

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

**MINUTES OF A SPECIAL MEETING OF THE BOARD OF TRUSTEES
of the Alum Rock Union School District
Held on Wednesday, August 30, 2017, 6:00 p.m. at the Alum Rock Union School
District Office Board Room, 2930 Gay Avenue, San Jose, CA 95127
Meeting #05-17/18**

1. OPEN SESSION

1.01 Call to Order / Roll Call

President Khanh Tran welcomed everyone in the audience. President Khanh Tran called the Board Meeting to order at 6:04 p.m. followed by Roll Call.

Board Members Present:

Khanh Tran	President
Dolores Marquez-Frausto	Clerk
Esau Ruiz Herrera	Member
Karen Martinez	Member (<i>arrived late at 6:05 p.m.</i>)

Board Member Absent:

Andrés Quintero	Vice-President
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Administrative and Support Staff Members Present:

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

Legal Counsel Present:

E. Luis Saenz	Participated via Teleconference for Closed Session only
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1. **OPEN SESSION** (*continued*)

Ms. Marie Sanchez, Recording Secretary, announced to the audience that all votes would be taken by Roll Call.

2. **BOARD BUSINESS**

2.01 Approval of Amended Job Description for Deputy Superintendent

MOTION #05-01 by Clerk Dolores Marquez-Frausto to approve the Amended Job Description for Deputy Superintendent. MOTION #05-01 was seconded by President Khanh Tran.

Public Comments:

- 1) Camille Fontanilla – Spoke in favor of Superintendent Hilaria Bauer. She read a letter on behalf of approximately 40 community members in support of Superintendent Hilaria Bauer remaining as Superintendent. The community believes that Superintendent Bauer’s progress over the last three years had demonstrated her ability to move the District in the right direction. The community will be asking the Board to approve her contract and to do away with the approval of the Deputy Superintendent’s job description as submitted.
- 2) Jeff Markham – Community member stated that he was confused about the fact that a special board meeting was held during the first week of school!
- 3) Jocelyn Merz – AREA president spoke on behalf of AREA and their support of the FCMAC report. She also commented that AREA was in support of Superintendent Hilaria Bauer and her continuing to run the District as Superintendent. The District needs to move on. She also asked the Board to self-reflect on being a Board Member.
- 4) Ingrid Holquin - Ms. Ingrid Holquin, from Mayor Sam Liccardo’s office, spoke in favor of Superintendent Hilaria Bauer and their excellent working relationship with the District in her leadership role. The support letter was signed by Mayor Sam Liccardo, Vice-Mayor Magdalena Carrasco, Councilmember Tam Nguyen, and Councilmember Sylvia Arenas.
- 5) Bertha Razo – George community member stated that she is very tired of listening to the Board’s personal interest and having to watch the Board fight like caged animals with each other. She also commented to the Board not to lay off the Superintendent because she has been an advocate to the parents with parent engagement. Parents need a healthy administration to work with for the well-being of our students.
- 6) Randy Barber – Renaissance and Fischer music teacher that spoke in support of Superintendent Bauer. He stated that he supports her because she supports the teachers. He spoke against the Deputy Superintendent reporting directly to the Board and not to the Superintendent – this would definitely create a mess!

2. BOARD BUSINESS *(continued)*

2.01 Approval of Amended Job Description for Deputy Superintendent

- 7) Frank Chavez – Previous Board Member and a community member that commented that he was representing the Citizen’s Oversight Committee and was in support of Dr. Hilaria Bauer remaining as our Superintendent. He commented that if you have a good Superintendent, you do not need a Deputy Superintendent!
- 8) Gustavo Gonzalez – Previous Board Member and community member that commented that he was also representing the Citizen’s Oversight Committee and was in support of Dr. Hilaria Bauer remaining as our Superintendent. He commented that all five Board Members need to focus on the students and that the agendas do not show this!
- 9) Alison Cingolani – Citizen’s Oversight Committee member that read two statements taken from the ARUSD website, Board of Trustees, Philosophy of ARUSD: *“Accountability for the District’s programs and operations is shared by the entire educational community, with the ultimate accountability resting with the Board as the basic embodiment of representative government” and “A high level of communication, trust, respect, and teamwork among Board Members and the Superintendent contributes to effective decision-making”*
Lastly, she stated that we should do the right thing and focus on education!
- 10) Female Speaker – Citizen’s Oversight Committee member that was present and was in support of Dr. Hilaria Bauer remaining as our Superintendent.
- 11) Ray Mueller – Chair of the Citizen’s Oversight Committee spoke in favor of Dr. Hilaria Bauer remaining as our Superintendent. He stated that changing administration at this time would again disrupt the good things happening in the District—we need continuity because then staff is also impacted!
- 12) Vince Iwasaki – Mathson Principal and ARAA President representing the administrators. He requested that the Board stop interfering with the Superintendent’s job—we just started school. He encouraged the Board to extend the Superintendent’s contract.

Board Comments:

Member Karen Martinez stated that she was not in favor of bringing in a Deputy Superintendent at this time. She also commented that she would like this item to be brought back to their Board Retreat Study Session for further discussion.

President Esau Ruiz Herrera wanted to hear Member Khanh Tran’s rationale for bringing this agenda item forward. He commented that he would rather increase support staff rather than more administrators.

Member Dolores Marquez-Frausto also commented that she wanted to bring this agenda item back to their Board Retreat Study Session for further discussion.

The Board had more dialogue on this agenda item.

2. BOARD BUSINESS *(continued)*

2.01 Approval of Amended Job Description for Deputy Superintendent

Clerk Dolores Marquez-Frausto stated that she would be willing to modify her original motion to postpone this agenda item to another board meeting. Member Khanh Tran also stated that he would be willing to change his second and accept the modified motion made by Clerk Dolores Marquez-Frausto.

MOTION #05-01 carried with a Roll Call vote of 4 in favor; no opposition; 1 absent (Vice-President Andrés Quintero); and no abstention.

2.02 Announcement and Public Comments Regarding Items to be Discussed in Closed Session

Superintendent Hilaria Bauer announced all the items that would be discussed in Closed Session.

Public Comment:

- 1) Mickey Mansolini – Female speaker stated that she is the daughter of two educators in Alum Rock. She commented that Dr. Hilaria Bauer has greatly inspired her to become an educator.
- 2) Jacqueline Franco – Female community member stated she wants leaders that are focused on the students.
- 3) Female speaker (no name given) – Community member stated to have staff that cares for all students. She also stated that the District needs to have a Board with values to ensure that all teachers have the necessary professional development to teach our students. We need to provide air-conditioning and adequate bathrooms for all our students.
- 4) Female speaker (no name given) – Community member for the past 15 years that commented that parents attend these Board Meetings to keep informed. The Board President has the responsibility as a school leader or official to listen to the voice of the community with effective communication with all stakeholders.
- 5) Diltza Gonzales – Community member stated that she supports this community. She is in support of Superintendent Hilaria Bauer remaining our District Superintendent. The Board needs to be held accountable for the District and it's success or failure.
- 6) Maria Elena Ruiz – Ocala teacher that has been through four (4) Superintendents and she commented to the Board, 'Why are we here tonight – giving up our family time when there is no reason to? Superintendent Hilaria Bauer is a great leader—she represents her students and respects her colleagues!'
- 7) Julie Arroyo – Teacher for the past ten (10) years that has been through several Superintendents. She has seen Superintendent Hilaria Bauer at several school events and she is not 'just passing through' – Superintendent Hilaria Bauer has brought refreshing climate to the school sites.

2. BOARD BUSINESS *(continued)*

2.02 Announcement and Public Comments Regarding Items to be Discussed in Closed Session

- 8) Dr. Sandra Sarmiento – Cassell principal and ARAA president read a statement addressed to the Board on behalf of the Principals and Assistant Principals. Some of the highlights of the letter included the following (not all are listed):
- The Deputy Superintendent has a direct responsibility to the school Board and an indirect responsibility to the Superintendent. Since both the Superintendent and Deputy Superintendent report directly to the Board, staff will be confused about whose directives to follow
 - Superintendent Hilaria Bauer opposes the appointment of a Deputy—so assumption is that this position is being imposed on her
 - This is a repudiation of FCMAT’s recommendation that the Board stop interfering with the internal working of the District Office
 - This position will cost money that has not been allocated
 - We know our students and our community – it is not in the best interest to dismiss our Superintendent
 - The community has been moving in a positive direction for the past four (4) years and all are benefitting from the stability Superintendent Hilaria Bauer has brought to the District
 - Principals and Assistant Principals are requesting to have Superintendent Hilaria Bauer’s contract extended
- 9) Kristin Burt - LUCHA Principal and parent that has her two children enrolled at LUCHA spoke about the great things happening at her site. She commented that we are supporting the student’s mental needs with all the various programs and partnerships that we have partnered with. The parent engagement with DAC and DELAC are strong. She commented that the team includes the work of the teachers, principals, vice-principals, parents, administration, and community members; however, it is the Superintendent who leads the effort to make all this possible
- 10) Tracy Leathers – Ocala Principal that stated good leaders are given the opportunity to be innovative thinkers (her staff). The Superintendent has a ‘personal passion’. She walks each campus and visits, speaks to teachers, students, and parents. We now have stability – this is the longest Superintendent I have had in 15 years!
- 11) Candace (no last name given) – Representative from Mayor Sam Liccardo’s office, read an **updated** support letter signed by Mayor Sam Liccardo, Vice-Mayor Magdalena Carrasco, Councilmember Tam Nguyen, and Councilmember Sylvia Arenas. At the beginning of the Public Comments, Ms. Ingrid Holquin had read the first support letter
- 12) Ed (no last name given) – Sheppard parent that commented that his son was very happy at Sheppard and doing quite well. Parent also commented that he was very pleased with our Superintendent and the programs that she has implemented for the District

2. BOARD BUSINESS (continued)

2.02 Announcement and Public Comments Regarding Items to be Discussed in Closed Session

- 13) Mrs. Diaz – Volunteer parent commented that -she pledges support to the Superintendent that treats parents with respect; her changes are great and transparent with quality education being given to our students
- 14) Scott Moore – Kidango Director commented on the great partnership with Alum Rock because of the strong leadership of Superintendent Hilaria Bauer and he was honored to work with her. He invited the Board and Superintendent Hilaria Bauer to the Kidango Super Hero Luncheon Event scheduled for September 28, 2017, 10:30-1:00 p.m.
- 15) Parent (no name given) – Parent has two students in the District-and she supports Superintendent Hilaria Bauer. Her son wants to be just like her—she has been a good role model for her son with her great leadership. Alum Rock Rocks! She stated that our students are our future! She stated that the parents do not want Board Members that have their own personal agendas.

2.03 Adjournment to Closed Session

The Board recessed to Closed Session at 7:39 p.m. President Khanh Tran announced that the Board would reconvene to Open Session at approximately 8:30 p.m.

4. RECONVENE TO OPEN SESSION

4.01 Call to Order / Pledge of Allegiance

The Board reconvened to Open Session at 9:06 p.m. President Khanh Tran welcomed everyone. President Khanh Tran reported that there was nothing to report from Closed Session at this time.

5. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

5.01 Requests to Address the Board

There were no public comments at this time. All the public comments were addressed for Closed Session items.

6. CONTINUANCE TO BOARD BUSINESS

6.01 Removal of Current Alum Rock Board President

Member Karen Martinez began by asking President Khanh Tran if he was resigning from his position as the Board President? President Khanh Tran replied with a “no”.

MOTION #05-02 by Clerk Dolores Marquez-Frausto to remove President Khanh Tran from the Presidency. MOTION #05-02 was seconded by Clerk Karen Martinez.

President Khanh Tran speaks to the fact that there are some Board Members calling for his removal. He talks about all the things that he has done in service of the District. He also stated that he wants to give the Board the opportunity to remove him. Lastly, President Khanh Tran reported that if the President resigns, by their bylaws, the Vice-President becomes President and if the President is voted out, then the Board elects a new President.

Clerk Dolores Marquez-Frausto commented that we need to work together and move forward. She speaks about the sacrifices that President Khanh Tran has made.

Member Esau Ruiz Herrera reported that in the Board Bylaws, there are no Roberts Rule of Order related to the conduct of board meetings.

Public Comment:

- 1) Ray Mueller – Community member that commented he applauds President Khanh Tran for his action; however, he stated that normally the resignation of the President leads to the ascension of the Vice-President

MOTION #05-02 carried with a Roll Call vote of 3 in favor (Member Esau Ruiz Herrera, Clerk Dolores Marquez-Frausto, and Member Karen Martinez); no opposition; 1 absent (Vice-President Andrés Quintero); and 1 abstention (President Khanh Tran)

The control of the Board Meeting now passes over to Board Clerk Dolores Marquez-Frausto.

6.02 Nomination and Election of a New Board President

MOTION #05-03 by Clerk Dolores Marquez-Frausto to nominate Member Esau Ruiz Herrera as the new Board President. MOTION #05-03 was seconded by former President Khanh Tran.

6. CONTINUANCE TO BOARD BUSINESS *(continued)*

6.02 Nomination and Election of a New Board President

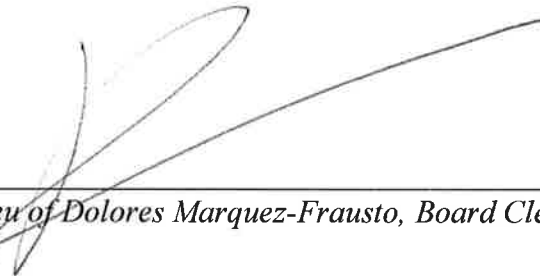
MOTION #05-03 carried with a Roll Call vote of 3 in favor (Clerk Dolores Marquez-Frausto, newly elected Board President Esau Ruiz Herrera, and Member Khanh Tran); 1 opposition (Member Karen Martinez); 1 absent (Vice-President Andrés Quintero); and no abstention.

7. ADJOURNMENT

7.01 President Adjourns the Meeting

Newly elected Board President Esau Ruiz Herrera adjourned the meeting at 9:18 p.m.

Respectfully submitted,



Karen Martinez *(in lieu of Dolores Marquez-Frausto, Board Clerk)*
Board Vice-President

HB/mcs