

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

BOARD OF TRUSTEES



**Regular Board Meeting
January 18, 2018**



**Thursday, January 18, 2018
AGENDA - REGULAR BOARD MEETING**

Type: AGENDA - REGULAR BOARD MEETING

Time: 5:30 p.m.

Code: Regular #13 -17/18

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

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

1. OPEN SESSION - CALL TO ORDER AND ROLL CALL

1.01 CALL TO ORDER / ROLL CALL -- PRESIDENT ANDRES QUINTERO.

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

1.03 ADJOURNMENT TO CLOSED SESSION: The Board will adjourn to Closed Session at approximately 5:35 p.m. Open Session will resume at the end of Closed Session in the Board Room at approximately 6:35 p.m.

2. CLOSED SESSION

2.01 INFORMATION/DISCUSSION/ACTION; CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) (Government Code Section 54956.9): Three (3) potential cases.

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

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

2.04 DISCUSSION/ACTION; PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957).

3. RECONVENE TO OPEN SESSION - DISTRICT OFFICE BOARD ROOM

3.01 CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE BY PRESIDENT ANDRES QUINTERO.

3.02 REPORT OF ACTION TAKEN IN CLOSED SESSION.

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

4. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

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

5. COMMENTS AND COMMUNICATION

5.01 Teamsters.

5.02 California School Employee's Association (CSEA).

5.03 Alum Rock Administrator's Association (ARAA).

5.04 Alum Rock Educator's Association (AREA).

5.05 Superintendent.

5.06 Board of Trustees/Communications/Comments.

6. SPECIAL PRESENTATION

6.01 INFORMATION/DISCUSSION/ACTION; A presentation will be presented on the Early Learning Strategic Plan.

6.02 SPECIAL PRESENTATION; ASES (After School Education and Safety) Program.

7. CONTRACTS OVER \$100,000

7.01 ACTION: Approve Contract for Facilities Condition Assessment Report with EMG Corp., Business Services, \$131,778.20

8. BOND / FACILITIES

8.01 PRESENTATION AND/OR UPDATE ON THE BOND/FACILITIES. Mr. Luis Rojas will present a written update on the status of the Bond Projects.

9. SUPERINTENDENT/BOARD BUSINESS

9.01 INFORMATION: The Board will receive a legal opinion on the status of the position of Board President.

9.02 INFORMATION/DISCUSSION/ACTION: Board Retreat and Training, which may include a session on Board Self-Evaluations.

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

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

9.05 DISCUSSION/ACTION: Adopt the 1st Reading of the Amended Board Policy 2121, Superintendent's Contract, Administration.

9.06 DISCUSSION/ACTION: Adopt the 2nd Reading of the Amended Board Policy 4030, Nondiscrimination in Employment, Personnel.

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

9.08 INFORMATION/DISCUSSION/ACTION: Board Policy 2nd Reading BP9323 Board Bylaws Amendment. The board will consider amending the current bylaw to reinstate Robert's Rules of Order as the procedure for the board meetings with the following additional statement: All Board of Trustees meetings shall begin on time and shall be guided by an agenda prepared in accordance with Board Bylaws and posted and distributed in accordance with the Ralph M. Brown Act (open meeting requirements) and other applicable laws, and conducted under Robert's Rules of Order, unless Robert's Rules conflict with the Brown Act or existing board policies.

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

9.10 INFORMATION/DISCUSSION: Board Created Standing Committees. The Board will report on the following committees: (1) Bond, Facilities, and Finance; (2) Curriculum and Technology; (3) Parent Engagement; and (4) Small Schools and Innovation.

10. BUSINESS

10.01 INFORMATION: Fiscal Expert. The SCCOE has assigned a fiscal expert team to work cooperatively with the District that was board approved on December 14, 2017. Assistant Superintendent of Business Services will welcome and introduce our appointed fiscal expert team.

11. HUMAN RESOURCES

11.01 INFORMATION Regarding Resignations.

12. CONSENT CALENDAR

12.01 ACTION: Approval of Minutes for the following meetings: (1) October 12, 2017, Regular Board Meeting; and (2) October 27, 2017, Special Board Meeting.

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

12.03 ACTION: Approve Contracts for Professional Services - Individuals.

12.04 ACTION: Approve Contracts for Professional Services - Firms.

12.05 ACTION: Acceptance of Donations.

12.06 ACTION: Approval of Fundraising Activities.

12.07 ACTION: Enrollment/Attendance Report for Month 4 (November 20 thru December 15, 2017).

12.08 ACTION: Acceptance of Vendor & Payroll Warrants.

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

12.10 ACTION: Approve/Ratify Notices of Employment and Changes of Status/January 18, 2018/Human Resources Department.

12.11 ACTION: Approve Out of State Travel, School Climate & Culture Forum, Las Vegas, NV, July 10 -13, 2018 for Norma Flores & Jesus Araujo. Estimated cost \$2350.

12.12 ACTION: Approve Out of State Travel, CADA Conference, Reno, NV, February 28 - March 3, 2018 for Sarah Jacobs. Estimated cost \$1650.

12.13 ACTION: Approve Out of State Travel, City Year District Leader Learning Community, Detroit, MI, April 30 – May 1, 2018 for Hilaria Bauer. No cost.

12.14 ACTION: Approve Out of State Travel, CoSN Conference, Washington D.C, March 12-15, 2018 for Imee Almazan & Crystal Madril. Estimated cost \$4400.

12.15 ACTION: Approve Out of State Travel, National Principals Conference 2018, Chicago, IL, July 11-13, 2018 for Maria Martinez, Tara Bickford & Le Tran.

12.16 ACTION: Approve Out of State Travel, CoSN Conference, Washington D.C, March 12-15, 2018 for Avtar Gill. Estimated cost \$3100.

12.17 ACTION: Approve Revised Teamsters Job Description - Lead Driver Trainer

12.18 ACTION: Approve Quarterly Report on Williams Uniform Complaints.

12.19 ACTION: Approve School-Sponsored Field Trip List.

13. FUTURE BOARD AGENDA REQUESTS

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

14. ADJOURNMENT

14.01 President adjourns the meeting.

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

Board of Trustees:

January 10, 2018

Subject: EARLY LEARNING STRATEGIC PLAN

A presentation will be presented on the Early Learning Strategic Plan.

INFORMATION/DISCUSSION/ACTION

Submitted by: Hilaria Bauer Title: Superintendent

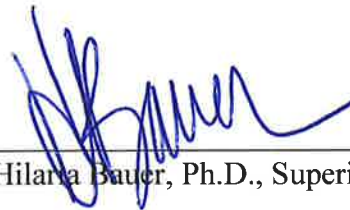
To the Board of Trustees:

Meeting: January 18, 2018
Regular Board Meeting

Recommend Approval

6.01

Agenda Placement



Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

6.02

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue, San Jose, CA 95127

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

To the Board of Trustees:

Date: December 20, 2017

Subject: ASES (After School Education and Safety) Program-THINK TOGETHER PRESENTATION

Staff Analysis: Think Together will provide a presentation on the partnership with Alum Rock Union Elementary School District. Think Together serves six (6) schools under the ASES grant. They also serve TK/K programs at nine (9) Alum Rock School.

Recommendation: Presentation

Submitted by: Sandra Garcia *SG* Title: Director of State and Federal Programs

Approved by: Rene Sanchez *RS* Title: Assistant Superintendent of Instructional Services

To the Board of Trustees:

Meeting: January 18, 2018
Regular Board Meeting

Presentation

6.02
Agenda Placement

[Signature]
Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____

Seconded by: _____

Approved: _____

Not Approved: _____

Tabled: _____

7.01

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION – BOARD OF TRUSTEES

Board of Trustees:

Date: January 11, 2018

Subject:

CONTRACTS OVER \$100,000


Contract for Facilities Condition Assessment Report with EMG Corp.

Staff Analysis:

In September 2017, the District released an RFQ requesting statements of qualification from firms interested in providing consulting services to prepare a facilities condition assessment report for the District. Out of thirty plus inquiries received, only four firms submitted a proposal, which were EMG, IBI, Jacobs and Hibser Yamauchi (HY). A committee of various district staff, including union representatives, was formed to interview the four firms that submitted proposals. Based on all four interviews and after careful review, the committee determined that EMG would be an excellent company to partner with the District in the development of a facilities condition assessment report. EMG is an architectural and engineering firm with thirty (30) years of experience located in the Bay Area. Their team includes registered architects and licensed engineers, sustainability professionals, energy auditors, and ADA specialists. On December 14, 2017, the Board authorized staff to enter into contract discussion with EMG for the preparation of the facilities assessment report.

Recommendation: Staff recommends that the Board of Trustees approve the contract with EMG for a lump sum amount of \$106,188.20 for Facility Condition Assessment with additional options for Electrical IR Review for all sites in a lump sum amount of \$2,760, Asset Inventory and Transfer to Upkeep (District's work order system) in a lump sum amount of \$10,830 and Sewer Scoping for \$500 per line.

Submitted by:


Kolvira Chheng

Title:

Assistant Superintendent, Business Services

To the Board of Trustees:

Meeting:

January 18, 2018

Regular Board Meeting

Recommended Approval

7.01

Agenda Placement


Dr. Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT PURCHASING

INDEPENDENT CONTRACTOR AGREEMENT 2018 JAN 11 AM 11:08

TO: DIVISION OF BUSINESS SERVICES CONTRACT NO. _____
 FROM: Business Services (School/Dept.) VENDOR NO. _____

1. **PARTIES:** The Alum Rock Union Elementary School District (ARUESD), whose address is 2930 Gay Avenue, San Jose, CA 95127, and the following named Contractor:

Name of Individual/Company: EMG
 Address: 10461 Mill Run Circle Suite 1100 City: Owings Mills State: Maryland Zip: 21117
 Phone: (800) 733-0660 Fax: ()
 SSN: _____ Fed I.D. #: _____
 Contractor's License: _____ Type: _____ Expiration: _____

Mutually agree and promise as follows:

2. **CONTRACT TERM:** effective dates December 2017 to June 30, 2018

3. **CONTRACTOR'S OBLIGATION:** In consideration of the compensation, the Contractor shall provide the following services, materials, products, and/or reports:

- A. One line description for Governing Board Report:
Consulting services to prepare a facilities condition assessment report.
 B. Full description of services to be provided and expected results (e.g. services, materials, products and/or reports). Attach proposals, exhibits and other documentation if necessary:
(see attached)

4. **COMPENSATION:** In consideration of Contractor's provision of services as described above, and subject to the payment provisions expressed herein, ARUESD shall pay Contractor upon Contractor's submission of a properly documented demand for payment (Form BUS-106) which shall be submitted not later than 30 days from the end of the month in which the contract services were rendered, and upon approval of such demand by ARUESD as follows: (Check either a, b, or c)

☐ a. **Fee Rate:** \$ _____ per hour/day of service as may be requested by ARUESD, not to exceed a maximum of _____ hours/days of services. ARUESD may, but is not obligated to, request the maximum number of hours/days of service.

☐ b. **Flat Rate:** \$ _____ to be the total payment to the Contractor including travel and/or other expenses.

☒ c. **Other:** NTE \$131,778.20 (describe rate agreement) (see attached)

5. **BUDGET CODE:**

FUND	DEPARTMENT	PROG/COUNTER	OBJECT	\$ AMOUNT	PROG. TITLE	BUS OFC
<u>03</u>	<u>400</u>	<u>7200 0</u>	<u>5815</u>	<u>NTE \$131,778.20</u>	<u>212</u>	

6. **TERMINATION:** This contract may be terminated by ARUESD at its sole discretion, upon five-day advance written notice thereof to the Contractor, or canceled immediately by written mutual consent.

7. **INDEPENDENT CONTRACTOR STATUS:** This contract is by and between two independent contractors and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association. In executing this agreement, the Contractor certifies that no one who has or who will have any financial interest under this agreement is an officer or employee of ARUESD. Additionally, as the Contractor is not an ARUESD employee, ARUESD is not responsible for obtaining workers' compensation insurance coverage for the Contractor.

8. **COMPLETENESS OF AGREEMENT:** This agreement constitutes the entire understanding of the parties and any change or modification shall be in writing and signed by both parties hereto.

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue, San Jose, CA 95127

Office of Superintendent of Schools

8.01

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

Board of Trustees:

January 12, 2018

Subject: UPDATE ON THE BOND/FACILITIES

Mr. Luis Rojas, President and CEO, Del Terra, will present a written update on the status of the Bond Projects.

Information

Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees: Meeting: January 18, 2018
Regular Board Meeting

Information

8.01
Agenda Placement

Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue, San Jose, CA 95127

9.01

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

Board of Trustees:

January 12, 2018

Subject: STATUS OF THE POSITION OF BOARD PRESIDENT

The board will receive a legal opinion on the status of the position of Board President.

Information

Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees: Meeting: January 18, 2018
Regular Board Meeting

Information

9.01

Agenda Placement



Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue, San Jose, CA 95127

9.02

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

Board of Trustees:

January 10, 2018

**Subject: BOARD RETREAT AND TRAINING, WHICH MAY INCLUDE A
SESSION ON BOARD SELF-EVALUATIONS**

Information/Discussion/Action

Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees: Meeting: January 18, 2018
Regular Board Meeting

Information/Discussion/Action

9.02
Agenda Placement

Hilaria Bauer
Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

Board of Trustees:

January 10, 2018

**Subject: NEXT STEPS PERTAINING TO THE GEORGE/FISCHER
MULTI-PURPOSE ROOMS**

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

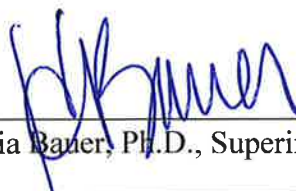
Information/Discussion/Action

Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees: Meeting: January 18, 2018
Regular Board Meeting

Information/Discussion/Action

9.03
Agenda Placement


Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

Board of Trustees:

January 10, 2018

Subject: DISCUSSION AROUND GEORGE MULTI-PURPOSE COMMUNITY ROOM

Discussion that will exclude the George campus pertaining to the earthquake faultline.

Information/Discussion/Action

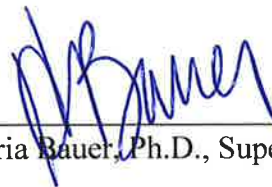
Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees: Meeting: January 18, 2018
Regular Board Meeting

Information/Discussion/Action

9.04

Agenda Placement



Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

9.05

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

Board of Trustees:

January 10, 2018

**Subject: ADOPT THE FIRST READING OF THE AMENDED BOARD
POLICY 2121, SUPERINTENDENT'S CONTRACT,
ADMINISTRATION**

DISCUSSION/ACTION

Submitted by: Hilaria Bauer Title: Superintendent

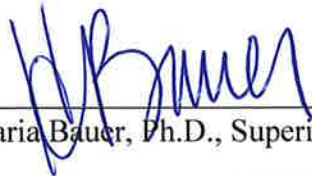
To the Board of Trustees:

Meeting: January 18, 2018
Regular Board Meeting

Recommend Approval

9.05

Agenda Placement



Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

Alum Rock Union ESD

Board Policy

Superintendent's Contract

BP 2121

Administration

The Governing Board believes that the Superintendent's employment contract should outline the framework through which the Board and Superintendent are to work together to achieve district goals and objectives. When approving the Superintendent's employment contract, the Board shall consider the need for stability in district administration and shall ensure the best use of district resources.

(cf. 0200 – Goals for the School District
(cf. 2120 - Superintendent Recruitment and Selection)
(cf. 4312.1 - Contracts)
(cf. 9000 - Role of the Board)

The contract shall be reviewed by the district's legal counsel and may include the following:

1. General duties and responsibilities of the position

(cf. 2110 - Superintendent Responsibilities and Duties)

2. Term of the contract, which shall be for no more than four years pursuant to Education Code 35031

3. Length of the work year and hours of work

4. Salary, health and welfare benefits, and other compensation for the position

(cf. 4154/4254/4354 - Health and Welfare Benefits)

5. Reimbursement of work-related expenses, including mileage reimbursement, consistent with Board policies, regulations, and guidelines applicable to other professional administrative staff

(cf. 3350 – Travel Expenses)

The contract may also address payment for professional dues and activities, the district's provision of cell phones or other technological devices, and the Superintendent's use of his/her personal vehicle.

(cf. 4040 – Employee Use of Technology)

6. Vacation, illness and injury leave, and personal leaves

(cf. 4161/4261/4361 – Leaves)

(cf. 4161.1/4361.1 – Personal Illness/Injury Leave)

(cf. 4161.2/4261.2/4361.2 – Personal Leave)

(cf. 4161.5/4261.5/4361.5 – Military Leave)

(cf. 4161.8/4261.8/4361.8 – Family Care and Medical Leave)

7. Criteria, process, and procedure for annual evaluation of the Superintendent

(cf. 2140 - Evaluation of the Superintendent)

8. Conditions and process for termination of the contract including the maximum cash settlement that the Superintendent may receive If the contract is terminated prior to its expiration date

9. A statement that any subsequent increase in the Superintendent's salary shall be at the sole discretion of the Board

10. A statement that there shall be no automatic renewal or extension of the contract, although the Board can enter into a new contract with the Superintendent prior to the expiration of the existing contract

11. Timeline for providing written notice to the Superintendent if the Board does not wish to enter into a new contract, which shall be at least 45 days in advance of the expiration of the term of the contract pursuant to Education Code 35031, and the responsibility of the Superintendent to remind the Board in a timely manner of the requirement to give notice

12. Matters related to liability and indemnification against demands, claims, suits, actions, and legal proceedings brought against the Superintendent in his/her official capacity in the performance of duties related to his/her employment

The Board may deliberate about terms of the contract in closed session at a regular meeting. Discussions regarding the salary, salary schedule, or other compensation may occur in closed session only as permitted under Government Code 54957.6 between the Board and its designated representative(s) (the "labor exception"), for the purpose of reviewing the Board's position or instructing the designated representative(s) prior to or during bona fide negotiations with the current or prospective Superintendent. (Government Code 54956, 54957, 54957.6)

The Board may consult with district legal counsel prior to holding a closed session with the designated representative(s) to discuss compensation to be paid to the current or prospective Superintendent.

(cf. 9320 - Meetings and Notices)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

Terms of the contract shall remain confidential until the ratification process commences.

(cf. 9011 - Disclosure of Confidential/Privileged Information)

The Board shall take final action on the Superintendent's contract in an open Regular meeting, which shall be reflected in the Board's minutes. Copies of the contract shall be available to the public upon request. (Government Code 53262, 54957.6)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

Termination of Contract

Prior to the expiration of the contract, the Board may terminate the Superintendent's employment contract in accordance with law and applicable contract provisions.

(cf. 4117.5/4217.5/4317.5 - Termination Agreements)

In such an event, any cash settlement that the Superintendent may receive upon termination of the contract shall not exceed his/her monthly salary multiplied by the number of months left on the contract or, if the unexpired term of the contract is more than 18 months and the contract was executed prior to January 1, 2016, no greater than the Superintendent's monthly salary multiplied by 18. For any contract executed on or after January 1, 2016, any cash settlement shall not exceed the Superintendent's monthly salary multiplied by 12. (Government Code 53260)

The cash settlement shall not include any noncash items other than health benefits, which may be continued for the same duration of time as covered in the settlement or until the Superintendent finds other employment, whichever occurs first. (Government Code 53260, 53261)

However, when the termination of the Superintendent's contract is based upon the Board's belief and subsequent confirmation through an independent audit that the Superintendent has engaged in fraud, misappropriation of funds, or other illegal fiscal practices, no cash or noncash settlement of any amount shall be provided. (Government Code 53260)

In addition, if the Superintendent is convicted of a crime involving an abuse of his/her office or position, he/she shall reimburse the district for payments he/she receives as paid leave salary pending investigation or as cash settlement upon his/her termination, and for any funds expended by the district in his/her defense against a crime involving his/her office or position. (Government Code 53243-53243.4, 53260)

Legal Reference:

EDUCATION CODE

35031 Term of employment

41325-41329.3 Conditions of emergency apportionment

GOVERNMENT CODE

3511.1-3511.2 Local agency executives

53243-53243.4 Abuse of office

53260-53264 Employment contracts

54954 Time and place of regular meetings

54956 Special meetings

54957 Closed session personnel matters

54957.1 Closed session, public report of action taken

54957.6 Closed sessions regarding employee matters

UNITED STATES CODE, TITLE 26

105 Self-insured medical reimbursement plan; definition of highly compensated individual

UNITED STATES CODE, TITLE 42

300GG-16 Group health plan; nondiscrimination in favor of highly compensated individuals

CODE OF FEDERAL REGULATIONS

1.105-11 Self-insured medical reimbursement plan

COURT DECISIONS

San Diego Union v. City Council, (1983) 146Cal.App.3d 947

ATTORNEY GENERAL OPINIONS

57 Ops. Cal. Atty. Gen. 209 (1974)

Management Resources:

CSBA PUBLICATIONS

Superintendent Contract Template, 2015

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Local Legislative Bodies, 2003

WEB SITES

CSBA <http://www.csba.org>

Association of California School Administrators: <http://www.acsa.org>

Office of the Attorney General, Department of Justice: <http://caag.state.ca.us/>

Policy	ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
adopted:	July 2, 2013 San Jose, California
revised:	January 18, 2018

9.06

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

Board of Trustees:

December 22, 2017

**Subject: ADOPT THE SECOND READING OF THE AMENDED BOARD
POLICY 4030, NONDISCRIMINATION IN EMPLOYMENT,
PERSONNEL**

DISCUSSION/ACTION

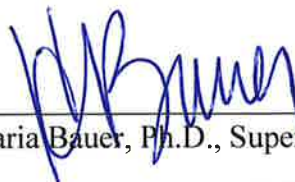
Submitted by: Jess Serna Title: Interim Assistant Superintendent

To the Board of Trustees: Meeting: January 18, 2018
Regular Board Meeting

Recommend Approval

9.06

Agenda Placement



Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

Alum Rock Union ESD

Board Policy

Nondiscrimination In Employment

BP 4030

Personnel

The Governing Board is determined to provide district employees, interns, volunteers, and job applicants a safe, positive environment where they are assured of full and equal employment access and opportunities, protection from harassment or intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. This policy shall apply to all district employees and, to the extent required by law, to interns, volunteers, and job applicants.

(cf. 1240 - Volunteer Assistance)

(cf. 4111/4211/4311 - Recruitment and Selection)

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race, religious creed, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, gender, gender identity, gender expression, sex, or sexual orientation or his/her association with a person or group with one or more of these actual or perceived characteristics.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Discrimination in hiring, compensation, terms, conditions, and other privileges of employment
2. Taking of an adverse employment action, such as termination or the denial of employment, promotion, job assignment, or training

(cf. 4151/4251/4351 - Employee Compensation)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities, or that has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment

4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:

a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status

(cf. 4033 - Lactation Accommodation)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

b. Religious creed discrimination based on an employee's religious belief or observance, including his/her religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement.

c. Disability discrimination based on a district requirement for a medical or psychological examination of a job applicant, or an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

d. Disability discrimination based on the district's failure to make reasonable accommodation for the known physical or mental disability of an employee or to engage in a timely, good faith, interactive process with an employee, to determine effective reasonable accommodations for the employee, when he/she has requested reasonable accommodation for a known physical or mental disability or medical condition

(cf. 4032 - Reasonable Accommodation)

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately. The district shall protect any employee who reports such incidents from retaliation.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy. He/she shall provide training and information to employees about how to recognize harassment, discrimination, or other related conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

In addition, the Superintendent or designee shall post, in a conspicuous place on district premises, the California Department of Fair Employment and Housing publication on workplace discrimination and harassment issued pursuant to 2 CCR 11013.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.56 Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

11006-11086 Discrimination in employment

11013 Recordkeeping

11019 Terms, conditions and privileges of employment

11023 Harassment and discrimination prevention and correction

11024 Sexual harassment training and education

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 29

621-634 Age Discrimination in Employment Act

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended
2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended
2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age discrimination in federally assisted programs
12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 28
35.101-35.190 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 34
100.6 Compliance information
104.7 Designation of responsible employee for Section 504
104.8 Notice
106.8 Designation of responsible employee and adoption of grievance procedures
106.9 Dissemination of policy
110.1-110.39 Nondiscrimination on the basis of age
COURT DECISIONS
Thompson v. North American Stainless LP, (2011) 131 S.Ct. 863
Shepard v. Loyola Marymount, (2002) 102 Cal.App.4th 837

Management Resources:

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS
California Law Prohibits Workplace Discrimination and Harassment, December 2014
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Notice of Non-Discrimination, August 2010
U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS
Questions and Answers: Religious Discrimination in the Workplace, 2008
New Compliance Manual Section 15: Race and Color Discrimination, April 2006
Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors,
June 1999

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>
U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>
U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

Policy ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
adopted: July 2, 2013 San Jose, California
revised: January 18, 2018

9.07

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

Board of Trustees:

December 22, 2017

Subject:

**ADOPT THE SECOND READING OF THE AMENDED
ADMINISTRATIVE REGULATION 4031, NONDISCRIMINATION
IN EMPLOYMENT AND COMPLAINTS CONCERNING
DISCRIMINATION IN EMPLOYMENT, PERSONNEL**

DISCUSSION/ACTION

Submitted by: Jess Serna

Title: Interim Assistant Superintendent


To the Board of Trustees:

Meeting: January 18, 2018
Regular Board Meeting

Recommend Approval

9.07

Agenda Placement



Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____

Seconded by: _____

Approved: _____

Not Approved: _____

Tabled: _____

Alum Rock Union ESD

Administrative Regulation

Nondiscrimination In Employment and Complaints Concerning Discrimination In Employment

AR 4031

Personnel

All allegations of discrimination in employment, including those involving an intern, volunteer, or job applicant, shall be investigated and resolved in accordance with procedures specified in this administrative regulation.

The district designates the position identified below as its coordinator for nondiscrimination in employment (coordinator) to coordinate the district's efforts to comply with state and federal nondiscrimination laws and to answer inquiries regarding the district's nondiscrimination policies. The coordinator may be contacted at:

Director of Human Resources

2930 Gay Avenue, San Jose, CA 95127

408 928-6503

Measures to Prevent Discrimination

To prevent unlawful discrimination, harassment, and retaliation in district employment, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, by: (5 CCR 4960; 34 CFR 100.6, 106.9)

a. Including them in each announcement, bulletin, or application form that is used in employee recruitment

b. Posting them in all district schools and offices, including staff lounges and other prominent locations

c. Posting them on the district's web site and providing easy access to them through district-supported social media, when available

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

2. Disseminate the district's nondiscrimination policy to all employees by one or more of the

following methods: (2 CCR 11023)

- a. Printing and providing a copy of the policy to all employees, with an acknowledgment form for each employee to sign and return
- b. Sending the policy via email with an acknowledgment return form
- c. Posting the policy on the district intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies
- d. Discussing the policy with employees upon hire and/or during a new hire orientation session
- e. Any other way that ensures employees receive and understand the policy

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

3. Provide to employees a handbook that contains information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to anyone who feels that he/she has been the victim of any discriminatory or harassing behavior
4. Provide training to employees, volunteers, and interns regarding the district's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made

Training for supervisors shall include the requirement to report any complaint of misconduct to a designated representative, such as the coordinator, human resources manager, or Superintendent or designee as a topic in the sexual harassment prevention training required pursuant to 2 CCR 11024 (2 CCR 11023)

(cf. 1240 - Volunteer Assistance)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

5. Periodically review the district's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure district compliance with law
6. For any district facility where 10 percent of employees have a language other than English as their spoken language, translate the policy into every language spoken by at least 10 percent of the workforce

Complaint Procedure

Any complaint alleging unlawful discrimination or harassment shall be addressed in accordance with the following procedures:

1. Notice and Receipt of Complaint: A complainant may inform his/her direct supervisor, another supervisor, the coordinator, the Superintendent or, if available, a complaint hotline or an ombudsman.

The complainant may file a written complaint in accordance with this procedure, or if he/she is an employee, may first attempt to resolve the situation informally with his/her supervisor.

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, other evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 4032 - Reasonable Accommodation)

2. Investigation Process: The coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment within five business days of receiving notice of the alleged discriminatory or harassing behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

The coordinator shall meet with the complainant to describe the district's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator shall inform the complainant that the investigation of the allegations will be fair, timely, and thorough and will be conducted in a manner that provides all parties due process and reaches reasonable conclusions based on the evidence collected. He/she shall also inform the parties that the investigation will be kept confidential to the extent possible, but that some information may be revealed as necessary to conduct an effective investigation.

(cf. 3580 - District Records)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

If the coordinator determines that a detailed fact-finding investigation is necessary, he/she shall begin the investigation immediately. As part of this investigation, the coordinator should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

The coordinator shall track and document the progress of the investigation to ensure reasonable progress and shall inform the parties as necessary.

When necessary to carry out his/her investigation or to protect employee safety, the coordinator may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

The coordinator also shall determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed to ensure that further incidents are prevented. The coordinator shall ensure that such interim measures do not constitute retaliation.

3. **Written Report on Findings and Remedial/Corrective Action:** No more than 20 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the parties and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report also shall include any corrective action(s) that have been or will be taken to address the behavior, provide appropriate options for remedial actions and resolutions for the complainant, and ensure that retaliation or further discrimination or harassment is prevented.

The report shall be presented to the complainant, the person accused, and the Superintendent or designee.

4. **Appeal to the Governing Board:** The complainant or the person accused may appeal any findings to the Board within 10 business days of receiving the written report of the coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 business days.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 9321 - Closed Session Purposes and Agendas)

Other Remedies

In addition to filing a discrimination or harassment complaint with the district, a person may file a complaint with either the California Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. To file a valid complaint with DFEH, within one year of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960

2. To file a valid complaint directly with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)
3. To file a valid complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5)

Regulation ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
approved: July 2, 2013 San Jose, California
revised: January 18, 2018

Office of Superintendent of Schools

9.08

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

To the Board of Trustees:

January 11, 2018

Subject: **Board Policy 2nd Reading**
BP 9323 Board Bylaws Amendment

Staff Analysis: The Board will consider amending the current bylaw to reinstate Robert's Rules of Order as the procedure for the board meetings with the following additional statement (in italics):

All Board of Trustees meetings shall begin on time and shall be guided by an agenda prepared in accordance with Board bylaws and posted and distributed in accordance the Ralph M. Brown Act (open meeting requirements) and other applicable laws, *and conducted under Robert's Rules of Order, unless Robert's Rules conflict with the Brown Act or existing board policies.*

Information/Discussion/Action

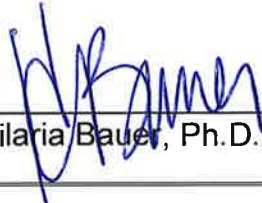
Approved by: Hilaria Bauer, Ph.D. Title: Superintendent

To the Board of Trustees:

Meeting: January 18, 2018
Regular Board Meeting

Information/Discussion/Action

9.08
Agenda Placement


Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue, San Jose, CA 95127

9.09

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

Board of Trustees:

January 10, 2018

Subject: BOARD-CREATED COMMITTEES

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

Discussion/Action

Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees: Meeting: January 18, 2018
Regular Board Meeting

Recommend Approval

9.09
Agenda Placement


Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue, San Jose, CA 95127

9.10

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

Board of Trustees:

January 10, 2018

Subject:

BOARD CREATED STANDING COMMITTEES

The Board will report on Board Created Standing Committees:

- Bond, Facilities, and Finance
- Curriculum and Technology
- Parent Engagement
- Small Schools and Innovation

Information/Discussion

Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees:

Meeting: January 18, 2018
Regular Board Meeting

Information/Discussion

9.10
Agenda Placement


Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue, San Jose, CA 95127

Office of Superintendent of Schools

10.01

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

Board of Trustees:


January 12, 2018

Subject: FISCAL EXPERT

The SCCOE has assigned a fiscal expert team to work cooperatively with the District that was board approved on December 14, 2017.

Assistant Superintendent of Business Services will welcome and introduce our appointed fiscal expert team.

INFORMATION

Submitted by: Kolvira Chheng  Title: Assistant Superintendent, Business Services

To the Board of Trustees:

Meeting: January 18, 2018
Regular Board Meeting

Information

10.01
Agenda Placement


Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____

Seconded by: _____

Approved: _____ Not Approved: _____

Tabled: _____



Santa Clara County Office of Education

Mary Ann Dewan, Ph.D.
Interim County Superintendent of Schools

January 12, 2018

VIA EMAIL ATTACHMENT AND U.S. MAIL

Andres Quintero, Board President
Alum Rock Union Elementary School District
2930 Gay Avenue
San Jose, CA 95127

Dear Mr. Quintero:

As per our November 8, 2017 letter to you and under the authority of Education Code 42127.6, this is to notify you that the County has contracted for a Fiscal Expert to be assigned to your District to monitor progress in each of the areas identified for action by our office and enumerated in the resolution excerpted below. Dr. Donald Zimring will be the on-site County representative as part of a three member team working with your District staff through the identified time period of January – June, 2018.

Pursuant to Board Resolution 18-17/18 adopted by the Alum Rock Union Elementary School District on December 14, 2017, the District confirmed the following:

WHEREAS, the Fiscal Expert shall commence on January 1, 2018 and the role of such expert shall 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 dated June 9, 2017;

Clarify the budget assumptions that appear to be understated, or provide revisions;

Prepare the monthly cash reconciliation by each monthly due date and inform us 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 Santa Clara County Office of Education;

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; and

WHEREAS, these actions must be taken to maintain the fiscal stability of the district, restore the creditability of the district's financial leadership and operations, and insure that the district is able to sustain a quality education program for our students..... (a copy of the full resolution is attached)

Mr. Bill McGuire and Ms. Francie Heim will be primarily working off site in review of records and best practices in support of Dr. Zimring. This three person team will bring a wealth of experience and support to your District for the balance of the school year. I have taken the liberty of attaching their resumes for your review.

On January 9th, the team along with myself, and members of my staff met with Superintendent Bauer and Assistant Superintendent of Business Chheng to review the project scope and roles and responsibilities. We look forward to introducing the engagement team to the board at your next regular meeting scheduled for January 18, 2018.

We appreciate the district's cooperation in working with the Fiscal Expert to obtain support in closing items remaining open from the conditional approval of the fiscal year 2017-18 budget.

Sincerely,



Mary Ann Dewan, Ph.D.

Interim County Superintendent of Schools.

Attachments

cc: Karen Martinez, Board Vice President, Alum Rock Union Elementary School District
Esau Ruiz Herrera, Board Clerk, Alum Rock Union Elementary School District
Khan Tran, Board Member, Alum Rock Union Elementary School District
Dolores Marquez, Board Member, Alum Rock Union Elementary School District
Hilaria Bauer, Ph. D., Superintendent, Alum Rock Union Elementary School District
Kolvira Chheng, Chief Business Officer, Alum Rock Union Elementary School District
Megan K. Reilly, Chief Business Officer, Santa Clara County Office of Education
Judy Kershaw, Director-District Business Advisory Services, Santa Clara County Office of Education
Ann Redd, Senior Business Advisor, Santa Clara County Office of Education

CURRICULUM VITAE

DONALD M. ZIMRING, Ph.D.

1330 Southwind Circle

Westlake Village, CA. 91361

818-920-9059 (work) 818 943-0802 (cell)

Consultant & Trainer – State of California - Fiscal Crisis Management Assistance Team (FCMAT) 2004-present

I have served as both a consultant and mentor with the state's FCMAT organization for the past twelve years. My work includes working with prospective Chief Business Officials as well as being a regular presenter to their trainings. In addition, I formed *Educational Leadership Insights* – a consulting service providing training, coaching and planning support for both public and independent schools.

Accreditation Chair - Western Association of Schools and Colleges (WASC) Accreditation Teams 1998-present

I have served as the chair for numerous WASC (Western Association of Schools and Colleges) visitation teams both in California and Hawaii. My assignments have ranged from the Emek Jewish Day School to Charter Schools for Performing Arts to comprehensive high schools of 3,000 students. I have also been assigned to low performing schools faced with NCLB sanctions. I am trained in both the Focus on Learning Model as well as the CAIS format for private schools.

Adjunct Instructor–University of Southern California –Rosier School of Education 2005-present

I serve on the faculty of USC's Sacramento facility to teach the introductory course in the Rosier School of Education's Business Management Certificate program. I was also asked to write the curriculum for this program which is taught in multiple locations throughout the state.

EDUCATION:

1986 - University of California Santa Barbara

Ph.D. - Education Administration

1975 - University of California Los Angeles

M.Ed. - Master of Education

1973 - University of California Los Angeles

BA - Bachelor of Arts

Career Path

Brandeis Hillel Day Schools of San Francisco & Marin

655 Brotherhood Way

San Francisco, CA. 94132

180 North San Pedro Rd.

San Rafael, CA. 94903

Head of School

2012 to 2015

Major Accomplishments:

Brandeis Hillel Day School was one of the largest Independent Jewish Day Schools in the nation and one of the few that previously operated a parallel program on two separate campuses – one in San Francisco with an enrollment of 400 and one in Marin County with an enrollment of 160. The school was experiencing significant financial, operational and educational challenges as they worked to maintain their position as a "top tier" school in the Bay area.

I was brought in to analyze the relative strengths and weaknesses of the school and implement a massive restructuring including building an entirely new leadership and back office team. In addition, I was responsible for implementing an articulated curriculum for both the Jewish and general studies divisions – something that had never been done. This included introducing new methods of assessment and use of data to guide instructional strategies. In addition, I worked closely with the LGBTQ community in addressing the expanding issues of schools accommodating the needs of these students.

The work on the financial structure of the school was no less formidable. I revamped the process for determining and awarding tuition assistance and implemented new systems and structure for the business office that provided the Board and senior leadership team more accurate and timely financial information.

The result was the successful launch of each campus as an independent entity on time and on budget - July 1, 2015.

Las Virgenes Unified School District
4111 N. Las Virgenes Road
Calabasas, CA 91302

Enrollment: 12,000

Superintendent of Schools

2007-2012

Major Accomplishments:

My tenure as Superintendent spanned a period during which the District was hit with massive budget cuts from the State. Despite this, I was able to work with our leadership team to not only maintain and enhance the instructional program but to implement new initiatives as well.

Instruction: The District has continued to achieve at the highest levels in state testing with all schools over the coveted “800” mark and a majority of the schools at or above “900”. This occurred at a time when we were forced to implement nearly \$6 million in programmatic and staffing cuts. We reduced our central administration, restructured the delivery of “heritage” services such as libraries, and found a variety of efficiencies to preserve resources for the classroom ranging from energy management to “re-balancing” class sizes in the primary grades to minimize state penalties. In addition, we implemented new programs to both better serve students and attract new students to our District. These included:

**Implementation of Common Core Assessments in Support of 21st Century Learning* – I worked with our Board in adopting a 5 year plan to transition from the current STAR test based assessment structure to one more aligned with the recently adopted national standards and a 21st century learning model which stresses innovation, environmental stewardship, citizenship, and global economics.

**International Baccalaureate* - An I.B. program began at one of our two comprehensive high schools involving teacher-leaders and parents that has flourished during the past five years.

**Alternative Elementary School* – In response to a potential Charter Application, our District created an alternative model based on a Waldorf– project based structure. Inside of three years, the program had grown from 60 students in K-5 to nearly 300 students K-8. Nearly half the students attend from out of the region.

**Elementary Foreign Language* – During the past year, our District initiated a first ever

elementary foreign language program based on a dual immersion structure which quickly filled two classrooms.

**Service Learning* – I formed a districtwide task force and was able to bring to the Board of Education a structure and Board Policy to make community service a requirement of high school graduation that became effective in the 2012/2013 school year.

**Technology in Support of Instruction and Achievement* – I have been a strong proponent for the role technology will play in 21st Century Learning. To that end, I restructured our leadership team to create a cabinet level position of Chief Instructional Technology Officer without increasing overall administrative staff. The role of this position is to coordinate existing support services, both in Educational Services and Technology Support, to provide greater teacher training and support to allow teachers to embed technology in all levels of instruction and assessment. This work was recognized by Apple Computers and featured in one of their promotional videos.

Finance / New Revenues – The fiscal crisis created by the failure of the State to adequately fund public education forced the District to find new approaches relative to budgeting and revenue generation. Working with our Chief Financial Officer, I developed several initiatives to address the “new reality” including:

**Structured Draw Down of Assets* – With a goal of avoiding reductions in the instructional year as well as mass layoffs, we developed a plan which combined all available one time Federal Funds along with existing reserves and a \$4 million Trust Fund into a structured approach to deficit spending which allowed the District to maintain programs, services, and solvency over a three year period of time. The approach won the praise of both union leadership and parents for its ability to prevent significant disruption to the instructional program.

**Save Our Schools Campaign* – In the absence of a viable Foundation to raise funds for the District, we launched our own campaign asking people to donate directly to the District. In an age of growing distrust for Government and Bureaucracies, many predicted this would be doomed to failure. They were wrong. In eight weeks of direct mail and phone calls, we raised nearly \$500,000 in direct donations.

**Ballot Initiatives* – I had the primary responsibility for passage of four separate ballot initiatives – two parcel tax measures which generate over \$2 million annually as well as two bond initiatives which raised over \$200 million in capital funding for construction and acquisition and replacement of classroom technology.

**Financial Support from Other Government Agencies* – As part of an ongoing effort to increase local control, I coordinated multiple efforts to engage the District’s four cities and water district in direct funding for District programs. This resulted in over \$3 million additional revenue provided over a five year period.

Facilities Upgrades and Expansion – Based on the two bond measures noted above, I oversaw an aggressive construction campaign which included new schools, expansions to existing facilities as well as renovations to every campus. The final projects under my administration involved the construction of two state of the art 650 seat Performing Arts Education Centers valued at over \$18 million each. Both facilities opened simultaneously in 2013.

Community/Political Outreach -

I worked with the Board to build better communication and collaboration between our District and the four cities and water district within our District. This effort was mirrored with our parent community as

well as with increased on line access to student records and student/parent surveys to improve customer service to all constituents

Legislative Work

2002-2012

I have had the opportunity to work on several pieces of legislation both in the formation of the bills and in the subsequent lobbying effort for passage. These included AB2513 – Autism, AB2518 – Electronic Text Books Pilot Program, and SB352 – CBO training

Interim Superintendent

2004-2005

Accomplishments:

During the 2004/05 school year, I had dual responsibilities as both the Interim Superintendent of Schools and the Chief Financial Officer. Due to the finite tenure of my position, I was able to work with the Board in bringing about significant changes in the District's administrative team and structure. One of the District's comprehensive high schools was experiencing a lack of unity or direction. As a result, there was little or no collaboration between the faculty and the administration or parent groups. I replaced the principal with an existing assistant principal whose talents I believed would help bring the school together and improve deficiencies in student attendance and achievement. Since the change, the school has seen a remarkable turnaround with even the most vocal critics praising the new administrative team.

The District had experienced one of the largest increases in students with autism anywhere in the state. The effects to both educational and financial resources were significant. I worked with the Board, Director of Special Education, and the California Suburban School Districts (CALSSD) to develop legislation to begin addressing this critical issue. That legislation, AB 2513 was signed into law. I also worked with the Special Education Department and legal counsel in developing strategies for IEP development and monitoring of program costs.

I worked with the cabinet and the entire administrative team in developing a new Administrative Evaluation instrument based on the Doug Reeves model of Administrative Excellence in Supervision. The new format addressed the 12 critical areas of school leadership identified by Reeves in his research and then tailored those to the District's unique needs.

Deputy Superintendent &

1997-2004 & 2005-2007

Assistant Superintendent - Business Services

1985-1997

As the number two position in the District's organization, I supervised seven subordinate management team members and had responsibility for various aspects of business and administration including:

- *Budget Planning and Development
- *Finance
- *Bond/COP Management/Investments
- *Technology Services and Instructional Technology
- *Member of District Negotiation Team
- *Maintenance, Operations and Transportation
- *Facilities Planning & Construction
- *Management Information Systems
- *Purchasing & Warehousing
- *Child Nutrition
- *Public Information/Press Relations

Accomplishments:

I worked closely with the State's Fiscal Crisis Management Assistance Team (FCMAT) both as a presenter and mentor for their CBO Mentor Program. I also worked with FCMAT on development and passage of SB352 which, for the first time, provided state funding expressly for the purpose of formal

training of aspiring CBO's.

Other accomplishments include:

- coordinated the selection and introduction of student/attendance software for use at all sites
- identification and negotiation of future school sites
- construction of Administrative Support Facility at no cost to the tax-payer or general fund
- negotiation of agreements for participation in area Re-Development Agencies
- negotiation of agreements with area cable television companies
- development of statewide training for aspiring Business Officials and presentation of a three day "CBO Boot Camp" now in its 18th year.
- received "Certification of Professional Designation" as a Chief Business Official...

Principal, A. E. Wright Middle School

1984-1985

Las Virgenes Unified School District

Accomplishments: Instituted elective rotation program ensuring all students had opportunity for experiences in each elective area, revamped testing and assessment program, made substantive changes in staffing assignments broadening opportunities for key staff members.

Administrative Assistant to the Superintendent

1979-1984

Las Virgenes Unified School District

Accomplishments: Served as Public Information Officer for the District and expanded media coverage of district activities, began weekly radio program on local education, served as District spokesperson during nine day teacher's strike, wrote numerous grants including AB551 - Staff Development Grants, began partnerships with local cable television companies, introduced "Cable in the Classroom" programming to elementary schools.

Teacher, Lindero Canyon Middle School

1975-1979

Las Virgenes Unified School District

Accomplishments: introduced mock trials as part of accelerated and honors curriculum, began monthly student produced "news" program that was aired both in classrooms and on local cable channels, began yearly 8th grade trip to Sacramento as part of California History unit, began student attendance at Los Angeles World Affairs Council Meetings, co-directed student plays, began annual non-school trip for 8th graders to Washington D.C. which will mark it's 40th year this April.

Administrative Coordinator

1973-1975

Los Angeles World Affairs Council

Accomplishments: Planned and implemented presentations by dozens of national and international leaders, coordinated security with local police agencies and U.S. Secret Service, coordinated meetings for prominent United States citizens with embassy personnel in a dozen countries in Eastern Europe and Scandinavia.

Senior Editor/Field Reporter – Radio News West/City News Service Los Angeles **1970-1973**

I worked for what was then the largest audio news service in the western United States both as a field reporter and senior editor. I had a wide variety of assignments ranging from covering presidential politics to high profile criminal trials.

AWARDS & HONORS

2012 – Dedication and naming of the *Donald M. Zimring Administrative Support Center* – Calabasas, California
2012 – Superintendent of the Year – Association of California School Administrators Region 13
2010 – Chosen as Public School Representative - Apple International Leadership Conference
2005 – Ed Masry Leadership Award from the Conejo/Las Virgenes Chamber of Commerce
2004 - CASBO Life Achievement Award
2002 - Appointment to State of California Educational Master Plan Writing Task Force
2000 - Rotary International - Pride of Workmanship Award
1993 - Administrator of the Year - Business Association of California School Administrators
1991 - Administrative Leadership Award, California Media/Library Educator's Association
1989 - Citizen Award for Heroism - City of Westlake Village
1976 - Donald Perryman Award for Outstanding Teaching -- Los Angeles County

JOINT POWERS AUTHORITIES/STATE CONSULTING

Past President - Alliance for Fair Annual Insurance Renewals (Dental JPA)
Past President - Schools Linked for Insurance Management (Workers Compensation JPA)
Board of Directors – Protected Insurance Program for Schools – Statewide Worker's Compensation Insurance Pool

PROFESSIONAL ORGANIZATIONS

California Association of School Business Officials
•Professional Development Committee - Chair - 10 years
•Professional Certification Committee - Chair 2004 – 2010
City Planning Committees (Westlake Village, Agoura Hills, Calabasas, Hidden Hills)
Southern California School Business Executives - Member
Association of California Schools Administrators
•Presenter - Training modules in Business, Negotiations, and Personnel
Coalition for Adequate School Housing (CASH) – Mentor & Trainer

WILLIAM (BILL) C. MCGUIRE

5355 Brentford Way, El Dorado Hills, CA 95762 – 559-217-3901 – billmcguire99@gmail.com

EDUCATION

PEPPERDINE UNIVERSITY

Masters Degree - Concentration in School Business Administration

CENTRAL WASHINGTON UNIVERSITY

Double Major: B.S. in Economics, Specialization in Operations Analysis

B.S. in Accounting, Minor in Data Processing

ADDITIONAL PROFESSIONAL DEVELOPMENT

Certified Chief Business Official (CASBO)

ACSA Personnel Academy & Business Managers Academy

EXPERIENCE

TWIN RIVERS UNIFIED SCHOOL DISTRICT

2014 TO PRESENT

Deputy Superintendent

Direct and complete all administrative affairs on behalf of the Superintendent. Member of the district leadership team with the responsibility to manage district operations in a manner leading to maximum resources devoted to instructional services resulting to increased achievement for all students.

Oversee Administrative Services, including collective bargaining, technology integration, business services, purchasing, transportation, risk management, employee insurance programs, child nutrition/food services, facility planning, maintenance and new construction.

ST HELENA UNIFIED SCHOOL DISTRICT

2010 TO 2014

Superintendent/Acting Superintendent/Chief Business Official

Direct and complete all administrative affairs of the district including board agenda development, leadership of the instructional team, and community outreach. Oversee administrative and instructional staffing, human resources, collective bargaining, technology integration, business services, purchasing, transportation, risk management, child nutrition/food services, facility planning, maintenance and new construction.

Provided leadership to move the district from qualified budget status to a positive certification with adequate reserves and an upgrade to AAA Bond Rating. Built budget systems and reporting tools that provide greater transparency, and as a result, increased community support.

Transformed the District's facilities program, including passage of a two General Obligation Bonds in November 2010 and 2012. Directly supervised all phases of facilities: planning, bidding, construction, and occupancy.

Implemented a successful 1:1 Chromebooks/Technology program, in six months, for grade three to nine.

SCHOOL INNOVATIONS & ADVOCACY AND ENERGY EDUCATION

2008 TO 2010

Vice President – Professional and Fiscal Services, Regional Vice President, Marketing

Conducted efficiency and effectiveness studies in all areas of school district operations.

Provided political advocacy, with a focus on State of California budget analysis and

statewide presentations and oversight of product development tools, targeted to increase school district revenues and achieve greater operational efficiencies, including a unique "people based" energy reduction program.

CLOVIS UNIFIED SCHOOL DISTRICT

1996 TO 2008

Associate Superintendent for Administrative Services 2002 to 2008

Associate Superintendent for Business Services: 1996 to 2002

Chief Executive Officer – Central Valley Support Services JPA

Member of the district leadership team with the responsibility to manage district finances in a manner leading to maximum resources devoted to educational services.

Responsible for administrative services, including fiscal services, budgeting, food services, purchasing, transportation, risk management, technology, and facilities construction and planning. Coordinated the development and administration of the annual district budget. Managed self-funded district and employee insurance programs.

MERCED CITY SCHOOL DISTRICT

1991-1996

Assistant Superintendent, Administrative Services

Responsible for administrative services, including all business office functions, food services, maintenance & operations, facilities, negotiations, risk management, transportation, and personnel.

CALAVERAS UNIFIED SCHOOL DISTRICT

1990-1991

Assistant Superintendent, Business Services

Responsible for all business and support services, including direct supervision of the business, personnel, and transportation departments.

CALAVERAS COUNTY OFFICE OF EDUCATION

1986-1990

Assistant Superintendent/Director, Business Services

Responsible for all internal and external business functions of the County Office of Education, including support to districts in the county. Responsible for the fiscal operations of the SELPA, a special education consortium which encompassed three counties and seventeen school districts.

DEL NORTE COUNTY UNIFIED SCHOOL DISTRICT

1983-1986

Chief Accountant

Supervised and completed business office and budget functions. Coordinated all technology.

PROFESSIONAL ASSOCIATION INVOLVEMENT

Lead Facilitator/Instructor for the CBO Mentor program, a CBO training underwritten by

FCMAT (Fiscal Crisis Management Assistance Team)

National University Instructor Education Finance

USC School Business Certificate Presenter

CSU Fresno Instructor Education Finance

Presenter and Developer of Budget Basics & Adv. Budgeting Workshops for CASBO

CASBO President

CASBO Central Section President

CASBO Committee Chairs: Conference Committee, Professional Development

Committee, CASBO Facilities Conference

School Energy Coalition (SEC) Founding Member

ASBO Leadership Taskforce

EMCN (Education Mandated Cost Network) Chair and CASBO Liaison

Vice President of CIMS-USA

REFERENCES

Dr. Terry Bradley
Joel Montero
Ron Bennett
Kevin Gordon
Jeff Conwell

Retired Superintendent, Clovis Unified School District
Chief Executive Officer, FCMAT
CEO of School Services of California (SSC)
President of Capital Advisors Group
Past-President of the St. Helena Board of Trustees

Francie Heim

RESUME OF QUALIFICATIONS

PO Box 331
Shingle Springs, CA 95682
francieheim@gmail.com

Residence: (530) 672-1692
Business: (530) 313-8516

**PROFESSIONAL
EXPERIENCE**

Consultant with El Dorado County Office of Education, specifically in support of the statewide Charter Special Education Local Plan Area.

Core Instructor: CBO Mentor Project (CBO raining program). A joint partnership with Fiscal Crisis Management Assistance Team (FCMAT), CA Association of School Business Officials (CASBO), CA County Superintendents Educational Services Association (CCSESA), and School Services of CA (SSC).

Special Education Consultant: Provide analysis and workshops for school districts and charter schools in the area of Special Education.

Business Office Consultant: Provide business expertise to school districts, county offices, and charter schools.

Charter School Oversight: Under contract with Sacramento County Office of Education, provide charter school oversight to Fortune Charter School.

**LAST
POSITION**

**DEPUTY SUPERINTENDENT
ADMINISTRATIVE SERVICES**
El Dorado County Office of Education
January 1, 1995 - December 2008

Responsible for the provision of administrative support and leadership to the El Dorado County Office of Education administrative services departments, charter schools, and 16 school districts in areas relating to school finance, accounting and auditing, budget development and review, financial accounting and reporting, purchasing, collective bargaining, charter schools, special education funding, facilities and operations and technology information services.

County Office General Fund Budget - \$50 million

Francie Heim Page 2
Resume of Qualifications

Amador County Unified School District/Amador County Office of
Education

Position: ASSISTANT SUPERINTENDENT
 Business Services and Operations
 May 1987 - January 1995

Responsible for all phases of district and county office support operations including business operations, technology, warehouse, maintenance and facilities, transportation, certificated and classified negotiations, risk management, food service.

El Dorado County Office of Education

Position: DIRECTOR OF BUSINESS SERVICES
 November 1981 to May 1987

EDUCATION

California State University
Sacramento, California

Degree: Bachelor of Science
Field: Business Administration
 Concentration: Accounting

Passed CPA exam, not currently practicing/licensed
Chief Business Official Certification (CASBO)

OTHER ACTIVITIES AND MEMBERSHIP

CA Association of School Business Officials
El Dorado County Boys & Girls Club, Board Member
El Dorado Community Foundation Women's Fund, Treasurer
Center for Violence Free Relationships, Board Member

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue
San José, CA 95127

6.12

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION – BOARD OF TRUSTEES

Board of Trustees:

Date: December 1, 2017

Subject: **Resolution No. 18-17/18**
Work Cooperatively with Fiscal Expert to be Appointed by Santa Clara County Office of Education (SCCOE)

Staff Analysis: On November 9, 2017, the Board approved to accept the SCCOE's November 8 letter and all of its recommendations, which include the approval of a resolution to work cooperatively with the Fiscal Expert to be appointed by the SCCOE and its Business Branch to ensure the long-term financial stability of the District for the benefit of the students and families of the ARUSD.

Recommendation: Staff recommends the Board of Trustees approve Resolution No. 18-17/18 as presented.

Approved by: Kolvira Chheng

Title: Assistant Superintendent of Business Services

Dec. 14, 2017

To the Board of Trustees:

Meeting: December 14, 2017
Regular Board Meeting

Recommended Approval

ARUESD
Board Approved

Agenda Placement

Hilaria Bauer, Ph.D. Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by:

Kara Martey

Seconded by:

Fran Herrera

roved

3

Not Approved

0

Tabled

2 absent

Khank Tran
Dolores Marquez

Resolution No. 18-17/18
Alum Rock Union Elementary School District

**RESOLUTION DECLARING SUPPORT AND COMMITMENT TO THE COUNTY OFFICE OF
EDUCATION ASSIGNED FISCAL EXPERT, AND TO THE GUIDANCE AND
RECOMMENDATIONS MADE BY THE FISCAL EXPERT**

WHEREAS, the Board of Education has a fiduciary duty to meet its financial obligations in the current fiscal year and two subsequent fiscal years pursuant to Education Code 42127; and

WHEREAS, on September 15, 2017, the Santa Clara County Office of Education issued an conditional approval of the Alum Rock Union Elementary School District's budget for 2017-18, and requested that the district respond to the conditions set forth in the conditional approval by October 8, 2017; and

WHEREAS, examples of the conditions set forth in the conditional approval included additional information on the action plans related to the FCMAT audit, provide information on the budget assumptions which appear understated, make efforts to prepare timely monthly cash reconciliation along with an intent to provide a cash flow statement in the near future, as well as, make initial efforts towards identifying funds to service the non-voter approved debt; and

WHEREAS, on October 30, 2017, the district responded to the conditional approval of the budget for 2017-18 and multi-year financial projections; and

WHEREAS, on November 8, 2017, the Santa Clara County Office of Education acknowledged the district's efforts, and in accordance with Education Code sections 42127(f) and (g) completed their review of the district's budget for 2017-18 and approved such budget; and

WHEREAS, on November 8, 2017, the Santa Clara County Office of Education determined that the district is in need of the support of a Fiscal Expert appointed by the County Superintendent of Schools to assist the district in addressing remaining long-term issues that demonstrate that the district has financial distress as defined by Education Code section 42127.6; and

WHEREAS, the Fiscal Expert shall commence on January 1, 2018 and the role of such expert shall 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 dated June 9, 2017;

Clarify the budget assumptions that appear to be understated, or provide revisions;

Prepare the monthly cash reconciliation by each monthly due date and inform us 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 Santa Clara County Office of Education;

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; and

WHEREAS, these actions must be taken to maintain the fiscal stability of the district, restore the creditability of the district's financial leadership and operations, and insure that the district is able to sustain a quality education program for our students.

NOW, THEREFORE, the Board of Education of the Alum Rock Union Elementary School District finds, determines, declares, orders and resolves as follows:

1. That all of the recitals set forth above are true and correct, and the Board so finds and determines.
2. That the district will cooperate completely with the Fiscal Expert and facilitate the Fiscal Expert's role as delineated above.
3. That the district is committed to fulfill its obligations to respond to, provide requested information, and take the necessary actions to resolve questions by the Santa Clara County Office of Education regarding the district's financial operations.
4. That the district will consider all recommendations made by the Fiscal Expert.
5. This resolution shall take effect upon adoption.

PASSED AND ADOPTED by the Board of Education on December 14, 2017 by the following vote:

AYES:

NOES:

ABSENT:

3

0

2

Khank Tran
Deborah Marquez-Franco

STATE OF CALIFORNIA)

) SS

COUNTY OF SANTA CLARA)

I, Esau Ruiz Herrera, Clerk/Secretary of the Governing Board, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly passed and adopted by said Board at a regularly called and conducted meeting held on said date.


Clerk/Secretary of the Governing Board

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue
San José, CA 95127

11.01

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION – BOARD OF EDUCATION

To the Board of Trustees:

Subject: Information Regarding Resignations

Staff Analysis:

Pursuant to Board Policy 4117.2 the Superintendent or her designee has accepted the following resignations.

Submitted by: Jess Serna Title: Interim Assistant Superintendent,
Human Resources

To the Board of Trustees:
Information Only

Meeting: January 18, 2018
Regular Board Meeting

11.01
Agenda Placement


Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

**HUMAN RESOURCES DEPARTMENT
MEETING OF THE BOARD OF TRUSTEES**

January 18, 2018

CLASSIFIED RESIGNATIONS:

I. Resignations:

1. Moran, Elba

Campus Paraeducator/McCollam

01/12/18

**ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT-
HUMAN RESOURCES DEPARTMENT
MEETING OF THE BOARD OF TRUSTEES**

January 18, 2018

CERTIFICATED RESIGNATIONS:

I. Resignations:

1. Baker, Eugene	Core/Hubbard Media Arts Academy	12/22/2017
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ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue, San Jose, CA 95127

12.01

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

Board of Trustees:

January 10, 2018

**Subject: APPROVAL OF BOARD MEETING MINUTES FOR THE
FOLLOWING DATES:**

- October 12, 2017, Regular Board Meeting
- October 27, 2017, Special Board Meeting

Recommend Approval

Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees:

Meeting: January 10, 2018
Regular Board Meeting

Recommend Approval

12.01
Agenda Placement

Hilaria Bauer
Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

DRAFT 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, October 12, 2017, 5:30 p.m. at the Alum Rock Union School
District Office Board Room, 2930 Gay Avenue, San Jose, CA 95127
Meeting #07-17/18

1. OPEN SESSION

1.01 Call to Order / Roll Call

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

Board Members Present:

Esau Ruiz Herrera	President
Andrés Quintero	Vice-President (<i>arrived late at 6:55 p.m.</i>)
Dolores Marquez-Frausto	Clerk
Karen Martinez	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, Business Services
Marie Sanchez	Sr. Executive Assistant, Superintendent's Office
Angel Rodriguez	Executive Assistant/Communications Support
April Ramirez	Executive Assistant, Human Resources

1. OPEN SESSION *(continued)*

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

Public Comment:

- 1) Ray Mueller – Community member that is requesting the Board Meeting Closed Session be held the night prior to the scheduled Board Meeting so that the public does not have to wait for long periods of time for the Board to reconvene back to Open Session.

President Esau Ruiz Herrera 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 5:31 p.m. President Esau Ruiz Herrera announced that the Board would reconvene to Open Session at approximately 6:30 p.m.

3. RECONVENE TO OPEN SESSION

3.01 Call to Order / Pledge of Allegiance

The Board reconvened to Open Session at 6:46 p.m. President Esau Ruiz Herrera welcomed everyone and took a second Roll Call in which all Board Members were present. President Esau Ruiz Herrera led the Pledge of Allegiance.

3.02 Report of Action Taken in Closed Session

President Esau Ruiz Herrera reported that the Board took action by a vote of 4 in favor, 1 absent (Vice-President Andrés Quintero); no opposition, and no abstention, to approve a settlement agreement. A summary of the agreement is as follows:

Through the end of summer 2020, the District will reimburse the parent for the student's private school tuition as well as for mental health therapy, academic tutoring social skills groups and reading programs. The maximum amount of reimbursements include the following:

- \$21,900 for the 2017-28 school year
- \$22,900 for the 2018-19 school year
- \$22,900 for the 2019-20 school year

3. RECONVENE TO OPEN SESSION *(continued)*

3.02 Report of Action Taken in Closed Session

The District shall have no further assessment obligations to the student and the parent. Lastly, subject to customary proof, the District will pay Tollner Law Office \$9,500 for attorney fees and costs.

President Esau Ruiz Herrera reported that there was no other action to report at this time.

3.03 Agenda Review and Adoption

Vice-President Andrés Quintero asked to move the following Agenda Items to follow Agenda Item 6 Comments and Communication.

- **9.02 Adopt the First Reading of Amended Board Policy 5145.3 Nondiscrimination/Harassment - Students**
- **9.03 Adopt the First Reading of Amended Administrative Regulation 5145.3 Nondiscrimination/Harassment- Students**
- **9.04 Adopt the First Reading of New Board Policy 5146 Married/Pregnant/ Parenting Students**

The Board was in consensus to accept the amended agenda as presented.

4. SPECIAL PRESENTATION

4.01 Presentation: Code to the Future (CTTF)

Superintendent Hilaria Bauer introduced Mr. Jason Sorich, Educational Technology Administrator, Ms. Kristin Burt, LUCHA Principal; and Ms. Lyssa Perry, San Antonio Principal. Mr. Jason Sorich introduced Ms. Kristin Burt and Ms. Lyssa Perry who gave a presentation on Code to the Future.

21st Century Initiatives in ARUSD

PROGRAMS	SCHOOLS
Verizon Innovative Learning Schools	Fischer, Ocala, and Sheppard
New Tech Network Schools	Fischer and Sheppard
STEAM Academies	Ocala and Ryan
Code to the Future Schools	Year 1: Chavez and Mathson Year 2: LUCHA and San Antonio
Latino Youth Cinema School	Hubbard
iDream Schools	LUCHA and San Antonio

4. SPECIAL PRESENTATION *(continued)*

4.01 Presentation: Code to the Future (CTTF)

Code to the Future Mission

- Build a pipeline within the K-12 level to help fill the 1,000,000+ computer science jobs that will be available in 2020
- Address underrepresentation of girls and students of color in computer science fields
- Listen to teachers and be intentional about curriculum design and student application

Phases

Scratch Phase	Lego Robotics Phase	Minecraft Phase
-Teacher PD: August, cycle is 9-12 weeks beginning of the year and ending in November/December	-Teacher PD: November/December, cycle is 8 weeks beginning in January and ending in March	-Teacher PD: March, cycle is 10 weeks beginning in March and ending in May

Scratch Phase EPIC Builds	Lego Robotics Phase EPIC Builds	Minecraft Phase EPIC Builds
San Antonio November 9, 2017	San Antonio January 30, 2018	San Antonio April 24, 2018
LUCHA December 6 & 13, 2017	LUCHA March 21 & 28, 2018	LUCHA May 23 & 30, 2018
Chavez December 11, 2017	Chavez March 5, 2018	Chavez May 28, 2018
Mathson EPIC Builds January 24 and May 30, 2018		

Public Comments: Hilaria Bauer, Jason Sorich, Kristin Burt, Lyssa Perry, Ray Mueller, and Jeff Markham.

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

5. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

5.01 Requests to Address the Board

Public Comments:

- 1) Ray Mueller – COC Chair that commented the Bond, Facilities, and Finance Committee was not able to meet this month and for the second scheduled meeting,

5. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD *(continued)*

5.01 Requests to Address the Board

the committee members did not even attend the meeting; therefore, the meeting needs to be rescheduled to a more convenient time for community members to attend

- 2) Randi McMasters – Parent and community member for the past 19 years stated she will be putting her letter of intent for the Bond, Facility, and Finance Committee. She hand-carried her letter to Superintendent Hilaria Bauer
- 3) Maria Martinez – Mathson and SOMOS Mayfair parent speaking on behalf of the LCFF and LCAP
- 4) Tereasa Rodriguez – Renaissance parent representing herself and other Spanish speaking parents wanting to understand the Education Code document
- 5) Jeff Markham – Community member that wants to reiterate Ray Mueller's request and also Agenda Item 8.15 from the last previous agenda

6. COMMENTS AND COMMUNICATION

6.01 Teamsters

There were no representatives from Teamsters at this time.

6.02 CSEA

There were no representatives from CSEA at this time.

6.03 Alum Rock Administrator's Association (ARAA)

Dr. Sandra Sarmiento, Cassell Principal and AREA President, spoke about some of the monthly activities.

6.04 Alum Rock Educator's Association (AREA)

There were no representatives from AREA at this time.

6.05 Superintendent

Superintendent Hilaria Bauer announced the upcoming STEM Innovation Award of the Year event sponsored by the Silicon Valley Education Foundation scheduled for November 8, 2017, 5:30 p.m. Ms. Lisa Carrell is the STEM Teacher of the Year. She reported that she had recently been invited to participate as a member of the ACSA Planning Steering Committee – she considered this to be a great honor.

6. COMMENTS AND COMMUNICATION *(continued)*

6.06 Board of Trustees

Clerk Dolores Marquez-Frausto stated that she wanted to clarify for the record, that she was not one of the members to vote to lease Pala, her children attended Pala and she had a great connection. In fact, she was the only NO vote! She commented that she would be speaking on ***Agenda Item 7.10 Board Created Standing Committees*** at this time so that many of the people in attendance could listen to her comments. She explained the committee meeting scheduled for September 21, 2017 was not posted correctly by the Superintendent's Office and therefore, the meeting had to be cancelled. After the meeting was rescheduled, her committee members did not get called to see if they were available to attend this rescheduled meeting. This caused confusion and therefore, the Special Committee Meeting scheduled for September 28, 2017 did not have a quorum of committee members.

Member Karen Martinez gave special thanks to the folks in attendance for participating in the board meetings. She offered her services to review and translate any documents for those parents requesting assistance.

Member Khanh Tran stated that he hopes his colleagues will support and stand along with him on ***Agenda Item 7.03 Discuss and Approve the \$250,000 set aside as Restricted Funds for use later as Legal Funds to Initiate and Defend Lawsuits against Federal Immigration Assessments and Raids.*** Member Khanh Tran stated that as a District, we want to set an example and put aside funds to protect our students.

Vice-President Andrés Quintero commented that he recently attended the NALEO Conference and it was a great learning experience. He appreciated the opportunity to be present with a lot of the decision makers.

President Esau Ruiz Herrera commented that he is excited about seeing our students coding at our schools. He reminded folks that the Annual Latino/Latina Role Model Conference will be held the weekend of October 14, 2017 at William Overfelt High School beginning at 8:30 a.m. Lastly, the March Madness Planning Committee will be meeting soon. More information forthcoming in the next few weeks.

9. INSTRUCTIONAL SERVICES

9.02 Adopt the First Reading of Amended Board Policy 5145.3(a) Nondiscrimination/Harrassment -- Students

MOTION #07-01 by Clerk Dolores Marquez-Frausto to accept and adopt the First Reading of Amended Board Policy 5145.3(a) Nondiscrimination/Harrassment—Students as submitted. MOTION #07-01 was seconded by Vice-President Andrés Quintero.

MOTION #07-01 carried with a vote of 5-0-0-0.

9. INSTRUCTIONAL SERVICES *(continued)*

9.03 Adopt the First Reading of Amended Administrative Regulation 5145.3(a) Nondiscrimination/Harrassment—Students

MOTION #07-02 by Clerk Dolores Marquez-Frausto to accept and adopt the First Reading of Amended Administrative Regulation 5145.3(a) Nondiscrimination/Harrassment—Students as submitted. MOTION #07-02 was seconded by Vice-President Andrés Quintero.

MOTION #07-02 carried with a vote of 5-0-0-0.

9.04 Adopt the First Reading of New Board Policy 5146(a) Married/Pregnant/Parenting Students

MOTION #07-03 by Member Karen Martinez to accept and adopt the First Reading of New Board Policy 5146(a) Married/Pregnant/Parenting Students

MOTION #07-03 carried with a vote of 5-0-0-0.

7. SUPERINTENDENT / BOARD BUSINESS

7.01 FCMAT Update

Assistant Superintendent Kolvira Chheng read a memo that staff had prepared for the Board. He reported that at the Special Board Meeting held on July 27, 2017, the Board authorized a formal written response to the FCMAT Extraordinary Audit. Consistent with the response and actions and timelines approved by the Board, the District sent Del Terra six separate letters on August 4, 2017, requesting deliverables, documents and records under the agreements between Del Terra and the District as follows. The exhibits refer to the attachments included with the memo.

1. Agreement for Additional Services: DSA Close Out Certification Services (Exhibit A)
2. Request for Deliverables, Documents and Records pursuant to Program and Construction Management Agreement (Measure I) dated November 10, 2016 (Exhibit B)
3. Request for Deliverables, Documents and Records pursuant to Program Management Agreement (Measure J) dated November 10, 2016 (Exhibit C)
4. Request for Deliverables, Documents and Records pursuant to Construction Management Agreement (Measure J) dated November 10, 2016 (Exhibit D)
5. Request for Deliverables, Documents and Records pursuant to Program Management Agreement (Measure J) dated May 9, 2013 (Exhibit E)
6. Request for Deliverables, Documents and Records pursuant to Construction Management Agreement (Measure J) dated October 1, 2013 (Exhibit F)

7. SUPERINTENDENT / BOARD BUSINESS *(continued)*

7.01 FCMAT Update

Assistant Superintendent Kolvira Chheng reported that Del Terra has failed to provide a number of different documents. Del Terra has provided the District with a spreadsheet which appears to show the certification status of 113 separate projects and at least 33 projects remain uncertified. He reported that Del Terra said they reserve the right to charge the District for these documents.

Member Karen Martinez asked about our relationship with Del Terra. Assistant Superintendent Kolvira Chheng replied that they have a professional relationship.

Clerk Dolores Marquez-Frausto stated she was surprised that we are asking for full documents and what is the role of our bond director because it seems that our bond director should have these documents. Assistant Superintendent Kolvira Chheng stated that in 2013, the District did not have a bond director and there was change in CBO's so it was very important to procure a program manager to control these documents. A bond director was finally hired in February, 2016; therefore, records from February, 2016 are now with the business department.

Member Khanh Tran commented that since he has learned of the issue with Del Terra, we have said the Business Office should not pay Del Terra until the documents have been provided so that they are in compliance with their contract. Assistant Superintendent Kolvira Chheng reported that in terms of complying with the contract, it all depends—there are several contracts:

- Measure I: We do not have those documents yet and we are working with Del Terra
- Measure J: We have been working to obtain these documents and we still do not have a complete set

Member Khanh Tran stated that he would like to see some kind of executive summary showing the bottom line.

Vice-President Andrés Quintero stated that just because Assistant Superintendent Kolvira Chheng and Luis Rojas are being professional, it does not mean we are owed—regardless of who the CBO is, there should be documents available.

President Esau Ruiz Herrera stated the Board had recently received project information indicating the projects were on budget and on time; perhaps some of the projects were even under budgeted.

Assistant Superintendent Kolvira Chheng stated as specified in his memo, some of the documents have been provided and others have not. The contract requires we be provided full sets of documents when the job is closed out regardless and there is supposed to be a full set of documents with the program manager.

7. SUPERINTENDENT / BOARD BUSINESS *(continued)*

7.01 FCMAT Update

Public Comments:

- 1) Ray Mueller – COC Chair, reported that the COC had requested to the Board President, Superintendent, and Assistant Superintendent Chheng, certain budget information, final amount and budget change orders, and has not yet received the information
- 2) Jeff Markham – Community representative stated that as a taxpayer in this community, he was outraged that this Board is not understanding the contracts with Del Terra and he wants to terminate Del Terra now!

7.02 Legal Services Update

Assistant Superintendent Kolvira Chheng read a memo that staff had prepared for the Board. He reported that on September 15, 2017, the District was notified by the SCCOE that the District's 2017-18 Budget and Local Control Accountability Plan (LCAP) was "Conditionally Approved". Education Code provides that the County Superintendent of Schools shall either conditionally approve or disapprove a budget that does not provide adequate assurance that the school district will meet its current and future obligations. The Education Code also provides that, in connection with the review of the District's budget, the County Superintendent is also to consider additional factors such as reports containing evidence that the District is showing fiscal distress or displays a number of common predictors that a school district needs intervention. Mr. Kolvira Chheng reported that the County Superintendent has notified the District that, based on the SCCOE's review, the District's adopted budget does not meet the requirements of Education Code 42127 and is therefore "conditionally" approved.

Assistant Superintendent Kolvira Chheng also reported that although the SCCOE's letter noted that the District will meet its minimum reserve requirement in all three years, it expressed concerns and requested the following actions and additional information in the following areas:

1. Budgetary items. (a) Clearance of CalPERS or CalSTRS rates and Capital Outlay Expenditures; (b) Outstanding Cash Reconciliation; (c) Debt Service Plan for Non-Voter Approved Debt; and, (d) Preparation of Monthly Cash Reconciliations by each monthly due date
2. FCMAT Report items: (a) Weakness in Control Environment; (b) Issues with Governance, including, but not limited to Micro-Management of staff and decision making; and an Erosion of public confidence in the Board's ability to make sound, ethical decisions, especially in the management of the Bond Program; and (c) Quarterly update of the status of planned action(s) for each recommendation in the June 9 FCMAT Audit Report

7. SUPERINTENDENT / BOARD BUSINESS *(continued)*

7.02 Legal Services Update

Assistant Superintendent Kolvira Chheng reported the District was in the process of seeking RFP/Q for legal services with the goal of having the Board make a final decision at its December Board Meeting. The scope of services would include, but not limited to the following items:

Human Resources	General Education Law
Facilities Services	Special Education
Business and Procurement Services, Contract Support	Governmental Relations

Assistant Superintendent Kolvira Chheng reported the schedule with the dates in the RFP/Q process and would be limited to include to give a general idea of the proposed selection timeframe:

EVENT	DATE
RFP/Q Issued	Friday, October 20, 2017
Deadline for Submitting Questions	Friday, November 3, 2017
Proposal Due Date	Wednesday, November 8, 2017
Board Meeting	December 14, 2017

Member Khanh Tran commented that he would like to see 3 law firms to bid for this and go with the lowest. He asked Assistant Superintendent Kolvira Chheng if there was a reason the District could not handle an in-house attorney on salary so the District could save a lot of money. Member Khanh Tran commented that if we do have to go with an RFQ, we need to put a cap on that. He would like to get an in-house attorney ASAP.

President Esau Ruiz Herrera commented this was a good question and his suggestion would be that this administration may want to cost this out.

Vice-President Andrés Quintero stated he was very interested in seeing staff provide us with the pros and cons in bringing someone in-house.

Clerk Dolores Marquez-Frausto asked the question if we put a cap, then what happens if we are in the middle or at the end of finding a new attorney?

President Esau Ruiz Herrera stated that there has not been any action by this Board—we are only asking for an RFQ at this time.

7. SUPERINTENDENT / BOARD BUSINESS *(continued)*

7.02 Legal Services Update

Public Comments:

- 1) Andrea Flores Shelton – Community member that commented if there was going to be a ‘not to exceed amount’ – she would like more details about this entire contract period process
- 2) Randy McMasters – Community member that stated she had a concern about hiring an in-house attorney—this was a specialized area and the District could not expect one person to know everything and then the District would still have to go outside

7.03 Discuss and Approve \$250,000 Set Aside as Restricted Funds for use later as legal funds to initiate and defend lawsuits against Federal Immigration

MOTION #07-04 by Member Khanh Tran to accept and approve \$250,000 Set Aside for use later as legal funds to initiate and defend lawsuits against federal immigration assessments and raids impacting a sanctuary district like Alum Rock. MOTION #07-04 was seconded by Vice-President Andrés Quintero.

The Board had dialogue on this agenda item.

Board Comments: Khanh Tran, Karen Martinez, Andrés Quintero, Dolores Marquez-Frausto, and Esau Ruiz Herrera.

Public Comments:

- 1) Jeff Markham – Community member stated that all of the Alum Rock community is concerned with ICE, but what does the set-aside money really do for us? What has the District done to help?
- 2) Andrea Flores Shelton – Community member stated that there is no space that is sacred anymore so if this money can be used to support a principal that is willing to get in front of ICE, then we need to protect our families and schools.
- 3) Ray Mueller – Community member stated according to the county report, the District is \$10 million short and our students still do not have what they need...we are in the education business...not law!
- 4) Frank Chavez – Community member stated he admires the noble efforts, but we need to think about the legal ramifications if we file a Federal lawsuit...it will certainly take more than \$250k.

7. SUPERINTENDENT / BOARD BUSINESS *(continued)*

7.03 Discuss and Approve \$250,000 Set Aside as Restricted Funds for use later as legal funds to initiate and defend lawsuits against Federal Immigration

The Board was in consensus to amend the initial motion with a friendly amendment as follows:

A Friendly Amendment made by Vice-President Andrés Quintero to approve accounts to set-aside for legal actions to support any staff members preventing and/or protecting families against Federal Immigration assessments and raids impacting ARUSD as a sanctuary school district.

MOTION #07-04 carried with a vote of 5 in favor; no opposition; no absent; and no abstention.

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

MOTION #07-05 by Vice-President Andrés Quintero to accept and adopt the First Reading of the Amended Board Policy 2121, Superintendent's Contract, Administration, as presented. MOTION #07-05 was seconded by Member Karen Martinez.

Superintendent Hilaria Bauer stated that this has nothing at all to do with her contract, but rather with the Bylaws.

President Esau Ruiz Herrera commented that the primary change is located on page 3 of the Bylaws referring to the 18 months buyout. He was suggesting to lower the amount of the buyout to 12 months.

The Board had some dialogue on this agenda item.

MOTION #07-05 carried with a vote of 4 in favor; 1 opposition (President Esau Ruiz Herrera); no absent; and no abstention.

7.05 Board Audit Committee

Vice-President Andrés Quintero asked the Board for their support with this agenda item. He wants to start exploring this and maybe follow the model of the East Side Union High School District.

President Esau Ruiz Herrera commented that this will not replace the Citizen's Oversight Committee – this committee would be different, but there could be some overlap and it was a good idea to look into this and bring this agenda item back to the next meeting.

7. SUPERINTENDENT / BOARD BUSINESS *(continued)*

7.05 Board Audit Committee

Member Khanh Tran commented that he does support an audit committee, but with ‘teeth’. This committee should be able to request and have the power to force administration to comply.

Public Comments:

- 1) Ray Mueller – Chair, COC, commented that if this committee is going to be meeting during the day like the Bonds, Facilities, and Finance Committee, it will certainly be an issue
- 2) Hillory Clinton – Community representative that stated that this District does not currently have an auditor and the Districts that have audit committees have auditors

7.06 Task Force Committee

Vice-President Andrés Quintero asked the Board to support him in starting a conversation on this item. He wants to strengthen the relationship between the teachers and students. He stated that he would be interested in developing some teacher housing-he knows that Santa Clara Unified has a model in place.

Member Khanh Tran commented that he would rather use the land to build schools rather than teacher housing.

Member Karen Martinez commented that this was a very good idea and we should look into this – Evergreen School District is developing. However, she would like to have the templates of other districts before we decide.

Clerk Dolores Marquez-Frausto commented that she would be interested, but not sure if the District can afford this right now.

President Esau Ruiz Herrera commented that this was a good idea, but should have administration look into this.

Public Comments:

- 1) Natalie (no last name given) – Community member commented to the Board that they need to think outside the box and look at long-term. She does not think the teachers will like this
- 2) Danielle Letts – Hubbard teacher commented that she is not sure if housing is the answer but it is a good start. We need the teachers to stay and we need to support them

7. SUPERINTENDENT / BOARD BUSINESS *(continued)*

7.06 Task Force Committee

MOTION #07-06 by Vice-President Andrés Quintero that the District conduct a survey of other Districts in the area that have teacher housing plans and report the results and analysis back to the Board for consideration of this Task Force Committee not to exceed 3 months. MOTION #07-06 was seconded by Member Khanh Tran.

MOTION #07-06 carried with a vote 5 in favor; no opposition; no absent; and no abstention.

7.07 Program and Construction Management Agreement for Measures I and J. Terminate Contract between Alum Rock Elementary School District and Del Terra Real Estate Services

Vice-President Andrés Quintero stated that Board President Esau Ruiz Herrera put this agenda item as Information/Discussion rather than Action like he had requested. He commented that he wants to move forward to terminate this contract.

Member Khanh Tran stated that if he was still Board President, this item would be on the agenda for Action. However, in terms of Del Terra, there is still no proof that there is any fraud – let's not invite a lawsuit! He also commented that if everything was normal, then yes we could go ahead and terminate Del Terra; however, our own CBO accused Del Terra and caused them tremendous damage.

President Esau Ruiz Herrera stated he believes this agenda item has been on at least once for Action and certainly more than once for Discussion—and all we all have heard are unsupported allegations regarding Del Terra, and until we have all the factual base, we are only simply speculating.

Member Karen Martinez stated that for the record, Assistant Superintendent Kolvira Chheng, from her observation, has been one of the best CBO's we have had, and he is not the CBO that slandered Del Terra without any real proof.

Clerk Dolores Marquez-Frausto stated that she would like to go on record and say that since late September, the Board was told about a DA investigation; a week later, the FCMAT investigation; and then another investigation; and nothing has come to the Board by these agencies. She commented that she agrees with Member Khanh Tran that there is still no proof that there was any fraud committed.

Public Comments:

- 1) Ray Mueller – Chair, COC, commented he was tired of the Board not taking a stand and asked that we get off this subject and take action!

7. SUPERINTENDENT / BOARD BUSINESS *(continued)*

7.07 Program and Construction Management Agreement for Measures I and J. Terminate Contract between Alum Rock Elementary School District and Del Terra Real Estate Services

- 2) Jeff Markham – Community member that stated that FCMAT said the fox (program manager) is guarding the henhouse (construction manager). Del Terra has not provided the necessary documentation and they are in violation of the contract
- 3) Andrea Flores Shelton – Community member stated there is quite a bit of ‘passion’ around this issue – there are 3 investigations that have not been dropped. She stated that she thinks the standards on how the Board considers this item is flawed. Del Terra is in breach of the contract – it is all twisted and convoluted!

MOTION #07-07 by Vice-President Andrés Quintero to extend the Board Meeting until 11:30 p.m. to finish Board Business. MOTION #07-07 was seconded by Member Karen Martinez.

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

7.08 Approve Legal Services Contract regarding Securities and Exchange Commission (SEC) Investigation

Attorney Luis Saenz reported that the Superintendent had recently received a subpoena from the Securities and Exchange Commission (SEC) and had given the District until October 25, 2017 to comply with the subpoena. Currently, the District has a contract with a Bond Counsel but this contract does not include the specialized field needed. He commented that this specialized field is so specialized that the rates are 2-3 times higher than Education Law rates. Attorney Luis Saenz did some homework and found six firms capable of this work. However, he reported that of the six firms, one firm opted out and one firm was too busy. In his opinion, the remaining four firms are very capable of this specialized field.

Vice-President Andrés Quintero stated that the Stradding Agency is the agency who helped us issue the Bonds and he would not be interested in them representing us in this action. Another firm that Attorney Luis Saenz is recommending happens to be in the same building as Del Terra and he is not interested in them.

Member Khanh Tran commented that regardless of the firm, the Securities and Exchange Commission (SEC) is investigating the Bonds Committee ranging back from 2010. Regarding the firm located in the City of Industry (same building as Del Terra), this is not an issue. We should give SEC whatever they want.

7. SUPERINTENDENT / BOARD BUSINESS *(continued)*

7.08 Approve Legal Services Contract regarding Securities and Exchange Commission (SEC) Investigation

President Esau Ruiz Herrera commented that he agrees with Member Khanh Tran because the District has not done anything wrong. He suggested that the Board consider counsel because we need to protect the interests of the District and our ability to issue bonds; we need counsel to ensure that the rules are properly followed.

Vice-President Andrés Quintero stated that he would not be supporting the expenditure of one cent of student dollars. Give SEC whatever they want.

Member Karen Martinez stated that she has taught her children to do what's right, and the truth will set you free. She understands that sometimes you need legal counsel to guide you in your actions, but she thinks we should give SEC what they are asking for and we do not need legal counsel.

Clerk Dolores Marquez-Frausto stated that she wanted to hear what staff thought and felt we should have an attorney to represent the District.

President Esau Ruiz Herrera clarified the SEC would be getting the information from administration and that would be taking a lot of staff and counsel time to collect and turn over the requested documents. He felt that bringing counsel on board would be to streamline the process, narrow the scope, and protect the interests of the District.

Attorney Luis Saenz commented that he wished that it was as easy as "turn over everything". Each of the six firms said that subpoenas they send will be far-reaching and each attorney said they would work with the SEC to narrow the scope of the subpoena and what they are really looking for.

Public Comment:

- 1) Ray Mueller – Chair, COC asked the Board if bond funds would be used to pay for this.

MOTION #07-08 by Member Khanh Tran to approve Legal Services Contract regarding Securities and Exchange Commission (SEC) Investigation. MOTION #07-08 was seconded by Clerk Dolores Marquez-Frausto.

MOTION #07-08 failed with a vote of 2 in favor (President Esau Ruiz Herrera and Clerk Dolores Marquez-Frausto); 3 in opposition (Vice-President Andrés Quintero, Member Khanh Tran, and Member Karen Martinez); no absent; and no abstention.

7. SUPERINTENDENT / BOARD BUSINESS *(continued)*

7.09 Candidates for the Santa Clara County Committee on School District Organization

No action was taken on this agenda item.

7.10 Board Created Standing Committees

No action was taken on this agenda item.

8. BOND / FACILITIES

8.01 Presentation/Update on Bond/Facilities

Luis Rojas, President and CEO of Del Terra, gave an executive summary on the Bond Projects. Projects include the following:

Current Projects

Hubbard K-8 Expansion Project – Completed

The project is now completed. New classrooms were available for occupancy prior to the start of school.

New HVAC Projects: Dorsa and LUCHA – Completed

The project is now completed. Construction was on time prior to the start of school.

Mathson Restroom Modernization (Upgrade/ADA Accessibility) Project – Completed

The project included 9 restrooms for both staff and students. The project is now completed. Construction was on time prior to the start of school.

Fischer Multi-Purpose Community Center

Luis Rojas reported that the District has issued the Notice of Award and the contractor has executed the agreement. Once the contract is signed, the construction timeline will commence.

8. BOND / FACILITIES *(continued)*

8.01 Presentation/Update on Bond/Facilities

George Multi-Purpose Community Center

Luis Rojas gave a brief Power Point presentation and some of the highlights were as follows:

- Board approves George Multi-Purpose Community Center on March 12, 2015 along with Fischer. Target estimated cost was \$13.2M
- Design is ready to go to DSA, fee is estimated at \$80-90,000
- Geotechnical reports an earthquake fault on this site with the fault line traveling through the community center through the tracks

Luis Rojas reported that based on the existence of unknown earthquake faults, the District would need to decide on the following:

- Engineers to perform the \$75,000 of additional excavation and testing as required
- If the testing results in additional engineering and structural reinforcement requirements, is the District willing to move forward with the project?
- Does the District want to not continue with the project from this point further?

Member Karen Martinez commented that she would rather see our base facilities upgraded rather than seeing the money spent on these new projects, especially with the limited bond money we currently have.

Vice-President Andrés Quintero agreed with Member Karen Martinez and asked that the needs be reassessed.

Member Khanh Tran commented that the District has already invested a half million dollars in this project so; therefore, we should move forward.

Clerk Dolores Marquez-Frausto commented that she would like to move forward as well.

President Esau Ruiz Herrera reminded the Board that is agenda item is only for information and not for action and due to the lack of time, they needed to quickly move forward.

8. BOND / FACILITIES *(continued)*

8.01 Presentation/Update on Bond/Facilities

Public Comments:

- 1) Ray Mueller – Chair, COC asked if we can move this project to another school site because it does not make sense to build the Fischer and George projects between two faults
- 2) Alison Cingolani – Member of the COC reported that at the last Bonds Committee Meeting, Luis Rojas had reported that we would probably have enough money to handle the multi-purpose buildings at George and Fischer and also the HVAC upgrades at the three schools. Lastly, she commented that knowing that we will face cost overruns and basic unmet needs, perhaps we should “take a step back”
- 3) Jeff Markham – Community representative asked the Board if CGS prepared a probability report?

8.02 Approve Resolution No. 15-17/18 of the Board of Trustees Approving Amended and Restated Bylaws for the Alum Rock Union Elementary School District Independent Citizens’ Bond Oversight Committee

MOTION #07-09 by Vice-President Andrés Quintero to accept and adopt Resolution No. 15-17/18 as presented. MOTION #07-09 was seconded by Member Karen Martinez.

Public Comments:

- 1) Ray Mueller – Chair, COC, stated that this resolution was supposed to have happened a year ago; now will allow the COC to provide the needed oversight; and without the bylaws, they will not be able to have another meeting
- 2) Luis Saenz – Attorney asked if this resolution had been reviewed by any attorneys?

President Esau Ruiz Herrera commented that, the District should provide inservice training to the COC regarding their obligations, responsibilities, and limitations. He also commented that he believed the bylaws were seriously flawed as written.

Clerk Dolores Marquez-Frausto stated that hopefully these bylaws for this committee were written by professionals looking out for the District to ensure we do not get into any trouble. She will not be supporting this resolution tonight.

Vice-President Andrés Quintero commented that in his opinion, the current bylaws looked like they had been written by a dictator – he liked what he saw in the new bylaws!

Assistant Superintendent Kolvira Chheng reported that the new bylaws had been forwarded and reviewed by the bond counsel.

8. BOND / FACILITIES *(continued)*

8.02 Approve Resolution No. 15-17/18 of the Board of Trustees Approving Amended and Restated Bylaws for the Alum Rock Union Elementary School District Independent Citizens' Bond Oversight Committee

Public Comment:

- 1) Alison Cingolani – COC representative, reported the COC had prepared a presentation for tonight's meeting addressing two primary concerns: (a) Review Bond Program expenditures and report to the public; and (b) Outlining the issues with the bylaws in lack of independence in which the Board can remove COC members and also the committee only being able to meet 4 times per year. She asked the Board to read the Education Code and look at what they are requesting since they were not able to present their presentation

MOTION #07-09 carried with a vote of 3 in favor (Vice-President Andrés Quintero, Member Karen Martinez, and Member Khanh Tran); 2 in opposition (President Esau Ruiz Herrera and Clerk Dolores Marquez-Frausto); no absent; and no abstention.

President Esau Ruiz Herrera reported that due to lack of time, the following occurred to the agenda items listed below:

AGENDA ITEM	ACTION
8.03 Amend Measure I, Phase I Project List to include HVAC Projects at Ryan and Russo/McEntee Schools	No Action Taken
8.04 Approve Restroom and Access Upgrade Project at Mathson School Notice of Completion	No Action Taken
9.01 2017 California Assessment of Student Performance and Progress (CAASPP)	No Action Taken or Needed, only an Informational Item
9.02 Adopt the First Reading of Amended BP 5145.3(a) Nondiscrimination/Harassment, Students	No Action Taken, but bring back as Second Reading for the next meeting
9.03 Adopt the First Reading of Amended Administrative Regulation 5145.3(a) Nondiscrimination/Harassment, Students	No Action Taken, but bring back as Second Reading for the next meeting
9.04 Adopt the First Reading of New BP 5146(a) Married/Pregnant/Parenting Students	No Action Taken, but bring back as Second Reading for the next meeting
10.01 Information Regarding Resignations	No Action Taken or Needed, only an Informational Item
11.01 Information Regarding Conditional Approval Letter from Santa Clara County Office of Education	No Action Taken or Needed, only an Informational Item

12. CONSENT CALENDAR

MOTION #07-10 by Vice-President Andrés Quintero to accept and adopt the Consent Calendar as presented. No amendments were made. MOTION #07-10 was seconded by Member Khanh Tran.

MOTION #07-10 carried with a vote of 5 in favor; no opposition; no absent; and no abstention.

13. FUTURE BOARD AGENDA REQUESTS

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

There were no agenda items at this time.

14. ADJOURNMENT

14.01 President Adjourns the Meeting

President Esau Ruiz Herrera adjourned the meeting at 11:39 p.m.

Respectfully submitted,

Dolores Marquez-Frausto
Board Clerk
HB/mcs

**DRAFT 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 Friday, October 27, 2017, 7:30 p.m. at the Alum Rock Union School
District Office Board Room, 2930 Gay Avenue, San Jose, CA 95127
Meeting #08-17/18**

1. OPEN SESSION

1.01 Call to Order / Roll Call

President Esau Ruiz Herrera welcomed everyone in the audience. President Esau Ruiz Herrera called the Board Meeting to order at 7:34 p.m. followed by Roll Call.

Board Members Present:

Esau Ruiz Herrera	President
Andrés Quintero	Vice-President
Dolores Marquez-Frausto	Clerk
Khanh Tran	Member
Karen Martinez	Member (<i>arrived late at 7:39 p.m.</i>)

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
Angel Rodriguez	Executive Assistant/Communications Support

2. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

The Board was in consensus to consider opening the public comments during each individual agenda item rather than during the general public comment session.

3. SUPERINTENDENT / BOARD BUSINESS

3.02 Review and Respond to the Conditional Approval of the 2017-18 Adopted Budget from the Santa Clara County Office of Education

Assistant Superintendent Kolvira Chheng read some of the highlights of the letter from Mr. Jon Gundry, County Superintendent of Schools. He reported that by October 8, 2017, the Alum Rock Union Elementary School Board must take the following actions or provide whether the budget, with any revisions, should be approved or disapproved:

- 1) Report quarterly the current status of planned action(s) for each recommendation of the FCMAT audit dated June 9, 2017
- 2) Clearance of the budget assumptions that appear to be understood
- 3) Preparation of the monthly cash reconciliation by each monthly due date
- 4) Preparation of a cash flow report for the current fiscal year that utilizes the ending cash balance from the June 30th monthly cash reconciliation as verified by a third party auditor retained by the District and approved by the County Office of Education
- 5) Preparation of the debt service plan for non-voter approved debt that presents the source of funds for the full repayment period

Assistant Superintendent Kolvira Chheng encouraged the Board to approve all the actions listed on the letter and stated that the SCCOE is committed to working closely with the District to support the efforts to maintain a sound financial status.

President Esau Ruiz Herrera recommends directing administration to respond to the 5 items listed above.

Member Khanh Tran stated that it is up to the Board to take action on the FCMAT items and not up to the County Office to enforce it!

Clerk Dolores Marquez-Frausto spoke about the Report on AB1200 and our negotiated settlements with our unions. She felt the Superintendent and Assistant Superintendent of Business Services did not follow up with this and the settlements were approved anyway. She stated that she holds the Superintendent accountable for this error! In addition, she stated that at the October 12 Regular Board Meeting, the Assistant Superintendent of Business Services listed the agenda item (Agenda Item 11.01) "Conditional Approval Letter from Santa Clara County Office of Education" as an Informational Item and not an Action Item; therefore, the Board did not discuss or take any action to approve a response to the County Superintendent. She also commented that the Board violated EC 42127(d)(3) in failing to respond to the recommendations of the County Superintendent at a Regular Meeting of the Board of Education. Unfortunately, the County Superintendent by October 22, 2017, was constrained to report to the State Superintendent that the District's budget might not be disapproved. Therefore, now the Board is trying to fix the mistake made!

3. SUPERINTENDENT / BOARD BUSINESS *(continued)*

3.02 Review and Respond to the Conditional Approval of the 2017-18 Adopted Budget from the Santa Clara County Office of Education

Vice-President Andrés Quintero stated that we are not here for AB1200 but we are here now because of the ‘sweetheart deals’ that Clerk Dolores Marquez-Frausto has given to her ‘friends’.

Member Khanh Tran commented that the mistake is done -- let’s just move forward – the Superintendent needs the Board’s support so she can do her job. In the event Del Terra did something wrong, I myself will vote them out – now our budgets are in trouble and the SCCOE is taking it out on the District!

President Esau Ruiz Herrera stated that the Board is only here for one reason, to take care of the 5 items listed on page 4 of the letter dated September 15, 2017, from the Santa Clara County Superintendent of Schools.

Superintendent Hilaria Bauer reminded the Board that during the summer, they selected dates for the completion of certain tasks with deadlines and benchmarks and these items had not yet been fulfilled.

MOTION #08-01 by Vice-President Andrés Quintero to adopt and approve the following 5 items as presented:

- 1) Report quarterly the current status of planned action(s) for each recommendation of the FCMAT audit dated June 9, 2017
- 2) Clearance of the budget assumptions that appear to be understood
- 3) Preparation of the monthly cash reconciliation by each monthly due date
- 4) Preparation of a cash flow report for the current fiscal year that utilizes the ending cash balance from the June 30th monthly cash reconciliation as verified by a third party auditor retained by the District and approved by the County Office of Education
- 5) Preparation of the debt service plan for non-voter approved debt that present the source of funds for the full repayment period

MOTION #08-01 was seconded by Member Karen Martinez.

Superintendent Hilaria Bauer recommended to the Board that they take the SCCOE request seriously and accept all items in totality!

MOTION #08-01 carried with a vote of 3 in favor (President Esau Ruiz Herrera, Vice-President Andrés Quintero, and Member Karen Martinez); no opposition; no absent; and 2 abstentions (Member Khanh Tran and Clerk Dolores Marquez-Frausto).

3. SUPERINTENDENT / BOARD BUSINESS *(continued)*

3.01 Re-Negotiation of Construction Management (CM) and Program Management (PM) Agreements with Del Terra

MOTION #08-02 by Vice-President Andrés Quintero to direct Administration to re-negotiate the Construction Management and Program Management Agreements with Del Terra and report back to the Board. MOTION #08-02 was seconded by Member Karen Martinez.

Attorney Luis Saenz reported that Agenda Item 3.01 relates to the Board authorizing and directing the renegotiation of the Construction Management and/or Program Management Agreements with Del Terra. The Board approved the response to the FCMAT Report on July 28, 2017, and administration has been in communications with Del Terra in an effort to resolve several issues including missing program and project documents, contract language issues, and the missing billing/invoice documentation for Construction Management work approximately \$329,000 in connection with preconstruction services for the Fischer and George Middle Schools Multi-Purpose Buildings; and heating, ventilation and air-conditioning HVAC at Dorsa and LUCHA Schools.

Attorney Luis Saenz reported that it was his understanding that as of this date, that while Del Terra has provided some program and project documentation, and has agreed to some changes in its invoicing and billing documentation practices, not all FCMAT issues and recommendations have been addressed or implemented.

Attorney Luis Saenz reported that in light of these several open and unresolved issues, both he and Attorney Rogelio Ruiz are in agreement that staff should be transparent in the presentation of tonight's agenda item so that it is very clear that although administration is requesting authorization to renegotiate the Program Management and Construction Management Agreements, not all the issues have been fully addressed and resolved with Del Terra. He continued to report that staff continues to work on those unresolved issues, that any renegotiated contracts should be conditioned upon all other issues being resolved. Attorneys Luis Saenz and Rogelio Ruiz recommend that the presentation include the following information:

- Consistent with the Board's approved response to the FCMAT Report, that administration and staff continue in their efforts to address the issues and implement the recommendations highlighted in the FCMAT report and the Board's response. It is important to ensure that work is completed. Administration should recommend that the Board approve the renegotiation of the District's Construction Management and Program Management Agreements with Del Terra on the condition that all remaining issues in the Board-approved response are resolved with Del terra in accordance with the Board's July 28 response.

3. SUPERINTENDENT / BOARD BUSINESS *(continued)*

3.01 Re-Negotiation of Construction Management (CM) and Program Management (PM) Agreements with Del Terra

Attorney Luis Saenz stated that once those issues are resolved and the contracts renegotiated, administration will present them to the Board in an open session meeting for approval.

President Esau Ruiz Herrera commented that given that report, he believes this item is superfluous. He felt there was a political issue.

Member Khanh Tran commented that he does not want to spend \$100K on renegotiating the contracts. The District should work with Del Terra and if there is an issue, they can bring it back to the Board.

Member Karen Martinez commented that we need to move forward – we need these talks to take place so we can focus on our students and their education.

MOTION #08-02 carried with a vote of 3 in favor (President Esau Ruiz Herrera, Vice-President Andrés Quintero, and Member Karen Martinez); no opposition; no absent; and 2 abstentions (Member Khanh Tran and Clerk Dolores Marquez-Frausto).

4. ADJOURNMENT

4.01 President Adjourns the Meeting

Board President Esau Ruiz Herrera adjourned the meeting at 8:44 p.m.

Respectfully submitted,

Andrés Quintero *(in lieu of Dolores Marquez-Frausto, Board Clerk)*
Board President

HB/mcs

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue
San Jose, CA 95127

12.02

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION – BOARD OF TRUSTEES

To the Board of Trustees:

Subject: Acceptance of Memorandum of Understanding

Staff Analysis:

The District has received the following Memorandum of Understanding as summarized on the sheet dated January 18, 2018.

Recommendation:

Staff recommends acceptance of this memorandum of understanding.

Prepared by: Maria Martinez MM Title: Procurement Manager

Approved by: Kolvira Chheng K Title: Assistant Superintendent of Business Services

To the Board of Trustees:

Meeting: January 18, 2018

Recommend Approval

12.02
Agenda Placement

Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

Alum Rock Union Elementary School District
January 18, 2018 Board Meeting

MEMORANDUMS OF UNDERSTANDING

<u>SCHOOL / DEPARTMENT</u>	<u>DATE OF SERVICE</u>	<u>CONSULTANT NAME</u>	<u>COST</u>	<u>PURPOSE</u>
Human Resources Carlos Moran	01/18/18- 01/18/23	Loma Linda University	No Cost	Student teaching agreement Funding: N/A

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
Request for Contracted Services

TO: BUSINESS OFFICE

Contract No. _____

Vendor No. _____

Human Resources _____ (School/Dept.) and the Alum Rock Union Elementary School District (ARUESD), whose address is 2930 Gay Avenue, San Jose, CA 95127, and the following named Contractor wishes to enter into a:

☒ **MOU** (Negotiated Agreement)
☐ Exhibit B & C (Fingerprinting and TB Test)

☐ **MASTER CONTRACT PARTICIPATION**
☐ Scope of Work/Agreement

Note: All Contracts over \$5,000 require pre-approval.

** Use Independent Contractor Agreement form B-252 for unincorporated individuals or in the absent of negotiated agreement.*

Name of Individual/Company Loma Linda University
Address 11139 Anderson St - Nichol Hall, Rm 1606 City Loma Linda ST CA Zip 92350
Telephone 909.558.4998 x42074 Fax # _____
SSN _____ Fed. I.D.# _____

CONTRACT TERM: effective dates 1/18/2018 to 1/18/2023

CONTRACTOR'S OBLIGATION:

Description of services to be provided. Please attach proposals and other documentation if necessary:

Student Teaching Agreement - Memorandum of Understanding

The University has establish approved Educational Programs of special training; the program requires facilities
where students can obtain the field learning experience required in the curriculum.

COMPENSATION: In consideration of Contractor's provision of services as described above, and subject to the payment provisions expressed herein, ARUESD shall pay Contractor, upon Contractor's submission of a properly documented demand for payment (Form B-210) which shall be submitted not later than 30 days from the end of the month in which the contract services were rendered, and upon approval of such demand by ARUESD as follows: (Check either a or b)

 a. **Fee Rate:** \$ _____ per _____ Not To Exceed _____ of services.

☒ b. **Other:** \$ _____ (describe rate agreement or other costs) NO COST

BUDGET CODE: NO COST

APPROVALS:

Alum Rock Union Elementary School District:

Site/Department Administrator  Date 1-08-13

Program/Budget Manager _____ Date _____

Asst. Supt. of Business Services _____ Date _____

Superintendent _____ Date _____

ARUESD Board Approval _____

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue
San Jose, CA 95127

12.03

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION – BOARD OF TRUSTEES

To the Board of Trustees:

Subject: CONTRACTS FOR PROFESSIONAL SERVICES – INDIVIDUALS

Staff Analysis:

The following contracts for professional services are being presented to the Board of Trustees for review and approval.

Recommendation:

Staff recommends approval of the following contracts for professional services on the attached sheet. Contract details are on file in the Purchasing Office.

Prepared by: Maria Martinez M.M. Title: Procurement Manager

Approved by: Kolvira Chheng K Title: Assistant Superintendent of Business Services

To the Board of Trustees:

Meeting: January 18, 2018

Recommend Approval

12.03
Agenda Placement

Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

**Alum Rock Union Elementary School District
January 18, 2018 Board Meeting**

PROFESSIONAL CONSULTANT SERVICES – INDIVIDUALS

<u>SCHOOL / DEPARTMENT</u>	<u>DATE OF SERVICE</u>	<u>CONSULTANT NAME</u>	<u>COST</u>	<u>PURPOSE</u>
George Tara Bickford	12/08/17- 06/15/21	Abram Ross	\$1,100.00	Referee for site wrestling matches Funding: General
Special Education Jean Gallagher	01/15/18- 06/30/18	Greg Jennings, Ph., D.	\$2,000.00	Professional development on emotionally-related mental health services Funding: General



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES CONTRACT NO. _____
 FROM: Joseph George Mr (School/Dept.) VENDOR NO. _____

1. **PARTIES:** The Alum Rock Union Elementary School District (ARUESD), whose address is 2930 Gay Avenue, San Jose, CA 95127, and the following named Contractor:

Name of Individual/Company: Abraham Ross
 Address: 3001 Kellie Drive W414E City: San Jose State: CA Zip: 95051
 Phone: (408) 438-7532 Fax: ()
 SSN: 570-93-4705 Fed I.D. #: _____
 Contractor's License: _____ Type: _____ Expiration: _____

Mutually agree and promise as follows:

2. **CONTRACT TERM:** effective dates December 8, 2017 to June 15th 2021
 3. **CONTRACTOR'S OBLIGATION:** In consideration of the compensation, the Contractor shall provide the following services, materials, products, and/or reports:

- A. One line description for Governing Board Report:

Referee for wrestling matches.

- B. Full description of services to be provided and expected results (e.g. services, materials, products and/or reports). Attach proposals, exhibits and other documentation if necessary:

The company will provide referee coverage for after-school wrestling events during meets and tournaments.

4. **COMPENSATION:** In consideration of Contractor's provision of services as described above, and subject to the payment provisions expressed herein, ARUESD shall pay Contractor upon Contractor's submission of a properly documented demand for payment (Form BUS-106) which shall be submitted not later than 30 days from the end of the month in which the contract services were rendered, and upon approval of such demand by ARUESD as follows: (Check either a, b, or c)

a. **Fee Rate:** \$ _____ per hour/day of service as may be requested by ARUESD, not to exceed a maximum of _____ hours/days of services. ARUESD may, but is not obligated to, request the maximum number of hours/days of service.

b. **Flat Rate:** \$ _____ to be the total payment to the Contractor including travel and/or other expenses.

☒ c. **Other:** \$ 1,100 (describe rate agreement) Not to exceed \$1,100.00

5. **BUDGET CODE:**

FUND	DEPARTMENT	PROG/COUNTER	OBJECT	\$ AMOUNT	PROG. TITLE	BUS OFC
<u>03</u>	<u>250</u>	<u>4001</u>	<u>05815</u>	<u>\$1,100</u>	<u>After School Sports</u>	

6. **TERMINATION:** This contract may be terminated by ARUESD at its sole discretion, upon five-day advance written notice thereof to the Contractor, or canceled immediately by written mutual consent.
7. **INDEPENDENT CONTRACTOR STATUS:** This contract is by and between two independent contractors and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association. In executing this agreement, the Contractor certifies that no one who has or who will have any financial interest under this agreement is an officer or employee of ARUESD. Additionally, as the Contractor is not an ARUESD employee, ARUESD is not responsible for obtaining workers' compensation insurance coverage for the Contractor.



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

2017 DEC 21 AM 8:53

INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES

CONTRACT NO. _____

FROM: Special Education (School/Dept.)

VENDOR NO. _____

1. **PARTIES:** The Alum Rock Union Elementary School District (ARUESD), whose address is 2930 Gay Avenue, San Jose, CA 95127, and the following named Contractor:

Name of Individual/Company: Greg Jennings, Ph.D.

Address: 524 McColl Dr City: Benicia State: Ca Zip: 94610

Phone: 707-319-9539

Fax: ()

SSN: 548-47-3689

Fed I.D. #: _____

Contractor's License: 21169

Type: CA Psychologist Expiration: 9-2018

Mutually agree and promise as follows:

2. **CONTRACT TERM:** effective dates January 15, 2018 to June 30, 2018

3. **CONTRACTOR'S OBLIGATION:** In consideration of the compensation, the Contractor shall provide the following services, materials, products, and/or reports:

- A. One line description for Governing Board Report:

Professional Development on Emotionally-Related

- B. Full description of services to be provided and expected results (e.g. services, materials, products and/or reports). Attach proposals, exhibits and other documentation if necessary:

Professional Development on Emotionally-Related
Mental Health Services (ELMHHS)

4. **COMPENSATION:** In consideration of Contractor's provision of services as described above, and subject to the payment provisions expressed herein, ARUESD shall pay Contractor upon Contractor's submission of a properly documented demand for payment (Form BUS-106) which shall be submitted not later than 30 days from the end of the month in which the contract services were rendered, and upon approval of such demand by ARUESD as follows: (Check either a, b, or c)

 a. **Fee Rate:** \$ _____ per hour/day of service as may be requested by ARUESD, not to exceed a maximum of _____ hours/days of services. ARUESD may, but is not obligated to, request the maximum number of hours/days of service.

X b. **Flat Rate:** \$ 2,000 - to be the total payment to the Contractor including travel and/or other expenses.

 c. **Other:** \$ _____ (describe rate agreement) _____

5. **BUDGET CODE:**

FUND	DEPARTMENT	PROG/COUNTER	OBJECT	\$ AMOUNT	PROG. TITLE	BUS OFC
<u>13</u>	<u>385</u>	<u>5020-0</u>	<u>5815</u>	<u>2,000</u>		

6. **TERMINATION:** This contract may be terminated by ARUESD at its sole discretion, upon five-day advance written notice thereof to the Contractor, or canceled immediately by written mutual consent.

7. **INDEPENDENT CONTRACTOR STATUS:** This contract is by and between two independent contractors and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association. In executing this agreement, the Contractor certifies that no one who has or who will have any financial interest under this agreement is an officer or employee of ARUESD. Additionally, as the Contractor is not an ARUESD employee, ARUESD is not responsible for obtaining workers' compensation insurance coverage for the Contractor.

8. **COMPLETENESS OF AGREEMENT:** This agreement constitutes the entire understanding of the parties and any change or modification shall be in writing and signed by both parties hereto.

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue
San Jose, CA 95127

12.04

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION – BOARD OF TRUSTEES

To the Board of Trustees:

Subject: CONTRACTS FOR PROFESSIONAL SERVICES – FIRMS/ORGANIZATIONS

Staff Analysis:

The following contracts for professional services are being presented to the Board of Trustees for review and approval.

Recommendation:

Staff recommends approval of the following contracts for professional services on the attached sheets. Contract details are on file in the Purchasing Office.

Prepared by: Maria Martinez M.M. Title: Procurement Manager

Approved by: Kolvira Chheng K Title: Assistant Superintendent of Business Services

To the Board of Trustees:

Meeting: January 18, 2018

Recommend Approval

12.04
Agenda Placement

Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

Alum Rock Union Elementary School District
January 18, 2018 Board Meeting

PROFESSIONAL CONSULTANT SERVICES – FIRMS/ORGANIZATIONS

<u>DEPARTMENT</u>	<u>DATE OF SERVICE</u>	<u>CONSULTANT NAME</u>	<u>COST & FUNDING</u>	<u>PURPOSE</u>
Aptitud at Goss Maria T. Manzanedo	01/19/18- 06/30/18	The First Tee of Silicon Valley	No Cost	Drive curriculum, training, support and delivery Funding: N/A
Dorsa Viviana Garcia	05/29/18- 06/01/18	Exploring New Horizons	\$19,278.00	Outdoor Science Camp for 5 th grade students. Explore and learn about nature through relevant and fun outdoor educational experiences Funding: Restricted
Renaissance Academy Doug Kleinhenz	10/01/17- 10/01/18	Paul J. Gonzalez dba: Art Studios	\$1,000.00	Contract Increase Adjustment: C1718278 Original project required additional detail Funding: Restricted
Human Resources Jess Serna	08/04/17- 08/31/17	Atkinson, Andelson, Loya, Ruud & Romo	\$2,500.00	Legal advice and policy review on student use of technology Funding: General
Human Resources Jess Serna	08/04/17- 08/31/17	Atkinson, Andelson, Loya, Ruud & Romo	\$2,500.00	Contract Adjustment: C1617104 Administrator trainings on child abuse & mandated reporting, sexual harassment, frisk, understanding and managing employee leaves, conducting & documenting effective investigations & preparation for FY 2017-2018 Funding: General
Maintenance Daniel Flores	12/17/17- 01/18/18	Oconnor Pest Control	\$12,000.00	Fumigation treatment for all classrooms in all schools one time services with 30 day guarantee Funding: Restricted
Maintenance Daniel Flores	12/13/17- 01/31/18	Patriot Environmental Lab Services, Inc.	\$4,690.00	Asbestos and lead-based paint inspections at: Print Shop, IT Dept., and Chavez E.S. Funding: Restricted

**Alum Rock Union Elementary School District
January 18, 2018 Board Meeting**

PROFESSIONAL CONSULTANT SERVICES – FIRMS/ORGANIZATIONS

Special Education Jean Gallagher	01/19/18- 06/30/18	Grail Family Services	No Cost	Professional development on the building blocks of parenting and family engagement Funding: N/A
Special Education Jean Gallagher	12/08/17- 06/30/18	Speech Pathology	\$1,275.00	Professional development for our speech and language pathologists in the areas of: Every Student Succeeds Act and the New CA Dyslexia Bill Funding: Restricted
Technology Avtar Gill	01/19/18- 06/30/18	eRate 360 Solutions, LLC	\$6,000.00	eRate consulting services, filing all forms to receive eRate funding Funding: General
Bonds Louie Moran	07/01/17 - 06/31/18	Silicon Valley Security & Patrol, Inc.	\$84,768.00	Provide security & patrol service at Mathson multi-purpose building Funding: General
Lyndale Elementary Paula Alli	01/19/18- 06/14/18	Planet Bee Foundation	No Cost	Environmental education class on honey bees Funding: N/A
Special Education Jean Gallagher	07/01/17- 06/30/18	Lozano Smith, LLP.	\$75,000.00	Contract Increase Adjustment C1718093 Special Education legal consultation services as needed Funding: Sp Ed
Special Education Jean Gallagher	07/18/18- 06/30/18	Rebecca Murray Metzger dba: Mind Matters	\$5,586.00	Independent psychoeducational evaluation Funding: Sp Ed
Sheppard Jackie Montejano	02/08/18- 02/08/18	Chill Entertainment	\$2,999.00	All inclusive pop up rink for multicultural winter around the world community event Funding: ASBF
Aptitud at Goss Maria T. Manzanedo	03/07/18- 03/09/18	Nature Bridge at Golden Gate	\$8,194.00	5 th grade outdoor science camp Funding: Restricted

**ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
INDEPENDENT CONTRACTOR AGREEMENT**

**RECEIVED
PURCHASING**

TO: DIVISION OF BUSINESS SERVICES

CONTRACT NO. _____

FROM: Aptitud @ Goss (School/ID#) 2017 DEC 21 AM 10:07 VENDOR NO. _____

1. **PARTIES:** The Alum Rock Union Elementary School District (ARUESD), whose address is 2930 Gay Avenue, San Jose, CA 95127, and the following named Contractor:

Name of Individual/Company: The First Tee of Silicon Valley
 Address: 1922 The Alameda Suite 214 City: San Jose ST: CA Zip: 95126
 Telephone: (408) 288-2937 Fax #: (510) 803-5109
 SSN: NA Fed I.D.#: 46-310 2278
 Contractor's License: NA Type: NA Expiration: NA

Mutually agree and promise as follows:

2. **CONTRACT TERM:** effective dates 1-19-2018 to 6-30-2018
 3. **CONTRACTOR'S OBLIGATION:** In consideration of the compensation, the Contractor shall provide the following services, materials, products, and/or reports:

- A. One line description for Governing Board Report:

DRIVE CURRICULUM, TRAINING, SUPPORT AND DELIVERY

- B. Full description of services to be provided and expected results (e.g. services, materials, products and/or reports). Attach proposals, exhibits and other documentation if necessary:

THE FIRST TEE DRIVE IS A SET OF 18 GOLF ACTIVITY PLANS
DESIGNED TO EXPOSE STUDENTS TO CORE VALUES, LIFE SKILLS, & HEALTHY HABITS

4. **COMPENSATION:** In consideration of Contractor's provision of services as described above, and subject to the payment provisions expressed herein, ARUESD shall pay Contractor, upon Contractor's submission of a properly documented demand for payment (Form B-210) which shall be submitted not later than 30 days from the end of the month in which the contract services were rendered, and upon approval of such demand by ARUESD as follows: (Check either a, b, or c)

- ☐ a. **Fee Rate:** \$ _____ per hour/day of service as may be requested by ARUESD, not to exceed a maximum of _____ hours/days of services. ARUESD may, but is not obligated to, request the maximum number of hours/days of service.
☐ b. **Flat Rate:** \$ _____ to be the total payment to the Contractor including travel and/or other expenses.
☒ c. **Other:** \$ Ø (describe rate agreement) _____

5. **BUDGET CODE:**

FUND	DEPARTMENT	PROG/COUNTER	OBJECT	\$ AMOUNT	PROG. TITLE	BUS OFC
				Ø		

6. **TERMINATION:** This contract may be terminated by ARUESD at its sole discretion, upon five-day advance written notice thereof to the Contractor, or canceled immediately by written mutual consent.
 7. **INDEPENDENT CONTRACTOR STATUS:** This contract is by and between two independent contractors and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association. In executing this agreement, the Contractor certifies that no one who has or who will have any financial interest under this agreement is an officer or employee of ARUESD. Additionally, as the Contractor is not an ARUESD employee, ARUESD is not responsible for obtaining workers' compensation insurance coverage for the Contractor.
 8. **COMPLETENESS OF AGREEMENT:** This agreement constitutes the entire understanding of the parties and any change or modification shall be in writing and signed by both parties hereto.



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT PURCHASING

2017 DEC 30 PM 2:21

INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES

CONTRACT NO. _____

FROM: Dorsa Elementary School (School/Dept.)

VENDOR NO. _____

1. **PARTIES:** The Alum Rock Union Elementary School District (ARUESD), whose address is 2930 Gay Avenue, San Jose, CA 95127, and the following named Contractor:

Name of Individual/Company: Exploring New Horizons
 Address: P.O. Box 1514 City: Felton State: CA Zip: 95018
 Phone: (831) 600-7543 Fax: (831) 533-7800
 SSN: _____ Fed I.D. #: 94-2618050
 Contractor's License: N/A Type: _____ Expiration: _____

Mutually agree and promise as follows:

2. **CONTRACT TERM:** effective dates 5/29/2018 to 4/1/2018
3. **CONTRACTOR'S OBLIGATION:** In consideration of the compensation, the Contractor shall provide the following services, materials, products, and/or reports:
- A. One line description for Governing Board Report: multidisciplinary fieldtrip (Sci, Language)
Residential Environmental Education
- B. Full description of services to be provided and expected results (e.g. services, materials, products and/or reports). Attach proposals, exhibits and other documentation if necessary:

Exploration, Discovery, Discussion. Relationship building

4. **COMPENSATION:** In consideration of Contractor's provision of services as described above, and subject to the payment provisions expressed herein, ARUESD shall pay Contractor upon Contractor's submission of a properly documented demand for payment (Form BUS-106) which shall be submitted not later than 30 days from the end of the month in which the contract services were rendered, and upon approval of such demand by ARUESD as follows: (Check either a, b, or c)

 a. **Fee Rate:** \$ _____ per hour/day of service as may be requested by ARUESD, not to exceed a maximum of _____ hours/days of services. ARUESD may, but is not obligated to, request the maximum number of hours/days of service.

 b. **Flat Rate:** \$ _____ to be the total payment to the Contractor including travel and/or other expenses.

☒ c. **Other:** \$ 306/student (describe rate agreement) _____

5. **BUDGET CODE:**

FUND	DEPARTMENT	PROG/COUNTER	OBJECT	\$ AMOUNT	PROG. TITLE	BUS OFC
<u>06</u>	<u>150</u>	<u>010</u>	<u>5308</u>	<u>19,218 (APPROX)</u>		

6. **TERMINATION:** This contract may be terminated by ARUESD at its sole discretion, upon five-day advance written notice thereof to the Contractor, or canceled immediately by written mutual consent.
7. **INDEPENDENT CONTRACTOR STATUS:** This contract is by and between two independent contractors and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association. In executing this agreement, the Contractor certifies that no one who has or who will have any financial interest under this agreement is an officer or employee of ARUESD. Additionally, as the Contractor is not an ARUESD employee, ARUESD is not responsible for obtaining workers' compensation insurance coverage for the Contractor.



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

RECEIVED
PURCHASING

2017 DEC 21 AM 8:5

PURCHASE ORDER / CONTRACT ADJUSTMENT

P.O. No. _____ Contract No. CN18278 Contract Original Amount: \$ 3000.

Vendor Name: Paul J. Gonzalez Vendor No. 17375

Please check:

- ☐ Cancel P.O. / Contract
☐ Change Item No.: _____
☒ Increase Amount Line Item No.: _____
☐ Decrease Amount Line Item No.: _____
☐ Add Line No.: _____
☐ Delete Line No.: _____
☐ Change org key/object code to: _____
☐ Change Vendor No. to: _____
☐ Add Freight: \$ _____
☐ Add Tax: _____ %
☐ Disencumber
☐ Change Order No.: _____
☐ Other _____

CONTRACTS ONLY

Change Orders:

Contracts Original Amount \$ 3,000.
 Change Order #: 1 \$ 1,000.
 Change Order #: _____ \$ _____
 Change Order #: _____ \$ _____

New Contract Total
(including Change Orders)

\$ 4,000.

Line #	FUND	LOCATION	PROGRAM	ACCOUNT	\$ AMOUNT	Accountant Signature & Date
1	06	290	2110	5815	+1,000.-	<u>[Signature]</u> 12/21/17

Reason for Adjustment: Project took longer and more detailed work than initially planned.

School/Dept.: <u>Renaissance @ Fischer</u>	Requested by: <u>Doug Kleinhenz</u>
Approval: _____ (for Contracts Only)	Assistant Superintendent of Business Services
<u>[Signature]</u>	Program Manager
	Purchasing Manager
Date Requested: <u>12/19/17</u>	Date Entered: _____ Entered By: _____

(Pursuant to Public Contract Code 20118.4, the total cost of change orders shall not exceed the greater of \$15,000.00 or 10% of the original contract amount. The ARUESD Board of Trustees must approve changes exceeding these limits.)



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

FOR JANUARY BOARD AGENDA

INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES CONTRACT NO. _____
 FROM: Human Resources (School/Dept.) VENDOR NO. 10879

1. **PARTIES:** The Alum Rock Union Elementary School District (ARUESD), whose address is 2930 Gay Avenue, San Jose, CA 95127, and the following named Contractor:

Name of Individual/Company: Atkinson, Andelson, Loya, Ruud, & Romo
 Address: 12800 Center Court Dr., Ste. 300 City: Cerritos State: CA Zip: 90703
 Phone: (562) 653-3200 Fax: (714) 826-5480
 SSN: _____ Fed I.D. #: 95-3378600
 Contractor's License: _____ Type: _____ Expiration: _____

Mutually agree and promise as follows:

2. **CONTRACT TERM:** effective dates 8/4/17 to 8/31/17

3. **CONTRACTOR'S OBLIGATION:** In consideration of the compensation, the Contractor shall provide the following services, materials, products, and/or reports:

- A. One line description for Governing Board Report:

Legal advice and policy review on student use of technology

- B. Full description of services to be provided and expected results (e.g. services, materials, products and/or reports). Attach proposals, exhibits and other documentation if necessary:

See attached

4. **COMPENSATION:** In consideration of Contractor's provision of services as described above, and subject to the payment provisions expressed herein, ARUESD shall pay Contractor upon Contractor's submission of a properly documented demand for payment (Form BUS-106) which shall be submitted not later than 30 days from the end of the month in which the contract services were rendered, and upon approval of such demand by ARUESD as follows: (Check either a, b, or c)

 a. **Fee Rate:** \$ _____ per hour/day of service as may be requested by ARUESD, not to exceed a maximum of _____ hours/days of services. ARUESD may, but is not obligated to, request the maximum number of hours/days of service.

 b. **Flat Rate:** \$ _____ to be the total payment to the Contractor including travel and/or other expenses.

X c. **Other:** \$ 2,500 (describe rate agreement) See attached rates; not to exceed \$2,500

5. **BUDGET CODE:**

FUND	DEPARTMENT	PROG/COUNTER	OBJECT	\$ AMOUNT	PROG. TITLE	BUS-OFC
03	600	7700 0	5810	1,250		
03	460	7900 W	5810	1,250		

6. **TERMINATION:** This contract may be terminated by ARUESD at its sole discretion, upon five-day advance written notice thereof to the Contractor, or canceled immediately by written mutual consent.

7. **INDEPENDENT CONTRACTOR STATUS:** This contract is by and between two Independent contractors and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association. In executing this agreement, the Contractor certifies that no one who has or who will have any financial interest under this agreement is an officer or employee of ARUESD. Additionally, as the Contractor is not an ARUESD employee, ARUESD is not responsible for obtaining workers' compensation insurance coverage for the Contractor.

8. **COMPLETENESS OF AGREEMENT:** This agreement constitutes the entire understanding of the parties and any change or modification shall be in writing and signed by both parties hereto.



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

PURCHASE ORDER / CONTRACT ADJUSTMENT

P.O. No. _____ Contract No. _____ Contract Original Amount: \$ 4,900

Vendor Name: Atkinson Andelson Loya Ruud&Romo Vendor No. 10879


Please check:

- ☐ Cancel P.O. / Contract
☐ Change Item No.: _____
☐ Increase Amount Line Item No.: _____
☐ Decrease Amount Line Item No.: _____
☐ Add Line No.: _____
☐ Delete Line No.: _____
☐ Change org key/object code to: _____
☐ Change Vendor No. to: _____
☐ Add Freight: \$ _____
☐ Add Tax: _____ %
☐ Disencumber
☒ Change Order No.: 4
☐ Other _____

CONTRACTS ONLY

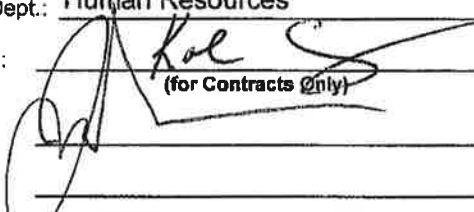
Change Orders:

Contracts Original Amount	\$ <u>4,900</u>
Change Order #: <u>1</u>	\$ <u>7,500</u>
Change Order #: <u>2</u>	\$ <u>7,500</u>
Change Order #: <u>3</u>	\$ <u>7,500</u>
Change Order #: <u>4</u>	\$ <u>2,500</u>
New Contract Total (including Change Orders)	\$ <u>29,900</u>

Line #	FUND	LOCATION	PROGRAM	ACCOUNT	\$ AMOUNT	Accountant Signature & Date
	03	600	7700 0	5810	1,250	 12/18
	03	460	7900W	5810	1,250	

Reason for Adjustment: Contract adjustment to original contract no. C1617104 in amount of \$2,500.

Contract was board approved 8/11/16. FOR SERVICES PROVIDED IN 2017-2018
SCHOOL YEAR

School/Dept.: <u>Human Resources</u>	Requested by: <u>Kristine McNatt</u>
Approval:  (for Contracts Only)	Assistant Superintendent of Business Services
	Program Manager
	Purchasing Manager
Date Requested: <u>12/22/17</u>	Date Entered: _____ Entered By: _____

(Pursuant to Public Contract Code 20118.4, the total cost of change orders shall not exceed the greater of \$15,000.00 or 10% of the original contract amount. The ARUESD Board of Trustees must approve changes exceeding these limits.)



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

2930 Gay Avenue, San José, CA 95127 · Phone: 408-928-6800 · Fax: 408-928-6416 · www.arusd.org

To: Hilaria Bauer, Ph.D., Superintendent

From: Daniel Flores, Director of Maintenance, Operation & Transportation

Re: Contract Approval O'Connor Pest Control

Date: January 14, 2018

Background:

It is necessary for the District to provide pest control treatment for all the facilities district-wide. The District sought proposals from three (3) pest control companies and we are waiting on responses. Due to the urgency of this matter, O'Connor Pest Control was brought in to quickly remedy our situation.

Recommendation:

Staff recommends that the board approve the contract with O'Connor Pest Control in the amount of \$12,000 for services already incurred.



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

RECEIVED
DISTRICTS

2018 JAN 10 AM 11: 57

INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES

CONTRACT NO. _____

FROM: MAINTENANCE (School/Dept.)

VENDOR NO. 22705

1. **PARTIES:** The Alum Rock Union Elementary School District (ARUESD), whose address is 2930 Gay Avenue, San Jose, CA 95127, and the following named Contractor:

Name of Individual/Company: Oconnor Pest Control

Address: 101 Cuyama Lane City: Nipomo State: CA Zip: 93444

Phone: (800) 318-1340 Fax: (805) 928-9758

SSN: _____ Fed I.D. #: _____

Contractor's License: _____ Type: _____ Expiration: _____

Mutually agree and promise as follows:

2. **CONTRACT TERM:** effective dates 12-17-2017 to 01-18-2018

3. **CONTRACTOR'S OBLIGATION:** In consideration of the compensation, the Contractor shall provide the following services, materials, products, and/or reports:

- A. One line description for Governing Board Report:

Fumigating services

- B. Full description of services to be provided and expected results (e.g. services, materials, products and/or reports). Attach proposals, exhibits and other documentation if necessary:

22-24 schools, includes the treatment of all classrooms, janitor closets, kitchens, cafeteria
and all common areas interior and exterior to be treated with all natural EPA EXEMPT IC3 prod.

4. **COMPENSATION:** In consideration of Contractor's provision of services as described above, and subject to the payment provisions expressed herein, ARUESD shall pay Contractor upon Contractor's submission of a properly documented demand for payment (Form BUS-106) which shall be submitted not later than 30 days from the end of the month in which the contract services were rendered, and upon approval of such demand by ARUESD as follows: (Check either a, b, or c)

 a. **Fee Rate:** \$ _____ per hour/day of service as may be requested by ARUESD, not to exceed a maximum of _____ hours/days of services. ARUESD may, but is not obligated to, request the maximum number of hours/days of service.

 b. **Flat Rate:** \$ _____ to be the total payment to the Contractor including travel and/or other expenses.

 X c. **Other:** \$ 12,000. (describe rate agreement) one time service w/ 30 day guarantee.

5. **BUDGET CODE:**

FUND	DEPARTMENT	PROG/COUNTER	OBJECT	\$ AMOUNT	PROG. TITLE	BUS OFC
05	450	8130-0	5815	\$12,000.		

6. **TERMINATION:** This contract may be terminated by ARUESD at its sole discretion, upon five-day advance written notice thereof to the Contractor, or canceled immediately by written mutual consent.

7. **INDEPENDENT CONTRACTOR STATUS:** This contract is by and between two independent contractors and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association. In executing this agreement, the Contractor certifies that no one who has or who will have any financial interest under this agreement is an officer or employee of ARUESD. Additionally, as the Contractor is not an ARUESD employee, ARUESD is not responsible for obtaining workers' compensation insurance coverage for the Contractor.

8. **COMPLETENESS OF AGREEMENT:** This agreement constitutes the entire understanding of the parties and any change or modification shall be in writing and signed by both parties hereto.



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

2930 Gay Avenue, San José, CA 95127 · Phone: 408-928-6800 · Fax: 408-928-6416 · www.arusd.org

To: Hilaria Bauer, Ph.D., Superintendent

From: Daniel Flores, Director of Maintenance, Operation & Transportation

Re: Contract Approval Patriot Environmental Laboratory Services, Inc.

Date: January 14, 2018

Background:

Alum Rock Union School District has current structures that need inspection for whether they can be renovated or demolished. Patriot focuses strictly on safe work performance and environmental compliance and with their inspections and samples of the buildings for asbestos and lead-based paint we can determine the correct cause of actions.

We have reached out to at least two other environmental companies and we are waiting on responses but due to the importance of these inspections to the Print Shop, IT Department and Chavez Library; Patriots services are the right fit for our needs.

Recommendation:

Staff recommends that the board approve the contract with Patriot Environmental Laboratory Services in the amount of \$4,690 for inspection.



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

RECEIVED
DISTRICT

2018 JAN 10 PM 2:28

INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES CONTRACT NO. _____
FROM: MAINTENANCE (School/Dept.) VENDOR NO. 22015

1. **PARTIES:** The Alum Rock Union Elementary School District (ARUESD), whose address is 2930 Gay Avenue, San Jose, CA 95127, and the following named Contractor:

Name of Individual/Company: Patriot Environmental Lab Services, Inc.
Address: 1041 S. Placentia Ave. City: Fullerton State: CA. Zip: 92831
Phone: (408) 452-9700 Fax: (408) 638-0945
SSN: _____ Fed I.D. #: _____
Contractor's License: _____ Type: _____ Expiration: _____

Mutually agree and promise as follows:

2. **CONTRACT TERM:** effective dates 12/13/2017 to 01/31/2018
3. **CONTRACTOR'S OBLIGATION:** In consideration of the compensation, the Contractor shall provide the following services, materials, products, and/or reports:
A. One line description for Governing Board Report:
ASBESTOS AND Lead-base Paint Inspections
B. Full description of services to be provided and expected results (e.g. services, materials, products and/or reports). Attach proposals, exhibits and other documentation if necessary:
Inspections for Print Shop, I.T department, and Chavez Elementary Library.

4. **COMPENSATION:** In consideration of Contractor's provision of services as described above, and subject to the payment provisions expressed herein, ARUESD shall pay Contractor upon Contractor's submission of a properly documented demand for payment (Form BUS-106) which shall be submitted not later than 30 days from the end of the month in which the contract services were rendered, and upon approval of such demand by ARUESD as follows: (Check either a, b, or c)

- a. **Fee Rate:** \$ _____ per hour/day of service as may be requested by ARUESD, not to exceed a maximum of _____ hours/days of services. ARUESD may, but is not obligated to, request the maximum number of hours/days of service.
b. **Flat Rate:** \$ _____ to be the total payment to the Contractor including travel and/or other expenses.
☒ c. **Other:** \$ 4,690.00 (describe rate agreement) _____

5. **BUDGET CODE:**

FUND	DEPARTMENT	PROG/COUNTER	OBJECT	\$ AMOUNT	PROG. TITLE	BUS OFC
05	450	8130-0	5815	\$ 4,690.00		

6. **TERMINATION:** This contract may be terminated by ARUESD at its sole discretion, upon five-day advance written notice thereof to the Contractor, or canceled immediately by written mutual consent.
7. **INDEPENDENT CONTRACTOR STATUS:** This contract is by and between two independent contractors and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association. In executing this agreement, the Contractor certifies that no one who has or who will have any financial interest under this agreement is an officer or employee of ARUESD. Additionally, as the Contractor is not an ARUESD employee, ARUESD is not responsible for obtaining workers' compensation insurance coverage for the Contractor.
8. **COMPLETENESS OF AGREEMENT:** This agreement constitutes the entire understanding of the parties and any change or modification shall be in writing and signed by both parties hereto.



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

RECEIVED
PURCHASING

2017 DEC 21 AM 8:52

Request for Contracted Services

To: BUSINESS OFFICE Contract No.: _____ Vendor No.: _____

Special Education (School/Dept) and the Alum Rock Union Elementary School District (ARUESD), whose address is 2930 Gay Avenue, San Jose, CA 95127, and the following named Contractor wishes to enter a:

☒ **MOU** (negotiated Agreement)

☐ Exhibit B & C (Fingerprinting and TB Test)

☐ **MASTER CONTRACT PARTICIPATION**

☐ Scope of Work/Proposal

Note: All Contracts over \$5,000 require pre-approval.

* Use Independent Contractor Agreement (BUS-109) for unincorporated individuals or in the absent of negotiated agreement.

Name of Individual/Company: Grail Family Services

Address: 2003 E. San Antonio St. City: San Jose State: Ca Zip: 95116

Phone: (408) 374-7892 X 301 Fax: ()

SSN: _____ Fed I.D. #: _____

CONTRACT TERM: effective dates 01/19/2018 to 06/30/2018

CONTRACTOR'S OBLIGATION:

Description of services to be provided: (Please attach proposals and other documentation if necessary.)

Training on the Building Blocks of Parenting (BBP) Family Engagement Professional Development Program.

COMPENSATION: In consideration of Contractor's provision of services as described above, and subject to the payment provisions expressed herein, ARUESD shall pay Contractor, upon Contractor's submission of a properly documented demand for payment (Form BUS-106) which shall be submitted not later than 30 days from the end of the month in which the contract services were rendered, and upon approval of such demand by ARUESD as follows: (Check either a or b)

 a. **Fee Rate:** \$ _____ per _____ Not to Exceed _____ of services.

 b. **Other:** \$ 0.00

Describe rate agreement or other costs: _____

BUDGET CODE: _____

APPROVALS:

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT:

Site/Department Administrator: [Signature] Date: 12-20-17

Director of Fiscal Services: _____ Date: _____

Asst. Supt., of Business Services: _____ Date: _____

Superintendent: _____ Date: _____

Board of Trustees: _____ Date: _____



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

2017 DEC 21 AM 8:54

INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES CONTRACT NO. _____
FROM: Special Education (School/Dept.) VENDOR NO. _____

1. **PARTIES:** The Alum Rock Union Elementary School District (ARUESD), whose address is 2930 Gay Avenue, San Jose, CA 95127, and the following named Contractor:

Name of Individual/Company: Speech Pathology
Address: P.O. Box 41027 City: Houston State: TX Zip: 77241
Phone: 925-945-1474 Fax: 925-945-1768
SSN: _____ Fed I.D. #: 94-3290122
Contractor's License: _____ Type: _____ Expiration: _____

Mutually agree and promise as follows:

2. **CONTRACT TERM:** effective dates Dec. 8, 2017 to June 30, 2018
3. **CONTRACTOR'S OBLIGATION:** In consideration of the compensation, the Contractor shall provide the following services, materials, products, and/or reports:
- A. One line description for Governing Board Report:
Professional Development for SLP's
- B. Full description of services to be provided and expected results (e.g. services, materials, products and/or reports). Attach proposals, exhibits and other documentation if necessary:
Professional Development for SLP's on Dyslexia
Bill & Regulation for Licensing
4. **COMPENSATION:** In consideration of Contractor's provision of services as described above, and subject to the payment provisions expressed herein, ARUESD shall pay Contractor upon Contractor's submission of a properly documented demand for payment (Form BUS-106) which shall be submitted not later than 30 days from the end of the month in which the contract services were rendered, and upon approval of such demand by ARUESD as follows: (Check either a, b, or c)
- ☐ a. **Fee Rate:** \$ _____ per hour/day of service as may be requested by ARUESD, not to exceed a maximum of _____ hours/days of services. ARUESD may, but is not obligated to, request the maximum number of hours/days of service.
- ☒ b. **Flat Rate:** \$ 1,275- to be the total payment to the Contractor including travel and/or other expenses.
- ☐ c. **Other:** \$ _____ (describe rate agreement) _____

5. **BUDGET CODE:**

FUND	DEPARTMENT	PROG/COUNTER	OBJECT	\$ AMOUNT	PROG. TITLE	BUS OFC
<u>Δ6</u>	<u>380</u>	<u>1822-0</u>	<u>5815</u>	<u>1,275-</u>		

6. **TERMINATION:** This contract may be terminated by ARUESD at its sole discretion, upon five-day advance written notice thereof to the Contractor, or canceled immediately by written mutual consent.
7. **INDEPENDENT CONTRACTOR STATUS:** This contract is by and between two independent contractors and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association. In executing this agreement, the Contractor certifies that no one who has or who will have any financial interest under this agreement is an officer or employee of ARUESD. Additionally, as the Contractor is not an ARUESD employee, ARUESD is not responsible for obtaining workers' compensation insurance coverage for the Contractor.
8. **COMPLETENESS OF AGREEMENT:** This agreement constitutes the entire understanding of the parties and any change or modification shall be in writing and signed by both parties hereto.



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

RECEIVED
PURCHASING

2018 JAN 10 PM 2:21

INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES

CONTRACT NO. _____

FROM: Technology Dept (School/Dept.)

VENDOR NO. 22391

1. **PARTIES:** The Alum Rock Union Elementary School District (ARUESD), whose address is 2930 Gay Avenue, San Jose, CA 95127, and the following named Contractor:

Name of Individual/Company: eRate 360 Solutions, LLC

Address: 903 Swift Bear St City: Henderson State: NV Zip: 89002

Phone: (888) 535-7771 Fax: (866) 569-3019

SSN: _____ Fed I.D. #: 26-2256040

Contractor's License: _____ Type: _____ Expiration: _____

Mutually agree and promise as follows:

2. **CONTRACT TERM:** effective dates 1/19/2018 to 6/30/2019
3. **CONTRACTOR'S OBLIGATION:** In consideration of the compensation, the Contractor shall provide the following services, materials, products, and/or reports:

- A. One line description for Governing Board Report:

E-Rate Consulting Services

- B. Full description of services to be provided and expected results (e.g. services, materials, products and/or reports). Attach proposals, exhibits and other documentation if necessary:

Filing all forms to receive E-Rate funding including but not limited to forms 470, 471, 486, 500, 472, 474 as well as responding to all reviews before and after the funding commitment.

4. **COMPENSATION:** In consideration of Contractor's provision of services as described above, and subject to the payment provisions expressed herein, ARUESD shall pay Contractor upon Contractor's submission of a properly documented demand for payment (Form BUS-106) which shall be submitted not later than 30 days from the end of the month in which the contract services were rendered, and upon approval of such demand by ARUESD as follows: (Check either a, b, or c)

a. **Fee Rate:** \$ _____ per hour/day of service as may be requested by ARUESD, not to exceed a maximum of _____ hours/days of services. ARUESD may, but is not obligated to, request the maximum number of hours/days of service.

☒ b. **Flat Rate:** \$ #18,000 \$6000 to be the total payment to the Contractor including travel and/or other expenses.

c. **Other:** \$ _____ (describe rate agreement) _____

5. **BUDGET CODE:**

FUND	DEPARTMENT	PROG/COUNTER	OBJECT	\$ AMOUNT	PROG. TITLE	BUS OFC
03	460	7900W	5815	\$6000		

6. **TERMINATION:** This contract may be terminated by ARUESD at its sole discretion, upon five-day advance written notice thereof to the Contractor, or canceled immediately by written mutual consent.
7. **INDEPENDENT CONTRACTOR STATUS:** This contract is by and between two independent contractors and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association. In executing this agreement, the Contractor certifies that no one who has or who will have any financial interest under this agreement is an officer or employee of ARUESD. Additionally, as the Contractor is not an ARUESD employee, ARUESD is not responsible for obtaining workers' compensation insurance coverage for the Contractor.
8. **COMPLETENESS OF AGREEMENT:** This agreement constitutes the entire understanding of the parties and any change or modification shall be in writing and signed by both parties hereto.



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES CONTRACT NO. _____
 FROM: FACILITIES (School/Dept.) VENDOR NO. _____

1. **PARTIES:** The Alum Rock Union Elementary School District (ARUESD), whose address is 2930 Gay Avenue, San Jose, CA 95127, and the following named Contractor:

Name of Individual/Company: SILICON VALLEY SECURITY & PATROL, INC.

Address: 1131 LUCHESSI DR. SUITE 2 City: SAN JOSE State: CA Zip: 95118

Phone: (408) 978-2198 Fax: ()

SSN: _____ Fed I.D. #: _____

Contractor's License: _____ Type: _____ Expiration: _____

Mutually agree and promise as follows:

2. **CONTRACT TERM:** effective dates JULY 1, 2017 to JUNE 31, 2018
 3. **CONTRACTOR'S OBLIGATION:** In consideration of the compensation, the Contractor shall provide the following services, materials, products, and/or reports:

- A. One line description for Governing Board Report:

PROVIDE SECURITY & PATROL SERVICE AT MATHSON MPB

- B. Full description of services to be provided and expected results (e.g. services, materials, products and/or reports). Attach proposals, exhibits and other documentation if necessary:

SECURITY SERVICE SHALL BE PROVIDED BETWEEN THE HOURS OF
3:30PM TO 11:30PM SEVEN DAYS PER WEEK

4. **COMPENSATION:** In consideration of Contractor's provision of services as described above, and subject to the payment provisions expressed herein, ARUESD shall pay Contractor upon Contractor's submission of a properly documented demand for payment (Form BUS-106) which shall be submitted not later than 30 days from the end of the month in which the contract services were rendered, and upon approval of such demand by ARUESD as follows: (Check either a, b, or c)

a. **Fee Rate:** \$ 24.00 Regular \$36.00 Holiday per hour/day of service as may be requested by ARUESD, not to exceed a maximum of _____ hours/days of services. ARUESD may, but is not obligated to, request the maximum number of hours/days of service.

b. **Flat Rate:** \$ _____ to be the total payment to the Contractor including travel and/or other expenses.

c. **Other:** \$ 84,768.00 (describe rate agreement) Not to Exceed \$84,768.00

5. **BUDGET CODE:**

FUND	DEPARTMENT	PROG/COUNTER	OBJECT	\$ AMOUNT	PROG. TITLE	BUS OFC
03	450	8140 0	5870	84,768.00		JAN 1/11/18

6. **TERMINATION:** This contract may be terminated by ARUESD at its sole discretion, upon five-day advance written notice thereof to the Contractor, or canceled immediately by written mutual consent.
7. **INDEPENDENT CONTRACTOR STATUS:** This contract is by and between two independent contractors and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association. In executing this agreement, the Contractor certifies that no one who has or who will have any financial interest under this agreement is an officer or employee of ARUESD. Additionally, as the Contractor is not an ARUESD employee, ARUESD is not responsible for obtaining workers' compensation insurance coverage for the Contractor.
8. **COMPLETENESS OF AGREEMENT:** This agreement constitutes the entire understanding of the parties and any change or modification shall be in writing and signed by both parties hereto.



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES CONTRACT NO. _____
 FROM: Lynedale Elementary (School/Dept.) VENDOR NO. _____

1. **PARTIES:** The Alum Rock Union Elementary School District (ARUESD), whose address is 2930 Gay Avenue, San Jose, CA 95127, and the following named Contractor:

Name of Individual/Company: Planet Bee Foundation
 Address: 3035 25th Ave. City: San Francisco State: CA Zip: 94132
 Phone: (415) 235-8959 Fax: ()
 SSN: _____ Fed I.D. #: _____
 Contractor's License: _____ Type: _____ Expiration: _____

Mutually agree and promise as follows:

2. **CONTRACT TERM:** effective dates Jan. 19, 2018 to June 14, 2015

3. **CONTRACTOR'S OBLIGATION:** In consideration of the compensation, the Contractor shall provide the following services, materials, products, and/or reports:

- A. One line description for Governing Board Report:
Environmental Education Class

- B. Full description of services to be provided and expected results (e.g. services, materials, products and/or reports). Attach proposals, exhibits and other documentation if necessary:

Planet Bee Foundation will bring bees to school + discuss pollination, life cycle, + importance of the bee to the environment. Students will learn about plants that bees need + be given a seed ball to plant @ home. Environmental Stewardship will be stressed

4. **COMPENSATION:** In consideration of Contractor's provision of services as described above, and subject to the payment provisions expressed herein, ARUESD shall pay Contractor upon Contractor's submission of a properly documented demand for payment (Form BUS-106) which shall be submitted not later than 30 days from the end of the month in which the contract services were rendered, and upon approval of such demand by ARUESD as follows: (Check either a, b, or c)

- a. **Fee Rate:** \$ 0 per hour/day of service as may be requested by ARUESD, not to exceed a maximum of _____ hours/days of services. ARUESD may, but is not obligated to, request the maximum number of hours/days of service.
 b. **Flat Rate:** \$ 0 to be the total payment to the Contractor including travel and/or other expenses.
 c. **Other:** \$ 0 (describe rate agreement) _____

5. **BUDGET CODE:**

FUND	DEPARTMENT	PROG/COUNTER	OBJECT	\$ AMOUNT	PROG. TITLE	BUS OFC
				<u>0</u>		

6. **TERMINATION:** This contract may be terminated by ARUESD at its sole discretion, upon five-day advance written notice thereof to the Contractor, or canceled immediately by written mutual consent.

7. **INDEPENDENT CONTRACTOR STATUS:** This contract is by and between two independent contractors and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association. In executing this agreement, the Contractor certifies that no one who has or who will have any financial interest under this agreement is an officer or employee of ARUESD. Additionally, as the Contractor is not an ARUESD employee, ARUESD is not responsible for obtaining workers' compensation insurance coverage for the Contractor.

8. **COMPLETENESS OF AGREEMENT:** This agreement constitutes the entire understanding of the parties and any change or modification shall be in writing and signed by both parties hereto.



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

RECEIVED
PURCHASING DISTRICT

2018 JAN 11 PM 2:39

PURCHASE ORDER / CONTRACT ADJUSTMENT

P.O. No. _____ Contract No. C1718093 Contract Original Amount: \$ 75,000

Vendor Name: Lozano Smith, LLP Vendor No. 21317

Please check:

- ☐ Cancel P.O. / Contract
☐ Change Item No.: _____
☐ Increase Amount Line Item No.: _____
☐ Decrease Amount Line Item No.: _____
☐ Add Line No.: _____
☐ Delete Line No.: _____
☐ Change org key/object code to: _____
☐ Change Vendor No. to: _____
☐ Add Freight: \$ _____
☐ Add Tax: _____%
☐ Disencumber
☐ Change Order No.: _____
☐ Other _____

CONTRACTS ONLY

Change Orders:

Contracts Original Amount \$ 75,000
 Change Order #: 1 \$ 75,000
 Change Order #: _____ \$ _____
 Change Order #: _____ \$ _____

New Contract Total \$ 150,000
 (including Change Orders)

Line #	FUND	LOCATION	PROGRAM	ACCOUNT	\$ AMOUNT	Accountant Signature & Date
<u>01</u>	<u>08</u>	<u>380</u>	<u>1820-A</u>	<u>5810</u>	<u>+ 75,000</u>	

Reason for Adjustment: Special Education Legal
consultation services as needed.

School/Dept.: <u>Sp. Ed. Dept</u>	Requested by: <u>Leanne Depew</u>
Approval: _____ (for Contracts Only)	Assistant Superintendent of Business Services
<u>[Signature]</u>	Program Manager
	Purchasing Manager
Date Requested: _____	Date Entered: _____ Entered By: _____

(Pursuant to Public Contract Code 20118.4, the total cost of change orders shall not exceed the greater of \$15,000.00 or 10% of the original contract amount. The ARUESD Board of Trustees must approve changes exceeding these limits.)



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

RECEIVED
DISTRICTS

2018 JAN 11 PM 2:37
(B)

INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES

CONTRACT NO. _____

FROM: Special Education (School/Dept.)

VENDOR NO. 22445

1. **PARTIES:** The Alum Rock Union Elementary School District (ARUESD), whose address is 2930 Gay Avenue, San Jose, CA 95127, and the following named Contractor:

Name of Individual/Company: Rebecca Murray Metzger DBA mind matters
 Address: 31 Caselli Ave. City: San Francisco State: Ca Zip: 94114
 Phone: (415) 596-6948 Fax: ()
 SSN: _____ Fed I.D. #: _____
 Contractor's License: _____ Type: _____ Expiration: _____

Mutually agree and promise as follows:

2. **CONTRACT TERM:** effective dates Jan 18, 2018 to June 30, 2018

3. **CONTRACTOR'S OBLIGATION:** In consideration of the compensation, the Contractor shall provide the following services, materials, products, and/or reports:

- A. One line description for Governing Board Report:

Independent psychoeducational evaluation (IEE)

- B. Full description of services to be provided and expected results (e.g. services, materials, products and/or reports). Attach proposals, exhibits and other documentation if necessary:

Independent psychoeducational evaluation

4. **COMPENSATION:** In consideration of Contractor's provision of services as described above, and subject to the payment provisions expressed herein, ARUESD shall pay Contractor upon Contractor's submission of a properly documented demand for payment (Form BUS-106) which shall be submitted not later than 30 days from the end of the month in which the contract services were rendered, and upon approval of such demand by ARUESD as follows: (Check either a, b, or c)

~~a.~~ **Fee Rate:** \$ _____ per hour/day of service as may be requested by ARUESD, not to exceed a maximum of _____ hours/days of services. ARUESD may, but is not obligated to, request the maximum number of hours/days of service.

☒ **Flat Rate:** \$ 5,586 to be the total payment to the Contractor including travel and/or other expenses.

c. **Other:** \$ _____ (describe rate agreement) _____

5. **BUDGET CODE:**

FUND	DEPARTMENT	PROG/COUNTER	OBJECT	\$ AMOUNT	PROG. TITLE	BUS OFC
<u>08</u>	<u>380</u>	<u>1820-A</u>	<u>5815</u>	<u>5,586</u>		

6. **TERMINATION:** This contract may be terminated by ARUESD at its sole discretion, upon five-day advance written notice thereof to the Contractor, or canceled immediately by written mutual consent.

7. **INDEPENDENT CONTRACTOR STATUS:** This contract is by and between two independent contractors and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association. In executing this agreement, the Contractor certifies that no one who has or who will have any financial interest under this agreement is an officer or employee of ARUESD. Additionally, as the Contractor is not an ARUESD employee, ARUESD is not responsible for obtaining workers' compensation insurance coverage for the Contractor.

8. **COMPLETENESS OF AGREEMENT:** This agreement constitutes the entire understanding of the parties and any change or modification shall be in writing and signed by both parties hereto.



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT PURCHASING

2018 JAN 11 PM 2:34

INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES CONTRACT NO. _____
FROM: Sheppard Middle School (School/Dept.) VENDOR NO. _____

1. **PARTIES:** The Alum Rock Union Elementary School District (ARUESD), whose address is 2930 Gay Avenue, San Jose, CA 95127, and the following named Contractor:

Name of Individual/Company: Chill Entertainment
Address: 23650 N. 35th Dr. Suite 100 City: Glendale State: AZ Zip: 85310
Phone: (623) 242-9262 Fax: ()
SSN: _____ Fed I.D. #: 20-8322942
Contractor's License: _____ Type: _____ Expiration: _____

Mutually agree and promise as follows:

2. **CONTRACT TERM:** effective dates 2-8-17 to 2-8-17

3. **CONTRACTOR'S OBLIGATION:** In consideration of the compensation, the Contractor shall provide the following services, materials, products, and/or reports:

- A. One line description for Governing Board Report:
All inclusive pop-up rink - synthetic for multicultural winter Around the World Community Event planned by campus collaborative team
B. Full description of services to be provided and expected results (e.g. services, materials, products and/or reports). Attach proposals, exhibits and other documentation if necessary:
1800 sq ft synthetic pop-up rink, ice skates, rink hosts and waiver of liability to be used as central activity at event as a part to the winter olympics.

4. **COMPENSATION:** In consideration of Contractor's provision of services as described above, and subject to the payment provisions expressed herein, ARUESD shall pay Contractor upon Contractor's submission of a properly documented demand for payment (Form BUS-106) which shall be submitted not later than 30 days from the end of the month in which the contract services were rendered, and upon approval of such demand by ARUESD as follows: (Check either a, b, or c)

a. **Fee Rate:** \$ _____ per hour/day of service as may be requested by ARUESD, not to exceed a maximum of _____ hours/days of services. ARUESD may, but is not obligated to, request the maximum number of hours/days of service.

☒ b. **Flat Rate:** \$ 2999.00 to be the total payment to the Contractor including travel and/or other expenses.

c. **Other:** \$ _____ (describe rate agreement) _____

5. **BUDGET CODE:**

FUND	DEPARTMENT	PROG/COUNTER	OBJECT	\$ AMOUNT	PROG. TITLE	BUS OFC
95	170	05020	5815	2999-		

6. **TERMINATION:** This contract may be terminated by ARUESD at its sole discretion, upon five-day advance written notice thereof to the Contractor, or canceled immediately by written mutual consent.

7. **INDEPENDENT CONTRACTOR STATUS:** This contract is by and between two independent contractors and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association. In executing this agreement, the Contractor certifies that no one who has or who will have any financial interest under this agreement is an officer or employee of ARUESD. Additionally, as the Contractor is not an ARUESD employee, ARUESD is not responsible for obtaining workers' compensation insurance coverage for the Contractor.

8. **COMPLETENESS OF AGREEMENT:** This agreement constitutes the entire understanding of the parties and any change or modification shall be in writing and signed by both parties hereto.

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
INDEPENDENT CONTRACTOR AGREEMENT

RECEIVED
PURCHASING

TO: DIVISION OF BUSINESS SERVICES

CONTRACT NO.

FROM: Aptitud (School/Dept.)

VENDOR NO. 2018 JAN 11 PM 2:59

1. **PARTIES:** The Alum Rock Union Elementary School District (ARUESD), whose address is 2930 Gay Avenue, San Jose, CA 95127, and the following named Contractor:

Name of Individual/Company: Nature Bridge at Golden Gate
Address: 1033 Fort Cronkhite City: Sausalito ST: CA Zip: 94965
Telephone: (415) 332-5771 Fax #: (415) 332-5784
SSN: _____ Fed I.D.#: 94-214 5930
Contractor's License: _____ Type: _____ Expiration: _____

Mutually agree and promise as follows:

2. **CONTRACT TERM:** effective dates 03/07/2018 to 03/09/2018
3. **CONTRACTOR'S OBLIGATION:** In consideration of the compensation, the Contractor shall provide the following services, materials, products, and/or reports:

- A. One line description for Governing Board Report:

5th Grade outdoor science camp.

- B. Full description of services to be provided and expected results (e.g. services, materials, products and/or reports). Attach proposals, exhibits and other documentation if necessary:

5th grade students will have the opportunity to learn hands-on science outdoors, science programs.

4. **COMPENSATION:** In consideration of Contractor's provision of services as described above, and subject to the payment provisions expressed herein, ARUESD shall pay Contractor, upon Contractor's submission of a properly documented demand for payment (Form B-210) which shall be submitted not later than 30 days from the end of the month in which the contract services were rendered, and upon approval of such demand by ARUESD as follows: (Check either a, b, or c)

- ☐ a. **Fee Rate:** \$ _____ per hour/day of service as may be requested by ARUESD, not to exceed a maximum of _____ hours/days of services. ARUESD may, but is not obligated to, request the maximum number of hours/days of service.
☐ b. **Flat Rate:** \$ _____ to be the total payment to the Contractor including travel and/or other expenses.
☒ c. **Other:** \$ 140 per Student (describe rate agreement) _____

5. **BUDGET CODE:** 235 per Adult.

FUND	DEPARTMENT	PROG/COUNTER	OBJECT	\$ AMOUNT	PROG. TITLE	BUS OFC
<u>06</u>	<u>120</u>	<u>1190</u>	<u>5815</u>	<u>8,194.00</u>		

6. **TERMINATION:** This contract may be terminated by ARUESD at its sole discretion, upon five-day advance written notice thereof to the Contractor, or canceled immediately by written mutual consent.
7. **INDEPENDENT CONTRACTOR STATUS:** This contract is by and between two independent contractors and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association. In executing this agreement, the Contractor certifies that no one who has or who will have any financial interest under this agreement is an officer or employee of ARUESD. Additionally, as the Contractor is not an ARUESD employee, ARUESD is not responsible for obtaining workers' compensation insurance coverage for the Contractor.
8. **COMPLETENESS OF AGREEMENT:** This agreement constitutes the entire understanding of the parties and any change or modification shall be in writing and signed by both parties hereto.

12.05

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

To the Board of Trustees:

Date: December 21, 2017

Subject: **Acceptance of Donations**

Staff Analysis: The District has received donations as summarized on the sheet dated January 18, 2018.

Recommendation: Staff recommends approval for acceptance of these donations.

Approved by: Kolvira Chheng  Title: Assistant Superintendent, Business Services

To the Board of Trustees:

Meeting: January 18, 2018
 Regular Board Meeting

Recommend Approval

12.05
Agenda Placement


Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

ACCEPTANCE OF DONATIONS

<u>DONOR NAME</u>	<u>DESCRIPTION OR PURPOSE</u>	<u>ESTIMATED VALUE</u>	<u>RECEIVING SCHOOL OR DEPARTMENT</u>
Hoopoe Books Share Literacy	Materials & Supplies	\$ 14,850.00 (books)	ARUESD
Foothill-DeAnza Foundation	Materials & Supplies	\$ 810.00	Cassell Elementary
Hillcresters	Materials & Supplies	\$ 1,000.00	Cureton Elementary
Computer History Museum	Materials & Supplies	\$ 3,330.00	Fischer Middle
O'Neill Sea Odyssey	Materials & Supplies	\$ 3,306.75	Fischer Middle
Symantec	Materials & Supplies	\$ 75.00	Fischer Middle
Philanthropic Ventures Foundation	Materials & Supplies	\$ 500.00	Linda Vista Elementary
Pacific Gas & Electrical Company	Materials & Supplies	\$ 120.00	Linda Vista Elementary
Synopsys Silicon Valley Science & Technology Outreach Foundation	Materials & Supplies	\$ 300.00	Mathson Middle
Computer History Museum	Materials & Supplies	\$ 889.25	Mathson Middle
Applied Materials Foundation & Employees Giving Program	Materials & Supplies	\$ 400.00	McCollam Elementary
Environmental Volunteers	Materials & Supplies	\$ 1,500.00	Ocala STEAM Academy
Environmental Volunteers	Materials & Supplies	\$ 1,000.00	Russo/McEntee Academy
Russo/McEntee PTA	Materials & Supplies	\$ 161.00	Russo/McEntee Academy
Pacific Gas & Electrical Company	Materials & Supplies	\$ 121.00	Ryan Elementary

12.06

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

To the Board of Trustees:

Date: December 21, 2017

Subject: **Approval of Fundraising Activities**

Staff Analysis: The District has received fundraising requests as summarized on the attached sheet dated January 18, 2018.

Recommendation: Staff recommends approval of these fundraising event requests.

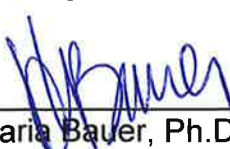
Approved by: Kolvira Chheng  Title: Assistant Superintendent, Business Services

To the Board of Trustees:

Meeting: January 18 2018
 Regular Board Meeting

Recommend Approval

12.06
Agenda Placement


Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

APPROVAL OF FUNDRAISING ACTIVITY

<u>SCHOOL</u>	<u>FUNDRAISING ACTIVITY</u>	<u>ACTIVITY SPONSOR</u>	<u>DATE</u>
Adelante II	Movie Night Sales	PTA	01/26/18-05/18/18
Hubbard Elementary	Read-a-Thon Sales	ASB	03/01/18-03/01/18
Hubbard Elementary	Pencil Machine Sales	ASB	12/01/17-06/15/18
Hubbard Elementary	Chuck E. Cheese Sales	ASB	01/26/18-01/26/18
Hubbard Elementary	Chuck E. Cheese Sales	ASB	04/27/18-04/27/18
Hubbard Elementary	Walk-a-Thon Sales	ASB	05/04/18-05/04/18
Hubbard Elementary	Panda Express Sales	ASB	02/02/18-02/02/18
Russo/McEntee Academy	Bookfair Sales	ASB	01/22/18-01/26/18

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue, San Jose, CA 95127

12.07

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF TRUSTEES

To the Board of Trustees:

December 21, 2017

Subject: **Enrollment/Attendance Report for Month 4
(November 20 thru December 15, 2017)**

Staff Analysis: The Enrollment/Attendance Report for the attendance December 15, 2017 provides information on how many students are enrolled at each school and what percent attended class. This report captures our ADA percentages for the first seven months of the school year. It establishes our Local Control Funding Formula (LCFF) for 2017/2018 school year.

Month 4

December 15, 2017

Regular Ed & SDC ADA

95.14%

Recommendation: Staff recommends acceptance of this month's Enrollment/Attendance Report.

Submitted by: Debbie Elliott Title: Coordinator, Assessment & Accountability

Approved by: Kolvira Chheng  Title: Assistant Superintendent, Business Services

To the Board of Trustees:

Meeting: January 18, 2018
Regular Board Meeting

Recommend Approval

12.07

Agenda Placement


Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____

Seconded by: _____

Approved: _____

Not Approved: _____

Tabled: _____

Enrollment/ADA 2017-2018

[illegible][illegible]

Total	10235	97.21	10255	96.52	10303	96.04	9700	95.14	0	0.00	0	0.00	0	0.00	0	0.00
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ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue, San Jose, CA 95127

12.08

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF TRUSTEES

To the Board of Trustees:

January 8, 2018

Subject: Vendor & Payroll Warrants

Staff Analysis: Summary of Vendor and Payroll Warrants issued during December month of Fiscal Year 2017/2018.

Total of vendor warrants	\$	8,784,985.14
Total of payroll warrants	\$	4,699,104.48
Total	\$	13,484,089.62

Recommendation: Staff recommends approval of the Vendor & Payroll Warrants for the month of December 2017.

Approved by: Kolvira Chheng  Title: Assistant Superintendent, Business Services

To the Board of Trustees:

Meeting: January 18, 2018
Regular Board Meeting

Recommend Approval

12.08
Agenda Placement


Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

December 2017

<u>VENDOR WARRANTS</u>	<u>AMOUNT</u>
General Fund (Incl Payroll A/P)	\$4,964,024.15
Cafeteria Fund	\$308,233.74
Deferred Maintenance Fund	\$0.00
Building Fund	\$290,362.70
Capital Facilities Fund	\$0.00
County School Facility Fund	\$0.00
Special Reserve for Capital Outlay Fund	\$0.00
Health and Welfare	\$1,447,405.96
Worker's Comp	\$1,742,636.37
Subtotal	<u>\$8,752,662.92</u>
Student Body Fund	\$32,322.22
Total Vendor Warrants	<u>\$8,784,985.14</u>
<u>PAYROLL WARRANTS</u>	
10th of the month	\$415,546.59
EOM Payroll	\$4,283,354.28
Manual Checks	\$5,002.33
Void Checks	(\$4,798.72)
Total Payroll Warrants	<u>\$4,699,104.48</u>
Grand Total All Warrants	<u>\$13,484,089.62</u>

AP Warrants used # 138330 - 138854
AP Direct Deposit Stub Used #1010197 - 1010203
Payroll Direct Deposit Pay Stub used # 60274205-
Payroll Checks used #10118507 - 10118749

12.09

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

To the Board of Trustees:

Date: December 12, 2017

Subject:

Resolution No. 19-17/18

AFRICAN AMERICAN HISTORY MONTH

Alum Rock Union Elementary School District joins with the California State Board of Education in proclaiming the month of February, 2018, as "African American History Month".

Staff Analysis:

The California State Board of Education recognizes and proclaims the month of February, 2018, as "African American History Month" and encourages all educational communities to commemorate this time with appropriate instructional activities. In addition, schools are encouraged to celebrate the very special day of March 5th, Black American Day.

Recommendation:

Staff recommends approval of **Resolution No. 19-17/18**, African American History Month as presented.

Submitted by: Rene Sanchez

R.S.

Title: Assistant Superintendent, Instructional Services

To the Board of Trustees:

Meeting: January 18, 2018
Regular Board Meeting

Recommend Approval

12.09

Agenda Placement

Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____

Seconded by: _____

Approved: _____

Not Approved: _____

Tabled: _____

Resolution No. 19-17/18
PROCLAIMING FEBRUARY, 2018
“AFRICAN AMERICAN HISTORY MONTH”

WHEREAS, African American descent helped develop our nation in countless ways;

WHEREAS, African American history reflects a determined spirit of perseverance and cultural pride in its struggle to share equally in the opportunities of a nation founded upon the principles of freedom and liberty for all people;

WHEREAS, African American citizens have participated in every American effort to secure, protect, and maintain the essence and substance of American democracy, as reflected by California Education Code Section 37221 (d) which establishes March 5th as Black American Day to commemorate the anniversary of the death of Crispus Attucks, the first African American martyr of the Boston Massacre;

WHEREAS, the Alum Rock Union Elementary School District and the California State Board of Education recognize in its Policy Statement on Multicultural Education that each student needs an opportunity to understand the common humanity underlying all people; to develop pride in his or her own identity and heritage; and to understand, respect, and accept the identity and heritage of others;

WHEREAS, the history and contribution of African American citizens have been consistently overlooked, misinterpreted, and undervalued in the curriculum of public education institutions prior to the Civil Rights Act of 1964;

WHEREAS, the *History-Social Science Framework for California Public Schools, Kindergarten through Grade Twelve* states that the history curriculum of community, state, region, nation and world must reflect the experiences of men and women and of different racial, religious, and ethnic groups and must be integrated at every level; and

NOW, THEREFORE, BE IT RESOLVED, that the Alum Rock Union Elementary School District joins with the California State Board of Education in proclaiming the month of February 2018 as African American History Month and encourages all educational communities to commemorate this occasion with appropriate instructional activities; and be it further

PASSED AND ADOPTED this 18th day of January, 2018, by the Board of Trustees of the Alum Rock Union Elementary School District, County of Santa Clara, State of California.

Ayes _____

Noes _____

Absent _____

Abstain _____

Board of Trustees:

Andrés Quintero, President

Karen Martinez, Vice-President

Esau Ruiz Herrera, Clerk

Dolores Marquéz-Frausto, Member

Khanh Tran, Member

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed, and adopted by the members of the Board of Trustees of the Alum Rock Union Elementary School District at a public meeting of said Board held on January 18, 2018.

Hilaria Bauer, Ph.D., Superintendent

Date

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue
San José, CA 95127

12.10

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION – BOARD OF EDUCATION

To the Board of Trustees:

Subject: Approve/Ratify Notices of Employment and Changes of Status/January 18, 2018/
Human Resources Department

Staff Analysis:

This item includes recommendations such as new hires, leaves of absence, or other changes in employee status.

Recommendation:

The Board is requested to approve the hiring of any new employee, and any change of status for existing employees.

Submitted by: Jess Serna Title: Interim Assistant Superintendent,
Human Resources

To the Board of Trustees:
Recommend Approval

Meeting: January 18, 2018
Regular Board Meeting

12.10
Agenda Placement

Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

**ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT-
HUMAN RESOURCES DEPARTMENT
MEETING OF THE BOARD OF TRUSTEES
January 18, 2018**

CERTIFICATED OFFERS OF EMPLOYMENT:

I. New Hires:

1. Miller, Aurora Miller	Speech Therapist/Special Education Dept.	12/11/2017
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II. Employee Contracts:

1. Ausin, Lydia	ELPAC Tester	01/01/2018-05/31/2018
2. Clay, Gertrude	ELPAC Tester	01/01/2018-05/31/2018
3. Clay, Theresa	ELPAC Tester	01/01/2018-05/31/2018
4. Courtney, Dorothy	ELPAC Tester	02/01/2018-05/31/2018
5. English, Elizabeth	School Intern Counselor	12/15/2018-06/30/2018
6. Fitzgerald, Angela	School Intern Counselor	12/15/2017-06/30/2018
7. Kinoshita, Gloria	ELPAC Tester	01/01/2018-05/31/2018
8. Lynn, Pam	ELPAC Tester	01/01/2018-05/31/2018
9. Martinez-Lopez, Dacia	School Intern Counselor	12/15/2017-06/30/2018
10. Moran, Elba	ELPAC Tester	01/01/2018-05/31/2018
11. Nagashima, Haruko	ELPAC Tester	01/01/2018-05/31/2018
12. Nielsen, Susan	ELPAC Tester	01/01/2018-05/31/2018
13. Rocha, Maria Elena	ELPAC Tester	01/01/2018-05/31/2018
14. Rojas-Gonzales, Evelia	ELPAC Tester	01/01/2018-05/31/2018
15. Silva, Anna	School Intern Counselor	12/15/2017-06/30/2018
16. Stegeman, Rebecca	ELPAC Tester	01/01/2018-05/31/2018
17. Tandoc, Kristian	School Intern Counselor	12/15/2017-06/30/2018
18. Vielma, Carolyn	ELPAC Tester	01/01/2018-05/31/2018
19. Wagner, Marilyn	ELPAC Tester	01/01/2018-05/31/2018
20. Wolford, Margaret	ELPAC Tester	01/01/2018-05/31/2018

III. Substitute Teacher:

1. Almazan, Epsom	Residential Substitute Teacher Contract	01/08/2018-01/31/2018
2. Cook, Steve	Residential Substitute Teacher Contract	01/08/2018-01/31/2018
3. Faines, Anna	Residential Substitute Teacher Contract	01/08/2018-01/31/2018
4. Faines, James	Residential Substitute Teacher Contract	01/08/2018-01/31/2018
5. Harlow, William(Bill)	Residential Substitute Teacher Contract	01/08/2018-01/31/2018
6. Hawkins, Zane	Residential Substitute Teacher Contract	01/08/2018-01/31/2018
7. Hernandez, Frank	Residential Substitute Teacher Contract	01/08/2018-01/31/2018
8. Loreda, Michael	Residential Substitute Teacher Contract	01/08/2018-01/31/2018
9. Loui, Florence	Residential Substitute Teacher Contract	01/08/2018-01/31/2018
10. Manundo, Marlon	Residential Substitute Teacher Contract	01/08/2018-01/31/2018
11. Rojas, Raul	Residential Substitute Teacher Contract	01/08/2018-01/31/2018
12. Vasquez, Mary	Residential Substitute Teacher Contract	01/08/2018-01/31/2018
13. Oldham, Viviana	Residential Substitute Teacher Contract	01/08/2018-01/31/2018
14. Pham, Mathieu, James	Substitute Teacher	12/18/2017

CERTIFICATED CHANGES OF STATUS:

IV. Variable Term Credential Waiver Appeal Renewal Request:

- | | |
|--------------------------|--|
| 1. Miller, Aurora Regina | Language, Speech and Hearing Credentialing Program |
|--------------------------|--|

V. Correction of Status:

- | | | |
|--------------------|------------------|------------|
| 1. Dutra, Patricia | Permanent Status | 07/01/2017 |
| 2. Lozano, Lorena | Probationary I | 07/01/2017 |

CLASSIFIED PERSONNEL – January 18, 2018

CLASSIFIED OFFERS OF EMPLOYMENT:

I. New Hire:

1. Blanco, Annette A.	Administrative Assistant/M.O.T	12/11/17
2. Cabanayan, Benjamin Joshua	Warehouse Worker I/Warehouse	01/08/18
3. Emmett, Trevor David	Maintenance Worker III/M.O.T	12/18/17
4. Mendoza, John Manuel	Maintenance Worker III/M.O.T	12/11/17
5. Rivera, Naaman Martinez	Maintenance Worker III/M.O.T	12/11/17
6. Salenga, Ralph Antoc	Tech Support Specialist/ITSS	01/08/18
7. Tapia, Marisol	Paraeducator Special Education II/Ocala	01/08/18
8. Washington, Deborah Donald	Child Nutrition Assistant I/Ocala	12/11/17

II. Change of Status:

1. Pacheco, Carlos Guerra	Maintenance Worker II/M.O.T	01/08/18
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III. Personal Leave of Absence:

1. Sanchez, Yesenia	Paraeducator Special Education I & Campus Paraeducator/Renaissance II	01/08/18-02/16/18
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ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue
San José, CA 95127

12.11

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION – BOARD OF EDUCATION

To the Board of Trustees:

Subject: Out of State Travel

**School Climate & Culture Forum
Las Vegas, NV
July 10-13, 2018**

Summary:

The School Climate and Culture Forum features practical, real-world initiatives that are successfully transforming the quality, character and personality of schools. Attendees will discover programs, assessments and tools proven to improve school culture and climate. Estimated cost \$2350.

Recommendation:

Staff recommends approval of out-of-state travel for Norma Flores and Jesus Araujo.

Submitted by: Jess Serna Title: Interim Assistant Superintendent,
Human Resources

To the Board of Trustees:
Recommend Approval

Meeting: January 18, 2018
Regular Board Meeting

12.11
Agenda Placement

Hilaria Bauer
Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

TRAVEL APPROVAL FORM Attach Supporting Document

2017 DEC 13 01:10

(18)

Date of Request: 11/8/2017

1. Program Manager / Principal: Norma Flores Dept. / School Site: Student Services

2. Title of Conference / Meeting: School Climate & Culture Forum

3. Place: Las Vegas, N.V.

4. Purpose: Updates on programs/tools for improvement on school climate

5. Date (s) of Conference / Meetings: July 10, 2018, July 13, 2018

6. Principal / Program Manager Approval: [Signature] Date: _____

7. Departure Date / Time: 8:00 Hour: AM ☒ PM ☐

8. Return Date / Time: 5:00 Hour: AM ☐ PM ☒

9. Human Resources:

Names(s) of Employees Attending	Sub?		Bilingual		Sub Request?: (Name)	Code Sub To:
	Yes	No	Yes	No		
<u>Norma Flores</u>		<input checked="" type="checkbox"/>				
<u>José Arayo</u>		<input checked="" type="checkbox"/>				

Substitute: ☐ Available ☐ Unavailable ☒ No Sub Needed

Remarks: _____

Human Resources Dept. Approval: ☒ Yes ☐ No

[Signature] Date: 12/20/17
Asst. Superintendent of Human Resources

10. Business Services:

Cost Description	Total Estimated Costs	Reimbursement Requested
Transportation	\$ <u>300</u>	\$
Registration	\$ <u>650</u>	
Lodging	\$ <u>1,100</u>	
Meals	\$ <u>200</u>	\$ <u>200</u>
Shuttle / Parking	\$ <u>100</u>	
Other		
Total	\$ <u>2,350</u>	\$

Attach Purchase Order(s), Invoice(s) and Registration Form(s).

11. Account Code: 03-340-32200-5210

Approved by: _____
Business Services / Purchasing Date

Approved By: _____
Superintendent Date

1. This form must be completed and submitted at least 60 days prior to the proposed trip.
2. Cash advance request, submit the completed form 60 days prior to cash advance due date.
3. The approved yellow travel approval copy will be returned to the originator. This authorization must be received by the originator before the trip begins.

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue
San José, CA 95127

12.12

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION – BOARD OF EDUCATION

To the Board of Trustees:

Subject: Out of State Travel

CADA Conference

Reno, NV

February 28 – March 3, 2018

Summary:

The California Association of Directors of Activities (CADA) Conference is supported by the Common Core State Standards which are designed to prepare students for success in the workplace. The conference will focus on improving school culture and climate by infusing leadership philosophies that are aligned with the Local Control Accountability Plan (LCAP). Estimated cost \$1650.

Recommendation:

Staff recommends approval of out-of-state travel for Sarah Jacobs and Jessica Hernandez.

Submitted by: Jess Serna

Title: Interim Assistant Superintendent,
Human Resources

To the Board of Trustees:

Recommend Approval

Meeting:

January 18, 2018

Regular Board Meeting

12.12
Agenda Placement

Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

TRAVEL APPROVAL FORM Attach Supporting Document

ACADEMIC SERVICES
DEC 19 10:51

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2017 DEC 20 AM 10:26

Date of Request: 10-10-17

- Program Manager / Principal: Jackie Montiano Dept. / School Site: Sheppard
- Title of Conference / Meeting: CADA Conference
- Place: Grand Sierra Reno, NV
- Purpose: to attend conference for student advisors
- Date (s) of Conference / Meetings: Feb 28- March 3
- Principal / Program Manager Approval: [Signature] / R.S. Date 10/30/17
- Departure Date / Time: 8:40 Hour: AM ☐ PM ☐
- Return Date / Time: 3:00 Hour: AM ☐ PM ☐
- Human Resources:

Names(s) of Employees Attending	Sub?		Bilingual		Sub Request?: (Name)	Code Sub To:
	Yes	No	Yes	No		
<u>Sarah Jacobs</u>						
<u>Jessica Hernandez</u>						

Substitute: ☐ Available ☐ Unavailable ☐ No Sub Needed

Remarks: _____

Human Resources Dept. Approval: ☐ Yes ☐ No

Asst. Superintendent of Human Resources Date _____

10. Business Services:

Cost Description	Total Estimated Costs	Reimbursement Requested
Transportation	\$ <u>100</u>	\$
Registration	<u>1000</u>	
Lodging	<u>450</u>	
Meals	<u>100</u>	
Shuttle / Parking		
Other		
Total	\$ <u>1,650</u>	\$

Attach Purchase Order(s), Invoice(s) and Registration Form(s).

11. Account Code: 03170 5000 5200 R 1/9/18

Approved by: _____ Date _____ Approved By: _____ Date _____
Business Services / Purchasing Superintendent

- This form must be completed and submitted at least 60 days prior to the proposed trip.
- Cash advance request, submit the completed form 60 days prior to cash advance due date.
- The approved yellow travel approval copy will be returned to the originator. This authorization must be received by the originator before the trip begins.

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue
San José, CA 95127

12.13

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION – BOARD OF EDUCATION

To the Board of Trustees:

Subject: Out of State Travel

City Year District Leader Learning Community
Detroit, MI
April 30 – May 1, 2018

Summary:

The City Year District Leader Learning Community will bring together district leaders to engage in discussions around and to develop solutions towards a shared problem of practice. Focus will be on how systems leverage service providers to achieve meaningful improvement through key levers such as: social-emotional and academic supports connected to early warning response systems, strategies to address chronic absenteeism and provide supportive relationships to students, and national service as a human capital strategy. No cost.

Recommendation:

Staff recommends approval of out-of-state travel for Hilaria Bauer.

Submitted by: Jess Serna Title: Interim Assistant Superintendent,
Human Resources

To the Board of Trustees:

Recommend Approval

Meeting:

January 18, 2018

Regular Board Meeting

12.13
Agenda Placement

Hilaria Bauer
Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

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PURCHASING
2017 DEC 14 PM 2:52

TRAVEL APPROVAL FORM Attach Supporting Document

Date of Request: 12/1/17

1. Program Manager / Principal: Board President Quintero Dept. / School Site: Supt Office
2. Title of Conference / Meeting: City Year District Leader Learning Community
3. Place: Detroit, Michigan
4. Purpose: District Leaders engage in discussion around shared problems and practices
5. Date (s) of Conference / Meetings: April 30, 2018 - May 1, 2018
6. Principal / Program Manager Approval: [Signature] Date 12/1/17
7. Departure Date / Time: April 30, 2018 Hour: AM ☐ PM ☒
8. Return Date / Time: May 1, 2018 Hour: AM ☐ PM ☒
9. Human Resources:

Names(s) of Employees Attending	Sub?		Bilingual		Sub Request?: (Name)	Code Sub No:
	Yes	No	Yes	No		
<u>Hilaria Bauer</u>		<u>X</u>				

Substitute: ☐ Available ☐ Unavailable ☐ No Sub Needed

Remarks: _____

Human Resources Dept. Approval: ☐ Yes ☐ No _____
Asst. Superintendent of Human Resources Date

10. Business Services:

Cost Description	Total Estimated Costs	Reimbursement Requested
Transportation	\$	\$
Registration		
Lodging		
Meals		
Shuttle / Parking		
Other		
Total	\$ 0, @ no cost to District	\$

Attach Purchase Order(s), Invoice(s) and Registration Form(s).

11. Account Code: N/A

Approved by: _____ Date _____ Approved By: [Signature] Date _____
Business Services / Purchasing Superintendent

1. This form must be completed and submitted at least 60 days prior to the proposed trip.
2. Cash advance request, submit the completed form 60 days prior to cash advance due date.
3. The approved yellow travel approval copy will be returned to the originator. This authorization must be received by the originator before the trip begins.

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue
San José, CA 95127

12.14

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION – BOARD OF EDUCATION

To the Board of Trustees:

Subject: Out of State Travel

CoSN Conference 2018
Washington D.C.
March 12– 15, 2018

Summary:

The CoSN 2018 Annual Conference will dive deeply into the implications of new technologies that are emerging and the transformative impact they will have on the economy and society as a whole. The Conference will focus on big picture perspectives to plan for meaningful and effective uses of technology and identifying the steps needed to transform the technology vision into a long range plan with specific goals, objectives and action plans. Estimated cost \$4400.

Recommendation:

Staff recommends approval of out-of-state travel for Imee Almazan and Crystal Madril.

Submitted by: Jess Serna Title: Interim Assistant Superintendent,
Human Resources

To the Board of Trustees:
Recommend Approval

Meeting: January 18, 2018
Regular Board Meeting

12.14
Agenda Placement

Hilaria Bauer
Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

TRAVEL APPROVAL FORM Attach Supporting Document

RECEIVED
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2017 DEC 20 PM 4:19

- Date of Request: 12/8/17
1. Program Manager / Principal: Imec Almazan Dept. / School Site: FISCHER
2. Title of Conference / Meeting: CoSN 2018
3. Place: Washington D.C.
4. Purpose: Learn how to maximize our technology in our classroom
5. Date (s) of Conference / Meetings: March 12-15, 2018
6. Principal / Program Manager Approval: [Signature] Date: 12/8/17
7. Departure Date / Time: March 11-15, 2018 Hour: AM ☐ PM ☐
8. Return Date / Time: _____ Hour: AM ☐ PM ☐
9. Human Resources:

Names(s) of Employees Attending	Sub?		Bilingual		Sub Request?: (Name)	Code Sub To:
	Yes	No	Yes	No		
<u>Imec Almazan</u>		<input checked="" type="checkbox"/>				
<u>Crystal Madrid</u>	<input checked="" type="checkbox"/>					<u>06-130-1190-190</u>

Substitute: ☐ Available ☐ Unavailable ☐ No Sub Needed

Remarks: _____

Human Resources Dept. Approval: ☐ Yes ☐ No

Asst. Superintendent of Human Resources Date: 12/8/17

10. Business Services:

Cost Description	Total Estimated Costs	Reimbursement Requested
Transportation	\$ <u>1500.00</u>	\$
Registration	<u>1300</u>	
Lodging	<u>1600</u>	
Meals		
Shuttle / Parking		
Other		
Total	\$ <u>4400.00</u>	\$ <u>12,191.88</u>

Attach Purchase Order(s), Invoice(s) and Registration Form(s). (Paid for by Verizon)

11. Account Code: 06-130-1190-5200

Approved by: _____ Date: _____ Approved By: _____ Date: _____
Business Services / Purchasing Superintendent

- This form must be completed and submitted at least 60 days prior to the proposed trip.
- Cash advance request, submit the completed form 60 days prior to cash advance due date.
- The approved yellow travel approval copy will be returned to the originator. This authorization must be received by the originator before the trip begins.

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue
San José, CA 95127

12.15

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION – BOARD OF EDUCATION

To the Board of Trustees:

Subject: Out of State Travel

National Principals Conference 2018
Chicago, IL
July 11 - 13, 2018

Summary:

The National Principals Conference is the nation's foremost professional development venue for our country's educational leaders. The conference provides outstanding learning, useful and applicable strategies, and networking opportunities. Estimated cost \$1500.

Recommendation:

Staff recommends approval of out-of-state travel for Maria Martinez, Tara Bickford and Le Tran.

Submitted by: Jess Serna

Title: Interim Assistant Superintendent,
Human Resources

To the Board of Trustees:

Recommend Approval

Meeting:

January 18, 2018

Regular Board Meeting

12.15
Agenda Placement

Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

TRAVEL APPROVAL FORM Attach Supporting Document

Purchasing
RECEIVED OCT 03 2017 FB

Date of Request: 9/22/17 For 7/11 - 7/13/18

- Program Manager / Principal: Le Tran Dept. / School Site: Curetan
- Title of Conference / Meeting: National Principals Conference 2018
- Place: McCormick Place, Chicago
- Purpose: To learn innovative ways to address needs & challenges
- Date (s) of Conference / Meetings: 7/11 - 7/13/2018
- Principal / Program Manager Approval: [Signature] / R.S. Date 9/22/17
- Departure Date / Time: July 11th 8:00 Hour: AM ☒ PM ☐
- Return Date / Time: July 13th 5:00 Hour: AM ☐ PM ☒
- Human Resources:

Names(s) of Employees Attending	Sub?		Bilingual		Sub Request?: (Name)	Code Sub To:
	Yes	No	Yes	No		
<u>Maria Martinez</u>		<input checked="" type="checkbox"/>				
<u>Tara Dickford</u>		<input checked="" type="checkbox"/>				
<u>Le Tran</u>		<input checked="" type="checkbox"/>				

Substitute: ☐ Available ☐ Unavailable ☐ No Sub Needed

Remarks: _____

Human Resources Dept. Approval: ☐ Yes ☐ No

Asst. Superintendent of Human Resources _____ Date _____

10. Business Services:

Cost Description	Total Estimated Costs	Reimbursement Requested
Transportation	\$	\$
Registration	<u>\$500 each</u>	
Lodging		
Meals		
Shuttle / Parking		
Other		
Total	\$ <u>1,500</u>	\$

Attach Purchase Order(s), Invoice(s) and Registration Form(s).

11. Account Code: 06360 194 R 1/7/18

Approved by: _____ Date _____ Approved By: _____ Date _____
Business Services / Purchasing Superintendent

- This form must be completed and submitted at least 60 days prior to the proposed trip.
- Cash advance request, submit the completed form 60 days prior to cash advance due date.
- The approved yellow travel approval copy will be returned to the originator. This authorization must be received by the originator before the trip begins.

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue
San José, CA 95127

12.16

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION – BOARD OF EDUCATION

To the Board of Trustees:

Subject: Out of State Travel

CoSN Conference 2018
Washington D.C.
March 12– 15, 2018

Summary:

The CoSN 2018 Annual Conference will dive deeply into the implications of new technologies that are emerging and the transformative impact they will have on the economy and society as a whole. The Conference will focus on big picture perspectives to plan for meaningful and effective uses of technology and identifying the steps needed to transform the technology vision into a long range plan with specific goals, objectives and action plans. Estimated cost \$3100.

Recommendation:

Staff recommends approval of out-of-state travel for Avtar Gill.

Submitted by: Jess Serna Title: Interim Assistant Superintendent,
Human Resources

To the Board of Trustees:
Recommend Approval

Meeting: January 18, 2018
Regular Board Meeting

12.16
Agenda Placement

Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

TRAVEL APPROVAL FORM

ATTACH SUPPORTING DOCUMENT

Date of Request 1/09/18

1. Program Manager / Principal AVTAR GILL Dept. / School Site ITSS

2. Title of Conference / Meeting COSN 2018

3. Place Washington D.C.

4. Purpose Learn innovation in technology to enhance education in classroom & District

5. Date (s) of Conference / Meetings March 12-15, 2018

6. Principal / Program Manager Approval _____ Date _____

7. Departure Date / Time March 11, 2018 Hour AM ☐ PM ☐

8. Return Date / Time March 16, 2018 Hour AM ☐ PM ☐

9. Human Resources:

Names(s) of Employees Attending	Sub?		Bilingual		Sub Request (Name)	Code Sub To:
	Yes	No	Yes	No		
AVTAR GILL		X				

Substitute: ☐ Available ☐ Unavailable ☒ No Sub Needed

Remarks: _____

Human Resources Dept. Approval ☐ Yes ☐ No _____

Asst. Superintendent of Human Resources _____ Date _____

10. Business Services:

Cost Description	Total Estimated Costs	Reimbursement Requested
Transportation	\$ 750	\$
Registration	750	
Lodging	1600	
Meals		
Shuttle / Parking		
Other		
Total	\$ 3100	\$

Attach Purchase Order(s), Invoice(s) and Registration Form(s).

11. Account Code 03-460-7900-5200

Approved by: Kate 1/10/18 Date _____ Approved By: _____ Date _____

Business Services/Purchasing Superintendent

1. This form must be completed and submitted at least 60 days prior to the proposed trip.
2. Cash advance request, submit the completed form 60 days prior to cash advance due date.
3. The approved yellow travel approval copy will be returned to the originator. This authorization must be received by the originator before the trip begins.

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue
San José, CA 95127

12.17

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION – BOARD OF EDUCATION

To the Board of Trustees:

Subject: Approve the Revised Teamsters Job Description – Lead Driver Trainer

Staff Analysis:

The position of Lead Driver Trainer was approved by the board on May 12, 2016. When it was originally created, it should have reflected a higher salary range. The attached job description is being modified to reflect the proper salary range as per the agreement of Teamsters Local #150 and the District.

Recommendation:

Staff recommends approval of the revised job description – Lead Driver Trainer.

Submitted by: Jess Serna Title: Interim Assistant Superintendent,
Human Resources

To the Board of Trustees:
Recommend Approval

Meeting: January 18, 2018
Regular Board Meeting

12.17
Agenda Placement

Hilaria Bauer, PhD, Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

2930 Gay Avenue, San José, CA 95127 · Phone: 408-928-6800 · Fax: 408-928-6416 · www.arusd.org

Position Title: Lead Driver Trainer

Reports to: Transportation Supervisor

Definition:

Under general supervision, to implement, conduct and provide classroom instruction and behind the wheel training for school bus drivers according to Federal, State and local law. Coordinate with supervisor, other administrative offices, dispatcher and bus drivers on schedules of training, meetings and other related information. Maintain and input data for required records using designated computer system. Evaluates driving skills for all school bus driver employees and to do related work as required.

Description of Duties:

- Conduct bus driver training renewal / original classes, proficiency, behind the wheel and classroom training. All training shall be in accordance with the state of California mandate requirements
- Evaluates driving abilities and ensure the proper licensing for all school bus drivers
- Review applicant applications / documents and perform performance test
- Schedule in-service for school bus drivers
- Maintain informational forms, cards, bulletins, charts used and required for school bus drivers
- Maintain, review, evaluate and request school bus stops and paperwork
- Attend workshops and classes to remain updated on bus driver regulations School Bus Driver record keeping for inspections
- Input data for the transportation computer program (TransTraks)
- Maintain records of school bus drivers and prepare reports
- Respond to concerns with bus drivers, parents, teachers and students
- Assist with dispatch as needed (open, close department, assign, reassign and dispatch bus drivers during school day when necessary)
- Driver as a relief bus driver when needed
- Participate in transportation meetings
- Develop and help maintain school bus safety and accident prevention
- Respond to school bus accidents / incidents
- Oversee activities of Driver Trainer
- Perform other related duties and responsibilities as required

Hilaria Bauer, Ph.D., Superintendent

Board of Trustees: Andrés Quintero, President · Karen Martinez, Vice-President
Esau Ruiz Herrera, Clerk · Khanh Tran, Member · Dolores Márquez-Frausto, Member

Qualifications:

- Must possess a California Department of Education Transportation Instructors License
- Valid Commercial California Driver's license with Passenger & Bus endorsement
- California Special Drivers Certificate for School Buses
- Shall be knowledgeable in Check ?Ride procedures: (PADD)Post Accident Defensive Driving ; BTW) Behind the Wheel Training, School Bus Evacuation procedures
- Knowledge of the California Education Code applicable to the operation of vehicles and the transportation of students
- Knowledge of Federal School Bus Transportation Regulations
- Valid First Aid Certificate
- Valid DL1 Medical Card
- Computer proficient in Word, Excel, Outlook and PowerPoint
- Equivalent to a high school Diploma

Ability to:

- Resolve Conflict
- Communicate effectively
- Adjust to adversity
- Work in a fast paced environment
- Make timely and appropriate decisions in the absence of supervisory guidance
- Desire to excel and take on new challenges

Essential Function:

Physical Ability to:

Hear and speak to exchange information

See to read a variety of material and drive all types of school buses and it components

Dexterity of hands and fingers

Sitting for long periods of time

Judge distances and relationships between objects

To withstand exposure to hot, cold, wet, or windy conditions caused by weather

Terms of Employment:

Salary Range: 15
Work Year: 12 months
Bargaining Unit: Teamsters
Evaluation: Performance of this position will be evaluated in accordance with the Teamsters evaluation process
Board Approved: 1/18/18

Hilaria Bauer, Ph.D., Superintendent

Board of Trustees: Andrés Quintero, President • Karen Martinez, Vice-President
Esau Ruiz Herrera, Clerk • Khanh Tran, Member • Dolores Márquez-Frausto, Member

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue, San Jose, CA 95127

12.18

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

To the Board of Trustees:


Date: December 20, 2017

Subject: Quarterly Report on Williams Uniform Complaints

Staff Analysis: The Quarterly Report on Williams Uniform Complaints lists the number of complaints received and resolved.

The Santa Clara County Office of Education requires that the District submit a Quarterly Report on Williams Uniform Complaints for all schools. The complaints could be in the areas of insufficient textbooks, teacher vacancies or poor conditions of facilities. During the period of October 1, 2017 through December 31, 2017, there were two (2) complaints.

Recommendation: Staff recommends approval of the Quarterly Report on Williams Uniform Complaints.

Submitted by: Sandra Garcia  Title: Director of State and Federal Programs

Approved by: Rene Sanchez  Title: Assistant Superintendent of Instructional Services

To the Board of Trustees:

Meeting: January 18, 2018
Regular Board Meeting

Recommend Approval

12.18
Agenda Placement


Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____

Seconded by: _____

Approved: _____

Not Approved: _____

Tabled: _____

Quarterly Report on Williams Uniform Complaints
[As required by Education Code § 35186]

District: Alum Rock Union Elementary School District

Date Submitted to SCCOE: January 23, 2018 Date Reported to District Governing Board at a public meeting: January 18, 2018

Reporting on the Quarter (*check one*)

- | | | | |
|------------|-------------------------------------|-------------------------------|---------------------------------------|
| Quarter #1 | <input type="checkbox"/> | July 1 through September 30 | Report due by October 27, 2017 |
| Quarter #2 | <input checked="" type="checkbox"/> | October 1 through December 31 | Report due by January 26, 2018 |
| Quarter #3 | <input type="checkbox"/> | January 1 through March 31 | Report due by April 27, 2018 |
| Quarter #4 | <input type="checkbox"/> | April 1 through June 30 | Report due by July 27, 2018 |

Please check the box that applies:

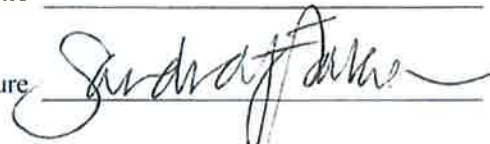
- ☐ No complaints were filed with any school in the district during the quarter indicated above.
- ☒ Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Total Number of Complaints Received	Total Number of Complaints Resolved	Number Unresolved
Textbooks and Instructional Materials	1	1	0
Teacher Vacancy or Misassignment	1	1	0
Facilities Conditions	0	0	0
TOTALS	2	2	0

Submitted by Sandra Garcia

Title Director of State & Federal

District Superintendent Hilaria Bauer, Ph.D

Signature  Superintendent Signature _____

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue, San Jose, CA 95127

12-19

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

To the Board of Trustees:

Date: January 8, 2017

Subject: School-sponsored Field Trip List

Staff Analysis: Student field trips are an important component of the educational program. Field trips supplement and enrich classroom-learning experiences and provide opportunities for students to relate their new learning to the outside world.

Recommendation: Staff recommends approval of out-of-county school-sponsored field trip.

Submitted by: Sandra Garcia



Title: Director of State and Federal Programs

Approved by: Rene Sanchez



Title: Assistant Superintendent of Instructional Services

To the Board of Trustees:

Meeting: January 18, 2018
Regular Board Meeting

Recommend Approval

12.19
Agenda Placement


Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____

Seconded by: _____

Approved: _____

Not Approved: _____

Tabled: _____



Alum Rock Union Elementary School District

Field Trip Information Sheet

Overnight Field Trips are in BOLD

Field Trips for Board Approval: January 18, 2018

School	Field Trip Event	City, and County	Date	Grade	# of classes	Budget (coding)	Purpose: (academic standard the trip supports)
Adelante I	Monterey Bay Aquarium	Monterey, Monterey	01/26/2018	K	3	PTA	Students will learn about distinct animals and their habitats.
Adelante I	California Academy of Science	San Francisco, San Francisco	02/02/2018	2	3	PTA	Students will learn about plants, animals and their habitats.
Fischer Middle	UC Santa Cruz	Santa Cruz, Santa Cruz	02/28/2018	8	3	Donations	Students will tour the campus, listen to guest speakers, and learn about the system.
Hubbard	Mission San Juan Bautista	San Juan Bautista, San Benito	05/25/2018	4	3	Title I	Students will learn about the history of California, and California mission system on native Americans.
Linda Vista ES	San Juan Bautista	San Juan Bautista, San Benito	03/23/2018	4	3	LCAP 1.1	Students will learn about California mission.
Ren II @ Mathson	Monterey Bay Aquarium	Monterey, Monterey	02/15/2018	8	4	PTA	Students will learn about biodiversity of mitosis and meiosis.
San Antonio ES	Monterey Bay Aquarium	Monterey, Monterey	01/24/2018	3	3	Title I	Students will explore the ocean habitat and learn about animals.
San Antonio ES	Oakland Zoo	Oakland, Alameda	03/28/2018	4	3	Title I	Students will learn about animals and their habitats.