jessica Baker, Quality Assurance Coach, from Think Together who gave a PowerPoint presentation. They presented on the following:

- 2016-17 Data Review
 - Fluency: Reading passages adapted from Reading A-Z which a research-based curriculum used to give students practice with sight words in context. Repeated guided reading allows students to develop important fluency and comprehension skills
 - Sight Words: Fry high frequency word lists are used because words are compiled and ranked based on their frequency in literature and the lists include all parts of speech. Rapid recognition of sight words is a key foundational skill that supports the development of reading fluency
 - Math Facts: Mad Minute Math curriculum is used to facilitate automaticity with students' recognition of grade-level appropriate math facts
- Think Program Updates
 - Alignment to Quality Standards
- LCAP Study and Think Alignment
- 2017-18 Strategic Planning

Board Comment: Karen Martinez.

6. SPECIAL PRESENTATION *(continued)*

6.02 After School Education and Safety Program (ASES)

Public Comment:

- 1) Alison Cingolani – COC representative that addressed both *Agenda Items 6.01 Presentation on the Early Learning Strategic Plan* and *6.02 Presentation on After School Education and Safety Program*. She commented that we are gathered here as a community with the Board whose primary focus is education. She said, “Thank you for talking about education and what’s going right under our Superintendent’s leadership.”

8. BOND / FACILITIES

8.01 Presentation/Update on Bond/Facilities

Assistant Superintendent Kolvira Chheng reported that Del Terra typically provides a monthly report but, unfortunately, we did not get any response from them this month.

Later during the discussion, Assistant Superintendent Kolvira Chheng reported that Del Terra did notify him via an email message that they would not be present at the meeting since there had not been any significant changes since the last report.

Assistant Superintendent Kolvira Chheng reported on the following:

- All summer projects have been completed
- Five remaining HVAC projects are in the design process for this coming summer
- We are trying to close out the final work change orders and project completion documents
- Del Terra has not responded to staff inquiries

Board Comments: Karen Martinez and Andrés Quintero.

Public Comments:

- 1) Ray Mueller – COC president, reported that for the past two Citizens Oversight Meetings (COC), the project manager has failed to attend or provide a report.
- 2) Female speaker (no name given) –Commented that from what she hears about Del Terra, they do not present, they only provide brief memos and not reports.
- 3) Dilza Gonzalez – SOMOS representative, commented that with Del Terra’s level of incompetency, they should be terminated ASAP.

10. BUSINESS

10.1 Fiscal Expert

Superintendent Hilaria Bauer welcomed Dr. Mary Ann Dewan, Interim County Superintendent of Schools, and some of her staff. Assistant Superintendent Kolvira Chheng reported that the SCCOE has contracted for a Fiscal Expert to be assigned to Alum Rock to monitor progress in each of the areas identified for action. Dr. Donald Zimring will be the primary person on-site County representative as part of a three-member team working with Alum Rock staff through the identified period of January-June, 2018. Assistant Superintendent Kolvira Chheng reported that the Fiscal Expert's role will be to monitor implementation and provide leadership in the following areas:

- Report quarterly the current status of planned action(s) for each recommendation of the FCMAT audit
- Clarify the budget assumptions that appear to be understated, or provide revisions
- Prepare the monthly cash reconciliation by each monthly due date and inform the District of the actions being taken to clear long-outstanding reconciling items
- Prepare a cash flow report for the current fiscal year that utilizes the ending cash balance from the June 30, 2017 monthly reconciliation as verified by a third party auditor retained by the District and approved by the SCCOE
- Prepare the debt service plan for non-voter approved debt that present the source of funds for the full repayment period along with any board resolutions necessary to move cash between funds

Dr. Mary Ann Dewan introduced the three-member team and gave a brief report of their curriculum vitae confirming that each individual had over 30 years of experience in the education sector.

- 1) Dr. Donald Zimring holds a doctorate in education administration—has been a superintendent in southern California and a consultant and trainer for the State of California with FCMAT
- 2) Mr. William (Bill) McGuire holds a master's degree—deputy superintendent. Involved with California Association serving in various capacities
- 3) Ms. Francie Helm holds a bachelor's in business administration in accounting

Dr. Mary Ann Dewan reported that the SCCOE will be covering all costs for the three-member team and have secured this team for the next six months.

Dr. Donald Zimring stated that his intent was to provide monthly updates to the County Superintendent of Schools. He will be meeting with Assistant Superintendent Kolvira Chheng along with some of the business staff on a weekly basis to ensure that his team is continuing to support the district and staff.

Public Comments: Hilaria Bauer, Kolvira Chheng, Donald Zimring, and Mary Ann Dewan.

Board Comments: Esau Ruiz Herrera, Andrés Quintero, and Karen Martinez.

7. CONTRACTS OVER \$100,000

7.01 Approve Contract for Facilities Condition Assessment Report with EMG Corporation, Business Services, \$131,778.20

Assistant Superintendent Kolvira Chheng reported that the District issued an RFQ and had many inquiries with four firms submitting proposals. At the December 14, 2017 board meeting, we moved forward with EMG and asked the Board to authorize them to start negotiating contracts. He stated that a pilot program would begin in February and would be completed by the end of February. Once we have a pilot program, we can then go district-wide and the timeline for completion will be the end of May.

Public Comments: Kolvira Chheng, Cathy Erickson, and Jocelyn Merz.

Board Comments: Karen Martinez and Andrés Quintero.

MOTION #13-02 by Vice-President Karen Martinez to accept and approve the Contract with EMG Corporation not to exceed \$131,778.20 as presented. MOTION #13-02 was seconded by Clerk Esau Ruiz Herrera.

MOTION #13-02 carried with a vote of 3 in favor; no opposition; 2 absent (Members Khanh Tran and Dolores Marquez-Frausto); and no abstension.

9. SUPERINTENDENT/BOARD BUSINESS

9.01 The Board will receive a Legal Opinion on the status of the position of Board President

Superintendent Hilaria Bauer stated that she had received a request from one of the Trustees to clarify this situation and she had checked with the Santa Clara County Office of Education and the Office of the County Counsel. Superintendent Hilaria Bauer reported that the Board needs to elect the Board President as soon as possible, and until this happens, the current Board President should continue as Board President.

Board Comment: Karen Martinez.

9.02 Board Retreat and Training, which may include a session on Board Self-Evaluation

Vice-President Karen Martinez stated that she was requesting to table this agenda item due to the fact that two Trustees were absent and all Trustees needed to be in attendance to have discussion and be able to set a date(s).

9. **SUPERINTENDENT/BOARD BUSINESS** *(continued)*

9.03 Discussion around Next Steps pertaining to the George/Fischer Multi-Purpose Rooms

Vice-President Karen Martinez asked her colleagues not to take any action on this agenda item at this time since not all the Board was in attendance and she was requesting this item be tabled for the February meeting. She suggested that we not take any action on these multi-purpose rooms until the facilities assessment is complete and that she is not ready to support this—we need to fix our schools first and postpone any other spending on these buildings at this time.

President Andrés Quintero commented that he was in agreement in holding off on spending any monies on these multi-purpose rooms and work on the schools themselves.

MOTION #13-03 by Vice-President Karen Martinez to get approval from all the Board to postpone both George and Fischer Multi-Purpose Rooms at this time. MOTION #13-03 was seconded by President Andrés Quintero.

Public Comments:

- 1) Ray Mueller – COC Chair, commented that we already own the MACSA building and money would be better spent on this building. He also commented that an air-conditioning unit for a school is about \$2.5M.
- 2) Flor DeLeon – Community member that commented that we should do an evaluation on where we need to spend the money.
- 3) Jocelyn Merz – AREA President, commented that she is happy to see a facilities assessment being done—no one is doubting that the multi-purpose rooms are great; however, this is not a priority at this time! She stated that we have the district office and three middle schools getting vandalized because we don't have any surveillance cameras.
- 4) Bertha Razo – Community member stated that she was part of the original committee for the planning of the George multi-purpose room.
- 5) Female speaker – Community member commented she agrees with Vice-President Karen Martinez to postpone the facilities but don't cancel them!

Clerk Esau Ruiz Herrera commented that he understands the concerns from his colleague Vice-President Karen Martinez; however, he felt all the Board needed to be present to be able to discuss this agenda item.

Additional Public Comment: Ray Mueller commented that we only have money for one multi-purpose room and not for two—do what was promised in 2008!

9. SUPERINTENDENT/BOARD BUSINESS (continued)

9.03 Discussion around Next Steps pertaining to the George/Fischer Multi-Purpose Rooms

After a long discussion, **Motion #13-03 by Vice-President Karen Martinez was withdrawn and President Andrés Quintero withdrew his Second.**

There was consensus from the Board to table this agenda item for a future meeting until all the Board was in attendance.

9.04 Discussion around George Multi-Purpose Community Room that will Exclude the George Campus pertaining to the Earthquake Faultline

The Board was in consensus to table this agenda item for a future meeting until all the Board was in attendance.

9.05 Adopt the First Reading of the Amended Board Policy 2121, Superintendent's Contract, Administration

MOTION #13-04 by Vice-President Karen Martinez to accept and adopt the First Reading of the Amended Board Policy 2121, Superintendent's Contract, Administration as presented. MOTION #13-04 was seconded by Clerk Esau Ruiz Herrera.

MOTION #13-04 carried with a vote of 3 in favor; no opposition; 2 absent (Members Khanh Tran and Dolores Marquez-Frausto); and no abstention.

9.06 Adopt the 2nd Reading of the Amended Board Policy 4030, Nondiscrimination in Employment, Personnel

MOTION #13-05 by Vice-President Karen Martinez to accept and adopt the 2nd Reading of the Amended Board Policy 4030, Nondiscrimination in Employment, Personnel as presented. MOTION #13-05 was seconded by Clerk Esau Ruiz Herrera.

MOTION #13-05 carried with a vote of 3 in favor; no opposition; 2 absent (Members Khanh Tran and Dolores Marquez-Frausto); and no abstention.

9.07 Adopt the 2nd Reading of the Amended Administrative Regulation 4031, Nondiscrimination in Employment and complaints concerning discrimination in Employment, Personnel

MOTION#13-06 by Vice-President Karen Martinez to accept and approve the 2nd Reading of the Amended Administrative Regulation 4031, Nondiscrimination in Employment and complaints concerning discrimination in Employment, Personnel as presented. MOTION #13-06 was seconded by Clerk Esau Ruiz Herrera.

9. SUPERINTENDENT/BOARD BUSINESS *(continued)*

9.07 Adopt the 2nd Reading of the Amended Administrative Regulation 4031, Nondiscrimination in Employment and complaints concerning discrimination in Employment, Personnel

MOTION #13-06 carried with a vote of 3 in favor; no opposition; 2 absent (Members Khanh Tran and Dolores Marquez-Frausto); and no abstention.

9.08 Board Policy 9323, 2nd Reading Board Bylaws Amendment

The Board had dialogue on this agenda item. There was an error discovered and then clarified that the agenda item was carried over from the November 9th agenda and that this was not a Board Policy but rather a Board Bylaw.

Public Comments: Marie Sanchez, Frank Chavez, Ernesto Bejarano, Jocelyn Merz, and Ray Mueller.

Board Comments: Karen Martinez, Andrés Quintero, and Esau Ruiz Herrera.

MOTION #13-07 by Clerk Esau Ruiz Herrera to adopt the Board Bylaw Amendment to reinstate the concept of Robert's Rules of Order as rules of procedures for board meetings. MOTION #13-07 was seconded by Vice-President Karen Martinez.

MOTION #13-07 carried with a vote of 3 in favor; no opposition; 2 absent (Members Khanh Tran and Dolores Marquez-Frausto); and no abstention.

9.09 Board Created Standing Committees *(the merits of the committees)*

The Board was in consensus to Table this agenda item for the next board meeting.

9.10 Board Created Standing Committees

President Andrés Quintero commented that there was nothing to report at this time.

11. HUMAN RESOURCES

11.01 Information Regarding Resignations

There was consensus from the Board to accept the Resignations as presented.

12. CONSENT CALENDAR

Clerk Esau Ruiz Herrera asked to pull the following agenda items for separate discussion:

Agenda Item 12.04

- 1) Atkinson, Andelson, Loya, Ruud & Romo, Human Resources, 8/4/17-8/31/17, \$2,500
- 2) Atkinson, Andelson, Loya, Ruud & Romo, Human Resources, 8/4/17-8/31/17, \$2,500
- 3) Lozano Smith, Special Education, 7/1/17-6/30/18, \$75,000

Vice-President Karen Martinez asked to pull *Agenda Item 12.09 Resolution No. 19-17/18; African American History Month* for separate discussion.

MOTION #13-08 by Clerk Esau Ruiz Herrera to approve the Consent Calendar as Amended. MOTION #13-08 was seconded by Vice-President Karen Martinez.

MOTION #13-08 carried with a vote of 3 in favor; no opposition; 2 absent (Members Khanh Tran and Dolores Marquez-Frausto); and no abstention.

12.04 Contracts for Professional Services-Firms

The Board had dialogue on this agenda item.

MOTION #13-09 by Clerk Esau Ruiz Herrera to accept and approve Agenda Item 12.04 Contracts for Professional Services-Firms with the exception of the three items listed above. MOTION #13-09 was seconded by Vice-President Karen Martinez for the sake of discussion.

Clerk Esau Ruiz Herrera stated that he pulled these agenda items since the Board has just contracted with the new general legal counsel and that legal counsel should now review and assign all legal service contracts.

Public Comments:

- 1) Camille Llanes-Fontanilla – Community member, stated that these legal firms give legal support to our students and this amount of money is very minimal
- 2) Jocelyn Merz – AREA President, stated that she dittos Camille’s statement; Maribel Medina does not yet have a contract at this point
- 3) Ray Mueller – COC Chair, asked the Board how were these firms vetted? He believes there is a process to follow
- 4) Female speaker (no name given) – Community member, asked the Board why was there litigation with Special Education?

Assistant Superintendent Rene Sanchez stated that we need to approve the extension for the Lozano Smith contract since we have maxed out this contract which serves special education students and their needs.

12. CONSENT CALENDAR *(continued)*

12.04 Contracts for Professional Services-Firms

Board Comment: Andrés Quintero.

MOTION #13-09 failed with a vote of 1 in favor (Clerk Esau Ruiz Herrera); 2 in opposition (President Andrés Quintero and Vice-President Karen Martinez); 2 absent (Members Khanh Tran and Dolores Marquez-Frausto); and no abstention.

The Board had additional dialogue on this agenda item.

MOTION #13-10 by Vice-President Karen Martinez to approve Agenda Item 12.04 Contracts for Professional Services-Firms, as presented. MOTION #13-10 was seconded by President Andrés Quintero.

MOTION #13-10 failed with a vote of 2 in favor (President Andrés Quintero and Vice-President Karen Martinez); 1 in opposition (Clerk Esau Ruiz Herrera); 2 absent (Members Khanh Tran and Dolores Marquez-Frausto); and no abstention.

The Board had additional discussion on this agenda item.

Superintendent Hilaria Bauer asked the Board to please reconsider their vote with this agenda item.

MOTION #13-11 by Vice-President Karen Martinez to approve Agenda Item 12.04 Contracts for Professional Services-Firms minus the two contracts (1) Atkinson, Andelson, Loya, Ruud & Romo, Human Resources, 8/4/17-8/31/17, \$2,500; and (2) Atkinson, Andelson, Loya, Ruud & Romo, Human Resources, 8/4/17-8/31/17, \$2,500. MOTION #13-11 was seconded by Clerk Esau Ruiz Herrera.

Board Comments: Esau Ruiz Herrera and Andrés Quintero.

Public Comment:

- 1) Jocelyn Merz – AREA President, stated that she was so appalled with Clerk Esau Ruiz Herrera and his total manipulation and also for not looking out for the best interest of the students. She commented, “you totally manipulated the vote here...I am shocked ... we have worked together, but I never expected you to do something like this!”
- 2) Diltza Gonzales – Parent stated she was very disappointed with this action.

MOTION #13-11 carried with a vote of 3 in favor; no opposition; 2 absent (Members Khanh Tran and Dolores Marquez-Frausto); and no abstention.

12. CONSENT CALENDAR *(continued)*

12.09 Resolution No. 19-17/18; African American History Month

The Board had dialogue on this agenda item.

MOTION #13-12 by Vice-President Karen Martinez to accept and approve Resolution No. 19-17/18; African American History Month as presented. MOTION #13-12 was seconded by Clerk Esau Ruiz Herrera.

MOTION #13-12 carried with a vote of 3 in favor; no opposition; 2 absent (Members Khanh Tran and Dolores Marquez-Frausto); and no abstention.

13. FUTURE BOARD AGENDA REQUESTS

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

Vice-President Karen Martinez asked to put the following items on the next agenda:

- 1) Public Advocates to present to the Board
- 2) Schedule a special board meeting only for Del Terra Contract and the Superintendent's Evaluation
- 3) Hold regular board meetings on a rotational basis at the middle school sites
- 4) Bring back *Agenda Items 9.03 Discussion around Next Steps pertaining to the George/Fischer Multi-Purpose Rooms* and *9.04 Discussion around George Multi-Purpose Community Room that will exclude the George campus pertaining to the Earthquake Faultline* for discussion and action

Ray Mueller, Chair, COC, requested to have the Citizen's Oversight Committee Update as a standardized agenda item like the unions on all future agendas.

Jocelyn Merz – AREA President, asked to bring the following:

- 1) The cost to hold a Special Board Meeting.
- 2) Policy or Bylaw regarding the absences of a Board Member at regular scheduled board meetings.

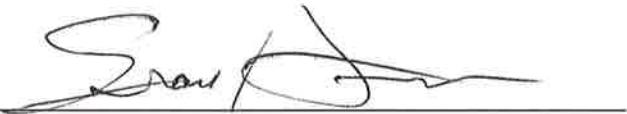
14. ADJOURNMENT

14.01 President Adjourns the Meeting

**MOTION #13-13 by Vice-President Karen Martinez to adjourn the meeting.
MOTION #13-13 was seconded by Clerk Esau Ruiz Herrera.**

President Andrés Quintero adjourned the meeting at 9:58 p.m.

Respectfully submitted,



Esau Ruiz Herrera
Board Clerk



Date

HB/mcs