



**Thursday, October 12, 2017
AGENDA - REGULAR BOARD MEETING**

Type: AGENDA - REGULAR BOARD MEETING

Time: 5:30 p.m.

Code: Regular #07 -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 -- EXISTING LITIGATION. Paragraph (1) of Subdivision (d) of Government Code Section 54956.9. One (1) case: Office of Administrative Hearings, Case No. 2017100139.

2.02 INFORMATION/DISCUSSION/ACTION: CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION. Paragraph (1) of Subdivision (d) of Government Code Section 54956.9. One (1) case: Office of Administrative Hearings, Case No. 2017060755.

2.03 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.

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to, an announcement that an agenda item will be considered out of order, that consideration of an item has been withdrawn, postponed, rescheduled or removed from the Consent Calendar for separate discussion and possible action.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

4.01 PRESENTATION: Code to the Future (CTTF).

5. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

5.01 "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.

6. COMMENTS AND COMMUNICATION

6.01 Teamsters.

6.02 California School Employee's Association (CSEA).

6.03 Alum Rock Administrator's Association (ARAA).

6.04 Alum Rock Educator's Association (AREA).

6.05 Superintendent.

6.06 Board of Trustees/Communications/Comments

7. SUPERINTENDENT/BOARD BUSINESS

7.01 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.

7.02 INFORMATION/DISCUSSION: Legal Services Update.

7.03 INFORMATION/DISCUSSION/ACTION: Discuss and approve \$250,000 set aside as restricted funds for use later as legal funds to initiate and defend lawsuits against federal immigration assessments and raids impacting a sanctuary school district like Alum Rock.

7.04 DISCUSSION/ACTION: Adopt the First Reading of the Amended Board Policy 2121, Superintendent's Contract, Administration.

7.05 INFORMATION/DISCUSSION/ACTION: Board Audit Committee. The Board Audit Committee will consist of two board members and three members of the public. Said Committee will have the authority to request and review audits of the District, Bond Program, and any other area within the District. The Board will review the East Side Union High School District's (ESUHSD) Board Audit Committee and incorporate all facets of the ESUHSD Board Audit Committee that may be applicable to the ARUSD Board Audit Committee.

7.06 INFORMATION/DISCUSSION/ACTION: Task Force Committee. The District shall create a Task Force to look at available District land for the specific purpose of the development of teacher housing. The crisis we are facing as a state and nation relative to the availability of

teachers, will not be abated anytime soon. We must face this issue head on and find new methods of attracting teachers to our District. The Task Force Chairperson shall be appointed according to Board Bylaws and Board action.

7.07 INFORMATION/DISCUSSION: Program and Construction Management Agreement for Measure I and Measure J. Terminate Contract between Alum Rock Elementary School District (ARUSD) and Del Terra Real Estate Services, Inc., dba Del Terra Group.

7.08 DISCUSSION/ACTION: Approve Legal Services Contract regarding Securities and Exchange Commission (SEC) Investigation.

7.09 ACTION: Candidates for the Santa Clara County Committee on School District Organization. There are 11 seats on the County Committee -- 2 from each of the 5 county supervisorial districts, and one at-large seat. This year, 3 seats are up for election, 1 each in Supervisorial Districts 1, 3, and 5. Candidates for the County Committee must be registered voters who reside within the supervisorial district they wish to represent. County Committee members serve 4-year terms. Candidates must submit their letter and resume by 5 pm, October 24, 2017.

7.10 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.

8. BOND / FACILITIES

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

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

8.03 DISCUSSION/ACTION: Amend Measure 1, Phase 1 Project List to include HVAC Projects at Ryan and Russo/McEntee Schools. In January 2017, the Board of Trustees approved Measure 1, Phase 1 Project List. At the September 14, 2017 Board Meeting, staff presented an air-conditioning assessment report, which revealed that Ryan and Russo/McEntee Elementary Schools do not have permanent air-conditioning units.

8.04 INFORMATION/ACTION: Approve Restroom and Access Upgrade Project at Mathson Middle School Notice of Completion.

9. INSTRUCTIONAL SERVICES

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

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

9.03 DISCUSSION/ACTION: Adopt the First Reading of Amended Administrative Regulation 5145.3(a) Nondiscrimination/Harassment -- Students.

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

10. HUMAN RESOURCES

10.01 INFORMATION Regarding Resignations.

11. BUSINESS SERVICES

11.01 INFORMATION: Conditional Approval Letter from Santa Clara County Office of Education (SCCOE).

12. CONSENT CALENDAR

12.01 ACTION: Approve Board Meeting Minutes for the following date: July 13, 2017 Regular Board Meeting.

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

12.03 ACTION: Approve Contracts for Professional Services - Firms.

12.04 ACTION: Approval of Fundraising Activities.

12.05 ACTION: Acceptance of Donations.

12.06 ACTION: Enrollment/Attendance Report for Month 1 (August 28 thru September 22, 2017).

12.07 ACTION: Acceptance of Vendor & Payroll Warrants.

12.08 ACTION: Approve/Ratify Notices of Employment and Changes of Status/October 12, 2017/Human Resources Department.

12.09 ACTION: Approve Resolution No. 14-17/18 GANN Limit Calculations.

12.10 ACTION: Approve the Quarterly Report on Williams Uniform Complaints.

12.11 ACTION: Approve New Job Description - Coordinator, School Mental Wellness Support Services.

12.12 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.