



**Thursday, November 9, 2017
AGENDA - REGULAR BOARD MEETING**

Type: AGENDA - REGULAR BOARD MEETING

Time: 5:30 p.m.

Code: Regular #09 -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 48 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 ESAU RUIZ HERRERA.

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): Two (2) 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 DISCUSSION/ACTION: PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT (Government Code Section 54957): Titles: (1) Executive Assistant; (2) Coordinator of Student Services.

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 ESAU RUIZ HERRERA.

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limited to, an announcement that an agenda item will be considered out of order, that consideration of an item has been withdrawn, postponed, rescheduled or removed from the Consent Calendar for separate discussion and possible action.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. BOND / FACILITIES

- 6.01 PRESENTATION AND/OR UPDATE ON THE BOND/FACILITIES. Mr. Luis Rojas will present a written update on the status of the Bond Projects.
- 6.02 INFORMATION/ACTION: Approve (9) New Portable Installations and New Parking Area for Hubbard Elementary School Final Change Order.
- 6.03 INFORMATION/ACTION: Approve HVAC Upgrades Project at Dorsa Elementary Final Change Order.
- 6.04 INFORMATION/ACTION: Approve HVAC Upgrades Project at L.U.C.H.A. Elementary School Final Change Order.
- 6.05 INFORMATION/ACTION: Approve Restroom and Access Upgrade Project at Mathson Middle School Final Change Order.
- 6.06 INFORMATION/ACTION: Approve DSA Project Inspector for (9) New Portable, New Parking Area and Shade Structure for O.S. Hubbard Elementary School Change Order No. 2.
- 6.07 DISCUSSION/ACTION: Amend Measure I, Phase 1 Project List to include HVAC Projects at Ryan and Russo/McEntee Schools.
- 6.08 INFORMATION/DISCUSSION/ACTION: Postponement on Issuing the Notice to Proceed to Contractor for the New Fischer Multi-Purpose Building Project.
- 6.09 INFORMATION/ACTION: Approve DSA Project Inspector for HVAC Upgrades at Dorsa Elementary School and L.U.C.H.A. Elementary School Change Order No. 1.

7. SUPERINTENDENT/BOARD BUSINESS

- 7.01 INFORMATION/DISCUSSION/ACTION: Program Management Agreement for Measure I. Terminate Contract Between Alum Rock Union Elementary School District (ARUSD) and Del Terra Real Estate Services, Inc., dba Del Terra Group from Program Management of the ARUSD Bond Program.
- 7.02 INFORMATION/DISCUSSION/ACTION: Program Management Agreement for Measure J. Terminate Contract Between Alum Rock Union Elementary School District (ARUSD) and Del Terra Real Estate Services, Inc., dba Del Terra Group from Program Management of the ARUSD Bond Program.
- 7.03 INFORMATION/DISCUSSION: Staff will provide an overview of Facilitron, including how it works and rental costs.
- 7.04 INFORMATION/DISCUSSION: Staff will provide an overview of the New Workorder System.
- 7.05 INFORMATION/DISCUSSION: Staff will provide update on Legal Services Contracts.
- 7.06 INFORMATION/DISCUSSION/ACTION: Board Retreat & Training, which may include a session on Board Self-Evaluations.

7.07 INFORMATION/DISCUSSION: FCMAT Update. The Board is requesting to have an updated status on the FCMAT Report and the requested documents. Assistant Superintendent of Business Services will provide a FCMAT update.

7.08 DISCUSSION/ACTION: Approve Contract for e-Discovery Consultant Services to Assist in Response to Securities and Exchange Commission (SEC) Subpoena.

7.09 INFORMATION/DISCUSSION/ACTION: Board Policy 1st 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.

7.10 INFORMATION/DISCUSSION/ACTION: Update on the Conditional Approval Letter from Santa Clara County Office of Education (SCCOE).

7.11 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.

8. INSTRUCTIONAL SERVICES

8.01 INFORMATION/PRESENTATION: 2017 California Assessment of Student Performance and Progress (CAASPP).

8.02 INFORMATION/DISCUSSION: Staff will Provide a Summary of After School Programs and Services.

8.03 INFORMATION/DISCUSSION: Staff will provide an update of the progress on Local Performance Indicators related to LCAP.

8.04 DISCUSSION/ACTION: Adopt the Second Reading of Amended Administrative Regulation 5145.3(a) Nondiscrimination/Harassment-Students

8.05 DISCUSSION/ACTION: Adopt the Second Reading of Amended Board Policy 5145.3(a) Nondiscrimination/Harassment-Students.

8.06 DISCUSSION/ACTION: Adopt the Second Reading of New Board Policy 5146(a) Married/Pregnant/Parenting Students.

9. HUMAN RESOURCES

9.01 INFORMATION Regarding Resignations.

10. CONSENT CALENDAR

10.01 ACTION: Acceptance of Donations.

10.02 ACTION: Approval of Fundraising Activities.

10.03 ACTION: Acceptance of Vendor & Payroll Warrants.

10.04 ACTION: Enrollment/Attendance Report for Month 2 (September 25 thru October 20, 2017).

10.05 ACTION: Approve Education Protection Account (EPA) Spending Plan for 2017-18.

10.06 ACTION: Approve the Memorandum of Understanding Between Santa Clara Office of Education (SCCOE) and Alum Rock Union Elementary School District at Dorsa Elementary School.

10.07 ACTION: Approve the Memorandum of Understanding Between Pure Edge, Inc. and Alum Rock Union Elementary School District.

10.08 ACTION: Approval of Easement Agreement between Alum Rock Union Elementary School District (Grantor) and the City of San Jose (Grantee) to allow Grantee permission to install an underground public sanitary sewer line and related underground sanitary sewer activities which includes construction, maintenance, operation, repair and replacement at the Horace Cureton School site.

10.09 ACTION: Approve NASPO ValuePoint Cooperative Program.

10.10 ACTION: Approve California Multiple Award Schedules (CMAS) Program.

10.11 ACTION: Approve Resolution No. 16-17/18 Extension of Bid Number P-13 13/14 for Apple Computer Products, Services, and Related Items Through the Glendale Unified School District Piggyback.

10.12 Approve Contracts for Professional Services - Firms/Organizations.

10.13 ACTION: Approve School-sponsored Field Trip List.

10.14 ACTION: Approve/Ratify Notices of Employment and Changes of Status/November 9, 2017/Human Resources Department.

10.15 ACTION: Approve Out of State Travel, 2017 Parent & Family Engagement Conference, Austin, TX, December 4-6, 2017 for Dana Yamaguchi and Yareni Carrasco. Estimated cost \$3328.

11. FUTURE BOARD AGENDA REQUESTS

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

12. ADJOURNMENT

12.01 President adjourns the meeting.