

# **ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT**

## **BOARD OF TRUSTEES**



**Regular Board Meeting  
February 8th, 2018**



**Thursday, February 8, 2018  
AGENDA - REGULAR BOARD MEETING**

**Type: AGENDA - REGULAR BOARD MEETING**

**Time: 5:30 p.m.**

**Code: Regular #15 -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**

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

1.02 PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD. Members of the public present at the meeting will be provided an opportunity to speak to the Board at the time the Open Agenda Item listed below is discussed. Individuals wishing to speak are requested to proceed to the podium. There is generally a three-minute time limit for each speaker.

1.03 DISCUSSION/ACTION: LEGAL SERVICES CONTRACT. The Board will discuss and take action to approve a contract for legal services with recently appointed General Counsel.

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

1.05 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**

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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; CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: AREA (Alum Rock Educator's Association); District Negotiators: (1) Hilaria Bauer, Ph.D., Superintendent; (2) Jess Serna, Interim Assistant Superintendent, Human Resources; and (3) Rogelio Ruiz, Attorney.

2.03 INFORMATION/DISCUSSION; CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: CSEA (California Schools Employees Association); District Negotiators: (1) Hilaria Bauer, Ph.D., Superintendent; (2) Jess Serna, Interim Assistant Superintendent, Human Resources; and (3) Rogelio Ruiz, Attorney).

2.04 INFORMATION/DISCUSSION; CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: TEAMSTERS; District Negotiators: (1) Hilaria Bauer, Ph.D., Superintendent; (2) Jess Serna, Interim Assistant Superintendent, Human Resources; and (3) Rogelio Ruiz, Attorney).

2.05 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.

2.06 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.

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

### **3. RECONVENE TO OPEN SESSION - DISTRICT OFFICE BOARD ROOM**

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

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**

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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**

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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. PUBLIC HEARING**

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6.01 PUBLIC HEARING. District's Initial Bargaining Proposal to Open Negotiations with Alum Rock Educators' Association (AREA) for the period of July 1, 2018 – June 30, 2021.

6.02 PUBLIC HEARING. The Alum Rock Educators' Association (AREA) Initial Bargaining Proposal to Open Negotiations with the Alum Rock Union Elementary School District for the period of July 1, 2018 - June 30, 2021.

## **7. SPECIAL PRESENTATION AND/OR RECOGNITION**

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7.01 SPECIAL PRESENTATION: San Jose Public Library Agreement.

7.02 INFORMATION: Immigration Information for Families.

## **8. BOND / FACILITIES**

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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.

8.02 PRESENTATION AND/OR UPDATE: Citizen's Bond Oversight Committee (CBOC).

8.03 ACTION: Citizen's Bond Oversight Committee (CBOC) Appointment.

## **9. SUPERINTENDENT/BOARD BUSINESS**

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9.01 DISCUSSION/ACTION: PUBLIC EMPLOYEE PERFORMANCE EVALUATION FOR THE SUPERINTENDENT. The Board will discuss and schedule a Special Board Meeting to finalize the evaluation of the Superintendent.

9.02 INFORMATION/DISCUSSION/ACTION: Renewal contract for continued representation of Legal Services for Negotiations with the Law Office of Rehon & Roberts, until April 30, 2018.

9.03 DISCUSSION/ACTION: Adopt the 2nd Reading of the Amended Board Policy 2121, Superintendent's Contract, Administration.

9.04 INFORMATION/DISCUSSION: The cost of Special Board Meetings.

9.05 INFORMATION/DISCUSSION: BOARD BYLAW 9250. Remuneration, Reimbursement and Other Benefits.

9.06 INFORMATION: Public Advocates. Public Advocates will provide the Board with a brief presentation about their services.

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

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

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

9.10 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.



9.11 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.

9.12 DISCUSSION/ACTION: BOARD PRESIDENT, NOMINATION AND ELECTION. Since only 3 Board Members were present at the December 14, 2017 meeting, and since no action was taken on this issue, the Board will discuss and may take action on the nomination and election of the Board President.

## **10. BUSINESS**

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10.01 INFORMATION/DISCUSSION: FISCAL EXPERT UPDATE. Assistant Superintendent Kolvira Chheng will provide a Fiscal Expert update to the Board.

10.02 INFORMATION/DISCUSSION: FCMAT UPDATE. Assistant Superintendent Kolvira Chheng will provide a FCMAT update to the Board.

10.03 INFORMATION/DISCUSSION/ACTION: Approval for a Lease Agreement Between the City of San Jose, Presley Center Bridge Branch Library at Chavez.

## **11. HUMAN RESOURCES**

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11.01 INFORMATION Regarding Resignations.

11.02 ACTION: Adopt the District's Initial Bargaining Proposal to Open Negotiations with Alum Rock Educators' Association (AREA) for the period of July 1, 2018 – June 30, 2021.

11.03 ACTION: Accept the Alum Rock Educators' Association (AREA) Initial Bargaining Proposal to Open Negotiations for the period of July 1, 2018 – June 30, 2021 with the Alum Rock Union Elementary School District.

## **12. CONSENT CALENDAR**

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12.01 ACTION: Approval of Minutes for the following meetings: (1) August 10, 2017, Regular Board Meeting; (2) January 11, 2018, Special Board Meeting; and (3) January 17, 2018, Special Board Meeting.

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

12.03 ACTION: Approve Contracts for Professional Services – Firms.

12.04 ACTION: Acceptance of Donations.

12.05 ACTION: Approval of Fundraising Activities.

12.06 ACTION: Enrollment/Attendance Report for Month 5 (December 18 2017 thru January 19, 2018).

12.07 ACTION: Approve/Ratify Notices of Employment and Changes of Status/February 8, 2018/Human Resources Department.

12.08 ACTION: Resolution No. 20-17/18; Read Across America – March 2, 2018.

12.09 ACTION: Resolution No. 21-17/18; Women's History Month – March, 2018.

12.10 ACTION: Resolution No. 22-17/18; Arts Education Month – March, 2018.

12.11 ACTION: Resolution No. 23-17/18; Annual Cesar Chavez/Community March - March 29, 2018.

12.12 ACTION: Resolution No. 24-17/18; Approval of District's Annual Authorized Signatures to be Submitted to the Santa Clara County Office of Education (SCCOE).

12.13 ACTION: Resolution No. 25-17/18; Approval of District's Annual Authorized Signatures (Bank Deposits).

12.14 ACTION: Resolution No. 26-17/18; Calling for Full and Fair Funding of California's Public Schools.

12.15 ACTION: Approve Out of State Travel, Innovative Schools Summit, Las Vegas, NV, July 10-13, 2018 for Jean Gallagher. Estimated cost \$1509.

12.16 ACTION: Every Student Succeeds Act (ESSA) Title IV - Part A Funding.

12.17 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:

February 2, 2018

**Subject: LEGAL SERVICES CONTRACT**

The Board will discuss and take action to approve a contract for legal services with recently appointed General Counsel.

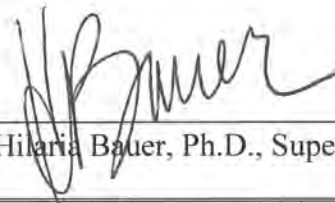
**DISCUSSION/ACTION**

Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees: Meeting: February 8, 2018  
Regular Board Meeting

**Recommend Approval**

1.03  
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  
2930 Gay Avenue  
San José, CA 95127

6.01

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION – BOARD OF EDUCATION**

To the Board of Trustees:

**Subject: PUBLIC HEARING. District's Initial Bargaining Proposal to Open Negotiations with Alum Rock Educators' Association (AREA) for the period of July 1, 2018 – June 30, 2021.**

Staff Analysis:

The District wishes to open negotiations AREA on a successor agreement. Pursuant to the Educational Employment Relations Act (EERA), the parties cannot negotiate until public notice procedures are completed. These "sunshining" procedures require the proposals be presented to the public at an open Board Meeting.

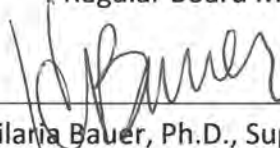
Pursuant to the EERA, the District hereby presents its initial bargaining proposal to AREA for the period of July 1, 2018 – June 30, 2021 for public hearing and comment.

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

To the Board of Trustees:  
**Public Hearing**

Meeting: February 8, 2018  
Regular Board Meeting

6.01  
Agenda Placement

  
Hilario 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 José, CA 95127 · Phone: 408-928-6800 · Fax: 408-928-6416 · [www.arusd.org](http://www.arusd.org)

February 2, 2018

## Alum Rock Union School District's Initial Proposal to Alum Rock Educator's Association (AREA)

Pursuant to the provisions of Government Code Section 3547 (the Rodda Act) all initial proposals of the exclusive representative employee groups and the District shall be presented at a public meeting of the District and shall thereafter be public records. This is commonly referred to as "Sunshining" the proposals. The Collective Bargaining Agreement between Alum Rock Union School District (District) and Alum Rock Educators Association (AREA) expires June 30, 2018. The District hereby submits its bargaining proposal for a collective bargaining agreement of up to three years (2018-2021).

Article III	Negotiations
Article IV	Calendar
Article VI	Employee and Association Rights
Article VIII	Employee Safety and Working Conditions
Article IX	Hours of Employment
Article X	Class Size
Article XI	Non-teaching and Extra-curricular Activities
Article XII	Temporary Employees
Article XIV	Transfer, Assignment and Reassignment
Article XV	Leaves
Article XVI	Salary
Article XVII	Unit Member Benefits
Article XXIII	Peer Assistance and Review
Appendix A	Salary Schedules
Appendix B	Teacher Substitutes – Emergency Conditions and Educational Code – Regarding Student Discipline
Appendix C	Teaching Calendars
Appendix E	Timelines

The District is committed to work collaboratively and in partnership with the Alum Rock Educators Association. With respect to the articles identified above, the District's interest is to establish a collective bargaining agreement that supports student achievement, and staff success.

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Hilaria Bauer, Ph.D., Superintendent

Board of Trustees: Andrés Quintero, President · Karen Martínez, Vice-President  
Esau Ruiz Herrera, Clerk · Khanh Tran, Member · Dolores Márquez-Frausto, Member

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

6.02

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION – BOARD OF EDUCATION**

To the Board of Trustees:

**Subject: PUBLIC HEARING. The Alum Rock Educators' Association (AREA) Initial Bargaining Proposal to Open Negotiations with the Alum Rock Union Elementary School District for the period of July 1, 2018 - June 30, 2021.**

Staff Analysis:

AREA wishes to open negotiations on a successor agreement. Pursuant to the Educational Employment Relations Act (EERA), the parties cannot negotiate until public notice procedures are completed. These "sunshining" procedures require the proposals be presented to the public at an open Board Meeting.

Pursuant to the EERA, AREA hereby presents its initial bargaining proposal to the District for the period of July 1, 2018 – June 30, 2021 for public hearing and comment.

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

To the Board of Trustees:  
**Public Hearing**

Meeting:

February 8, 2018  
Regular Board Meeting

6.02  
Agenda Placement

H. Bauer  
Hilaria Bauer, Ph.D., Superintendent

**DISPOSITION BY BOARD OF TRUSTEES**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved: \_\_\_\_\_ Not Approved: \_\_\_\_\_ Tabled: \_\_\_\_\_



**CALIFORNIA TEACHERS ASSOCIATION**

ALUM ROCK EDUCATORS ASSOCIATION/CTA/NEA

January 17, 2018



To: Alum Rock Union School District Board of Trustees

Superintendent, Hilaria Bauer

From: Alum Rock Educators Association

Re: **Amended** Sunshine Notice to Open Negotiations

Alum Rock Educators Association intends to open the following articles in negotiations with Alum Rock Union Elementary School District in February 2018 pursuant to Article 3.1 "Negotiations" of our 2017-2018 Collective Bargaining Agreement. In consideration of student achievement and success, AREA intends to maintain or improve conditions for unit members in the following areas of the Collective Bargaining Agreement between the Alum Rock Union School District and Alum Rock Educators Association:

- Article 1 Agreement
- Article 3 Negotiations
- Article 4 Calendar
- Article 6 Employee and Association Rights
- Article 7 Professional Fees and Dues
- Article 8 Employee Safety and Working Conditions
- Article 9 Hours of Employment
- Article 10 Class Size
- Article 15 Leaves
- Article 16 Salary
- Article 17 Unit Member Benefits



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT  
2930 Gay Avenue, San Jose, CA 95127  
Office of Superintendent of Schools

7.01

**ITEM REQUIRING ATTENTION - BOARD OF EDUCATION**

Board of Trustees:

January 29, 2018

**Subject: SPECIAL PRESENTATION  
SAN JOSE PUBLIC LIBRARY AGREEMENT**

**Special Presentation**

Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees:

Meeting: February 8, 2018  
Regular Board Meeting

**Special Presentation**

7.01  
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  
Office of Superintendent of Schools

7.02

**ITEM REQUIRING ATTENTION - BOARD OF EDUCATION**

Board of Trustees:

January 29, 2018

**Subject: IMMIGRATION INFORMATION FOR FAMILIES**

**Information**

Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees:

Meeting: February 8, 2018  
Regular Board Meeting

**Information**

7.02  
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  
2930 Gay Avenue, San Jose, CA 95127

8.01

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION - BOARD OF EDUCATION**

Board of Trustees:

January 29, 2018

**Subject: PRESENTATION AND/OR UPDATE ON THE BOND/FACILITIES**

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

Presentation/Update

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

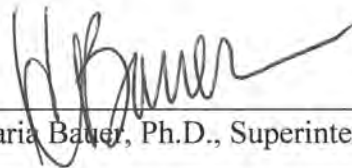
To the Board of Trustees:

Meeting: February 8, 2018  
Regular Board Meeting

**Presentation/Update**

8.01

Agenda Placement



Hilaria Bauer, Ph.D., Superintendent

**DISPOSITION BY BOARD OF TRUSTEES**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved: \_\_\_\_\_ Not Approved: \_\_\_\_\_ Tabled: \_\_\_\_\_

8.02

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION - BOARD OF EDUCATION**

Board of Trustees:

January 29, 2018

**Subject: PRESENTATION AND/OR UPDATE  
CITIZEN'S BOND OVERSIGHT COMMITTEE (CBOC)**

**Presentation and/or Update**

Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees:

Meeting: February 8, 2018  
Regular Board Meeting

**Presentation/Update**

8.02  
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**

To the Board of Trustees:

Date: January 30, 2018

**Subject:** **Citizen's Bond Oversight Committee (CBOC) Appointment**

**Staff Analysis:** Alum Rock Union Elementary School District Independent Citizen's Bond Oversight Committee (CBOC) Bylaws; "Bylaws" defines Membership, Qualification Standards, Ethics: Conflict of Interest, Term, Appointment and Removal Process.


Based on the membership requirements, defined in the Bylaws, the CBOC is a seven (7) members committee, which consists of one (1) Senior Citizen Group, two (2) Community-at-Large, two (2) PTA/SCC/Parent, one (1) Taxpayer's Organization and one (1) Business Representative. The CBOC currently has two vacancies, which include one (1) Community-at-Large and one (1) Taxpayer's Organization.

The following individual has applied for the vacant position:

Francine Brissey Community-at-Large

**Recommendation:** Superintendent has reviewed the application and recommends that the Board appoint accordingly the following applicants to the CBOC:

Francine Brissey Community-at-Large

Approved by: Kolvira Chheng 

Title: Assistant Superintendent, Business Services

To the Board of Trustees:

Meeting: February 8, 2018  
Regular Board Meeting

**Recommend Approval**

8.03

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 29, 2018

**Subject: PUBLIC EMPLOYEE PERFORMANCE EVALUATION FOR THE SUPERINTENDENT**

The Board will discuss and schedule a Special Board Meeting to finalize the evaluation of the Superintendent.

**Discussion/Action**

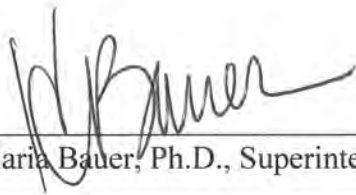
Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees:

Meeting: February 8, 2018  
Regular Board Meeting

**Discussion/Action**

9.01  
Agenda Placement

  
Hilaria Bauer, Ph.D., Superintendent

**DISPOSITION BY BOARD OF TRUSTEES**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved: \_\_\_\_\_ Not Approved: \_\_\_\_\_ Tabled: \_\_\_\_\_

9.02

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION - BOARD OF EDUCATION**

Board of Trustees:

February 2, 2018

**Subject: RENEWAL CONTRACT FOR CONTINUED REPRESENTATION  
OF LEGAL SERVICES FOR NEGOTIATIONS WITH THE LAW  
OFFICE OF REHON & ROBERTS, UNTIL APRIL 30, 2018**

**Information/Discussion/Action**

Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees: Meeting: February 8, 2018  
Regular Board Meeting

**Recommend Approval**

9.02  
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 29, 2018

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

**DISCUSSION/ACTION**

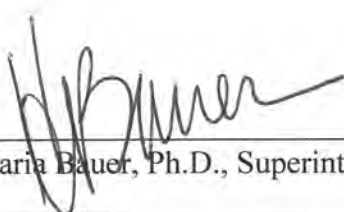
Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees:

Meeting: February 8, 2018  
Regular Board Meeting

**Recommend Approval**

9.03  
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:	February 8, 2018

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION - BOARD OF EDUCATION**

Board of Trustees:

January 29, 2018

**Subject: THE COST OF SPECIAL BOARD MEETINGS**

**Information/Discussion**

Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees:

Meeting: February 8, 2018  
Regular Board Meeting

**Information/Discussion**

9.04  
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 29, 2018

**Subject: BOARD BYLAW 9250  
REMUNERATION, REIMBURSEMENT, AND OTHER BENEFITS**

**Information/Discussion**

Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees: Meeting: February 8, 2018  
Regular Board Meeting

**Information/Discussion**

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 | BB 9250 Board Bylaws

### **Remuneration, Reimbursement And Other Benefits**

#### Remuneration

Each member of the Board of Trustees may receive a monthly compensation of no more than \$ 400.

On an annual basis, the Board may increase the compensation of Board members beyond the limit delineated in Education Code 35120 in an amount not to exceed five percent based on the present monthly rate of compensation. Any increase made pursuant to this section shall be effective upon approval by the Board. (Education Code 35120)

Board members are not required to accept payment for meetings attended.

If a member does not attend all Board meetings during the month, he/she is eligible to receive a percentage of the monthly compensation equal to the percentage of meetings attended unless otherwise authorized by the Board in accordance with law. (Education Code 35120)

A member may be paid for meetings he/she missed when the Board, by resolution, finds that he/she was performing designated services for the district at the time of the meeting or that he/she was absent because of illness, jury duty or a hardship deemed acceptable by the Board. (Education Code 35120)

In order to receive compensation for attending any Board meeting, Board members shall be present for at least 50% percent of the meeting time.

#### Reimbursement of Expenses

Board members shall be reimbursed for traveling expenses incurred when authorized in advance by the Board. (Education Code 35044)

(cf. 9240 - Board Development)

The rate of reimbursement shall be the same rate specified for district personnel.

(cf. 3350 - Travel Expenses)

Board members may use district-issued credit cards while on official district business. Under no circumstances may personal expenses be charged on district credit cards.

#### Health and Welfare Benefits

Board members may participate in the health and welfare benefits program provided for district employees.

Health and welfare benefits for Board members shall be no greater than that received by district's nonsafety employees with the most generous schedule of benefits. (Government Code 53208.5)

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

The district shall pay the cost of all premiums required for Board members electing to participate in the district health and welfare benefits program to the same extent that the district pays premiums for district staff in accordance with Government Code 53208.5.

Health and welfare benefits provided to Board members shall be extended at the same level to their spouses, dependent children under the age of 21, dependent children under the age of 25 who are full-time students at a

college or university, and dependent children regardless of age who are physically or mentally incapacitated.

#### Legal Reference:

#### EDUCATION CODE

1090 Compensation for members and mileage allowance

33050-33053 General waiver authority

33362-33363 Reimbursement of expenses (Department of Education and CSBA workshops)

35012 Board members; number, election and term

35044 Payment of traveling expenses of representatives of board

35120 Compensation (services as member of governing board)

35172 Promotional activities

44038 Cash deposits for transportation purchased on credit

#### GOVERNMENT CODE

20322 Elective officers; election to become member

53200-53209 Group insurance

#### UNITED STATES CODE, TITLE 26

403(b) Tax-sheltered annuities

#### COURT DECISIONS

Thorning v. Hollister School District, (1992) 11 Cal.App.4th 1598

Board of Education of the Palo Alto Unified School District v. Superior Court of Santa Clara County, (1979) 93 Cal.App.3d 578

#### ATTORNEY GENERAL OPINIONS

83 Ops.Cal.Atty.Gen. 124 (2000)

#### Management Resources:

#### WEB SITES

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

Public Employees' Retirement System: <http://www.calpers.ca.gov>

Bylaw ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

adopted: July 2, 2013 San Jose, California

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

9.06

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION - BOARD OF EDUCATION**

Board of Trustees:

January 29, 2018

**Subject: PUBLIC ADVOCATES**

Public Advocates will provide the Board with a brief presentation about their services.

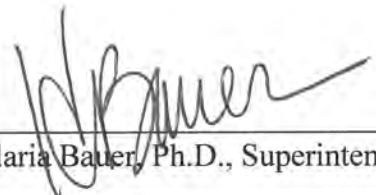
**Information**

Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees: Meeting: February 8, 2018  
Regular Board Meeting

**Information**

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 ELEMENTARY SCHOOL DISTRICT  
2930 Gay Avenue, San Jose, CA 95127

9.07

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION - BOARD OF EDUCATION**

Board of Trustees:

January 29, 2018

**Subject: BOARD RETREAT AND TRAINING**

Board Retreat and Training, which may include a session on Board Self-Evaluation.

**Information/Discussion/Action**

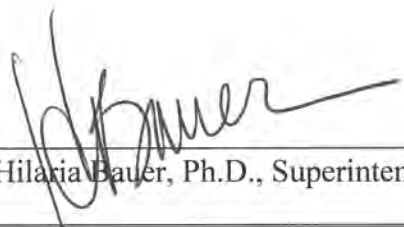
Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees: Meeting: February 8, 2018  
Regular Board Meeting

**Information/Discussion/Action**

9.07

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 29, 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**

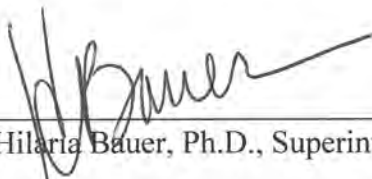
Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees:

Meeting: February 8, 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: \_\_\_\_\_

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION - BOARD OF EDUCATION**

Board of Trustees:

January 29, 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: February 8, 2018  
Regular Board Meeting

Information/Discussion/Action

9.09

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 29, 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**

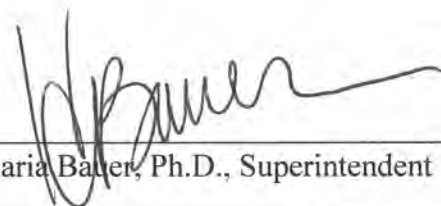
Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees:

Meeting: February 8, 2018  
Regular Board Meeting

**Recommend Approval**

9.10  
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 29, 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: February 8, 2018  
Regular Board Meeting

**Information/Discussion**

9.11  
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 29, 2018

**Subject: NOMINATION AND ELECTION OF THE BOARD PRESIDENT**

Since only 3 Board Members were present at the December 14, 2017 meeting, and since no action was taken on this issue, the Board will discuss and may take action on the nomination and election of the Board President.

**DISCUSSION/ACTION**

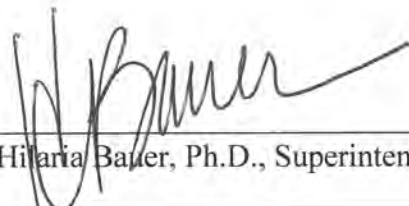
Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees:

Meeting: February 8, 2018  
Regular Board Meeting

**Recommend Approval**

9.12  
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  
2930 Gay Avenue  
San José, CA 95127

10.01

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION – BOARD OF TRUSTEES**

Board of Trustees:

Date: January 25, 2018

Subject: **Fiscal Expert**

Staff Analysis: Assistant Superintendent of Business Services will provide a fiscal expert update.

**\*\*INFORMATION/DISCUSSION\*\***

Approved by: Kolvira Chheng



Title: Assistant Superintendent of Business Services

To the Board of Trustees:

Meeting: February 8, 2018  
Regular Board Meeting

**INFORMATION/DISCUSSION**

10.01  
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

10.02

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION - BOARD OF EDUCATION**

To the Board of Trustees:

Date: January 25, 2018

**Subject:** FCMAT Update

**Staff Analysis:** 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.

*\*INFORMATION / DISCUSSION\**

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

To the Board of Trustees:

Meeting: February 8, 2018  
Regular Board Meeting

**INFORMATION / DISCUSSION**

16.02  
Agenda Placement

  
Hilana 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**


To the Board of Trustees:

Date: February 2, 2018

**Subject:** Lease Agreement between Alum Rock Union Elementary School District (ARUSD) "Lessor" and City of San Jose "Lessee" to lease portion of property located on the Cesar Chavez Elementary School, located at 2000 Kammerer Avenue, San Jose, California 95116, for the establishment and operation of the "Presley Center Bridge Branch Library."

**Staff Analysis:** Alum Rock Union Elementary School District and City of San Jose desire to enter into a Lease Agreement whereas Lessee will establish and operate the aforementioned facility as one of its branches library system with a focus to serve the needs of the District's community. The term of this lease shall be for three (3) years, commencing July 1, 2017. Rent shall be Three Dollars (\$3.00) per lease term.

**Recommendation:** Staff recommends that the Board of Trustees approve the Lease Agreement between Alum Rock Union School District and City of San Jose to allow Lessee to establish and operate the Presley Center Bridge Branch Library at the Cesar Chavez Elementary School site.

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

To the Board of Trustees:

Meeting: February 8, 2018  
Regular Board Meeting

**Recommend Approval**

10.03  
Agenda Placement

  
Hilaria Bauer, Ph.D., Superintendent

**DISPOSITION BY BOARD OF TRUSTEES**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved: \_\_\_\_\_ Not Approved: \_\_\_\_\_ Tabled: \_\_\_\_\_

**LEASE  
BETWEEN  
ALUM ROCK UNION SCHOOL DISTRICT  
AND  
THE CITY OF SAN JOSE  
FOR THE LEASE OF PROPERTY  
FOR THE PRESLEY CENTER BRIDGE BRANCH LIBRARY**

This Lease is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2017, by and between ALUM ROCK UNION SCHOOL DISTRICT, hereinafter "Lessor or District," a California Public School District, and the CITY OF SAN JOSE, hereinafter "Lessee or City," a municipal corporation of the State of California.

**WITNESSETH:**

It is hereby agreed by and between the parties hereto as follows:

**1. LEASED PREMISES**

1.1 Lessor hereby leases to Lessee, and Lessee hires from Lessor, on the terms and conditions hereinafter set forth, all that certain property, together with all improvements thereon, situated in the City of San Jose, County of Santa Clara, State of California, being the building marked, "Presley Center Bridge Branch Library" and "Parking Lots," shown on the drawing marked Exhibit A, attached hereto and hereby incorporated by reference, and hereinafter referred to as "Bridge Branch" and "Parking Lots," or "Leased Premises." Bridge Branch is located on the Cesar Chavez Elementary School, located at 2000 Kammerer Avenue, San Jose, California 95116.

**2. USE OF PREMISES**

2.1 Except as hereinafter specified in this lease, City's use of Bridge Branch shall be exclusive. City shall operate branch as one of its branches of its public library system, which shall be open to all members of the public during business hours. District understands that the operation of the library shall at all times be consistent with the policies, rules, and regulations of City's public library system, and District policies for operation of any school libraries shall not be applicable at this facility.

- a) Possession of the leased premises shall be delivered to Lessee upon the commencement date of this lease, and Lessor further covenants that said leased premises are not now and will not at the time of said delivery be needed for school classroom buildings, or for any other school purpose.

2.2 The term of this lease shall be for three (3) years, commencing \_\_\_\_\_ 2017 and terminating on \_\_\_\_\_. Lessee is hereby granted an option to renew the term of this lease

for a further three (3) years by mutual agreement between both parties (District and City) from and after the expiration of the original term, at the same rent and upon the same terms and conditions as herein contained. Written notice of City's intention to renew the term of said lease shall be given to Lessor at least thirty (30) days prior to the expiration of this lease.

2.3 Rent shall be Three Dollars (\$3.00) per lease term, payable on the commencement date of this lease. Payment of rent shall be sent to the District at 2930 Gay Avenue, San Jose, California 95127. In the event of termination or cancellation, any prepaid but unearned rent shall be repaid to City.

2.4 City's use of Parking Lots shall not be exclusive. District shall mark an appropriate number of parking spaces for the use of library patrons and staff. Such a number shall be derived, or revised from time to time, by written agreement of the Principal of Chavez Elementary and the City Librarian. City shall not designate any parking spaces as reserved for City's use without the District's prior written approval. City shall not store or abandon any inoperative vehicles or equipment on any portion of the Bridge Branch or Parking Lots.

2.5 The Bridge Branch shall be individually keyed by District. The District shall securely maintain a master key for the Dedicated Space for security and emergency purposes. District shall provide to City three (3) keys to each door of Bridge Branch. City may make as many duplicates as it requires.

2.6 Each party shall clearly mark for identification any personal property provided for use in or upon the grounds of the Bridge Branch and maintain an inventory thereof. All personal property shall remain the property of the party providing it.

2.7 The District or its agent(s) shall have the right to enter and/or pass through the Bridge Branch or any part thereof with reasonable notice (at least one (1) business day in advance) and in a reasonable time and manner: (a) for the purpose of making repairs in or to the Dedicated Space as allowed by this lease, or as required by law or emergency, (b) to examine the Dedicated Space during non-school hours, provided that the City Librarian is notified prior to entry, except in cases of emergency, or (c) for the purpose of administrative oversight, as may be allowed by law and consistent with City's charter. No advance notice is required to enter the Bridge Branch due to an emergency.

2.8 Upon the District's consent, which shall not be unreasonably withheld, City shall be permitted to place signage at locations of mutual agreement on Cesar Chavez Elementary School property to direct visitors to the City's Bridge Branch.

### 3. ALTERATIONS

3.1 Except as provided herein, City shall not make any structural alterations, additions or improvements (collectively "Structural Alterations") to the Bridge Branch without the prior written review and approval of the District. City shall submit a written request to make Structural



Alterations to the Assistant Superintendent of Business Services. The City's written request for approval shall, at a minimum, include the following:

- a) A narrative description of the proposed Structural Alterations, and proposed plans and specifications from which the District can determine and review the scope of proposed Structural Alterations; and
- b) The proposed construction and work schedule and work hours.

3.2 If District does not respond in writing within sixty (60) calendar days of receipt of the written request, then the City's request shall be deemed approved by the District. The District may approve or disapprove the proposed Structural Alterations with reasonable discretion. If the Structural Alterations are approved, then City shall be solely responsible for the performance and completion of the approved Structural Alterations.

3.3 City may, at its sole cost and expense, make other physical alterations to the Bridge Branch that are temporary, nonstructural, decorative, or cosmetic in nature (collectively "Non-Structural Alterations"). City agrees to submit notification of Non-Structural Alterations to District Facilities Department but does not require approval. City may paint the interior and exterior of the Bridge Branch. All paint shall be in accordance with District standards.

3.4 All appurtenances, fixtures, improvements, equipment, additions and other property attached to or installed in the premises at any time shall be and remain the property of the City. All items installed in the premises by or for the account of City, without expense to District, and which can be removed without damage to the premises or the Building (collectively, "District's Property") shall be and remain the property of the City and may be removed by it at any time during the Term; provided, however, any equipment or other property for which District has granted any allowance or credit to City or which is a replacement for items originally provided by District at District's expense shall not be considered City's property. Upon the Expiration Date of this Lease, City shall remove from the premises all of City's property. City shall repair or pay the cost of repairing any damage to the premises or to the Building resulting from such removal. Any of the City's property remaining in the premises after the Expiration Date of this Lease may be retained by District as its property or it may be disposed of by District as permitted by applicable law.

3.5 District represents that, not including any City alterations, the Site substantially complies with the State of California requirements regarding asbestos mitigation and is in full compliance with the Asbestos Hazards Emergency Response Act. An asbestos management plan has been prepared and is available at the Alum Rock Union School District office for review. District agrees to be responsible for future mitigation, if any, as required by the State of California regarding requirements relating to asbestos in the Bridge Branch building unless mitigation is due to action of City, its agents or clients, in which event necessary mitigation measures shall be charged to and paid by City as additional rent.



3.6 District represents that as long as such use remains consistent with library use, the facilities provided to City for use will remain in compliance with the "Americans with Disabilities Act" and the regulations adopted pursuant to the Americans with Disabilities Act (collectively, the "ADA") at District's sole cost and expense.

#### 4. MAINTENANCE

4.1 District shall, at its sole cost and expense, maintain and provide the following:

- a) Maintenance of the building, including but not limited to windows, doors and locks, heating and cooling systems, surfacing and repair of parking lot.
- b) Maintenance of walkways, exterior lighting fixtures, and all landscaping around or on Bridge Branch building and parking lots.
- c) Plumbing repair.

4.2 City shall, at its sole cost and expense, maintain and provide the following:

- a) Telephone and internet, including installation.
- b) Security services, including installation and maintenance of intrusion alarm system, security patrol, and response to alarm system. All other maintenance and repairs to the Bridge Branch other than the maintenance and repairs identified in Sections 4.1 and 4.3 as being the District's responsibility. If the District performs any maintenance and repairs that are the City's responsibility under this provision, the City will reimburse the District for the cost of such work provided (1) the District gave the City reasonable written notice of the scope and cost of the work, and (2) the City consented in writing to the District performing the work.

4.3 District shall assume the cost and responsibility for major maintenance at the Site in accordance with District deferred maintenance schedules and practices. For purposes of this section, "major maintenance" includes the major repair or replacement of plumbing, heating, ventilation, air conditioning, electrical, intercom, alarm, bell, and communications systems (other than equipment provided by City), roofing, and floor systems, exterior and interior painting, and any other items considered deferred maintenance under Education Code section 17582 and pursuant to the rules and regulations of the State Allocation Board.

#### 5. UTILITIES AND SERVICES

5.1 District shall, at its sole cost and expense, provide the following:

- a) Electricity, water, and gas
- b) Trash disposal service

5.2 City shall, at its sole cost and expense, provide the following:

- a) Custodial services
- b) Security services

## 6. LAWS

6.1 City agrees to comply with all laws and regulations applicable to its operation and its use of the Bridge Branch. In addition, City agrees to abide by all the District policies and regulations regarding the use of the Bridge Branch including but not limited to the District policies barring the possession or consumption of alcoholic beverages on campus and/or tobacco products on the District's facilities.

6.2 The District warrants that the Bridge Branch is in compliance, and will remain in compliance during the lease, with all applicable codes, regulations, and laws, including but not limited to: Field Act, Americans with Disabilities Act, local fire marshal and zoning requirements and ordinances, except to the extent any required modifications or non-compliance results or arises from or in connection with any alterations by City. District shall be responsible for any modifications necessary to maintain the Bridge Branch in accordance with Education Code sections 47610(d) and 47610.5, except to the extent any modifications result or arise from or in connection with any alterations by City.

## 7. DESTRUCTION & EMERGENCY

7.1 If the Bridge Branch is totally destroyed (defined as the destruction of more than 50% of the usable space rendering such space not usable for public use) then, notwithstanding the availability of insurance proceeds, this lease shall be terminated effective the date of the damage. City shall be liable for the repair of all damage to the Bridge Branch resulting from or in connection with City's negligence or other acts or omissions of City's employees, agents, contractors, or visitors.

7.2 The Bridge Branch administrators of City and District shall immediately inform one another or their designees of any health and/or safety emergency. This includes reports of any serious incident that takes place on the Chavez Elementary school campus where the police, fire department or the paramedics are involved, including, but not limited to, incidents of actual or alleged physical or sexual abuse, bomb or terroristic threats, threats of violence, weapons on the school site, and the sale of narcotics on the school site. Bridge Branch staff and visitors shall cooperate with, and participate in, any lockdowns (to include drills) or exigent security procedures required by the District at Chavez Elementary.

## 8. DEFAULT & TERMINATION

8.1 The occurrence of any of the following shall constitute a material default and breach of this lease by City:

- a. Any failure by City to make payments required to be paid hereunder (where such failure continues for thirty (30) days after receipt of written notice by the District to City);
- b. The abandonment or vacation of the Dedicated Space by City;

- c. The revocation of City's charter (after exhaustion of all applicable administrative and statutory appeals per the Education Code);
- d. A failure by City to observe and perform any other provision of this Agreement to be observed or performed by City, where such failure continues for thirty (30) days after receipt of written notice thereof by the District to City; unless, however, the nature of the default is such that the same cannot reasonably be cured within said thirty (30) day period. City shall not be deemed to be in default if City shall within such thirty (30) day period commence such cure and thereafter diligently prosecute the same to completion.

8.2 If City commits any such material default or breach, then the District may, at any time thereafter without limiting the District in the exercise of any right or remedy at law or in equity which the District may have by reason of or such default or breach:

- a. Terminate City's right to possession by any lawful means, in which case this Agreement shall terminate and City shall surrender possession of the Dedicated Space upon ninety (90) days prior written notice.
- b. Before the District exercises any of its remedies of this Section, it must attempt to cure the default through the use of the dispute resolution provision in Section 8.

8.3 The District shall not be in default unless the District fails to perform obligations required of the District within a reasonable time, but in no event later than thirty (30) days after receipt of written notice by City to the District specifying wherein the District has failed to perform such obligations; provided however, that if the nature of the District's obligation is such that more than thirty (30) days are required for performance, then the District shall not be in default if the District commences performance within such 30-day period and thereafter diligently prosecutes the same to completion.

8.4 If the District commits any such default or breach, then City may, at any time thereafter without limiting City in the exercise of any right or remedy at law or in equity which City may have by reason of such default or breach:

- a) Terminate the Agreement with no further obligation to the District; or
- b) Maintain the Agreement with the District and pursue damages or other equitable relief in a court of law. If City chooses to pursue the remedy in this section 12.4 then City shall be allowed to place all fees as they come due in a blocked trust account until such time as the District cures the default or the matter is otherwise resolved in a court of law. Before City exercises any of its remedies of this Section, it must attempt to cure the default through the use of the dispute resolution provision below.

8.5 Upon termination of occupancy, City shall fully vacate the "Bridge Branch." City shall fully vacate, remove alterations, and restore facilities to a reasonably similar condition to that which existed at the commencement of the Agreement, reasonable wear and tear excepted, except that no later than 120 days prior to the expiration of this Agreement District shall have the option

to notify City of District's election to accept return of the facilities with the alterations in their then-existing condition, reasonable wear and tear excepted.

## 9. DISPUTE RESOLUTION

9.1 Disputes between City and the District regarding the alleged violation, misinterpretation, or misapplication of this lease shall be resolved using the dispute resolution process identified below.

9.2 The party initiating the dispute resolution process shall prepare and send to the other party a notice of dispute that shall include the following information:

- a) The name, addresses and phone numbers of designated representatives of the party;
- b) A statement of the facts of the dispute, including information regarding the parties attempts to resolve the dispute;
- c) The specific sections of the Agreement that are in dispute; and
- d) The specific resolution sought by the party. Within five days from receipt of the notice of dispute the representatives from the City shall meet with representatives from the District in an informal setting to try to resolve the dispute.

9.3 If the informal meeting fails to resolve the dispute the party initiating the dispute resolution process shall notify the other party (the responding party) in writing that it intends to proceed to mediation of the dispute and shall request the State Mediation and Conciliation Service to appoint a mediator within seven days to assist the parties in resolving the dispute. The initiating party shall request appointment of a mediator who is available to meet as soon as possible but not later than thirty (30) days after receipt of the request for appointment. The party initiating the dispute shall forward a copy of the notice of the dispute to the appointed mediator. The responding party shall file a written response with the mediator and serve a copy on the initiating party within seven (7) days of the first scheduled mediation. The mediation procedure shall be entirely informal in nature; however, copies of exhibits upon which either party bases its case shall be shared with the other party in advance of the mediation. The relevant facts should be elicited in a narrative fashion to the extent possible, rather than through examination and cross examination of witnesses. The rules of evidence will not apply and no record of the proceedings will be made. If an agreement is reached, the agreement shall be reduced to writing and shall be signed by the District and City.

9.4 Either party may seek equitable relief prior to the mediation to preserve the status quo pending the completion of that process. Except for such an action to obtain equitable relief, neither party may commence a civil action with respect to the matters submitted to mediation until after the completion of the initial mediation session, or 45 days after the date of filing the written request for mediation, whichever occurs first. Mediation may continue after the commencement of a civil action, if the parties so desire.

## 10. INSURANCE



10.1 The City is self-insured. City shall at all times maintain workers' compensation insurance in such amounts as required by law. The District shall maintain first party property insurance for the Bridge Branch during the term hereof, provided, however, that any insurance proceeds available thereunder shall be for the benefit of District. City shall remain solely responsible for insuring its own property and equipment.

## 11. INDEMNIFICATION

11.1 City shall indemnify, defend (with counsel reasonably acceptable to District), and hold harmless the District and its officers, agents, employees, Board Members and volunteers from and against any and all claims, damages and losses of any kind, including but not limited to personal injury and/or property damage, arising from or in connection with the use of the Bridge Branch and all equipment, fixtures and furniture provided by the District, by City and its employees, agents, contractors, and visitors, except to the extent such claims, damages, and losses are caused by or the result of the negligence or intentional or reckless acts of District. District shall indemnify, defend (with counsel reasonably acceptable to City), and hold harmless City and its officers, agents, employees, Board Members and volunteers from and against any and all claims, damages and losses of any kind, including but not limited to personal injury and/or property damage, arising from or in connection with the use of the Bridge Branch by the District and its employees, agents, contractors, students and invitees, except to the extent such claims, damages and losses are caused by or the result of the negligence or intentional or reckless acts of City or its employees, agents, volunteers, contractors or Board Members or its affiliates. The terms of this Section 10.1 shall survive the expiration or earlier termination of this Agreement.

## 12. MERGER, MODIFICATION, NOTICES

12.1 This lease contains the sole and entire lease and understanding of the Parties. Any and all prior writings, agreements, including, without limitation, oral communications, discussions, negotiations, commitments and understandings relating thereto, are hereby merged herein and superseded hereby.

12.2 This lease may only be changed or modified by written agreement of the Parties expressing an intent to modify this lease.

12.3 This lease shall be governed by and construed according to the laws of the State of California.

12.4 All notices required to be given hereunder shall be in writing and served by government or commercial mail service or by facsimile. Either party may provide updated contact information under this Section by mailing a copy of said change of address/contact information to the addresses noted below.

Notice to the District shall be addressed to:

Superintendent, Alum Rock Union School District, 2930 Gay Avenue, San Jose, CA 95127  
(Facsimile No.: 408-928-6416)

Notice to the City shall be addressed to:

City Librarian, Dr. Martin Luther King Jr. Library, 150 E. San Fernando St. San Jose, CA 95112  
(Facsimile No.: 408-808-2155)

12.5 This lease may be signed in counterparts, such that signatures appear on separate signature pages. A copy or original of this document with all signature pages appended together shall be deemed a fully executed duplicate original of the lease. Signatures delivered by fax or computer scan and email shall be as valid as if a "wet-signed" lease had been delivered.

12.6 Upon paying and performing as required hereunder, City shall have quiet possession and enjoyment of the demised spaces for the Term hereof.

IN WITNESS WHEREOF, on the day and year first herein above written.

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

By:

Name:

Title:

Board Approved on: \_\_\_\_\_, 2017

CITY OF SAN JOSE

By:

Name:

Title:

APPROVED AS TO FORM:

\_\_\_\_\_  
Arlene Silva  
Deputy City Attorney

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:

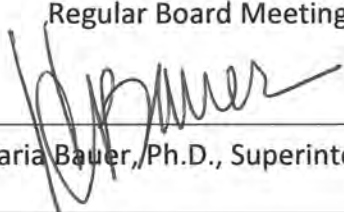
**Information Only**

11.01

Agenda Placement

Meeting:

February 8, 2018  
Regular Board Meeting

  
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**

**February 8, 2018**

**CLASSIFIED RESIGNATIONS:**

**I. Resignations:**

1. Aguilera, Noel

Community Liaison/Ocala

01/22/18



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

**February 08, 2018**

**CERTIFICATED RESIGNATIONS:**

**I. Resignations:**

1. Nguyen, Thuy Thi	Speech Therapist/Special Education Dept.	02/25/2018
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ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT  
2930 Gay Avenue  
San José, CA 95127

11.02

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION – BOARD OF EDUCATION**

To the Board of Trustees:

Subject: **Adopt the District's Initial Bargaining Proposal to Open Negotiations with Alum Rock Educators' Association (AREA) for the period of July 1, 2018 – June 30, 2021.**

Staff Analysis:

Staff recommends that the Board of Trustees adopt the District's initial proposal as presented and direct the Superintendent and/or her designee to begin negotiations with AREA for the period of July 1, 2018 – June 30, 2021.

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

To the Board of Trustees:  
**Recommend Approval**

Meeting:

February 8, 2018  
Regular Board Meeting

11.02  
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

2930 Gay Avenue, San José, CA 95127 · Phone: 408-928-6800 · Fax: 408-928-6416 · [www.arusd.org](http://www.arusd.org)

February 2, 2018

## Alum Rock Union School District's Initial Proposal to Alum Rock Educator's Association (AREA)

Pursuant to the provisions of Government Code Section 3547 (the Rodda Act) all initial proposals of the exclusive representative employee groups and the District shall be presented at a public meeting of the District and shall thereafter be public records. This is commonly referred to as "Sunshining" the proposals. The Collective Bargaining Agreement between Alum Rock Union School District (District) and Alum Rock Educators Association (AREA) expires June 30, 2018. The District hereby submits its bargaining proposal for a collective bargaining agreement of up to three years (2018-2021).

Article III	Negotiations
Article IV	Calendar
Article VI	Employee and Association Rights
Article VIII	Employee Safety and Working Conditions
Article IX	Hours of Employment
Article X	Class Size
Article XI	Non-teaching and Extra-curricular Activities
Article XII	Temporary Employees
Article XIV	Transfer, Assignment and Reassignment
Article XV	Leaves
Article XVI	Salary
Article XVII	Unit Member Benefits
Article XXIII	Peer Assistance and Review
Appendix A	Salary Schedules
Appendix B	Teacher Substitutes – Emergency Conditions and Educational Code – Regarding Student Discipline
Appendix C	Teaching Calendars
Appendix E	Timelines

The District is committed to work collaboratively and in partnership with the Alum Rock Educators Association. With respect to the articles identified above, the District's interest is to establish a collective bargaining agreement that supports student achievement, and staff success.

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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 José, CA 95127

11.03

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION – BOARD OF EDUCATION**

To the Board of Trustees:

**Accept the Alum Rock Educators' Association (AREA) Initial Bargaining Proposal to Open Negotiations for the period of July 1, 2018 – June 30, 2021 with the Alum Rock Union Elementary School District.**

Staff Analysis:

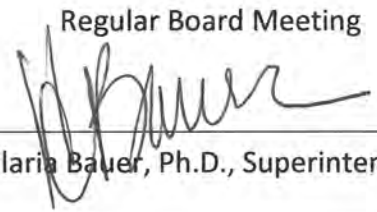
Staff recommends that the Board of Trustees accept the AREA initial proposal for the period of July 1, 2018 – June 30, 2021 as presented and direct the Superintendent and/or designee to begin negotiations.

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

To the Board of Trustees:  
**Recommend Approval**

Meeting: February 8, 2018  
Regular Board Meeting

11.03  
Agenda Placement

  
Hilaria Bauer, Ph.D., Superintendent

**DISPOSITION BY BOARD OF TRUSTEES**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved: \_\_\_\_\_ Not Approved: \_\_\_\_\_ Tabled: \_\_\_\_\_

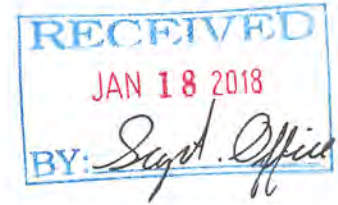




**CALIFORNIA TEACHERS ASSOCIATION**

ALUM ROCK EDUCATORS ASSOCIATION/CTA/NEA

January 17, 2018



To: Alum Rock Union School District Board of Trustees  
Superintendent, Hilaria Bauer

From: Alum Rock Educators Association

Re: **Amended** Sunshine Notice to Open Negotiations

Alum Rock Educators Association intends to open the following articles in negotiations with Alum Rock Union Elementary School District in February 2018 pursuant to Article 3.1 "Negotiations" of our 2017-2018 Collective Bargaining Agreement. In consideration of student achievement and success, AREA intends to maintain or improve conditions for unit members in the following areas of the Collective Bargaining Agreement between the Alum Rock Union School District and Alum Rock Educators Association:

- Article 1 Agreement
- Article 3 Negotiations
- Article 4 Calendar
- Article 6 Employee and Association Rights
- Article 7 Professional Fees and Dues
- Article 8 Employee Safety and Working Conditions
- Article 9 Hours of Employment
- Article 10 Class Size
- Article 15 Leaves
- Article 16 Salary
- Article 17 Unit Member Benefits

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 29, 2018

**Subject:**

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

- August 10, 2017, Regular Board Meeting
- January 11, 2018, Special Board Meeting
- January 17, 2018, Special Board Meeting

**Recommend Approval**

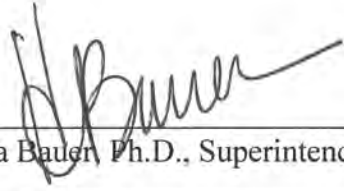
Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees:

Meeting: February 8, 2018  
Regular Board Meeting

**Recommend Approval**

12.01  
Agenda Placement

  
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, August 10, 2017, 5:30 p.m. at the Alum Rock Union School**  
**District Office Board Room, 2930 Gay Avenue, San Jose, CA 95127**  
**Meeting #04-17/18**

**1. OPEN SESSION**

**1.01 Call to Order / Roll Call**

President Khanh Tran welcomed everyone in the audience and led the Pledge of Allegiance. President Khanh Tran called the Board Meeting to order at 5:32 p.m. followed by Roll Call.

Board Members Present:

Khanh Tran	President
Andrés Quintero	Vice-President ( <i>arrived late at 5:33 p.m.</i> )
Dolores Marquez-Frausto	Clerk
Esau Ruiz Herrera	Member
Karen Martinez	Member ( <i>arrived late at 5:58 p.m.; left after Closed Session at 7:50 p.m. due to illness</i> )

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
Patricia Tovar	Executive Assistant, Business Services

## **2. SPECIAL RECOGNITION AND/OR PRESENTATION**

### **2.01 Student Recognition**

Superintendent Hilaria Bauer asked to move *Agenda Item 2.01 Student Recognition* at this time since there were several students waiting to be recognized. She asked Assistant Superintendent Rene Sanchez to give a brief summary. Assistant Superintendent Rene Sanchez reported that the Seal of Biliteracy is an award given to students that meet strict and rigorous criteria in a Dual Immersion Program that shows proficiency skills in two languages. This award also rewards students for their efforts and positive attitudes towards bilingualism. Principal Nuria Bravo announced the students and they consist of the following:

#### **Adelante – 8<sup>th</sup> Grade Biliteracy Attainment Award**

Angel Bruno	Gael Castello	Javier Chavez	Angelica Cortez
Maya Diaz	Gerardo Marcelino Jimenez	Ashley Mendez Gonzalez	Jose Miranda
Sofia Mooney Guevara	Alondra Morales	Daisy Navarro Gonzalez	Melissa Cuevas Ruiz
Gerald Sarkes	Anicka Torres	Areli Urdiano	Leonela Villalobos

#### **Adelante – 5<sup>th</sup> Grade Biliteracy Attainment Award**

Franchesca Escobar	Melanie Gonzalez	Beetzie Guerrero Vasquez	Jared Jimenez Ramirez
Arlene Llanto	Betsy Sanchez Morfin	Nahiely Zarate	

Congratulations to all the students!

### **2.02 CSBA Representatives**

Superintendent Hilaria Bauer introduced Trustee Albert Gonzalez, Santa Clara Unified School District and Regional 20 Director and Ms. Susan Swigart, Senior Director, Membership Development and Support, California School Boards Association. Trustee Albert Gonzalez provided a little background and profile of the CSBA services that they provide to the Region 20 Districts. Ms. Susan Swigart spoke about the CSBA benefits of the membership.

Public Comments: Hilaria Bauer, Albert Gonzalez, and Susan Swigart.

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

Superintendent Hilaria Bauer thanked Trustee Albert Gonzalez for making himself available and missing his own board meeting in order to present at our meeting.



## **1. OPEN SESSION** *(continued)*

### **1.02 Announcement and Public Comment Regarding Items to be Discussed in Closed Session**

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

Public Comment:

- 1) Ray Mueller – COC Chair, asked the Board to consider putting Closed Session on a separate day so that people could know when the Board Meeting was going to start and not have to wait for an unspecified time.

### **1.03 Adjournment to Closed Session**

The Board recessed to Closed Session at 6:11 p.m. President Khanh Tran announced that the Board would reconvene to Open Session at approximately 7:30 p.m.

## **4. RECONVENE TO OPEN SESSION**

### **4.01 Call to Order / Pledge of Allegiance**

The Board reconvened to Open Session at 7:51 p.m. President Khanh Tran welcomed the audience and led the Pledge of Allegiance.

### **4.02 Report of Action Taken in Closed Session**

Superintendent Hilaria Bauer reported that the Board took action and approved the following appointments effective August 11, 2017:

- 1) Dr. Julio Villalobos from Interim Principal to Permanent Principal at Chavez Elementary.
- 2) Mr. Alfredo Acosta as Assistant Principal at Ocala Middle School.
- 3) Mr. Rigoberto Gomez as Assistant Principal split at Aptitud and Hubbard.
- 4) Ms. Nuria Sanz as Principal at Adelante I.

**The vote carried with a unanimous vote of 5 in favor.**

Superintendent Hilaria Bauer also reported that the Board took action with a unanimous vote to approve a Settlement Agreement. A summary of the agreement is as follows:

- The parent will dismiss the case, State of California, Office of Administrative Hearing, Case No. 2017061219, against the District

#### **4. RECONVENE TO OPEN SESSION (*continued*)**

##### **4.02 Report of Action Taken in Closed Session**

- Parents will place the student in an Autism SCC elementary class at one of its elementary schools
- District will reimburse the parents for the transportation to and from school
- Parent will have the option through October 30, 2017, to weekly observe the student's placement for up to 30 minutes
- The District will provide student with a District conducted assessment in the area of argumentative and alternative communication
- The District will refer the student to the Diagnostic Center for Independent Educational Evaluations
- The District will pay up to \$15,000 for reasonable attorney fees
- In the event the student ceases to be a resident of the District during the period of the agreement, the District's responsibilities under the agreement will cease immediately

##### **4.03 Agenda Review and Adoption**

Assistant Superintendent Kolvira Chheng asked to move *Agenda Item 10.04 Mathson Fire Findings Presentation* after *Agenda Item 5.0 Public Members Who Wish to Address the Board*. Vice-President Andrés Quintero asked to move the following Agenda Items after *Agenda Item 10.04 Mathson Fire Findings Presentation*.

##### Agenda Items:

- 12.01 Renewal Contract for Continued Representation of Legal Services with Law Office of Rehon & Roberts*
- 12.02 Renewal Contract for Continued Representation of Legal Services with Law Office of E. Luis Saenz*
- 12.03 The Board will discuss the possible Termination of the Contract for Legal Services with the Law Office of E. Luis Saenz*
- 12.04 Program and Construction Management Agreement for Measure I, Terminate Contract*
- 12.05 Construction Management Agreement, Measure J, Terminate Contract*
- 12.06 Program Management Agreement, Measure J, Terminate Contract*

There was consensus from the Board to accept and approve the agenda as amended.

## **5. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD**

### **5.01 Requests to Address the Board**

#### Public Comments:

- 1) Dilza Gonzales – Community member commented that we did not need uniformed police officers inside our school sites but rather working outside doing their jobs. Instead we need social-emotional programs for our students.
- 2) Maria Martinez – Community member commented that we needed more social-emotional and restorative justice programs for our students. Also stated to administration to please not place police officers in our schools.
- 3) Ray Mueller – Community member and COC chair, requested from the Board to move *Agenda Item 12.09 Reconstitute the Bond, Facilities, and Finance Committee after Agenda Item 12.06 Program Management Agreement, Measure J, Terminate the Contract*. Mr. Mueller reported that the “visual signs” the audience would be displaying throughout the meeting meant “YES” for agreement, and “NO” not in agreement.
- 4) Natalie (no last name given) – Community member and parent that stated she was concerned about the priority of the Bond spending. She commented that the Board was elected to protect their interests and she was concerned about the ongoing District attempts to defend Del Terra

## **12. SUPERINTENDENT / BOARD BUSINESS**

### **12.09 Reconstitute the Bond, Facilities, and Finance Committee**

The Board discussed reconstituting this committee. Clerk Dolores Marquez-Frausto reported she has been the Chair of this committee for the past 3-4 years. She commented that there is nothing wrong with this committee. She asked Assistant Superintendent Kolvira Chheng to explain the scope of this committee’s power?

Assistant Superintendent Kolvira Chheng stated that this committee is an advisory committee to discuss a list of approved projects and then send the recommendations back to the Board for consideration.

President Khanh Tran commented that this committee should have some power to steer.

Member Esau Ruiz Herrera stated that the purpose of this committee was to provide input. He commented that he agrees that the timing of this committee meeting is inconvenient; however, he has adjusted his calendar because this meeting has been important enough to do so.

Vice-President Andrés Quintero stated that our community members do not have the luxury of adjusting their schedule.

## **12. SUPERINTENDENT / BOARD BUSINESS *(continued)***

### **12.09 Reconstitute the Bond, Facilities, and Finance Committee**

Public Comments:

- 1) Ray Mueller – Community Member stated the start time of this committee meeting was an inconvenient time for him and other community members
- 2) Shannon O'Dell – Community Member that was in agreement with Mr. Ray Mueller
- 3) Andrea Flores Shelton – Community Member stated this committee belongs to the community and this is the public's opportunity to weigh in

Additional Board Comment: Dolores Marquez-Frausto.

## **10. BUSINESS**

### **10.04 Mathson Fire Findings Presentation**

Attorney Rogelio Ruiz, District's Legal Counsel, gave a report on the findings of the Mathson Fire. Listed below is a brief summary:

- In June, concerns were raised about the repairs made to the Mathson "B and C" wings due to the fire that occurred on February 27, 2016, and he was asked to review the contracts for compliance with Board Policy and relevant law
- District staff was very helpful and cooperative in providing documents and interviews
- District staff assessed the damage and threats to safety and determined emergency restoration services and the security that was required
- Classroom C1, Resource Room, and Custodial Room were the most extensively damaged; other rooms in the building suffered smoke damage
- District staff contacted two emergency restoration services and only one answered the phone - Harbrough. Harbrough offered emergency restoration services on time
- District staff contacted insurance company
- Harbrough and the insurance company informed district staff an outside consultant was needed to assess the loss of the contents of the classroom
- District staff contacted a Loss Contents Inventory service provider and provider offered an open-ended contract
- District staff chose to go with a sub-contractor under Harbrough instead
- On March 3, a special board meeting was held to make a determination of provision of necessary numbers and a resolution was approved to authorize the Superintendent and/or the Assistant Superintendent of Business Services to enter into contracts for the remediation, repair, and reconstruction at Mathson and for the provision of temporary classroom facilities



## **10. BUSINESS (continued)**

### **10.04 Mathson Fire Findings Presentation**

- On March 9, Santa Clara County Superintendent of Schools, Jon Gundry, notified the district in writing that he had approved the emergency
- On March 10, a regular board meeting was held with a resolution to delegate the Superintendent and Assistant Superintendent of Business Services to award emergency contracts without competitive bidding- this was passed with a vote of three in favor; however this resolution required a vote of four/fifth support and; therefore, the resolution was invalid
- Harbrough contract was not in compliance with payment bond; state prevailing wage law; standard minimum insurance requirement; indemnification requirement; and several other provisions not in the district's best interest
- 26 change orders (25 of which were additive change orders-did not comply with limits on change orders-and change orders totaled \$1.6 million and should not have exceeded \$55K

Attorney Rogelio Ruiz continued to describe the timelines and reported that, in his opinion, there was no indication of fraud or misappropriation of public funds but only the appearance of possible favoritism. He also reported this does not relieve the district of its obligation to comply with board policies and applicable law.

Public Comment:

- 1) Jeff Markham – Community Member, stated that he was in attendance at the March 3 meeting and asked if legal counsel was present when the vote was taken.

President Khanh Tran asked legal counsel the question, “If we need to sue Harbrough, what is the limit?” Attorney Rogelio Ruiz replied, “That is more appropriately addressed in Closed Session – the contracts were not approved by the Board.”

Vice-President Andrés Quintero gave thanks to Attorney Rogelio Ruiz for his presentation and bringing this item forward.

## **12. SUPERINTENDENT / BOARD BUSINESS (continued)**

### **12.01 Renewal Contract for Continued Representation of Legal Services**

Assistant Superintendent Kolvira Chheng reported on the process of the renewal of contracts. He stated that FCMAT was recommending finding a new District Legal Counsel. The Board had dialogue on this agenda item.

**12. SUPERINTENDENT / BOARD BUSINESS (continued)**

**12.01 Renewal Contract for Continued Representation of Legal Services  
with the Law Office of Rehon & Roberts**

**MOTION #04-01 by Vice-President Andrés Quintero to approve the contract with Rehon & Roberts from July 1, 2017 through June 30, 2018. MOTION #04-01 was seconded by President Khanh Tran.**

The Board had dialogue on this agenda item.

- 1) Ray Mueller – Community member, reminded the Board that FCMAT had recommended that the District should seek out new legal counsel.
- 2) Jocelyn Merz – AREA president, stated that she agrees with Mr. Ray Mueller but Attorney Rogelio Ruiz has done very well in settling with the AREA bargaining agreement and has been very professional. She encourages the Board that this contract be maintained.

***MOTION #04-01 failed with a vote of 2 in favor; no opposition; 1 absent (Member Karen Martinez); and 2 abstentions (Member Esau Ruiz Herrera and Clerk Dolores Marquez-Frausto).***

The Board had additional dialogue on this agenda item.

**A Friendly Amendment was made by President Khanh Tran to only extend the contract for Rehon & Roberts from July 1, 2017 through December 31, 2017. Vice-President Andrés Quintero accepted the Friendly Amendment made to his motion.**

***The Friendly Amendment carried with a vote of 3 in favor; no opposition; 1 abstention (Member Esau Ruiz Herrera); and 1 absent (Member Karen Martinez).***

**12.02 Renewal Contract for Continued Representation of Legal Services with  
the Law Firm of E. Luis Saenz**

**MOTION #04-02 by Clerk Dolores Marquez-Frausto to approve the contract with E. Luis Saenz from July 1, 2017 through June 30, 2018. MOTION #04-02 was seconded by Member Esau Ruiz Herrera.**

Vice-President Andrés Quintero commented that he was concerned with the difference in prices between both law firms.

Member Esau Ruiz Herrera stated that there are slight differences in prices but that Attorney Luis Saenz is the District's General Counsel with more expertise in certain things. Member Esau Ruiz Herrera stated that the difference in prices is not significant enough to say no to.

## **12. SUPERINTENDENT / BOARD BUSINESS *(continued)***

### **12.02 Renewal Contract for Continued Representation of Legal Services with the Law Firm of E. Luis Saenz**

President Khanh Tran commented that he will support both firms to terminate on December 31, 2017.

Clerk Dolores Marquez-Frausto commented that the District cannot be without legal representation – we do need to have general counsel on board!

**A Friendly Amendment was made by Member Esau Ruiz Herrera to only extend the contract for E. Luis Saenz from July 1, 2017 through December 31, 2017. Clerk Dolores Marquez-Frausto accepted the Friendly Amendment made to her motion.**

Public Comments:

- 1) Andrea Flores Shelton – Community member, commented that the RFP process should be standard. She also asked staff to check on her request she made a few weeks ago about the scope of work for legal fees.
- 2) Hillary Clinton – Community member, commented he wants a better community with better legal counsel representation.

***The Friendly Amendment carried with a vote of 3 in favor; 1 opposition (Vice-President Andrés Quintero); 1 absent (Member Karen Martinez); and no abstention.***

### **12.03 The Board will discuss the possible Termination of the Contract for Legal Services with the Law Office of E. Luis Saenz**

**MOTION #04-03 by President Khanh Tran to Table this agenda item until the next board meeting. MOTION #04-03 was seconded by Member Esau Ruiz Herrera.**

***MOTION #04-03 carried with a vote of 3 in favor; 1 opposition (Vice-President Andrés Quintero); 1 absent (Member Karen Martinez); and no abstention.***

### **12.04 Program and Construction Management Agreement for Measure I. Terminate Contract with ARUSD and Del Terra**

**MOTION #04-04 by Vice-President Andrés Quintero to terminate the Contract with Del Terra and ARUSD for Measure I. MOTION #04-04 was seconded by President Khanh Tran.**

## **12. SUPERINTENDENT / BOARD BUSINESS (continued)**

### **12.04 Program and Construction Management Agreement for Measure I. Terminate Contract between ARUSD and Del Terra**

President Andrés Quintero briefly shared his feelings about terminating the contract with Del Terra. He commented that the Board should apply the same rigorous review to Del Terra as was done to the Mathson Fire repair group. In addition, Del Terra has not turned over all documents to them as previously requested.

President Khanh Tran stated that the Board has not seen any evidence that any fraud was committed.

Clerk Dolores Marquez-Frausto stated that she never called Attorney Ron Viera to put the Del Terra contract together. Attorney Luis Saenz replied that he was the one to bring in Attorney Ron Viera.

#### **Public Comments:**

- 1) Ray Mueller – Community member, stated that the Bond language does not include multi-purpose buildings. He asked the question, “How many change orders has Del Terra submitted?”
- 2) Amelia (no last name given) – Community member, asked the question, “Which Board Members have received campaign donations from Del Terra?” She commented that we need to move forward and focus on student learning
- 3) Hillary Clinton – Community member, commented that we are a “YES” to terminate all the contracts with Del Terra and he is in full agreement with Vice-President Andrés Quintero

***MOTION #04-04 failed with a vote of 1 in favor (Vice-President Andrés Quintero); 2 oppositions (Member Esau Ruiz Herrera and Clerk Dolores Marquez-Frausto); 1 absent (Member Karen Martinez); and 1 abstention (President Khanh Tran).***

### **12.05 Construction Management Agreement for Measure J. Terminate Contract between ARUSD and Del Terra**

**MOTION #04-05 by Vice-President Andrés Quintero to terminate the Construction Management Agreement for Measure J between ARUSD and Del Terra. There was no second made to this motion.**

***MOTION #04-05 dies.***



**12. SUPERINTENDENT / BOARD BUSINESS** *(continued)*

**12.06 Program Management Agreement for Measure J. Terminate the Contract between ARUSD and Del Terra**

**MOTION #04-06 by Vice-President Andrés Quintero to terminate the Program Management Agreement for Measure J between ARUSD and Del Terra. There was no second made to this motion.**

***MOTION #04-06 dies.***

**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 – ARAA President, spoke about the recent Management Retreat and her vision!

**6.04 Alum Rock Educator's Association (AREA)**

Ms. Jocelyn Merz – AREA President, gave special thanks to Superintendent Hilaria Bauer and the Board for bringing in an Interim Assistant Superintendent of Human Resources and Director. She feels more settled with the new school year quickly approaching. She briefly commented that the special board meetings should also be televised like the regular board meetings by CreaTV.

**6.05 Superintendent**

Superintendent Hilaria Bauer gave special thanks to Mr. Angel Rodriguez for his responsibility working with the district brochures, pamphlets, and his high technical caliber. Mr. Angel Rodriguez surprised the audience with a great video presentation of the summer music program!

Superintendent Hilaria Bauer reported that FCMAT is now ready to be posted on the District website in both Spanish and Vietnamese.

**6. COMMENTS AND COMMUNICATION** *(continued)*

**6.06 Board of Trustees/Communications/Comments**

Clerk Dolores Marquez-Frausto reported that the month of August had been full of family debts and was not able to participate in too many events.

Vice-President Andrés Quintero reported on some of his monthly events.

President Khanh Tran commented that the newspaper reports only “fake news”.

**7. CONTRACTS OVER \$100,000**

**7.01 Approve Contract Extension with Durham School Services, MOT, \$782,000**

**MOTION #04-07 by Vice-President Andrés Quintero to accept and approve the Contract Extension with Durham School Services as presented. MOTION #04-07 was seconded by Member Esau Ruiz Herrera.**

Assistant Superintendent Kolvira Chheng briefly spoke on this agenda item.

***MOTION #04-07 carried with a vote of 4 in favor; no opposition; 1 absent (Member Karen Martinez); and no abstention.***

**7.02 Approve ASES Contract with Think Together, State & Federal, \$112,640**

**MOTION #04-08 by Vic-President Andrés Quintero to accept and approve the Contract with Think Together as presented. MOTION #04-08 was seconded by Member Esau Ruiz Herrera.**

***MOTION #04-08 carried with a vote of 4 in favor; no opposition; 1 absent (Member Karen Martinez); and no abstention.***

**7.03 Approve ASES Contract with YMCA of Silicon Valley-East Valley Branch, State & Federal, \$106,971**

**MOTION #04-09 by Member Esau Ruiz Herrera to accept and approve the Contract with YMCA of Silicon Valley-East Valley Branch as presented. MOTION #04-09 was seconded by Vice-President Andrés Quintero.**

***MOTION #04-09 carried with a vote of 4 in favor; no opposition; 1 absent (Member Karen Martinez); and no abstention.***

**7. CONTRACTS OVER \$100,000 (continued)**

**7.03 Approve ASES Contract with YMCA of Silicon Valley-East Valley Branch, State & Federal, \$106,971**

Public Comment: Rene Sanchez.

Board Comment: Dolores Marquez-Frausto.

**7.04 Approve ASES Contract City of San Jose, State & Federal, \$103,171**

**MOTION #04-10 by Vice-President Andrés Quintero to accept and approve the Contract with City of San Jose as presented. MOTION #04-10 was seconded by Clerk Dolores Marquez-Frausto.**

*MOTION #04-10 carried with a vote of 4 in favor; no opposition; 1 absent (Member Karen Martinez); and no abstention.*

**7.05 Approve Latino Film Institute Youth Cinema Project, Academic Services, \$244,739.20**

**MOTION #04-11 by Member Esau Ruiz Herrera to accept and approve the Latino Film Institute Youth Cinema Project as presented. MOTION #04-11 was seconded by Clerk Dolores Marquez-Frausto and Vice-President Andrés Quintero.**

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

*MOTION #04-11 carried with a vote of 4 in favor; no opposition; 1 absent (Member Karen Martinez); and no abstention.*

**7.06 Approve Crowe Horwath, Business Services, \$151,500**

**MOTION #04-12 by Clerk Dolores Marquez-Frausto to accept and approve the Contract with Crowe Horwath as presented. MOTION #04-12 was seconded by Member Esau Ruiz Herrera.**

Public Comments:

- 1) Kolvira Chheng – Assistant Superintendent, Business Services, commented that the District has been working with this audit firm for several years and they are professional and have operated within their contract
- 2) Ray Mueller – Community Member, commented that FCMAT had recommended the District put this out for an RFP process. His COC has been asking for a better audit firm in every report they have made

**7. CONTRACTS OVER \$100,000 (continued)**

**7.06 Approve Crowe Horwath, Business Services, \$151,500**

*MOTION #04-12 carried with a vote of 3 in favor; 1 opposition (Vice-President Andrés Quintero); 1 absent (Member Karen Martinez); and no abstention.*

**7.07 Approve Ro Health, Inc., Student Services, \$100,000 (per year) for two years**

**MOTION #04-13 by Vice-President Andrés Quintero to accept and approve the Ro Health Contract as presented. MOTION #04-13 was seconded by Clerk Dolores Marquez-Frausto.**

*MOTION #04-13 carried with a vote of 4 in favor; no opposition; 1 absent (Member Karen Martinez); and no abstention.*

**7.08 Approve YMCA of Silicon Valley, State & Federal, \$640,000**

**MOTION #04-14 by Vice-President Andrés Quintero to accept and approve the YMCA of Silicon Valley Contract as presented. MOTION #04-14 was seconded by Member Esau Ruiz Herrera.**

Public Comment: Rene Sanchez.

Board Comments: Dolores Marquez-Frausto and Andrés Quintero.

*MOTION #04-14 carried with a vote of 4 in favor; no opposition; 1 absent (Member Karen Martinez); and no abstention.*

**7.09 Approve San Jose Police Department Secondary Employment Unit, Student Services, \$180,000**

**MOTION #04-15 by Vice-President Andrés Quintero to accept and approve the San Jose Police Department Contract as presented. MOTION #04-15 was seconded by Clerk Dolores Marquez-Frausto.**

Vice-President Andrés Quintero asked the question, “What exactly is the role of the police officers?”

Member Esau Ruiz Herrera requested that administration arrange an informal meeting with himself and members from the San Jose Police Department Secondary Employment Unit to begin dialogue and advocate for specialized training while working with a young audience.

Public Comments: Jesus Araujo, Jean Gallagher, and Dilza Gonzales.



**7. CONTRACTS OVER \$100,000 (continued)**

**7.09 Approve San Jose Police Department Secondary Employment Unit Contract, Student Services, \$180,000**

*MOTION #04-15 carried with a vote of 4 in favor; no opposition; 1 absent (Member Karen Martinez); and no abstention.*

**MOTION #04-16 by Vice-President Andrés Quintero to extend the Board Meeting until 11:00 p.m. to complete board business. MOTION #04-16 was seconded by Clerk Dolores Marquez-Frausto.**

*MOTION #04-16 carried with a vote of 4 in favor; no opposition; 1 absent (Member Karen Martinez); and no abstention.*

**7.10 Approve Little Heroes Contract, State & Federal, \$241,000**

**MOTION #04-17 by Vice-President Andrés Quintero to accept and approve the Little Heroes Contract as presented. MOTION #04-17 was seconded by Clerk Dolores Marquez-Frausto.**

*MOTION #04-17 carried with a vote of 4 in favor; no opposition; 1 absent (Member Karen Martinez); and no abstention.*

**7.11 Approve Graciela Hendel Contract, Special Education, \$158,080**

**MOTION #04-18 by Vice-President Andrés Quintero to accept and approve the Graciela Hendel Contract as presented. MOTION #04-18 was seconded by Member Esau Ruiz Herrera.**

*MOTION #04-18 carried with a vote of 4 in favor; no opposition; 1 absent (Member Karen Martinez); and no abstention.*

**8. INSTRUCTIONAL SERVICES**

**8.01 Approve Request for Allowance of Attendance (Form J-13A)**

Assistant Superintendent Rene Sanchez reported that this attendance form needs to have Board approval in order to make adjustments to ASES Attendance Reports for the displaced attendance paperwork that was lost for Linda Vista Elementary for the period of June 12-June 14, 2017.

## **8. INSTRUCTIONAL SERVICES *(continued)***

### **8.01 Approve Request for Allowance of Attendance (Form J-13A)**

**MOTION #04-19 by Vice-President Andrés Quintero to accept and approve the ASES Attendance Report Form J-13A as presented. MOTION #04-19 was seconded by Member Esau Ruiz Herrera.**

***MOTION #04-19 carried with a vote of 4 in favor; no opposition; 1 absent (Member Karen Martinez); and no abstention.***

## **9. HUMAN RESOURCES**

### **9.01 Information Regarding Resignations**

There was consensus from the Board to accept the Resignations as submitted.

## **10. BUSINESS SERVICES**

### **10.01 Energy Savings Plan Utilizing Proposition 39 Update**

Assistant Superintendent Kolvira Chheng introduced Mr. Steve Ramirez, Project Coordinator, City of San Jose, and other team members from OpTerra who provided a Power Point presentation on the energy savings plan utilizing Proposition 39. Members include the following:

Assistant Superintendent Kolvira Chheng reported that this presentation was only for information and OpTerra would be returning at a later date for further dialogue.

### **10.02 An Executive Summary will be presented on Facility Assessment; Air Conditioning; and Measure J Bond Expenditures**

President Khanh Tran recommended that due to lack of time, this agenda item would be tabled and brought back to a future board meeting. There was consensus from the Board to accept his recommendation.

### **10.03 Small Business Outreach and Information Session Report**

President Khanh Tran recommended that due to lack of time, this agenda item would be tabled and brought back to a future board meeting. There was consensus from the Board to accept his recommendation.

**10. BUSINESS SERVICES** *(continued)*

**10.05 Mathson Fire Restoration Project**

**MOTION #04-20 by Clerk Dolores Marquez-Frausto to table this agenda item for a future board meeting when all members are present. MOTION #04-20 was seconded by President Khanh Tran.**

The Board had dialogue on this agenda item.

***MOTION #04-20 carried with a vote of 3 in favor; no opposition; 1 absent (Member Karen Martinez); and 1 abstention (Vice-President Andrés Quintero).***

**11. BOND / FACILITIES**

**11.01 Presentation/Update on Bond/Facilities**

President Khanh Tran recommended that due to lack of time, this agenda item would be tabled and brought back to a future board meeting. There was consensus from the Board to accept his recommendation

**11.02 Re-Roofing for District Office Buildings 600, 700, 800, and Walkway Project Notice of Completion and Final Change Order**

**MOTION #04-21 by Member Esau Ruiz Herrera to accept and approve the Re-Roofing for the District Office Buildings 600, 700, 800, and Walkway Project Notice of Completion and Final Change Order as presented. MOTION #04-21 was seconded by Clerk Dolores Marquez-Frausto.**

***MOTION #04-21 carried with a vote of 4 in favor; no opposition; 1 absent (Member Karen Martinez); and no abstention.***

**11.03 Award of Contract to Inspectacon Corporation for the New Multi-Purpose Building at Fischer Middle School Site**

**MOTION #04-22 by Clerk Dolores Marquez-Frausto to accept and approve the Inspectacon Corporation Contract for the construction of a new multi-purpose building at Fischer Middle School. MOTION #04-22 was seconded by Esau Ruiz Herrera.**

**11. BOND / FACILITIES** *(continued)*

**11.03 Award of Contract to Inspectacon Corporation for the New Multi-Purpose Building at Fischer Middle School Site**

Public Comments:

- 1) Alison Cingolani – Community Member and COC Representative, asked the question, “What is this for?”
- 2) Louie Moran – Bonds, Facilities, and Leases Director, replied, “It is for DSA Inspection Services.”

***MOTION #04-22 carried with a vote of 3 in favor; 1 opposition (Vice-President Andrés Quintero); 1 absent (Member Karen Martinez); and no abstention.***

**12. SUPERINTENDENT / BOARD BUSINESS** *(continued)*

**12.07 2017-18 CSBA Membership Dues, Period from July 1, 2017 through June 30, 2018, \$13,071**

**MOTION #04-23 by Member Esau Ruiz Herrera to accept and approve the 2017-18 CSBA Membership Dues for \$13,071 as presented. MOTION #04-23 was seconded by Vice-President Andrés Quintero.**

The Board had dialogue on this agenda item.

***MOTION #04-23 carried with a vote of 3 in favor; 1 in opposition (Clerk Dolores Marquez-Frausto); 1 absent (Member Karen Martinez); and no abstention.***

**12.08 Reprioritization of Alum Rock Union Elementary School District's Bond Projects**

This agenda item was passed.

**12.10 A Report from the MOT Department regarding the Process and Status of Completed and Pending Work Orders for 2016-17 School Year**

President Khanh Tran recommended that due to lack of time, this agenda item would be tabled and brought back to a future board meeting. There was consensus from the Board to accept his recommendation.



## **12. SUPERINTENDENT / BOARD BUSINESS *(continued)***

### **12.11 Board Created Standing Committees**

President Khanh Tran recommended that due to lack of time, this agenda item would be tabled and brought back to a future board meeting. There was consensus from the Board to accept his recommendation.

## **13. CONSENT CALENDAR**

Vice-President Andrés Quintero asked to pull *Agenda Items 13.14 Approve New Job Description for Coordinator, School Mental Wellness Support Services for Classified* and *13.15 Approve New Job Description for Coordinator, School Mental Wellness Support Services for Certificated* for separate discussion.

**MOTION #04-24 by Vice-President Andrés Quintero to accept and approve the Consent Calendar as amended. MOTION #04-24 was seconded by Clerk Dolores Marquez-Frausto.**

***MOTION #04-24 carried with a vote of 4 in favor; no opposition; 1 absent (Member Karen Martinez); and no abstention.***

**13.14 Approve New Job Description for Coordinator, School Mental Wellness Support Services for Classified**

**13.15 Approve New Job Description for Coordinator, School Mental Wellness Support Services for Certificated**

Vice-President Andrés Quintero stated he pulled these two agenda items because he wanted to recognize Supervisor David Cortese for receiving a grant and for the support he has given the District.

**MOTION #04-25 by Vice-President Andrés Quintero to accept and approve both Job Descriptions for Coordinator for Classified and Certificated as presented. MOTION #04-25 was seconded by Member Esau Ruiz Herrera.**

***MOTION #04-25 carried with a vote of 4 in favor; no opposition; 1 absent (Member Karen Martinez); and no abstention.***

**3. CLOSED SESSION** *(continued)*

The Board recessed to Closed Session at 11:00 p.m. to continue to address ***Agenda Item 3.05 Public Employee Appointment/Employment.*** President Khanh Tran announced that the Board would reconvene to Open Session in a few minutes.

**4. RECONVENE TO OPEN SESSION** *(continued)*

**4.01 Call to Order**

The Board reconvened to Open Session at 11:04 p.m.

**4.02 Report of Action Taken in Closed Session**

Superintendent Hilaria Bauer reported that the Board took action and approved the following appointment effective August 11, 2017:

- 1) Mr. Juan Flores as Assistant Principal at Joseph George Middle School

***Superintendent Hilaria Bauer reported the vote carried with 4 in favor; no opposition; 1 absent (Member Karen Martinez); and no abstention.***

**14. FUTURE BOARD AGENDA REQUESTS**

**14.01 Requests from Board of Trustees and/or from the Public**

There were no agenda items at this time.

**15. ADJOURNMENT**

**15.01 President Adjourns the Meeting**

President Khanh Tran adjourned the meeting at 11:05 p.m.

Respectfully submitted,

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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 Thursday, January 11, 2018, 6:00 p.m. at the Alum Rock Union School**  
**District Office Board Room, 2930 Gay Avenue, San Jose, CA 95127**  
**Meeting #12-17/18**

**1. OPEN SESSION**

**1.01 Call to Order / Roll Call**

President Andrés Quintero welcomed everyone in the audience. President Andrés Quintero called the Board Meeting to order at 6:01 p.m. followed by Roll Call.

Board Members Present:

Andrés Quintero	President
Karen Martinez	Vice-President
Esau Ruiz Herrera	Clerk
Dolores Marquez-Frausto	Member
Khanh Tran	Member ( <i>participated via Teleconference at the following location: Hotel Re Pearl's Hill, 175A Chin Swee Road, Refine Conference Room, Clarke Quay, Singapore, 169879</i> )

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, Superintendent's Office
Jacqueline Guevara	Executive Assistant, Superintendent's Office

## **1. OPEN SESSION *(continued)***

President Andrés Quintero announced to the audience that he will remain Board President until action is taken to change this. He did speak with Legal Counsel and a second opinion will soon be forthcoming.

Superintendent Hilaria Bauer reported that she also is looking into a second legal opinion to look into this matter. She has reached out to the Santa Clara County Counsel and is waiting to hear back from them.

## **2. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD**

### **2.01 Requests to Address the Board**

There were no public comments from the audience at this time.

## **3. SUPERINTENDENT / BOARD BUSINESS**

### **3.01 Appoint General Counsel for the District**

Superintendent Hilaria Bauer reported that 6 legal firms had submitted proposals back in November 2017, and the proposals were delivered to the entire Board for their review. At that time, the Board was to review and assess the bids. However, at the December board meeting, only 3 Board Members were in attendance and, at that time, it was deemed not appropriate to discuss and this item would be brought back to the January board meeting. Superintendent Hilaria Bauer stated that, as of now, staff has not received any direction on the process for selection.

Board Comments:

Vice-President Karen Martinez commented that she too is unclear on the process but her preference would have been, in order to be transparent with this process, to have invited the selected legal firms, for some sort of interview process.

Member Khanh Tran stated that back in November, the Board had agreed to move quickly in selecting a legal firm – well, it has been 2 months now and that is plenty of time for the Board to assess its options, and it is now time to make a decision and he was ready to do so.

President Andrés Quintero stated that he is concerned about moving forward tonight with this decision. He had assumed that there would be a process of selection with criteria to follow. He commented that it would be ideal for some staff and board members combined to form a committee to judge the firms against the given criteria. He commented that he would like to take a step back and go through this process to make sure that this process is done the right way.



### **3. SUPERINTENDENT / BOARD BUSINESS *(continued)***

#### **3.01 Appoint General Counsel for the District**

Member Khanh Tran stated that all 5 Board Members have had enough time to review all the documents. He feels they are ready to move forward. He commented that only 3 votes are needed – he wants his two buildings built for the students in order to keep them away from the streets.

Vice-President Karen Martinez commented that she agrees with Member Khanh Tran that they all have had ample time to review all the proposals; however, she wanted the opportunity to ask the legal firms questions in public so that everyone could hear what she was being told. She also commented that she knows she can call these firms herself, however, she chooses to have these conversations in a public forum.

#### **Public Comments:**

- 1) Olivia Ortiz – Community member, gave special thanks to the Superintendent and her administration for the good work they have done for this community. She also commented that she does not respect some of the board members and they know who they are. This community has given their support with several bond measures for improvement of better schools for our children.
- 2) Imelda Bautista – Adelante parent that commented that we are not a rich community; we still have approved 3 bond measures to better our neighborhood schools. We did not vote on these bond measures to benefit huge organizations and their corrupt lawyers. She stated, “Our education is not for sale!”
- 3) Jacqueline Franco – Community member that commented that the Del Terra wolves noticed how much money our district was raising and now they corrupt board members, place their staff in positions of power, and have their corrupt lawyers write up contracts in their favor.
- 4) Hillary Clinton – Community member that stated that we do not want Del Terra to continue with the work. However, they have convinced the board members, you wanted a pony, and you fell for it!
- 5) Concerned Citizen (no name given) – A citizen that asked, “What happens when you ask questions?” The lawyers attack us and show pretty pictures and provide nothing in return. We have corrupt officials that defend Del Terra, and even buy more ‘chickens’ to hand to them – you were warned by administration, and you did nothing!
- 6) Oprah Winfrey – Community member that commented that these wolves have names and we know who they are. We have corrupt public officials that we need to get rid of. She gave thanks to Superintendent Bauer and Assistant Superintendent Chheng for being honorable and this is why we are in a better situation than Montebello District.
- 7) Parent (no name given) – Parent stated that the Board has 2 big decisions to make today – please take the time to select the proper firm and to stand up to these wolves.

### 3. SUPERINTENDENT / BOARD BUSINESS *(continued)*

#### 3.01 Appoint General Counsel for the District

- 8) Parent (no name given) – Parent stated that we will know who you are by how you vote; we do not care what race the firms are, we care that our children are cared for—we do not want fancy buildings that we cannot afford, we want our children to be safe and comfortable.
- 9) Parent (no name given) – Parent stated that Board Members want to control the process of hiring a law firm to benefit the Del Terra group. A functioning board should have criteria for hiring a law firm. She commented that as a community, a possible criteria has been created to use.
- 10) Dilza Gonzales – Community member, that reads some of the bulleted items from the ‘Criteria for Hiring New Personnel’ list.
- 11) Jocelyn Merz – AREA president, that commented that normally she likes to be well-prepared when she speaks; however, this time, she does not really know how to address this. She speaks and refers to the Board’s vision that is posted on the District website and briefly comments on trust and effective communication which means speaking and listening. She reported that AREA endorsed 4 out of the 5 members—this community elected you and your job does not end once you are elected; you need to listen to your community and do what is right for the students. Lastly, she spoke about the hiring process for the legal firm—there is NO PROCESS!! She commented that there is only an underlying motive here and we do not know it yet.
- 12) Community member (no name given) – Community member, that reported that one of the board members has been here for 24 years and another member is an attorney. She asked the question, “Why would you go against the community that elected you”? She commented that Trustee Marquez has not even looked at anyone who has spoken tonight.

**MOTION #12-01 by Member Khanh Tran to accept and approve the Legal Contract for Attorney Maribel Medina from Leal and Trejo Law Firm based in Long Beach to serve as the District’s General Counsel and Special Counsel to handle various investigations. MOTION #12-01 was seconded by Member Dolores Marquez-Frausto.**

#### Board Comments:

Clerk Esau Ruiz Herrera praised Attorney Maribel Medina for her knowledge of Education Law, handling of negotiations, and understanding the Bond Programs. He also stated that interviews are not required; the Board agreed to make this decision at the earliest possible time and was prepared to do so tonight. He also reported that he himself had made a variety of calls to a variety of school boards and law firms – he did his homework!

### **3. SUPERINTENDENT / BOARD BUSINESS *(continued)***

#### **3.01 Appoint General Counsel for the District**

Member Dolores Marquez-Frausto stated that, in her opinion and to go on record, Attorney Maribel Medina, was probably the best qualified attorney we could have representing us when dealing with the Santa Clara County Office of Education, how they run, and where they can stop ‘meddling and telling’ us what we can and can’t do.

Vice-President Karen Martinez pleaded with her colleagues to delay the vote, and to allow them to interview all of the 6 applicants for General Counsel.

President Andrés Quintero read a list of concerns about Attorney Maribel Medina that she had overstepped a mandate and expanded a contract for Del Terra, and had been ousted by two Southern California School Districts and also by the Santa Clara County Office of Education, where she served as General Counsel for 1.5 years. President Andrés Quintero commented that “A hired attorney is important...they can get you out of trouble, or they can get you into a lot of trouble.” He also reported that all firms provided letters of reference EXCEPT Leal and Trejo. Lastly, he reported that specific content of the RFP process states that any contact to anyone other than Assistant Superintendent Kolvira Chheng may invalidate the application. Member Khanh Tran contacted the principal of Leal and Trejo and expressed his support. This information was forwarded to Superintendent Bauer who passed it on to him.

Member Khanh Tran reported that he was the one that contacted Attorney Maribel Medina and she did not contact him. He stated that he is not an employee of the District, he is an elected official, and he was retrieving the information he was needing.

Public Comment:

- 1) Camille Fontanilla – Parent, community member, and Somos Mayfair Lead asked the Board how were they stacking and measuring these law firms against each other. She asked if they could wait and delay the vote until they could determine criteria to use for the selection. She commented that the Board scrutinized their community partners more than these law firms.

President Andrés Quintero commented that the Brown Act requires that a quorum be present and teleconferencing does not count.

Member Khanh Tran replied that this Board does qualify for a quorum and he appreciates Andrés as being the Board President, but asked that they move forward and vote-each board member has one vote and if they get the 3 votes, that’s the will of the board!

Vice-President Karen Martinez asked her colleagues to work together and try to compromise.

### **3. SUPERINTENDENT / BOARD BUSINESS** *(continued)*

#### **3.01 Appoint General Counsel for the District**

*The Board adjourned for a short recess at 7:42 p.m. and reconvened to Open Session at 7:48 p.m.*

President Andrés Quintero referenced several news reports on the law firm and asked his colleagues to reconsider. He stated that there were serious issues around this law firm. He asked that the Board consider doing what is right for Alum Rock, for the taxpayers, but especially for the students.

*The roll call vote carried with three in favor (Clerk Esau Ruiz Herrera, Member Khanh Tran, and Member Dolores Marquez-Frausto); 2 in opposition (President Andrés Quintero and Vice- President Karen Martinez); no absent; and no abstention.*

#### **3.02 Authorize Action to Proceed with Sale of Bonds and Bond Projects**

Assistant Superintendent Kolvira Chheng introduced the Bond Team, Mr. Lalo Trujillo, CEO, Mission Trail Financial Advisors, Mr. Carlos Villafuerte, Bond Attorney, Stradling Yocca Carlson & Rauth, and Mr. Scott Henry, Managing Director, Stifel, Nicolaus & Company, Inc.

Mr. Lalo Trujillo stated that they were not here to recommend anything, but were here only to give information. He proceeded with his Power Point presentation.

President Andrés Quintero and Vice-President Karen Martinez pleaded with their colleagues to delay moving forward with the sale of bonds until the District completes a facilities needs assessment, expected in about six months—this was not a good time to enter the market now.

Superintendent Hilaria Bauer made the recommendation to delay the sale of new bonds until the completion of the midyear budget report on the District's fiscal condition and projections. The report was due last month; however, the District was allowed an extension.

Member Khanh Tran stated that the District is losing money referring to the rising cost of construction of the promised multipurpose rooms – we were going to pay \$8 million then; and now, we are going to pay \$12 million!

**MOTION #12-02 by Member Khanh Tran to proceed and move forward with the Sale of Bonds for the purpose of funding the Bond Projects, including, but not limited to, cooling and heating needs at various school sites and for the Fischer and George School-Based Community Centers. MOTION #12-02 was seconded by Clerk Esau Ruiz Herrera.**



### **3. SUPERINTENDENT / BOARD BUSINESS *(continued)***

#### **3.02 Authorize Action to Proceed with Sale of Bonds and Bond Projects**

Member Khanh Tran reports that in 2008 and 2010, we passed the bond measures and informed the taxpayers we were going to upgrade our facilities.

Clerk Esau Ruiz Herrera stated that we have been addressing our heating and cooling needs at our facilities.

#### **Public Comments:**

- 1) Female speaker – Community member, that spoke about the facts about what Del Terra has done. She commented that she knew that some of the board members have received financial contributions from Del Terra.
- 2) Kathy Erickson – Somos Mayfair representative, that stated that she would love to have the multi-purpose center; however, we should wait until we have had our assessment. The bond ratings have dropped substantially. She also asked the Board to move the board meetings to school sites so that they could get a taste of what the students live day-to-day
- 3) Alison Cingolini – COC representative, that stated that what you are hearing tonight is what you have heard over and over again. She commented that in order for her to be present at the board meetings, she has to trade shifts with other coworkers in order to attend. She also stated that the ‘Alum Rock 3’ are still making bad decisions and continue to serve their own interests instead of the interest of the community—remember on November 6, the community will make sure we have a proper board!
- 4) Female speaker – Community member, reported that her son, who is in kindergarten, had to use the bathroom, but the bathroom was out of order, so the child had to hold it until he got home. Ryan has been marked as done; and yet, bathrooms are still not working. We build just to build and are not doing it correctly.
- 5) Dilza Gonzales – Parent that stated that parents are tired of attending these board meetings that are just a ‘show’ because the Board is making bad decisions. The Board does not talk about education – the classrooms are falling apart, bathrooms don’t work – we want these things fixed but not from Del Terra.
- 6) Jeff Markham – Community member, that agreed with Vice-President Karen Martinez and her home analogy. Until these audits are done, we shouldn’t start the project of building—it’s irresponsible. If the credit ratings get bombed, then we can’t begin to build-then we will have to borrow. You don’t build a kitchen with the roof leaking!
- 7) Jocelyn Merz – AREA president, stated that without the assistance of AREA and their support, we will not be able to sell anymore bonds. AREA has assisted on 3 different measures and now they know that this has been wasteful.

### **3. SUPERINTENDENT / BOARD BUSINESS *(continued)***

#### **3.02 Authorize Action to Proceed with Sale of Bonds and Bond Projects**

Clerk Esau Ruiz Herrera stated that this was not a choice between addressing infrastructure needs and the community centers. We can do both! Faculty needs can run in parallel with the building of our community centers.

Member Khanh Tran stated that we need to move forward because summer is approaching and we need to be ready to build.

President Andrés Quintero reported that he was in support of building George first; however, he is now in support of building these centers once we have taken care of the main essentials.

*The roll call vote carried with three in favor (Clerk Esau Ruiz Herrera, Member Khanh Tran, and Member Dolores Marquez-Frausto); 2 in opposition (President Andrés Quintero and Vice- President Karen Martinez); no absent; and no abstention.*

### **4. ADJOURNMENT**

#### **4.01 President Adjourns the Meeting**

**MOTION #12-03 by Vice-President Karen Martinez to adjourn the meeting at 9:11 p.m. MOTION #12-03 was seconded by Member Khanh Tran.**

There was consensus from the Board to adjourn.

President Andrés Quintero adjourned the meeting at 9:11 p.m.

Respectfully submitted,

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Esau Ruiz Herrera  
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 Wednesday, January 17, 2018, 6:00 p.m. at the Alum Rock Union School  
District Office Board Room, 2930 Gay Avenue, San Jose, CA 95127  
Meeting #14-17/18**

**1. OPEN SESSION**

**1.01 Call to Order / Roll Call**

President Andrés Quintero attempts to bring the Board to session but is not able to because there is no quorum at this time and the Board Room is completely full.

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

Board Members Present:

Andrés Quintero	President
Karen Martinez	Vice-President
Esau Ruiz Herrera	Clerk ( <i>arrived late at 6:23 p.m.</i> )
Dolores Marquez-Frausto	Member ( <i>arrived late at 6:04 p.m.</i> )

Board Member Absent:

Khanh Tran	Member
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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, Superintendent's Office

Administrative Member Absent:

Jess Serna	Interim Assistant Superintendent, Human Resources
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## 1. OPEN SESSION *(continued)*

Member Dolores Marquez-Frausto arrived late at 6:04 p.m. She apologized to the audience for arriving late and explained that she had been ill and had recently suffered three deaths in her family. Member Dolores Marquez-Frausto announced that since Member Khanh Tran was not present at the meeting and he had requested this meeting, she would be leaving.

President Andrés Quintero announced that Clerk Esau Ruiz Herrera had called in to notify the office that he would be late to the meeting because of his commute and traffic situation.

Member Dolores Marquez-Frausto announced that she would be leaving the meeting at this time. Member Dolores Marquez-Frausto departed the meeting at 6:08 p.m.

President Andrés Quintero reported that even though Clerk Esau Ruiz Herrera would soon be arriving, he would not be able to participate due to some of the agenda items that required all members of the Board to act.

***President Andrés Quintero announced that because there was no quorum in place, this meeting would be an informal meeting.***

### **1.02 Public Members who wish to address the Board**

President Andrés Quintero opened the floor for public comment while waiting for Clerk Esau Ruiz Herrera to arrive.

Informal Public Comments:

- 1) A representative (no name given) from the Office of Dave Cortese, County of Santa Clara Supervisor, was in attendance and asked permission to read a hand-delivered letter from Supervisor Dave Cortese. The letter read as follows:

*"Regarding Hilaria Bauer, ARUSD Board Meeting of January 17, 2018*

*Dear Trustees,*

*Once again, I am writing in support of Hilaria Bauer and the effectiveness and policy continuity she brings to her position. Through personal experience, I continue to have confidence in both her character and capabilities. She is uniquely dedicated to ensuring that ARUSD students are provided every opportunity to succeed. I remind you that Hilaria leveraged a \$300,000 budget allocation from the County of Santa Clara to the ARUSD, making it the first and only school district in Santa Clara County to have School-Linked Services in all schools. I encourage you to contact me if you have any questions about my interest in her work."*

- 2) Jocelyn Merz – AREA president, reminds the people of all the goodness that is present in the room. She gave thanks to the unions, staff, teachers, and parents for truly caring about the students.



## 1. OPEN SESSION *(continued)*

### 1.02 Public Members who wish to address the Board

#### Public Comments:

- 3) Camille Llanes-Fontanilla – Somos Mayfair representative, reported that Public Allies are pursuing action against the Board Members.
- 4) Thanh Phu – Representative from Teamsters, reported that Teamsters is in support of Superintendent Hilaria Bauer. She has been an inspiration to Alum Rock. He read a letter signed by Teamsters. Lastly, he gave thanks to Superintendent Hilaria Bauer for her outreach efforts in increasing enrollment.
- 5) Dilza Gonzales – Community member, stated that she felt much disrespected at the last board meeting because of some of the comments that were said by a certain board member.
- 6) Gail LaRocca – Teacher that commented that she is very embarrassed each time that she opens the newspaper and reads about Alum Rock. She also mentioned that the schools need to have cameras installed for surveillance and safety reasons.

#### *Clerk Esau Ruiz Herrera arrived to the meeting at 6:23 p.m.*

- 7) Melina Gomez – Adelante student, which read a letter she wrote with some of her concerns. She commented to the Board that they need to concentrate on the students.
- 8) Michael Gomez Trujillo – Adelante student, commented that he truly cares about his school and his classmates and their safety. He urged the Board to listen to the families of this community!
- 9) Brenda Zendejas – Linda Vista parent, commented that she supports Superintendent Hilaria Bauer. She has seen many positive improvements with parent involvement. She credited Superintendent Hilaria Bauer for opening doors that have allowed her and other parents to take a bigger role in the education of their children. She commented that ‘we are not the Evergreen District’, but we care for our community just as much!
- 10) Kelsey Rothrock – Cureton teacher, asked ‘what is an effective leader?’ She read the definition. She gave thanks to Superintendent Hilaria Bauer for accomplishing many things in Alum Rock during her tenure and for being the powerful leader that she was. She also spoke about the philosophy of the Board. She commented that decisions need to involve the many, not the few!
- 11) Bertha Razo – George parent, spoke about her participation and the privilege of participating in the Superintendent’s search in 2013 – and the result was that Superintendent Hilaria Bauer was hired! She is the right person to represent this district. She gave special thanks to Superintendent Hilaria Bauer for shedding light on the district. She also gave thanks to administration, principals, and the support staff for their hard work each day.

## **1. OPEN SESSION** *(continued)*

### **1.02 Public Members who wish to address the Board**

#### Public Comments:

- 12) Ernesto Bejarano – Sheppard parent, former student, and now a community member, commented that we need to focus on this community with the three core values which are: 1) Loyal ; 2) Proud; and 3) Resilient. The will of this community will be heard in November!
- 13) Natalie (no last name given) – Community member, commented that it takes a village to make things work!
- 14) Ray Mueller – Community member, asked the President if this was now an official meeting since Clerk Esau Ruiz Herrera had arrived and was present. He again asked the Board if they would consider holding Closed Session on a separate night and then holding their general business agenda items the following day. He mentioned the fact that the behavior of the Board has consequences with impact.

President Andrés Quintero once again reported that all five Board Members need to be present for a majority and there were agenda items that required this majority.

Vice-President Karen Martinez stated that she did not request this special meeting but she is present because these students are also here and she cares about their education.

Clerk Esau Ruiz Herrera apologized for his tardiness but reported he was involved in a jury trial and got stuck in traffic traveling from Palo Alto. He also stated that Member Khanh Tran was the requestor of this special meeting and he was the one not in attendance!

## **4. ADJOURNMENT**

President Andrés Quintero announced that he planned to end the speaking time and planned on leaving the meeting as the agenda items required that the entire Board be present in order to act.

President Andrés Quintero adjourned the meeting at 6:57 p.m. due to the lack of a quorum.

Respectfully submitted,

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Esau Ruiz Herrera  
Board Clerk

HB/mcs

12.02

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION – BOARD OF TRUSTEES**

To the Board of Trustees:

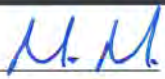
Subject: Acceptance of Memorandum of Understanding


**Staff Analysis:**

The District has received the following Memorandum of Understanding as summarized on the sheet dated February 8, 2018.

**Recommendation:**

Staff recommends acceptance of this memorandum of understanding.

Prepared by: Maria Martinez  Title: Procurement Manager

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

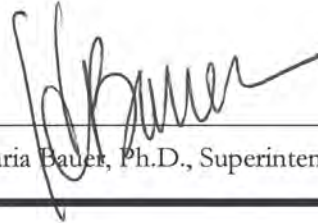
To the Board of Trustees:

Meeting: February 8, 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  
February 8, 2018 Board Meeting

MEMORANDUMS OF UNDERSTANDING

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<u>SCHOOL / DEPARTMENT</u>	<u>DATE OF SERVICE</u>	<u>CONSULTANT NAME</u>	<u>COST</u>	<u>PURPOSE</u>
Special Education Jean Gallagher	08/22/17- 06/30/18	Santa Clara County Office of Education	\$5,000.00	Contract Increase Adjustment: C1718113 Professional Development for teachers and principals on Inclusion, Collaborative, Reclassification of EL, Make & Take workshop Funding: General



# ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

2018 JAN 25 AM 9:55

RECEIVED  
PURCHASING

## PURCHASE ORDER / CONTRACT ADJUSTMENT

P.O. No. \_\_\_\_\_ Contract No. C1718113 Contract Original Amount: \$ 1,900

Vendor Name: SCCOE Vendor No. 10547

Please check:

- ☐ Cancel P.O. / Contract  
☐ Change Item No.: \_\_\_\_\_  
☒ Increase Amount Line Item No.: 1  
☐ 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	\$ <u>1,900</u>
Change Order #: <u>1</u>	\$ <u>500</u>
Change Order #: <u>2</u>	\$ <u>2,500</u>
Change Order #: <u>3</u>	\$ <u>5,000</u>

**New Contract Total** \$ 9,900  
(including Change Orders)

Line #	FUND	LOCATION	PROGRAM	ACCOUNT	\$ AMOUNT	Accountant Signature & Date
1	03	305	5020	5815	+5,000	

Reason for Adjustment: Professional Development for teachers \$ principals though-out the 17/18 school year on Inclusion, LRE, Make & Take Training

School/Dept.: <u>Special Educaiton</u>	Requested by: <u>LeAnne Depew</u>
Approval: <u>Kal S.</u> (for Contracts Only) <u>Hallagher / R.S.</u>	Assistant Superintendent of Business Services
	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.)



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

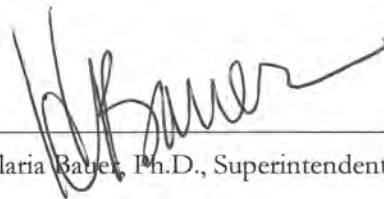
To the Board of Trustees:

Meeting: February 8, 2018

Recommend Approval

12.03

Agenda Placement

  
Hilaria Baber, Ph.D., Superintendent

**DISPOSITION BY BOARD OF TRUSTEES**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved: \_\_\_\_\_ Not Approved: \_\_\_\_\_ Tabled: \_\_\_\_\_

**Alum Rock Union Elementary School District**  
**February 8, 2018 Board Meeting**

**PROFESSIONAL CONSULTANT SERVICES – FIRMS/ORGANIZATIONS**

<b><u>DEPARTMENT</u></b>	<b><u>DATE OF SERVICE</u></b>	<b><u>CONSULTANT NAME</u></b>	<b><u>COST &amp; FUNDING</u></b>	<b><u>PURPOSE</u></b>
Linda Vista Ted Henderson	02/13/18- 02/13/18	Soren Bennick Productions	\$885.00	Assembly designed to reduce school bullying Funding: Restricted
McCollam School Pablo Fiene	02/12/18- 06/30/18	Think Together, Inc.	\$12,000.00	Program leader to assist students with activities which promote communication, collaboration and conflict resolution Funding: General/Restricted
Meyer School Anacelia Rocha	02/12/18- 06/07/18	Schmahl Science Workshops	No Cost	Hands on science enrichment workshop for grades TK-5 <sup>th</sup> Funding: N/A
Academic Services Rene Sanchez	02/16/18- 06/30/18	KISS Institute for Practical Robotics	No Cost	Materials, resources and professional development for Cassell, Ryan and Meyer E.S. Funding: N/A
Bonds Louie Moran	07/01/17- 06/30/18	Applied Materials & Engineering, Inc.	\$4,185.00	Contract Increase Adjustment: C1718141 Increase request due to added scope, special inspection and testing services for Dorsa & LUCHA projects Funding: Restricted
Human Resources Jess Serna	07/01/17- 06/30/18	Atkinson, Andelson, Loya Ruud & Romo	\$2,300.00	Contract Increase Adjustment: C1617104 Legal advice and policy review on student use of technology. Board approved August 11, 2016. Services provided August 2017. Funding: General
State & Fedral Sandra Garcia	02/08/18- 06/30/18	Project Cornerstone – YMCA	\$5,000.00	Master Contract: Parent/student engagement programs Funding: General
Student Services Norma Flores	02/23/18- 06/30/19	School Innovations & Achievement Attention 2 Attendance	\$56,500.00	Student attendance management software Funding: General

**Alum Rock Union Elementary School District  
February 8, 2018 Board Meeting**

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**PROFESSIONAL CONSULTANT SERVICES – FIRMS/ORGANIZATIONS**

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Student Services Norma Flores	02/12/18- 06/30/18	Reach Professional In-Home Tutoring	\$20,000.00	School based tutoring on a weekly basis Funding: Restricted
Student Services Norma Flores	03/29/18- 03/29/18	San Jose Pal Stadium – SJPD Activities League	\$1,500.00	25 <sup>th</sup> Annual Cesar Chavez march and assembly Funding: General
Academic Services Rene Sanchez	07/01/17-	Illuminate Education	\$6,000.00	Provide professional development for data and assessment web-based software Funding: General



# ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

## INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES CONTRACT NO. \_\_\_\_\_

FROM: Linda Viste (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: Soren Bennick Productions

Address: 1350 East Flamingo Road #721 City: Las Vegas State: NV Zip: 89119

Phone: (866) 816-5808 Fax: (917) 591-3113

SSN: \_\_\_\_\_ Fed I.D. #: \_\_\_\_\_

Contractor's License: \_\_\_\_\_ Type: \_\_\_\_\_ Expiration: \_\_\_\_\_

Mutually agree and promise as follows:

2. **CONTRACT TERM:** effective dates Feb. 13, 2018 to Feb. 13, 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:

Assembly designed to reduce school bullying.

- 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:

Soren Bennick Productions will perform two assemblies on Feb 13. Each assembly will be designed specifically for K-3 or 4-5 grade students and will teach how students can deal with situations related to bullying.

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:** \$ 885<sup>00</sup> 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>06</u>	<u>020</u>	<u>2110/5815</u>		<u>885<sup>00</sup></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

## INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES CONTRACT NO. \_\_\_\_\_  
 FROM: McCollam / Pablo Fene (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: Think Together, Inc.  
 Address: 2101 E. 4th St. Ste. B200 City: Santa Ana State: CA Zip: 92705  
 Phone: ( ) Fax: ( )  
 SSN: Fed I.D. #:  
 Contractor's License: Type: Expiration:

**Mutually agree and promise as follows:**

2. **CONTRACT TERM:** effective dates Feb. 12, 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:  
program leader to support recess and lunch periods  
 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:

program leader to assist students with activities which promote communication, collaboration and conflict resolution

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:** \$ 22.00/hr. 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:** \$ 5% (describe rate agreement) administrative fee

5. **BUDGET CODE:**

FUND	DEPARTMENT	PROG/COUNTER	OBJECT	\$ AMOUNT	PROG. TITLE	BUS OFC
05	040	5000	5815	\$6,000.00		
06	040	1190	5815	\$6,000.00		

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

## INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES CONTRACT NO. \_\_\_\_\_

FROM: Meyer Elem (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: Schmahl Science Workshops

Address: 171 Branham Ln St 10-223 City: San Jose State: CA Zip: 95136

Phone: (408) 281-7595 x10 Fax: ( )

SSN: \_\_\_\_\_ Fed I.D. #: 06-1780217

Contractor's License: \_\_\_\_\_ Type: \_\_\_\_\_ Expiration: \_\_\_\_\_

Mutually agree and promise as follows:

2. **CONTRACT TERM:** effective dates 2/12/18 to 6/7/18

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:

Schmahl Science workshops for student in TK-5<sup>th</sup> Grade

- 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:

Schmahl Science Workshops will deliver one hands on science enrichment workshop for grades TK-5

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:** \$ \_\_\_\_\_ (describe rate agreement) \_\_\_\_\_

5. **BUDGET CODE:**

FUND	DEPARTMENT	PROG/COUNTER	OBJECT	\$ AMOUNT	PROG. TITLE	BUS OFC
			<u>NO COST</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

## Request for Contracted Services

To: BUSINESS OFFICE Contract No.: \_\_\_\_\_ Vendor No.: \_\_\_\_\_

Academic Services (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: KISS Institute for Practical Robotics

Address: \_\_\_\_\_ City: Norman State: OK Zip: 730639

Phone: (405) 579-4609 Fax: (405) 329-4664

SSN: \_\_\_\_\_ Fed I.D. #: \_\_\_\_\_

**CONTRACT TERM:** effective dates February 16, 2018 to June 30, 2018

### CONTRACTOR'S OBLIGATION:

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

Materials, resources and professional development for Cassell, Ryan and Meyer Elementary Schools. KISS Institute for Practical Robotics will provide the services at no cost to ARUESD.

**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:** \$ \_\_\_\_\_

Describe rate agreement or other costs: No Cost to District

**BUDGET CODE:** \_\_\_\_\_

### APPROVALS:

#### ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT:

Site/Department Administrator: [Signature] Date: 1/29/18

Director of Fiscal Services: [Signature] Date: \_\_\_\_\_

Asst. Supt., of Business Services: \_\_\_\_\_ Date: \_\_\_\_\_

Superintendent: \_\_\_\_\_ Date: \_\_\_\_\_

Board of Trustees: \_\_\_\_\_ Date: \_\_\_\_\_



# 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: Kolvira Chheng, Assistant Superintendent, Business Services

Re: Award of Additional Services to Applied Material & Engineering, Inc.

Date: January 29, /2018

## *Background:*

On April 13, 2017 the Board approved and awarded contracts to Fast Track Construction and BRCO Contractors for HVAC upgrades. On May 11, 2017 The Board approved and award Special inspections services are required by The Division of the State Architect for this project to Applied Material & Engineering, Inc. in the amount of \$7,284.00.

## *Summary:*

Due to unforeseen added scope of work and DSA inspections requirements additional fees for special inspections services where performed at Dorsa and L.U.C.H.A. E.S. in the amounts of:

<u>School</u>	<u>Additional Amount</u>
Dorsa E.S.	\$1,326.00
L.U.C.H.A E.S.	\$2,859.00
<b>Total</b>	<b>\$4,185.00</b>

## *Recommendation:*

Based on the additional scope of work and The Division of State Architects inspection requirements Del Terra Group, and staff recommend the Board of Trustees award the additional fees to Applied Materials & Engineering, Inc. in the amount of **\$4,185.00**.



# ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

## PURCHASE ORDER / CONTRACT ADJUSTMENT

P.O. No. C1718141 Contract No. \_\_\_\_\_ Contract Original Amount \$ ~~57,600.00~~

Vendor Name Applied Materials & Engineering, Inc. Vendor No. 22223

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	\$ 7,284.00
Change Order # <u>1</u>	\$ 4,185.00
Change Order # _____	\$ _____
Change Order # _____	\$ _____
<b>New Contract Total</b> (Including Change Orders)	\$ <u>11,469.00</u>

Line #	FUND	LOCATION	PROGRAM	ACCOUNT	\$ AMOUNT	Accountant Signature & Date
	21	150	95060	6290	\$ 1,326.00	<i>Marian Dew</i> 1/27/18
	21	270	95060	6290	\$ 2,859.00	

Reason for Adjustment: Increase fees due to added scope (detailed on attached proposals)

Dorsa ES: Increase in the amount of \$1,326.00 and L.U.C.H.A. Increase in the amount of \$2,859.00 = \$4,185.00

Special Inspection and Testing Services for HVAC Upgrades at Dorsa ES and L.U.C.H.A.

School/Dept.: <u>Bonds</u>	Requested by: <u>Louie Moran</u>
Approval: <u>[Signature]</u> (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

## PURCHASE ORDER / CONTRACT ADJUSTMENT

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

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

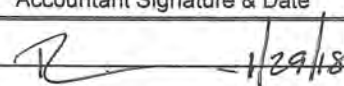
Please check:

- ☐ 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 \_\_\_\_\_

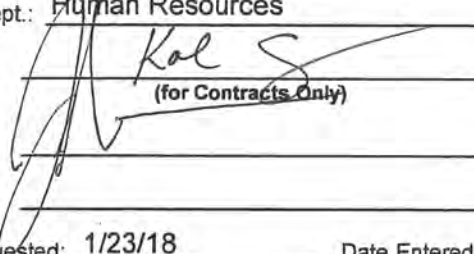
### CONTRACTS ONLY

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>2,300</u>
<b>New Contract Total</b> (including Change Orders)	\$ <u>29,700</u>

Line #	FUND	LOCATION	PROGRAM	ACCOUNT	\$ AMOUNT	Accountant Signature & Date
	03	600	7700 0	5810	1,150	 1/29/18
	03	460	7900W	5810	1,150	

Reason for Adjustment: Contract adjustment to original contract no. C1617104 in amount of \$2,300.  
Contract was board approved 8/11/16. For legal advice and policy review on student use of technology.  
Services provided August 2017.

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>1/23/18</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

## INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES CONTRACT NO. \_\_\_\_\_

FROM: State & Fed. Programs (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: Project Cornerstone - YMCA

Address: 80 Saratoga Ave. City: Santa Clara State: CA Zip: 95051

Phone: (408) 351-6482 Fax: ( )

SSN: \_\_\_\_\_ Fed I.D. #: \_\_\_\_\_

Contractor's License: \_\_\_\_\_ Type: \_\_\_\_\_ Expiration: \_\_\_\_\_

**Mutually agree and promise as follows:**

2. **CONTRACT TERM:** effective dates Feb 8 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:

Master Contract: Parent/student Engagement Programs

- 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:

Staff, Parent and Student workshops/engagement programs on various topics including Bullying Prevention. Open to all schools desiring to participate

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:** \$ 5000 (describe rate agreement) not to exceed per school

5. **BUDGET CODE:**

FUND	DEPARTMENT	PROG/COUNTER	OBJECT	\$ AMOUNT	PROG. TITLE	BUS OFC
<u>03</u>	<u>340</u>	<u>32100</u>	<u>5815</u>	<u>Master Contract</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

## INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES CONTRACT NO. \_\_\_\_\_  
 FROM: Student 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: School Innovations<sup>i</sup>, Achievement/Attention 2 Attendance  
 Address: 5200 Golden Foothill Pkwy City: El Dorado Hills State: CA Zip: 95762  
 Phone: (916) 669-5131 Fax: (888) 487-6441  
 SSN: \_\_\_\_\_ Fed I.D. #: \_\_\_\_\_  
 Contractor's License: \_\_\_\_\_ Type: \_\_\_\_\_ Expiration: \_\_\_\_\_

Mutually agree and promise as follows:

2. **CONTRACT TERM:** effective dates Feb. 23, 2018 to Feb. 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:  
Student Attendance Management Software  
 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:  
Year 2: Software will provide attendance analysis reports as well as prepare and distribute truancy letters to pupil's parents/guardians.

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:** \$ 56,500.00 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
03	340	<del>1947</del> 5210	5810	\$56,500.00		

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. Termination language is addressed in the A2A agreement.  
 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

## INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES CONTRACT NO. \_\_\_\_\_  
 FROM: Student 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: REACH Professional In-Home Tutoring  
 Address: 15338 Central Ave City: Chino State: CA Zip: 91710  
 Phone: (909) 457-4144 ext 4 Fax: (909) 398-0444  
 SSN: \_\_\_\_\_ Fed I.D. #: \_\_\_\_\_  
 Contractor's License: \_\_\_\_\_ Type: \_\_\_\_\_ Expiration: \_\_\_\_\_

Mutually agree and promise as follows:

2. **CONTRACT TERM:** effective dates February 12, 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:  
REACH pro tutoring will provide school based tutoring at four school sites.
- 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:  
REACH pro-tutoring will provide school based tutoring on a weekly basis to the following schools: Mathson, Fischer, Renaissance at Fischer and Renaissance at Mathson. Services will also include attendance and academic updates. Services should not exceed \$20,000.
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:** \$ 20,000 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 |
|------|------------|--------------|--------|-----------|---------------------|---------|
| 06   | 160        | 91120        | 5815   | \$ 10,000 | Measure A expansion |         |
| 06   | 170        | 91120        | 5815   | \$ 10,000 | Measure A expansion |         |
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 PURCHASING

2018 JAN 24 PM 3:09 (FB)

## INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES CONTRACT NO. \_\_\_\_\_  
FROM: Student 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: San Jose PAL Stadium- SJPD Activities League  
Address: 680 S. 34th St. City: San Jose State: CA Zip: 95116  
Phone: (408) 272-9725 Fax: (408) 272-9733  
SSN: \_\_\_\_\_ Fed I.D. #: 94-1681065  
Contractor's License: \_\_\_\_\_ Type: \_\_\_\_\_ Expiration: \_\_\_\_\_

Mutually agree and promise as follows:

2. **CONTRACT TERM:** effective dates March 29, 2018 to March 29, 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:  
Cesar Chavez 25th Anniversary  
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:

Use of facilities agreement between ARUESD and San Jose PAL Stadium for the celebration of the 25th Annual Cesar Chavez march and assembly.

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:** \$ \$1,500 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>03</u>	<u>360</u>	<u>5410</u>	<u>5815</u>	<u>\$1,500</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

## INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES

CONTRACT NO. \_\_\_\_\_

FROM: Academic 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: Illuminate Education  
 Address: 6531 Irvine Center Dr City: Irvine State: CA Zip: 92618  
 Phone: 949 242-0343 Fax: ( )  
 SSN: \_\_\_\_\_ Fed I.D. #: \_\_\_\_\_  
 Contractor's License: \_\_\_\_\_ Type: \_\_\_\_\_ Expiration: \_\_\_\_\_

**Mutually agree and promise as follows:**

2. **CONTRACT TERM:** effective dates 7-1-17 to 6-30-20

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 Data and Assessment (DnA)

- 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:

Illuminate provides a web-based software system for students data and assessment data. Professional Development (DnA) for sessions of full day, on-site trainings.

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:** \$ 6,000 (describe rate agreement) onluf  
Initial Training / Any additional training must be in writing and authorized by both parties

5. **BUDGET CODE:**

FUND	DEPARTMENT	PROG/COUNTER	OBJECT	\$ AMOUNT	PROG. TITLE	BUS OFC
<u>03</u>	<u>305</u>	<u>10950</u>	<u>4345</u>	<u>\$6,000</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.



12.04

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION - BOARD OF EDUCATION**


To the Board of Trustees:

Date: January 29, 2018

**Subject:**                    **Acceptance of Donations**

**Staff Analysis:**        The District has received donations as summarized on the sheet dated February 8, 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:        February 8, 2018  
                     Regular Board Meeting

**Recommend Approval**

12.04  
Agenda Placement

  
Hilaria Bauer, Ph.D., Superintendent

**DISPOSITION BY BOARD OF TRUSTEES**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved: \_\_\_\_\_ Not Approved: \_\_\_\_\_ Tabled: \_\_\_\_\_

**ACCEPTANCE OF DONATIONS**

---

<b><u>DONOR NAME</u></b>	<b><u>DESCRIPTION OR PURPOSE</u></b>	<b><u>ESTIMATED VALUE</u></b>	<b><u>RECEIVING SCHOOL OR DEPARTMENT</u></b>
Philanthropic Ventures Foundation	Materials & Supplies	\$ 500.00	Aptitud Academy
Box Tops for Education	Materials & Supplies	\$ 108.00	Dorsa Elementary
YourCause, LLC for PG&E	Materials & Supplies	\$ 300.00	Dorsa Elementary
Walmart	Materials & Supplies	\$ 500.00	Fischer Middle
County of Santa Clara	Materials & Supplies	\$ 200.00	Fischer Middle
Akins Collision Center, Inc.	Materials & Supplies	\$ 99.98	McCollam Elementary
YourCause	Materials & Supplies	\$ 40.00	McCollam Elementary
Box Tops for Education	Materials & Supplies	\$ 55.80	Painter Elementary

12.05

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION - BOARD OF EDUCATION**


To the Board of Trustees:

Date: January 29, 2018

**Subject:**                    **Approval of Fundraising Activities**

**Staff Analysis:**        The District has received fundraising requests as summarized on the attached sheet dated February 8, 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:     February 8, 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: \_\_\_\_\_

**APPROVAL OF FUNDRAISING ACTIVITY**

---

<b><u>SCHOOL</u></b>	<b><u>FUNDRAISING ACTIVITY</u></b>	<b><u>ACTIVITY SPONSOR</u></b>	<b><u>DATE</u></b>
Adelante II	Valentine Grams' Sales	ASB	02/05/18-02/09/18
Adelante II	ASB Catalog Orders' Sales	ASB	03/05/18-03/16/18
Arbuckle Elementary	Valentines' Sales	PTO	02/14/18-02/14/18
Arbuckle Elementary	Chocolate Sales	PTO	02/08/18-02/08/18
Cassell Elementary	Movie Night Sales	ASB	01/12/18-03/16/18
Hubbard Elementary	Bookfair Sales	PTA	03/19/18-03/23/18

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

2930 Gay Avenue, San Jose, CA 95127

12.06

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF TRUSTEES

To the Board of Trustees:

January 29, 2018

**Subject:** Enrollment/Attendance Report for Month 5  
(December 18, 2017 thru January 19, 2018)

**Staff Analysis:** The Enrollment/Attendance Report for the attendance January 19, 2018 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 5**

January 19, 2018

Regular Ed & SDC ADA

93.83%

**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: February 8, 2018  
Regular Board Meeting

**Recommend Approval**

12.06  
Agenda Placement

Hilaria Bauer  
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	10297	95.14	10234	93.83	0	0	0	0	0	0	0	0
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ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT  
2930 Gay Avenue  
San José, CA 95127

12.07

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/February 8, 2018/  
Human Resources Department

Staff Analysis:

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

Recommendation:

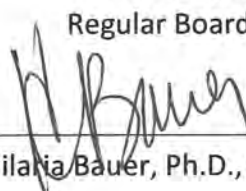
The Board is requested to approve the hiring of any new employee, and any change of status for existing employees.

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

To the Board of Trustees:  
**Recommend Approval**

Meeting: February 8, 2018  
Regular Board Meeting

12.07  
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  
February 8, 2018**

**CERTIFICATED OFFERS OF EMPLOYMENT:**

**I. Employee Contracts:**

1. Abderlrahman, Dooa	School Counselor Intern	12/15/2017-06/30/2018
2. Brechmann, Samantha	School Counselor Intern	01/18/2018-06/30/2018
3. Castro, Patrice	ELPAC Tester	01/01/2018-05/31/2018
4. Cesena, Celina	School Counselor Intern	12/15/2017-06/30/2018
5. Cisneros, Diana	School Counselor Intern	01/18/2018-06/30/2018
6. Diaz, Lindsey	School Counselor Intern	12/15/2017-06/30/2018
7. Flanagan, Yvette	School Counselor Intern	01/18/2018-06/30/2018
8. Geiger, Amanda	School Counselor Intern	01/19/2018-06/14/2018
9. Janeiro, Jacqueline	School Counselor Intern	12/15/2017-06/30/2018
10. Kinoshita, Gloria	ELPAC Coordinator	02/01/2018-06/14/2018
11. Kinoshita, Gloria	Test Coordinator	04/01/2018-06/14/2018
12. Ko, Una	School Counselor Intern	01/18/2018-06/30/2018
13. Rogers, Genevieve	School Counselor Intern	01/18/2018-06/30/2018

**II. Substitute Teacher:**

1. Alderson, Denise	Substitute Teacher	01/16/2018
2. Almazan, Epsom	Residential Substitute Teacher Contract	02/01/2018-03/29/2018
3. Cook, Steve	Residential Substitute Teacher Contract	02/01/2018-03/29/2018
4. Faines, Anna	Residential Substitute Teacher Contract	02/01/2018-03/29/2018
5. Faines, James	Residential Substitute Teacher Contract	02/01/2018-03/29/2018
6. Falsafi, Babak	Substitute Teacher	01/15/2018
7. Harlow, William(Bill)	Residential Substitute Teacher Contract	02/01/2018-03/29/2018
8. Hawkins, Zane	Residential Substitute Teacher Contract	02/01/2018-03/29/2018
9. Hernandez, Frank	Residential Substitute Teacher Contract	02/01/2018-03/29/2018
10. Loreda, Michael	Residential Substitute Teacher Contract	02/01/2018-03/29/2018
11. Loui, Florence	Residential Substitute Teacher Contract	02/01/2018-03/29/2018
12. Manundo, Marlon	Residential Substitute Teacher Contract	02/01/2018-03/29/2018
13. Millan, Yvonne	Substitute Teacher	01/16/2018
14. Morquecho, Leticia	Residential Substitute Teacher Contract	02/01/2018-03/29/2018
15. Nilson, Laura	Substitute Teacher	01/18/2018
16. Oldham, Vivianna	Residential Substitute Teacher Contract	02/01/2018-03/29/2018
17. Parham-Watson, Darrel	Substitute Teacher	01/30/2018
18. Rojas, Raul	Residential Substitute Teacher Contract	02/01/2018-03/29/2018
19. Vasquez, Mary	Residential Substitute Teacher Contract	02/01/2018-03/29/2018

**CERTIFICATED CHANGES OF STATUS:**

**III. Substitute Teacher Terminated:**

- |                 |            |
|-----------------|------------|
| 1. Wesley, Jane | 01/16/2018 |
|-----------------|------------|

**IV. ED Code Assignment 44831 2017/2018:**

Miller, Aurora Regina	Speech Therapist/Special Education Department
-----------------------	---

Under the provisions of this statute, the governing board of a school district or a county office of education may contract or employ an individual to provide speech and language services if the individual has verified the following: 1) master's degree in communicative disorders, 2) valid license issued by the Speech-Language Pathology and Audiology Board, 3) passage of the California Basic Educational Skills Test (CBEST), and 4) the criminal record summary pursuant to EC §44332.6.

**CLASSIFIED PERSONNEL – February 8, 2018**

**CLASSIFIED OFFERS OF EMPLOYMENT:**

**I. Change of Status:**

- |                       |  |          |
|-----------------------|--|----------|
| 1. Azevedo, Nelia     | Child Nutrition Assistant II/Fischer           | 01/30/18 |
| 2. Sanches, Genesis E | School Administrative Assistant/Renaissance II | 01/12/18 |



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

Office of Superintendent of Schools

12.08

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

To the Board of Trustees:

Date: January 22, 2018

**Subject:**

**Resolution No. 20-17/18**

Read Across America – March 2, 2018

*March 2, 2018, has been proclaimed as Read Across America Day.*

**Staff Analysis:**

The Alum Rock Union Elementary School District joins with the National Education Association in calling upon the staff, parents, and community of this district to assure that every child is reading with a caring adult on March 2, 2018. The goal is to celebrate literacy and honor Dr. Seuss's birthday.

**Recommendation:**

Staff recommends approval of Resolution No. 20-17/18, Read Across America Day – March 2, 2018, as presented.

Submitted by: Rene Sanchez

RS

Title: Assistant Superintendent, Instructional Services

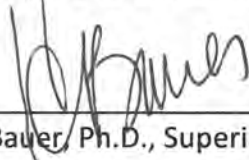
To the Board of Trustees:

Meeting: February 8, 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: \_\_\_\_\_

**ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT**

**Resolution No. 20-17/18  
PROCLAIMING MARCH 2, 2018  
"READ ACROSS AMERICA DAY"**

**WHEREAS**, the staff, parents, and community of the Alum Rock Union Elementary School District stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in the global economy, and

**WHEREAS**, the staff, parents, and community of the Alum Rock Union Elementary School District strive to provide significant leadership in the area of community involvement in the education of our youth, which is grounded in the principle that educational investment is the key to the community's well-being and long-term quality of life; and

**WHEREAS**, Read Across America Day, a national celebration of Dr. Seuss' birthday on March 2nd, promotes reading and adult involvement in the education of our community's students;

**NOW, THEREFORE, BE IT RESOLVED**, on February 8, 2018, that the Alum Rock Union Elementary School District and the California State Board of Education proclaim Friday, March 2, 2018, as "Read Across America Day" and call upon the staff, parents, and the community of the Alum Rock Union Elementary School District to assure that every child is in a safe place reading with a caring adult on March 2, 2018.

**PASSED AND ADOPTED** this 8<sup>th</sup> day of February, 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 February 8, 2018.

\_\_\_\_\_  
Hilaria Bauer, Ph.D., Superintendent

\_\_\_\_\_  
Date

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

12.09

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION - BOARD OF EDUCATION**

To the Board of Trustees:

Date: January 22, 2018

**Subject:**

**RESOLUTION No. 21-17/18**

WOMEN'S HISTORY MONTH – MARCH, 2018

*March, 2018, has been proclaimed as Women's History Month.*

**Staff Analysis:**

This resolution proclaims the month of March, 2018, as Women's History Month and encourages all educational communities to commemorate this occasion with appropriate instructional activities. The strategy is to develop and maintain productive, meaningful partnerships with families and communities to ensure the highest education for all students.

**Recommendation:**

Staff recommends approval of Resolution No. 21-17/18, Women's History Month, as presented.

Submitted by: Rene Sanchez

*RS*

Title: Assistant Superintendent, Instructional Services

To the Board of Trustees:

Meeting: February 8, 2018  
Regular Board Meeting

**Recommend Approval**

12.09  
Agenda Placement

*H. 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

Resolution No. 21-17/18

PROCLAIMING MARCH, 2018, "WOMEN'S HISTORY MONTH"

**WHEREAS**, women of every race and ethnic background contributed to our country's triumphs and accomplishments in countless ways as wives, mothers, pioneers, nuns, indentured servants, and slaves; and

**WHEREAS**, women have played, and continue to play, a critical economic, cultural, and social role in every sphere of our nation's life by constituting a significant portion of the labor force working in and outside the home and as elected officials; and

**WHEREAS**, women have played a unique role throughout our history by providing the majority of the nation's volunteer labor force and have been particularly important in the establishment of early charitable, philanthropic, and cultural institutions in the country; and

**WHEREAS**, women of every race and ethnic background served as leaders in the forefront of every major progressive social change movement, not only to secure their own right of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor union movement, and the modern civil rights movement, and

**WHEREAS**, the role of women in history has been overlooked and undervalued and is now an important part of the body of American and world history; and

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

**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 March, 2018, as "Women's History Month" and encourages all educational communities to commemorate this occasion with appropriate instructional activities; and be it further

**PASSED AND ADOPTED** this 8<sup>th</sup> day of February, 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 February 8, 2018.

\_\_\_\_\_  
Hilaria Bauer, Ph.D., Superintendent

\_\_\_\_\_  
Date



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

12.10

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

To the Board of Trustees:

Date: January 22, 2018

**Subject:**

**Resolution No. 22-17/18**

ARTS EDUCATION MONTH – MARCH, 2018

*March, 2018, has been proclaimed as Arts Education Month.*

**Staff Analysis:**

This resolution proclaims the month of March, 2018, as Arts Education Month and encourages all educational communities to celebrate the arts with meaningful student activities and programs that demonstrate learning and understanding in the visual and performing arts. The strategy is to develop and maintain productive, meaningful partnerships with families and communities to ensure the highest quality education for all students.

**Recommendation:**

Staff recommends approval of Resolution No. 22-17/18, Arts Education Month, as presented.

Submitted by: Rene Sanchez

RS

Title: Assistant Superintendent, Instructional Services

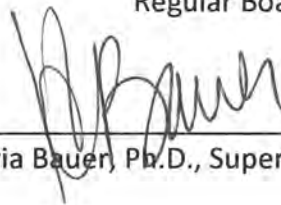
To the Board of Trustees:

Meeting: February 8, 2018  
Regular Board Meeting

**Recommend Approval**

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

Resolution No. 22-17/18

PROCLAIMING MARCH, 2018, "ARTS EDUCATION MONTH"

**WHEREAS**, Arts Education, which includes dance, music, theater, and the visual arts, is an indispensable part of basic education for all students, kindergarten through grade twelve, to enhance their understanding of the world and to develop their full potential;

**WHEREAS**, through well planned instruction and activities in art, children develop initiative, creative ability, self-expression, self-reflection, critical thinking skills, discipline, a heightened appreciation of beauty, and cross-cultural understanding;

**WHEREAS**, the arts are collectively one of the most important repositories of culture, and experience in the arts fosters insights and abilities central to the experience of life;

**WHEREAS**, many national and state professional arts education associations sponsor celebrations each March encouraging student participation in the arts;

**WHEREAS**, these celebrations give California schools an important opportunity to focus on the value of the arts for all students, promote cross-cultural understanding, give recognition to the state's outstanding young artists, and enhance public support for the arts; and

**WHEREAS**, the *Visual and Performing Arts Framework for California Public Schools, Kindergarten through Grade Twelve*, adopted by the California State Board of Education in 1995, states that education in the arts is "essential for all students" and calls upon the California public schools to "provide a balanced curriculum, with the arts as a part of the core of all students, kindergarten through grade twelve, no matter what the students' abilities, language capacities, or special needs happen to be;"

**NOW, THEREFORE, BE IT RESOLVED**, the Alum Rock Union Elementary School District joins with the California State Board of Education in proclaiming the month of March, 2018, as "Arts Education Month" and encourages all educational communities to celebrate the arts with meaningful student activities and programs that demonstrate learning and understanding in the visual and performing arts.

**PASSED AND ADOPTED** this 8<sup>th</sup> day of February, 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 February 8, 2018.

\_\_\_\_\_  
Hilaria Bauer, Ph.D., Superintendent

\_\_\_\_\_  
Date

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

12.11

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION - BOARD OF EDUCATION**

To the Board of Trustees:

Date: January 22, 2018

**Subject:**

**Resolution No. 23-17/18**

Annual Cesar Chavez /Community March – March 29, 2018

**Staff Analysis:**

For several years, members of the Alum Rock community have participated in a march between schools in honor of Cesar Chavez. This year's march will celebrate the 25<sup>th</sup> Anniversary and will take place on Thursday, March 29, 2018, beginning at Dorsa Elementary School and ending with a program at P.A.L. Stadium.

**Recommendation:**

Staff recommends approval of Resolution No. 23-17/18, Annual Cesar Chavez School Community March - March 29, 2018, as presented.

Submitted by: Rene Sanchez

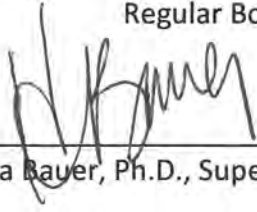
Title: Assistant Superintendent, Instructional Services

To the Board of Trustees:

Meeting: February 8, 2018  
Regular Board Meeting

**Recommend Approval**

12.11  
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

**Resolution No. 23-17/18  
PROCLAIMING MARCH 29, 2018,  
AS THE "ANNUAL CESAR CHAVEZ/COMMUNITY MARCH"**

**WHEREAS**, the Alum Rock Union Elementary School District recognizes the importance of Cesar Chavez in the history of California and the nation; and

**WHEREAS**, the Alum Rock Union Elementary School District has recognized the importance of Cesar Chavez in this community by designating Friday, March 30, 2018, as a school holiday this academic year; and

**WHEREAS**, members of the Alum Rock Union Elementary School District community, each year, organize and implement a march between schools for the purpose of honoring Cesar Chavez; and

**WHEREAS**, members of the community and employees of the district participate in that march;

**NOW, THEREFORE, BE IT RESOLVED**, that the march will take place on Thursday, March 29, 2018.

**PASSED AND ADOPTED** this 8<sup>th</sup> day of February, 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 February 8, 2018.

\_\_\_\_\_  
Hilaria Bauer, Ph.D., Superintendent

\_\_\_\_\_  
Date

12.12

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION - BOARD OF EDUCATION**


To the Board of Trustees:

Date: January 29, 2018

**Subject:** Resolution NO. 24 – 17/18  
Approval of District's Annual Authorized Signatures  
to be Submitted to the Santa Clara County Office of Education  
(SCCOE)

**Staff Analysis:** To update authorized signatures to carry out district business matters.

**Recommendation:** Staff recommends the Board of Trustees approve Resolution NO. 24 –  
17/18 Annual Authorized Signatures to be submitted to the SCCOE.

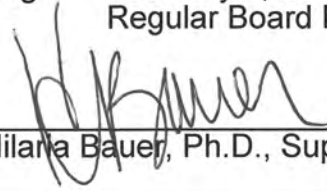
Approved by: Kolvira Chheng  Title: Assistant Superintendent, Business Services

To the Board of Trustees:

Meeting: February 8, 2018  
Regular Board Meeting

**Recommend Approval**

12.12  
Agenda Placement

  
Hilana Bauer, Ph.D., Superintendent

**DISPOSITION BY BOARD OF TRUSTEES**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved: \_\_\_\_\_ Not Approved: \_\_\_\_\_ Tabled: \_\_\_\_\_



**AUTHORIZED SIGNATURES  
RESOLUTION NO. 24 – 17/18**

**BOARD OF TRUSTEES**

WHEREAS, Education Code Section 42641 provides that the Board of Trustees may issue payroll orders to be drawn for the payment of salaries and wages of employees; and

WHEREAS, Education Section 42633 requires the Board of Trustees to file with the County Superintendent of Schools verified signatures of all persons authorized to sign orders in its name.

NOW, THEREFORE, BE IT RESOLVED that the

Alum Rock Union Elementary School District's Board of Trustees authorizes and empowers any of the following to sign any and all orders in the name of said district drawn on the funds of said district.

PASSED AND ADOPTED by the Board of Trustees of the

Alum Rock Union Elementary School District this 8<sup>th</sup> day of February, 2018  
by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

I, Andrés Quintero, President of the Board of Trustees of the Alum Rock Union Elementary School District of Santa Clara County, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the Board at a meeting thereof held at its regular place of meeting on the date shown above and by the vote above stated, which resolution is on file in the office of said Board.

---

Signed

## AUTHORIZED SIGNATURES

**Alum Rock Union Elementary School District**

TO: County Superintendent of Schools

In accordance with the provisions of Sections 42633 and 42641, of the Trustees Code of California, any of the following persons have been duly authorized to sign orders drawn upon the funds of said school district dated February 8, 2018.

**By Order of the Governing Board**

Signature

**Title**

[illegible]

12.13

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION - BOARD OF EDUCATION**


To the Board of Trustees:

Date: January 29, 2018

**Subject:**                **Resolution NO. 25-17/18**  
                                 **Approval of District's Annual Authorized Signatures**  
                                 **(Bank Deposits)**

**Staff Analysis:**      To update authorized signatures to carry out district business matters.

**Recommendation:** Staff recommends the Board of Trustees approve Resolution NO. 25-17/18 Annual Authorized Signatures (Bank Deposits).

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

To the Board of Trustees:

Meeting:      February 8, 2018  
                    Regular Board Meeting

**Recommend Approval**

12.13  
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**

**RESOLUTION NO. 25-17/18 (page 1 of 5 pages)**

**(Transmittal of Funds)**

**BE IT RESOLVED** by the Board of Trustees' of the Alum Rock Union Elementary School District and hereby ordered that:

Any two of the following persons:

**HILARIA BAUER  
SUPERINTENDENT**

**KOLVIRA CHHENG  
ASSISTANT SUPERINTENDENT  
BUSINESS SERVICES**

**EFRAIN ROBLES  
DIRECTOR  
FISCAL SERVICES**

be authorized to sign checks drawn on the General Fund Deposit accounts in the Wells Fargo Bank and Bank of America, San Jose Branches, for payment to Santa Clara for the purpose of transmitting District funds.

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Hilaria Bauer  
Superintendent

---

Kolvira Chheng  
Assistant Superintendent,  
Business Services

---

Efrain Robles  
Director,  
Fiscal Services

**PASSED AND ADOPTED** this 8<sup>th</sup> day of February 2018 by the Board of Trustees of the Alum Rock Union Elementary School District, County of Santa Clara, State of California, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

---

Clerk of the Board

---

Date



**ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT**

**RESOLUTION NO. 25-17/18 (page 2 of 5 pages)**

**(Deposits - Collections)**

**BE IT RESOLVED** by the Board of Trustees' of the Alum Rock Union Elementary School District and hereby ordered that:

The Superintendent of Schools of the Alum Rock Union Elementary School District be authorized to make deposits of collections received by this District, prepare deposit permits for such collections, and make statements under oath in connection there with required by Section 26901 of the Government Code.

**IT IS FUTHER RESOLVED AND HEREBY ORDERED** that the following persons:

**HILARIA BAUER  
SUPERINTENDENT**

**KOLVIRA CHHENG  
ASSISTANT SUPERINTENDENT  
BUSINESS SERVICES**

**EFRAIN ROBLES  
DIRECTOR  
FISCAL SERVICES**

are authorized to sign the collection received advice certificate requesting County Superintendent to prepare deposit permits for the District.

---

Hilaria Bauer  
Superintendent

---

Kolvira Chheng  
Assistant Superintendent,  
Business Services

---

Efrain Robles  
Director,  
Fiscal Services

**PASSED AND ADOPTED** this 8<sup>th</sup> day of February 2018 by the Board of Trustees of the Alum Rock Union Elementary School District, County of Santa Clara, State of California, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

---

Clerk of the Board

---

Date

**ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT**

**RESOLUTION NO. 25-17/18 (page 3 of 5 pages)**

**(Revolving Cash Accounts)**

**BE IT RESOLVED** by the Board of Trustees' of the Alum Rock Union Elementary School District and hereby ordered that:

**HILARIA BAUER  
SUPERINTENDENT**

**KOLVIRA CHHENG  
ASSISTANT SUPERINTENDENT  
BUSINESS SERVICES**

**EFRAIN ROBLES  
DIRECTOR  
FISCAL SERVICES**

are authorized to sign with such expenditures to be ratified by the Board of Trustees at least once a month.

---

Hilaria Bauer  
Superintendent

---

Kolvira Chheng  
Assistant Superintendent,  
Business Services

---

Efrain Robles  
Director,  
Fiscal Services

**PASSED AND ADOPTED** this 8<sup>th</sup> day of February 2018 by the Board of Trustees of the Alum Rock Union Elementary School District, County of Santa Clara, State of California, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

---

Clerk of the Board

---

Date

**ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT**

**RESOLUTION NO. 25-17/18 (page 4 of 5 pages)**

**(Purchase Order and Contract Signatures)**

**BE IT RESOLVED** by the Board of Trustees' of the Alum Rock Union Elementary School District and hereby ordered that:

**KOLVIRA CHHENG  
ASSISTANT SUPERINTENDENT,  
BUSINESS SERVICES**

**EFRAIN ROBLES  
DIRECTOR,  
FISCAL SERVICES**

**MARIA J. MARTINEZ  
PROCUREMENT MANAGER  
PURCHASING DEPARTMENT**

be authorized to sign purchase orders and contracts of the Alum Rock Union Elementary School District that are duly approved or ratified by the Board of Trustees in its approval of regular monthly report expenditures.

**PASSED AND ADOPTED** this 8<sup>th</sup> day of February 2018 by the Board of Trustees of the Alum Rock Union Elementary School District, County of Santa Clara, State of California, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Date

**ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT**

**RESOLUTION NO. 25-17/18 (page 5 of 5 pages)**

**(State Forms: OPSC/Grants)**

**BE IT RESOLVED** by the Board of Trustees' of the Alum Rock Union Elementary School District and hereby ordered that:

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**Hilaria Bauer**  
**Superintendent**

---

**Kolvira Chheng**  
**Assistant Superintendent, Business Svcs.**

be authorized to sign state forms from the State Allocation Board for the Office of Public School Construction, and other state and federal grant applications for the Alum Rock Union Elementary School District that are duly approved or ratified by the Board of Trustees.

**PASSED AND ADOPTED** this 8<sup>th</sup> day of February 2018 by the Board of Trustees of the Alum Rock Union Elementary School District, County of Santa Clara, State of California, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

---

Clerk of the Board

---

Date

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

12.14

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION - BOARD OF EDUCATION**

Board of Trustees:

January 29, 2018

**Subject: RESOLUTION NO. 26-17/18  
CALLING FOR FULL AND FAIR FUNDING OF CALIFORNIA'S  
PUBLIC SCHOOLS**

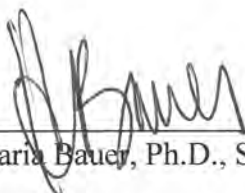
**ACTION**

Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees: Meeting: February 8, 2018  
Regular Board Meeting

**Recommend Approval**

12.14  
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

## **RESOLUTION NO. 26 – 17/18 CALLING FOR FULL AND FAIR FUNDING OF CALIFORNIA'S PUBLIC SCHOOLS RESOLUTION OF THE BOARD OF TRUSTEES**

**WHEREAS**, California has the sixth largest economy in the world, and the largest Gross Domestic Product (GDP) of any state in the nation; and

**WHEREAS**, despite California's leadership in the global economy, the state falls in the nation's bottom quintile on nearly every measure of public K-12 school funding and school staffing; and

**WHEREAS**, California ranks 45<sup>th</sup> nationally in the percentage of taxable income spent on education, 41<sup>st</sup> in per-pupil funding, 45<sup>th</sup> in pupil-teacher ratios and 48<sup>th</sup> in pupil-staff ratios; and

**WHEREAS**, K-12 school funding has not substantially increased, on an inflation-adjusted basis, for more than a decade; and

**WHEREAS**, under the Local Control Funding Formula (LCFF), state funding for K-12 schools has only this year recently returned to levels predating the Great Recession of 2007; and

**WHEREAS**, the modest revenue increases since the implementation of LCFF have been eroded by rapidly increasing costs for health care, pensions, transportation and utilities; and

**WHEREAS**, 58 percent of California's public school students are eligible for free and reduced-price lunch — 13 percent above the national average — and 23 percent of California students are English learners, more than twice the national average; and

**WHEREAS**, California's investment in public schools is out of alignment with its wealth, its ambitions, its demographics and the demands of a 21<sup>st</sup>-century education; and

**WHEREAS**, in 2007, a bipartisan group of California leaders commissioned a report titled *Getting Down to Facts*, which stated it would take an additional \$17 billion annually to meet the State Board of Education achievement targets for K-12 schools; and

**WHEREAS**, in 2016, a California School Boards Association (CSBA) report, *California's Challenge: Adequately Funding Education in the 21<sup>st</sup> Century*, updated the *Getting Down to Facts* data and determined that, adjusting for inflation, an additional \$22 billion to \$40 billion annually would be required to provide all public school students with access to a high-quality education; and

**WHEREAS**, California funds schools at roughly \$1,961 per student less than the national average, which translates to approximately \$3,462 per student when adjusted for California being a high-cost state; and

**WHEREAS**, California trails the average of the top 10 states by almost \$7,000 in per-pupil funding; and

**WHEREAS**, in *Robles-Wong v. State of California*, a group of plaintiffs led by CSBA argued that California's school funding system violated Article IX of the State Constitution by denying all students access to an education that prepares them for economic security and full participation in our democratic institutions; and

## ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

**WHEREAS**, the California Supreme Court declined to hear the case by a 4-3 margin, prompting Justice Goodwin H. Liu to write: "It is regrettable that this court, having recognized education as a fundamental right in a landmark decision 45 years ago [*Serrano v. Priest* (1971) 5 Cal.3d 584], should now decline to address the substantive meaning of that right."; and

**WHEREAS**, in order to prepare our students for participation in a democratic society and an increasingly competitive, technology-driven global economy, California must fund schools at a level sufficient to support student success; and

**WHEREAS**, despite its vast wealth, California has consistently underfunded public education while widening its scope, adding new requirements and raising standards without providing appropriate resources to prepare all students for college, career and civic life; and

**WHEREAS**, if California is to close opportunity and achievement gaps and create a public school system that offers consistently high levels of education, the State must provide schools with the resources to meet the needs of their specific populations;

**BE IT FINALLY RESOLVED**, that the governing board of the ALUM ROCK UNION SCHOOL DISTRICT, BOARD OF TRUSTEES urges the State Legislature to fund California public schools at the national average or higher by the year 2020, and at a level that is equal to or above the average of the top 10 states nationally by 2025 and to maintain, at a minimum, this level of funding until otherwise decreed.

**PASSED AND ADOPTED** this 8<sup>th</sup> day of February 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 Marquez - 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 February 8, 2018.

\_\_\_\_\_  
Hilaria Bauer, Ph.D., Superintendent

\_\_\_\_\_  
Date

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

**Innovative Schools Summit**  
**Las Vegas, NV**  
**July 9-18, 2018**

**Summary:**

The conference features 3 days of courses covering various topics from renowned speakers and professors. Topics include Mental Health, Behavior Strategies, Autism, Executive Functioning, Learning Disabilities and supporting special education students in the classroom and curriculum strategies. Estimated cost \$1509.

**Recommendation:**

Staff recommends approval of out-of-state travel for Jean Gallagher.

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

To the Board of Trustees:  
**Recommend Approval**

Meeting: February 8, 2018  
Regular Board Meeting

12.15  
Agenda Placement

Hilana Bauer  
Hilana Bauer, Ph.D., Superintendent

**DISPOSITION BY BOARD OF TRUSTEES**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved: \_\_\_\_\_ Not Approved: \_\_\_\_\_ Tabled: \_\_\_\_\_



# ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

PURCHASING

2018 JAN 24 AM 9:54

## TRAVEL APPROVAL FORM

Attach Supporting Document

Date of Request: 1/16/18

1. Program Manager / Principal: Jean Gallagher Dept. / School Site: Sp Ed Dept

2. Title of Conference / Meeting: Innovative Schools Summit

3. Place: Caesars Palace - Las Vegas

4. Purpose: Sped related topics

5. Date (s) of Conference / Meetings: 7/10 - 7/13/18

6. Principal / Program Manager Approval: JRS Date: 1-16-18

7. Departure Date / Time: 7/9/18 Hour: AM ☐ PM ☒

8. Return Date / Time: 7/13/18 Hour: AM ☐ PM ☒

9. Human Resources:

Name(s) of Employees Attending	Sub?		Bilingual		Sub Request?: (Name)	Code Sub To:
	Yes	No	Yes	No		
Jean Gallagher		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	\$ 158-	\$
Registration	355-	
Lodging	996-	
Meals		180-
Shuttle / Parking		
Other		
Total	\$ 1509-	\$ 180-

Attach Purchase Order(s), Invoice(s) and Registration Form(s).

11. Account Code: 08-380-6512-0-5200

Approved by: [Signature] Date: 1/24/18 Approved By: \_\_\_\_\_ Superintendent \_\_\_\_\_ Date \_\_\_\_\_

- 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.

PUR-105

Wh: Human Resources

Ye: Originator (Completed)

Pi: Business Office

Go: Originator

Rev. 07/15



**School Discipline Conference** – A must-attend gathering for educators focused on improving academic performance by applying the most current innovations and research to behavior intervention and classroom management. Special focus is given to supportive, non-exclusionary discipline. [www.sdiscipline.com](http://www.sdiscipline.com)



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

12.16

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION - BOARD OF EDUCATION**

To the Board of Trustees:

Date: January 30, 2018

**Subject:** ESSA Title IV – Part A Funding

**Staff Analysis:** The newly enacted Every Student Succeeds Act (ESSA) includes a flexible block grant program under Title IV, Part A. The grant authorizes activities in three broad areas: 1) Providing students with a well-rounded education, 2) Supporting safe and healthy students and 3) Supporting the effective use of technology. Schools will be funded using the current Title I formula.

**Recommendation:** Staff recommends approval of Title IV – Part A Funding.

Submitted by: Sandra Garcia

Title: Director of State and Federal Programs

Approved by: Rene Sanchez RS

Title: Assistant Superintendent of Instructional Services

To the Board of Trustees:

Meeting: February 08, 2018  
Regular Board Meeting

**Recommend Approval**

12.16  
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

12.17

Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION - BOARD OF EDUCATION**


To the Board of Trustees:


Date: January 29, 2018

**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 and overnight field trips.

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: February 08, 2018  
Regular Board Meeting

**Recommend Approval**

12.17  
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: February 08, 2018

School	Field Trip Event	City, and County	Date	Grade	# of classes	Budget (coding)	Purpose: (academic standard the trip supports)
Adelante I	Hiller Aviation Museum	San Carlos, San Mateo	02/13/2018	5	2	PTA	Students will engage in modern technology and participate hands-on with technology, science, math, and engineering.
<b>Adelante I Academy</b>	<b>Walden West @ Saratoga</b>	<b>Saratoga, Santa Clara</b>	<b>04/09/2018-04/13/2018</b>	<b>5</b>	<b>2</b>	<b>PTA</b>	<b>Students will have the opportunity to have an outdoor science experience related to curriculum.</b>
Dorsa ES	Exploring New Horizons	Felton, Santa Cruz	05/29/2018	5	2	Donations	Students will learn about redwood ecology, marine biology, botany, geology, astronomy, animal behavior, cultural history, and problem solving.
McCollam ES	California Academy of Science	San Francisco, San Francisco	04/11/2018	2 & 3	4	ASB	Students will learn about plants, animals and their habitats.
Painter ES	Monterey Bay Aquarium	Monterey, Monterey	03/14/2018	1 & 3	2	ASB	Students will learn about biodiversity of mitosis and meiosis.
<b>Ren I @ Fischer</b>	<b>Black Diamond Mines</b>	<b>Antioch, Contra Costa</b>	<b>04/28/2018-04/29/2018</b>	<b>6</b>	<b>1</b>	<b>Donations</b>	<b>Students utilize backpacking in the wilderness skills learned in a 10-week apprenticeship course.</b>
Ren I @ Fischer	California Academy of Science	San Francisco, San Francisco	02/09/2018	6	3	LCAP 1.1	Students will learn about plants, animals and their habitats.
Ren I @ Fischer	California Academy of Science	San Francisco, San Francisco	04/17/2018	8	3	LCAP 1.1	Students will observe the natural forces that determine the natural selection and evolution of life on earth.



Alum Rock Union Elementary School District  
**Field Trip Information Sheet**

<b>School</b>	<b>Field Trip Event</b>	<b>City, and County</b>	<b>Date</b>	<b>Grade</b>	<b># of classes</b>	<b>Budget (coding)</b>	<b>Purpose: (academic standard the trip supports)</b>
Sheppard MS	Sea Cliff Beach	Santa Cruz, Santa Cruz	02/14/2018	6	2	Title I	Students will explore and locate limpets (crabs) on beach. In addition, students will identify location and gender of limpet to determine health and viability of biome.
Sheppard MS	Sea Cliff Beach	Aptos, Santa Cruz	02/15/2018	6	2	Title I	Students will explore and locate limpets (crabs) on beach. In addition, students will identify location and gender of limpet to determine health and viability of biome.
Sheppard MS	Sea Cliff Beach	Aptos, Santa Cruz	02/16/2018	6	2	Title I	Students will explore and locate limpets (crabs) on beach. In addition, students will identify location and gender of limpet to determine health and viability of biome.
Sheppard MS	Alcatraz	San Francisco, San Francisco	04/13/2018	8	5	Title I	Students will tour Alcatraz and gain a better understanding of the Civil Rights Movement protected under the Bill of Rights.
Aptitud Academy	Santa Cruz Yacht Harbor	Santa Cruz, Santa Cruz	03/07/2018	4	1	PTA	Students will study of marine life on a Catamaran Boat and study of sea habitats.
Aptitud Academy	Natural Bridges Science Camp	Santa Cruz, Santa Cruz	03/07/2018-03/09/2018	5	2	Title I	Students will be learning about scientific phenomena and environmental education in a national park setting.