



Thursday, July 13, 2017
AGENDA - REGULAR BOARD MEETING

Type: AGENDA - REGULAR BOARD MEETING

Time: 5:30 p.m.

Code: Regular #01 -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 Khanh Tran.

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 6:30 p.m. Open Session will resume at the end of Closed Session in the Board Room at approximately 7:30 p.m.

2. SPECIAL PRESENTATION

2.01 PRESENTATION/REPORT UPATE: Superintendent Jon Gundry, Santa Clara County Office of Education, will be presenting the results from the FCMAT Extraordinary Audit of the Alum Rock Elementary School District. This agenda item was submitted by Superintendent Hilaria Bauer.

3. CLOSED SESSION

3.01 INFORMATION/DISCUSSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Title: Superintendent.

3.02 INFORMATION/DISCUSSION; CONFERENCE WITH LABOR NEGOTIATORS. EMPLOYEE ORGANIZATION: CSEA (California Schools Employees Association); District Negotiators: (1) Hilaria Bauer, Ph.D., Superintendent; (2) Kolvira Chheng, Assistant Superintendent of Business Services; and (3) E. Luis Saenz, Attorney.

3.03 DISCUSSION/ACTION; CONFERENCE WITH LABOR NEGOTIATORS: UNREPRESENTED EMPLOYEES; Titles: (1) Assistant Superintendents; (2) Chief Special Services Officer; (3) Principals; (4) Assistant Principals; (5) Directors; (6) Coordinators; (7) Managers; (8)

Supervisors; and (9) Confidentials. DISTRICT NEGOTIATOR; (1) Hilaria Bauer, Ph.D., Superintendent; and (2) Kolvira Chheng, Assistant Superintendent of Business Services.

3.04 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): Five (5) potential cases.

3.05 DISCUSSION/ACTION: PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT (Government Code Section 54957): Titles: (1) Payroll Manager; (2) Interim Elementary Principal; (3) Assistant Principal; (4) Interim/Assistant Superintendent of Human Resources; and (5) Director of Human Resources.

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

4. RECONVENE TO OPEN SESSION - DISTRICT OFFICE BOARD ROOM

4.01 CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE BY PRESIDENT KHANH TRAN.

4.02 REPORT OF ACTION TAKEN IN CLOSED SESSION.

4.03 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.

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 generally 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. PUBLIC HEARING

6.01 PUBLIC HEARING: Disclosure of major provisions of the collective bargaining agreement with California School Employees Association #305, including, but not limited to, the costs that would be incurred by the public school employer under the agreement for the current and subsequent fiscal years. This agenda item was submitted by Assistant Superintendent Kolvira Chheng.

7. COMMENTS AND COMMUNICATION

7.01 Teamsters.

7.02 California School Employee's Association (CSEA).

7.03 Alum Rock Administrator's Association (ARAA).

7.04 Alum Rock Educator's Association (AREA).

7.05 Superintendent.

7.06 Board of Trustees/Communications/Comments

8. INSTRUCTIONAL SERVICES

8.01 ACTION: Approve Consolidated Application and Reporting System (CARS) 2015/16-2016/17 Reporting and 2017-2018 Application for Funding. This agenda item was submitted by Assistant Superintendent Rene Sanchez.

8.02 INFORMATION: Local Control Accountability Plan (LCAP) 2017-18 - Aptitud Community Academy. This agenda item was submitted by Assistant Superintendent Rene Sanchez.

9. HUMAN RESOURCES

9.01 INFORMATION Regarding Resignations. This agenda item was submitted by Superintendent Hilaria Bauer.

9.02 ACTION: Approval and Ratification of Tentative Agreement Between The Alum Rock Union Elementary School District and the California School Employees Association (CSEA), Chapter# 305, for the period of July 1, 2017 – June 30, 2020. This agenda item was submitted by Superintendent Hilaria Bauer.

9.03 ACTION: Approval of Unrepresented Management/Supervisory/Confidential Employees 2017-2018 Salary Schedules 4% raise effective July 1, 2017. This agenda item was submitted by Assistant Superintendent Kolvira Chheng.

10. CONTRACTS OVER \$100,000

10.01 ACTION: Bay Area School Nutrition Cooperative (BASNC) Request for Proposal (RFP) CNS-01-18 for Food and Nutrition Products, Paper Supplies, and Delivery Services for the 2017-18 School Year, \$300,000.00. This item submitted by Kolvira Chheng.

10.02 ACTION: Assignment of United States Department of Agriculture (USDA) Commodities for 2017-18 School Year, \$1,500,000.00. This item submitted by Kolvira Chheng.

10.03 ACTION: Approve Contract with RO Health Inc., Student Services, \$200,000. This agenda item was submitted by Assistant Superintendent Rene Sanchez.

10.04 ACTION: Approve Contract with Achieve School, Special Education, \$210,429.65. This agenda item was submitted by Assistant Superintendent Rene Sanchez.

10.05 ACTION: Approve ASES Contract with Think Together, State & Federal, \$701,865.00. This agenda item was submitted by Assistant Superintendent Rene Sanchez.

10.06 ACTION: Approve ASES Contract with Citizen Schools, State & Federal, \$430,553. This agenda item was submitted by Assistant Superintendent Rene Sanchez.

10.07 ACTION: Approve ASES Contract with City Year Inc., San Jose Silicon Valley, State & Federal, \$1,256,832.00. This agenda item was submitted by Assistant Superintendent Rene Sanchez.

10.08 ACTION: Approve TK & Kinder After School Programs Contract with Think Together, State & Federal, \$577,577.00. This agenda item was submitted by Assistant Superintendent Rene Sanchez.

10.09 ACTION: Approve Contract Addendum with Durham School Services, Transportation, \$240,800.00. This agenda item was submitted by Assistant Superintendent Kolvira Chheng.

10.10 ACTION: Approve Contract with New Tech. Network, Academic Services, \$254,600.00. This agenda item was submitted by Assistant Superintendent Rene Sanchez.

10.11 Approve Contract with Spectrum, Special Education, \$123,468.00. This agenda item was submitted by Assistant Superintendent Rene Sanchez

10.12 ACTION: Approve Contract increase of \$150,000 with Mohawk Commercial, Maintenance & Operations. This agenda item was submitted by Assistant Superintendent Kolvira Chheng.

11. BUSINESS SERVICES

11.01 INFORMATION: Small Business Outreach and Information Session Report. This item was submitted by Assistant Superintendent Kolvira Chheng.

12. BOND / FACILITIES

12.01 PRESENTATION AND/OR UPDATE ON THE BOND/FACILITIES. Mr. Luis Rojas will present an update on the status of the Bond Projects. This agenda item was submitted by Assistant Superintendent Kolvira Chheng.

12.02 ACTION: Citizen's Bond Oversight Committee (CBOC) Appointment. This agenda item was submitted by Assistant Superintendent Kolvira Chheng.

12.03 ACTION: Award of Bid Package and Contract for #B1617-BOND013 New Fischer Multi-Purpose Building Project. This agenda item was submitted by Assistant Superintendent Kolvira Chheng.

12.04 ACTION: Approve Contract with Inspectacon Corporation, Bonds Department, \$275,200.00. This agenda item was submitted by Assistant Superintendent Kolvira Chheng

13. SUPERINTENDENT/BOARD BUSINESS

13.01 DISCUSSION/ACTION: The Board will review and discuss the contract for Fagen Friedman & Fulfrost, LLP to provide Business and Facilities, Real Estate Legal Services to Alum Rock Union Elementary School District and to assist the District in responding to the FCMAT Extraordinary Audit of the Alum Rock Union Elementary School District Report dated June 9, 2017. Effective dates: June 26, 2017 through the date of conclusion of services necessary to complete the Scope of Services, but in no event shall the agreement extend beyond August 30, 2017. This agenda item was submitted by President Khanh Tran.

13.02 DISCUSSION/ACTION: Termination of the Mathson Fire Emergency. This agenda item was submitted by President Khanh Tran.

13.03 INFORMATION/DISCUSSION/ACTION: Legal Counsel Annual Budget Expenditure. The overall annual budget expenditures for legal counsel not to exceed \$350,000 annually starting the Fiscal Year 2017-18. If additional funds are needed for legal defense, it will be put out to bid and approved separately by the Board as a separate agenda item for each litigation. This item was Tabled from previous meeting. This agenda item was submitted by President Khanh Tran.

13.04 DISCUSSION/ACTION: The Board will discuss the possible Termination of the Contract with Rehon and Roberts, APC. This agenda item was submitted by President Khanh Tran.

13.05 DISCUSSION/UPDATE: An Update on the Board's Request for a Facilities Assessment. The Board is requesting a status update on the assessment of the condition of all Alum Rock School District's facilities to include, but not be limited to, classroom, bathrooms, heating and air conditioning systems, fields, blacktops, and play structures/areas. This agenda item was submitted by Trustee Karen Martinez.

13.06 DISCUSSION/UPDATE: Board Retreat Update. The Board will schedule a Board Retreat for all Board Members within the next month or so. The Superintendent will provide to the Board three names/organizations to facilitate the Board Retreat. This agenda item was submitted by Trustee Karen Martinez.

13.07 DISCUSSION/REVIEW: The appropriate roles of the Board President, Vice-President, Clerk, and other Trustees. This will include a discussion of the relevant Board Bylaws and other applicable laws. This agenda item was submitted by Member Karen Martinez.

13.08 DISCUSSION: Reconstitute the Bond, Facilities, and Finance Committee. The Bond, Facilities, and Finance Committee shall be reconstituted and will include a cross section that is representative of the people who reside within the ARUSD District Boundary lines. Meetings of said committee will be held at a time that allows for more public participation. The Bond, Facilities, and Finance Committee shall use the ARUSD Governing Board Meeting times as an indicator of what time of the day allows for more public participation. This agenda item was submitted by Vice-President Andres Quintero

13.09 DISCUSSION: Reprioritization of Alum Rock Union Elementary School District's Bond Projects. The ARUSD Governing Board will direct the Bond, Facilities, and Finance Committee to develop a well thought out-priority framework for the prioritization of Bond Projects. This agenda item was submitted by Vice-President Andres Quintero.

13.10 DISCUSSION: Program and Construction 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. This agenda item was submitted by Vice-President Andres Quintero.

13.11 DISCUSSION: Construction Management Agreement, Measure J. Terminate Contract between Alum Rock Union Elementary School District (ARUSD) and Del Terra Real Estate Services, Inc., dba Del Terra Group for Construction Management of the ARUSD Bond Program. This agenda item was submitted by Vice-President Andres Quintero.

13.12 DISCUSSION: Program Management Agreement, Measure J. Terminate Contract between Alum Rock Union Elementary School District (ARUSD) and Del Terra Real Estate Services, Inc., dba Del Terra Group for Program Management of the ARUSD Bond Program. This agenda item was submitted by Vice-President Andres Quintero.

13.13 DISCUSSION: Policy to Address the Media Issue Accessing Student Classrooms and Staff. This agenda item was submitted by Clerk Dolores Marquez-Frausto.

13.14 ACTION: 2017-18 Annual Santa Clara County School Boards Association Membership Dues, \$600. Annual dues shall be based on Average Daily Attendance (ADA) as reported by Districts on their P-2 Report in March. This agenda item was submitted by Superintendent Hilaria Bauer.

13.15 ACTION: 2017-18 CSBA Manual Maintenance Plus, period from July 1, 2017 thru June 30, 2018. Amount is \$3,765. This agenda item was submitted by Superintendent Dr. Hilaria Bauer.

13.16 ACTION: 2017-18 CSBA Gamut Online, period from July 1, 2017 thru June 30, 2018. Amount is \$3,405. This agenda item was submitted by Superintendent Dr. Hilaria Bauer.

13.17 ACTION: 2017-18 CSBA Membership Dues, period from July 1, 2017 thru June 30, 2018. Amount is \$13,071. This agenda item was submitted by Superintendent Dr. Hilaria Bauer.

13.18 ACTION: 2017-18 CSBA Education Legal Alliance Membership Dues, period from July 1, 2017 thru June 30, 2018. Amount is \$3,268. This agenda item was submitted by Superintendent Dr. Hilaria Bauer.

14. CONSENT CALENDAR

14.01 ACTION: Approve Board Meeting Minutes for the following dates: (1) May 11, 2017, Regular Board Meeting; and (2) June 19, 2017, Special Board Meeting.

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

14.03 ACTION: Approve Contracts for Professional Services - Firms.

14.04 ACTION: Acceptance of Grant/Award Notification.

14.05 ACTION; Acceptance of Donations.

14.06 ACTION: Acceptance of the Vendor & Payroll Warrants-MAY.

14.07 ACTION: Acceptance of the Vendor & Payroll Warrants-JUNE.

14.08 ACTION: Acceptance of the Enrollment/Attendance Report for Month 10 (May 15 thru June 9, 2017).

14.09 ACTION: Acceptance of the Enrollment/Attendance Report for Month 11 (June 12 thru June 15, 2017).

14.10 ACTION: Resolution No.01-17/18 Approval of District's Annual Authorized Signatures to be Submitted to the Santa Clara County Office of Education (SCCOE).

14.11 ACTION: Resolution No.02-17/18 Approval of District's Annual Authorized Signatures (Bank Deposits).

14.12 ACTION: Approval of Teamsters Local 150 Salary Schedules 4% raise effective July 1, 2017.

14.13 ACTION: Approve Quarterly Report on Williams Uniform Complaints.

14.14 ACTION: Approval of CSEA, Teamsters, Supervisory and Management/Confidential Calendars, 2017-2018

14.15 ACTION: Approve/Ratify Notices of Employment and Changes of Status/July 13, 2017/Human Resources Department.

14.16 ACTION: Approve Out of State Travel, CSEA Annual Conference, Las Vegas, NV, July 31 - August 4, 2017 for Tracy Loftin, LeAnne Depew & Melody Todd. No cost to the district.

14.17 ACTION: Approve Out of State Travel, National Spanish Spelling Bee, San Antonio, TX, July 13-16, 2017 for Patricia Sarkes & Ma.Elena Villegas. Estimated cost \$2700.

14.18 ACTION: ARUSD REVISED 2017-2018 Instructional Calendar.

14.19 ACTION: Approval of CSEA Chapter #305 Salary Schedules 4% raise effective July 1, 2017. This agenda item was submitted by Assistant Superintendent Kolvira Chheng.

15. FUTURE BOARD AGENDA REQUESTS

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

16. ADJOURNMENT

16.01 President Khanh Tran adjourns the meeting.