

APPROVE 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, April 9, 2020, 5:30 p.m. at the Alum Rock Union School
Board Members and Superintendent participated via Zoom Meeting
Meeting #14-19/20

1. OPEN SESSION

1.01 Call to Order/Roll Call/Pledge of Allegiance

President Ernesto Bejarano welcomed everyone in the audience. President Ernesto Bejarano called the Board Meeting to order at 5:40 p.m. followed by Roll Call.

Board Members Present:

Ernesto Bejarano	President
Corina Herrera-Loera	Vice-President
Andrés Quintero	Clerk
Linda Chavez	Member
Dolores Marquez-Frausto	Member

Administrative and Support Staff Members Present:

Dr. Hilaria Bauer	Superintendent
Rene Sanchez	Assistant Superintendent, Instructional Services
Carlos Moran	Assistant Superintendent, Human Resources
Kolvira Chheng	Assistant Superintendent, Business Services
Maribel Carrillo	Sr. Executive Assistant, Superintendent's Office

1. OPEN SESSION *(continued)*

1.01 Call to order/Roll Call/Pledge of Allegiance

President Ernesto Bejarano said there is a quorum.

President Ernesto Bejarano said the meeting is being live-streamed by the Youtube channel which is Alum Rock TV. He said there are multiple ways to participate in the meeting including text messaging and raising your hand through email.

Director Avtar Gill said Member Dolores Marquez-Frausto has been disconnected from the meeting and he is bringing her back to the meeting.

President Ernesto Bejarano said there is a quorum and the Board can move forward.

Vice-President Corina Herrera-Loera said a Spanish-speaking parent said the Spanish Youtube channel is not working.

1.02 Discussion And/Or Modification(s) of the Agenda.

Member Dolores Marquez-Frausto said that before they discuss item 1.02, she wants to know if any formalities have taken place since she was disconnected.

President Ernesto Bejarano said the Board was talking about the challenges that the Board may confront with technology and they will try to do their best to make this transparent and accessible to the public.

President Ernesto Bejarano said he wants to move forward with item 12.01 after this item because, at the end of the meeting, the Board will be going into closed session.

Member Linda Chavez asked if something happens during the meeting as it progresses and later on, a Board member has something for future requests, is it limited to the beginning or can it be added toward the end of the meeting.

President Ernesto Bejarano asked Counsel Rogelio Ruiz if the Board recesses to go to closed session, can he ask to see if a Board member has an item that they would like to add.

Counsel Rogelio Ruiz replied that he did not see a problem with that because it is not an action item. He said, per the Board Bylaws, every Board member is authorized to ask for any agenda item at any time.

President Ernesto Bejarano said he will try his best to keep the meeting moving and make it brief. He said the district staff is at their offices and they need to do a full cleaning.

2. Public Members Who Wish To Address The Board

2.01 Requests to Address the Board

Public Comments:

1. Flor De Leon said it is really confusing with the closing of the schools and how the kids are learning now. She said parents were visiting the campus and there was no one there to give them direction.
2. Brenda Zendejas said she did not see the Board meeting posted on Facebook and asked if it could be more transparent for the public. She said she wanted to thank her son's teacher. She commented that in her son's class there are a lot of kids that do not have a device.
3. Victor Vasquez said that, in the last meeting, there were a lot of different ways to log into the meeting and he wanted to thank the Board for that. He also thanked the Board for providing a translation in Spanish.

3. Comments and Communications

3.01 Teamsters

There were no representatives from Teamsters at this time.

3.02 California School Employee's Association (CSEA)

There were no representatives from CSEA at this time.

3.03 Alum Rock Administrator's (ARAA)

There were no representatives from ARAA at this time.

3.04 Alum Rock Educator's Association (AREA)

Jocelyn Merz, AREA President, said she hopes everyone is doing well. She said there are days that she feels like she is living in the Twilight Zone. She said she wants to acknowledge all CSEA and Teamsters employees who are working in the front line to make sure students are fed. She thanked the IT department for providing devices to students and admins for pitching in during the new transition. She sent a shout out to the AREA bargaining team who had the extreme task of coming to a Memorandum of Understanding. She asked to be sensitive to the teachers and district employees during this time.

3. Comments and Communications *(continued)*

3.05 Superintendent

Superintendent Bauer thanked everyone.

3.06 Board of Trustees/Communication/Comments

Vice-President Corina Herrera-Loera thanked everyone. She commented that Avtar Gill, Director of IT, is doing a great job and Superintendent Bauer is as well. She said she appreciated the comments made by parents. She said that Jocelyn Merz mentioned that Superintendent Bauer is not sleeping until children are connected. She can assure that because she is on the phone with her constantly.

Clerk Andrés Quintero said he wants to express his gratitude to all essential employees who are putting in the work to make sure that children are fed and to teachers who have had to adjust to the new way of dealing with education for children. He thanked the staff for keeping the Board meeting in a safe space.

Member Linda Chavez thanked everyone for the extra work and for guiding the children and putting the extra time. She thanked the staff.

Member Dolores Marquez-Frausto thanked the staff and community. She spoke about a letter that came from Ms. Parks regarding the Fischer garden. Ms. Parks is asking for \$800.00 to do the garden again. Member Dolores Marquez-Frausto said she supports the funding except that it would require people to be together. But, at this point, people should not be together. She said she wanted to acknowledge that she received the letter and she wanted to say thank you. She asked that staff contact Ms. Parks and thank her.

President Ernesto Bejarano said that, in the past month, he has attended Zoom meetings with other Board members across the county. It is a place where other Board members can learn from each other. He said the district has been giving out between 2 to 3 thousand meals a day from what he last heard. He said, as everyone had mentioned, this is a new way to teach with the distribution of devices. He said he does not think there is a district or any community that is better prepared to face adversity and meet that challenge than Alum Rock.

4. Contracts Over \$100,000

4.01 Approve Contract with Springboard Collaborative, Provide Summer Literacy Intervention Program for K-3rd Graders, Academic Services, \$172,500.00

4. Contracts Over \$100,000 (continued)

President Ernesto Bejarano said he failed to ask, for each item, if there are any emails or text messages for public comments. He said they will be read at the end of the course of the item.

Member Dolores Marquez-Frausto asked if the district was going to provide a summer literacy program for grades K-3 and asked how is this is going to work when everyone is not supposed to be with the children. She asked if it was one school or two schools. She said she needs it to be clear.

Superintendent Bauer thanked Member Dolores Marquez-Frausto for her question. She said this is an effective program teachers like to teach. She said these are Alum Rock teachers teaching the program. She said the staff is already working with Springboard. She said this will be implemented via distance learning. She is asking the Board respectfully to approve this contract.

Member Dolores Marquez-Frausto asked Superintendent Bauer to clarify how this going to be done.

Superintendent Bauer replied that it would be a distance learning class similar to what is going on right now.

Member Dolores Marquez-Frausto said she would support it as long as Superintendent Bauer can assure her that there will not be any problems connecting with the devices.

Superintendent Bauer replied that she has a parent committee that meets every week so that everybody knows. She said 85% of the district's students are connected and the other 5% have packets. She said teachers are working with the students. She said classified staff has worked tremendously going through different phone numbers to contact students. She said she hopes, with this response, Member Dolores Marquez-Frausto can feel comfortable enough to support this item.

Member Dolores Marquez-Frausto asked if the teachers are going to be working with students in the curriculum area.

Superintendent Bauer replied this is a Springboard curriculum. She said they will be implementing assessment on professional development.

Member Dolores Marquez-Frausto said she will be supporting this item. She said she is disappointed that the Springboard executive officers are from Philadelphia, Pennsylvania. She said she would like to have those services provided from the West Coast.

4. Contracts Over \$100,000 (continued)

President Ernesto Bejarano said Superintendent Bauer mentioned 85% of students are connected and asked if she had a rough estimate of where the district started in terms of connection. He said the district is building the plane while the district is flying it on day one by giving meals and giving out devices.

Superintendent Bauer replied the district had half of the students with a device by March 16th, the first day of shelter in place. She said this was a decision that the County Office of Education made before public health called the shelter in place on March 16th. She said there was not a gap in learning for the majority of the students. She commented all the teachers had packets ready for parents to pick up on March 16th and the parents that were unable to pick up the packets received them by mail. She said there were a couple of glitches here and there. She commented that the district is a model for other districts to follow.

President Ernesto Bejarano said that, in less than a month, the district had a 35% increase in connectivity of students.

Superintendent Bauer said that occurred within two weeks. She said the district had a partnership with T-Mobile before COVID-19 happened which the Board approved. She said Alum Rock was in a good position.

Member Linda Chavez thanked the two translators for working so hard. She said Carlos Tripodi and Carmelina Bautista have been working overtime.

Vice-President Corina Herrera-Loera thanked Superintendent Bauer for answering the questions. She said she is doing her best to ensure students are connecting 100% for the summer. She said Santa Clara County has extended the school year to continue this way until the end of the school year. She thanked Superintendent Bauer for bringing this item to allow children to participate.

Public Comment:

- 1) Olivia Ortiz mentioned that her son attended the Springboard for two summers and it helped him a lot with his reading. She is sure that it will help a lot of kids. She said the Springboard gives each kid a tablet at the end of the program.

MOTION #01-14 by Member Linda Chavez to approve Action Item 4.01 as presented. MOTION #01-14 was seconded by Vice-President Corina Herrera-Loera.

MOTION #01-14 carried with a vote of 5 in favor; no opposition; no absent; and no abstention.

5. Superintendent/ Board Business

5.01 Approve Board Member Term Limits of three consecutive four-year terms.

Member Linda Chavez made a motion to amend to include that no expenditures, disbursements, resources, staff time will be incurred by the Alum Rock School District in putting this item forward and or, on the ballot.

President Ernesto Bejarano said the Board needs to consult Counsel Rogelio Ruiz. He said there is no motion to amend yet on the floor. He said the agenda items need to be approved. He asked Counsel Rogelio Ruiz to confirm that.

Counsel Rogelio Ruiz said there needs to be a motion first before something can be amended.

Member Linda Chavez said she motioned and it was seconded by Member Dolores Marquez-Frausto.

President Ernesto Bejarano asked Member Linda Chavez if she could repeat the motion.

Member Linda Chavez replied that she just moved and, the thing is, she is not voting the way it is.

MOTION #02-14 by Vice-President Corina Herrera-Loera to approve Action Item 5.01 as presented. MOTION #02-14 was seconded by Clerk Andrés Quintero for the purpose of discussion.

Clerk Andrés Quintero said he would like to defer to the maker of the motion who put the item first and then he would raise his comments after that.

Vice-President Corina Herrera-Loera She said this has been discussed in great length to agree and not to agree on term limits. She said she is aware of the possible rounded off \$80 thousand possible incumbent addition to the district's budget. She said she is the person who brought forth this item to all five Board members.

Clerk Andrés Quintero said he has a position with regards to term limits. He said the district does not need Board term limits but folks are asking for them. The community feels they are necessary. He said when he was at the forums, he told folks that he would not support two terms--that he would support three terms. He said he still supports them. However, everyone is facing circumstances that are beyond their control. He said, about two days ago, the Board received a letter from the Assembly Budget Committee specifically speaking about the COVID-19 situation. He said it looks like the district's budget is not going to be off to a good start and now the district is facing a dire circumstance. He commented that the district does not need to incur the cost of putting things on the ballot.

6. Superintendent/ Board Business

Clerk Andrés Quintero said he would still support the three terms, but at this time, the district is going to incur this significant cost. He said he would ask to consider this down the road once the Board has a better understanding of the budget.

Clerk Andrés Quintero asked Superintendent Bauer and Assistant Superintendent Chheng to elaborate on the contents of the letter of the Assembly Budget Committee.

President Ernesto Bejarano said that, before they respond, he does see that Member Dolores Marquez-Frausto has a comment.

Assistant Superintendent Chheng said the Budget Committee speaks towards the state itself and it's is going to implement a workload budget. He said that means the state is going to carry all the programs, but everything is postponed in the January budget in terms of new programs. He said there is no consideration for any additional funding. He commented that COLA has dropped to 2.29 and could be reduced further.

Member Linda Chavez said she will support three-term limits but, like she has mentioned before, she does not support the district paying for it at this time. She said especially with what is going on because the district is going to have less money.

President Ernesto Bejarano told Counsel Rogelio Ruiz it was his understanding that to put it on the ballot, the district would incur the cost and he believes Counsel Rogelio Ruiz gave the information to the Board in November 2019.

Counsel Rogelio Ruiz replied that is correct. He said if the Board approves that motion on the table in this agenda item, what would happen is a resolution embodying this vote will come back to this Board meeting for approval by the Board with the direction to the Registrar of Voters to place this on the November 2020 ballot. He said, in which case, the district will have to pay for the fees for it to be placed on the ballot.

President Ernesto Bejarano asked if there is any other option or is that way set to occur.

Counsel Rogelio Ruiz replied the other avenue is to get something in the ballot by the initiative, but the initiative is presented to the Registrar of Voters. Even then, the district helps with the fees--there is no way around this.

President Ernesto Bejarano said the district would be on the hook for \$82 thousand.

Counsel Rogelio Ruiz replied that is correct. The November election is a general election. He said the Board would need to consolidate this with the general election. He commented that he does not know the cost, but it is a reduced cost because it would be on the ballot.

President Ernesto Bejarano said he spoke to the Registrar of Voters and they informed him it would start with the \$82 thousand in addition to attorney fees, language, and all those other costs.

5. Superintendent/ Board Business

President Ernesto Bejarano said this item has been on the agenda for three out of the six months. He said most of the Board, including himself, have given the information they have to the community. He said that when he makes a vote, his rationale is to be transparent on what his position is. He said in the past twenty years, seventeen trustees have served and only two of them have served more than two terms. He said the facts are that in the past twenty years, there has not been a decade of bad governance. He said people that he has mentioned that have served terms, they cannot get reelected after a break in their term. He said they both got elected in first place by a voting public. He commented that, in his research, several voters with high academic performance trustees had a minimum of twelve years. He said he certainly understands that Vice-President Corina Herrera-Loera's attention and desires of one segment of the community who feel passionate about this item. He said on the table tonight, for him at least, is to consider their perspectives as well as the cost that the Board has brought up which is a very concerning situation. He mentioned the district is losing students and there is a trend of people leaving the district. He said, last year, the Board cut the School Resource Officers from the district. He commented the Board cut that budget in half. He said the Board does not need to take the money from the kids to do that. He commented he will not be supporting this item.

Member Linda Chavez said this could go to the ballot in the future, but not now. The district does not have the funds. She said the district has funds, but she does not believe the Board should allocate those resources for this at this time. She commented that if the public wanted to get a certain Board member out, they still would be here for another three more terms technically. She asked Counsel Rogelio Ruiz if she was correct in saying this.

Counsel Rogelio Ruiz replied if the measure is approved by the Board, then it would only apply prospectively.

President Ernesto Bejarano said he will go ahead with public comment since there are six and hopefully some connection will be established with Member Dolores Marquez-Frausto.

Public Comment:

Assistant Superintendent Sanchez read public comments made through email.

- 1) Araceli Serra said she is a mother of two students in the district. She said she supports Board Term Limits not only as a mother but as a community member. She said this policy allows the Board to learn and focus on student's success bringing good governance.
- 2) Raymond Mueller said term limits are good for the community as they provide better opportunities. He said when the flag is raised, trustees dig in their heels and use terms like fake news, discrediting the public who speaks out. He said, after two terms, an elected official is replaced by the next generation and the working knowledge stays current at that time.

5. Superintendent/ Board Business

Public Comment:

- 3) Claudia Cuello said, as a parent of a special needs student at the district, she is here to support Board term limits. She said she has seen much corruption and a lack of student representation. She said the community is tired of poor management that past Board members have shown and the only way the public can guarantee good management is through term limits.
- 4) Sonia Solano said she wants to support the policy of Board term limits because it is the opportunity to have access to the community.
- 5) Natalie Dowd-Abal said she is a parent of three Alum Rock Union School District students. She said she is in support of having three-term limits for the Alum Rock Board. She asked to meet the community in the middle and support three-term limits.
- 6) Flor De Leon said it is very important to have Member Dolores Marquez-Frausto connect for her to hear the comments being said for transparency. She said Member Dolores Marquez-Frausto has been having problems with her cell phone. She said she understands that the district is going through hard times. She said the way the district was running has not been the best. She said the district has spent millions of dollars in lawsuits. She commented that the Board has seen the public in the meetings to give input and has stayed very late at the meetings. She said hopefully the district will have this policy.
- 7) Janet O'Dell said, as a member of the community, she implores the Board to show their commitment to good governance by approving the three-term limits.
- 8) Laura Aguirre said she is a parent of the district and she is supportive of Board term limits. She said this is something the public has been asking for the last six months. She said term limits are going to help finish and end twenty years of corruption and will provide the public the opportunity to ensure school success for the children.
- 9) Mimi Hernandez said Raise Up was born the last election to eliminate corruption and stagnation by the Board. She said many of the Board members supported term limits as candidates and some of them are now condescending. She said a policy for three terms is fair because it allows the member to grow and focus on student success. She commented that voting yes for term limits is the right step to bring transparency and good governance.
- 10) Deliza Gonzalez said she is a parent of three students that attend Alum Rock. She asked members of the Board to pass term limits. This will finish the years of bad governance. She said new Board members will focus on children's education.

5. Superintendent/ Board Business

Superintendent Bauer said there is an update from Member Dolores Marquez-Frausto. Her phone is not working and she would like to be excused until closed session.

Clerk Andrés Quintero said he thinks this is an important item. He said the community has expressed the fact that Member Dolores Marquez-Frausto is not here. He commented he does see anything that holds the Board from deferring this item to the end of the meeting just before the Board goes to closed session. He said Member Dolores Marquez-Frausto can make her position public and take a vote on this particular item. He said once the district gets a better understanding of the finances, he would gladly go ahead and move forward to support this item. He commented he would encourage the public to look at other places like County Board of Education who went through a series of Superintendents. He said he would defer action on this item before the Board goes to closed session.

President Ernesto Bejarano asked Clerk Andrés Quintero for clarification of what he mentioned regarding a couple of school districts' term limits.

Clerk Andrés Quintero replied that he appreciated the fact that folks brought this item up here in Alum Rock and he looks forward to seeing it in a Springboard. He said he would like to join them by going to places like the County Office of Education's Board of Education that had some significant disfunction for quite a bit of time. He said the County Office of Education went through a series of Superintendents for a short period.

President Ernesto Bejarano said the thing that makes him worry and be cautious in looking at the recent or short-term incidents--not necessarily short term but being very reactive of things that have occurred. He said as humans also make decisions based on factual information.

Vice-President Corina Herrera-Loera said she agrees with Clerk Andrés Quintero to move this item at the end. She said she would like to suggest to hear what the public has to say because most people have their hands raised. She said the reasons why the Board is here is because they were voted to their seat to represent the constituents. She commented that her colleagues and herself respect one another. She said she is looking forward to the vote to take place on this item.

President Ernesto Bejarano said he appreciates the comments made by Vice-President Corina Herrera-Loera. He said that the Boardmembers all have different minds and perspectives. He said he certainly respects everyone's opinion. He said he would use the term reckless and irresponsible to spend 100 thousand dollars or 80 thousand dollars or whatever it is at the time.

Vice-President Corina Herrea-Loera said during this time you know our budget is getting hit as we speak. She said she has committed herself to look at rents and support the district in getting more money for general funds. She said she commits herself to help the district in that direction.

5. Superintendent/ Board Business

President Ernesto Bejarano said he appreciates this dialogue and he is still open to being informed, but he agrees that Vice-President Corina Herrera-Loera works hard. He said all the Board is looking at things they can do for the district. He said who knows what kinds of grants the Board can get. He said the “who knows” is important to him and that is a variable the “who knows” if the Board can move forward on this item. He said the Board knows each other and he knows the work Vice-President Corina Herrera-Loera does to bring resources to the district and the community as well as their working to make this collaboration.

Public Comments:

- 1) Olivia Ortiz said that she is very disappointed with the Board. She said President Bejarano is showing her how much he respects the community and parents. She said President Bejarano changed his mind so many times on this policy of term limits. She said last time President Ernesto Bejarano said that he would support three terms and so did Clerk Andrés Quintero. She commented that the community has been asking for this for the past six months. She said the public is engaged in the meeting every month and the public wants to work together.

President Ernesto Bejarano said he wants to make a brief clarification of public comment. He said in the past comment he stated he would support three-term limits as a reasonable thing to discuss. He said he clearly stated it and Olivia Ortiz can check the video. That did not mean that he would support it as an action item.

- 1) Brenda Zendejas said she is here to support three-term limits. She said she is here to stand with the community in solidarity. She commented that she is disappointed but understands why President Ernesto Bejarano is changing his mind. She said she sees that the Board is not going to support the item. She said the Board is concerned about money and the district can save money right now because the kids are not in school. She said she knows Clerk Andrés Quintero said he would support three-term limits, but she knows why he is changing his mind.
- 2) Maria Martinez said that the public has tried to get new Board members to represent their kids. She said the previous Trustees all made a mess and she asks to approve the term limits.
- 3) Victor Vasquez said he represents Somos Mayfair and they believe this is an important policy to pass. He said people believe in the new Alum Rock progressive and think about new resolutions. He said they are interested in working together but that would take action.

President Bejarano mentioned Member Dolores Marquez-Frausto will for sure be at the end. He said it sounds like this item will be tabled until the meeting. He said this is in hopes that Member Dolores Marquez-Frausto will have the opportunity to provide public comment. He said he is asking to table this item per the suggestion of Clerk Andrés Quintero.

5. Superintendent/ Board Business

Clerk Andrés Quintero said that is what he intended. When the Board gets to item 7.02, staff can contact her.

President Ernesto Bejarano asked Counsel Rogelio Ruiz if the Board could do that and if there needs to be a motion.

Counsel Rogelio Ruiz replied that you do not need to make a motion.

President Ernesto Bejarano said the Board will table item 5.01 to allow Member Dolores Marquez-Frausto to provide a comment. He said the Board will take action on the last item before they go to closed session.

5.02 Approve Renewal of Contract for Legal Services with Rehon & Roberts, APC.

Superintendent Bauer said she would like to ask the Board to approve.

MOTION #03-14 by Member Linda Chavez to approve Action Item 5.02 as presented. MOTION #03-14 was seconded by Clerk Andrés Quintero.

MOTION #03-14 carried with a vote of 4 in favor; no opposition; one absent (Dolores Marquez-Frausto); and no abstention.

5.03 Approve Amended Board Bylaw 9121 President, Second Reading.

MOTION #04-14 by Clerk Andrés Quintero to approve Action Item 5.03 as presented. MOTION #04-14 was seconded by Vice-President Corina Herrera-Loera.

MOTION #04-14 carried with a vote of 4 in favor; no opposition; one absent (Dolores Marquez-Frausto); and no abstention.

5.04 Approve Board Policy 4119.11/4219.11/4319.11 Sexual Harassment, Second Reading.

MOTION #05-14 by Clerk Andrés Quintero to approve Action Item 5.04 as presented. MOTION #05-14 was seconded by Member Linda Chavez.

MOTION #05-14 carried with a vote of 4 in favor; no opposition; one absent (Dolores Marquez-Frausto); and no abstention.

5. Superintendent/ Board Business

5.05 Approve Board Policy 4111/4211/4311 Recruitment and Selection, Second Reading.

MOTION #05-14 by Clerk Andrés Quintero to approve Action Item 5.05 as presented. MOTION #05-14 was seconded by Vice-President Corina Herrera-Loera.

MOTION #05-14 carried with a vote of 4 in favor; no opposition; one absent (Dolores Marquez-Frausto); and no abstention.

5.06 Approve Board Policy 5131 Conduct, Second Reading.

MOTION #05-14 by Clerk Andrés Quintero to approve Action Item 5.06 as presented. MOTION #05-14 was seconded by Vice-President Corina Herrera-Loera.

MOTION #05-14 carried with a vote of 4 in favor; no opposition; one absent (Dolores Marquez-Frausto); and no abstention.

6. Instructional Services

6.01 Adelante II TK-8 School Proposal (Information Only).

Superintendent Bauer said this item is information only. She said Adelante II will be a TK-8. She the district has completed paperwork with the state. She said this is for the school year 2020/2021.

Vice-President Corina Herrera-Loera commented that she was one of the parents that opened Adelante II. She said she can envision children continuing to grow with the district.

Public Comment:

- 1) Brenda Zendejas asked if there will be a principal and vice-principal for both schools. She said she feels that the schools will need a lot of support.
- 2) Flor De Leon said she has some concerns because she knows Arbuckle and Adelante II are basically in the same location. She said she feels there should be a consolidation of both schools. There has to be a principal and vice-principal.

Member Linda Chavez said she agrees with the last two parents that spoke. She said the schools need to have a principal and vice-principal.

6. Instructional Services (continued)

6.01 Local Control Accountability Plan (LCAP)- Initial findings Presentation.

Director Sandra Garcia had a PowerPoint presentation regarding the LCAP and the highlights are as follows:

Which stakeholders? ●Parents and Community ●ARUSD staff ●Students	How did we gather input? ●Community Forums ●School Input Sessions (Community/Staff) ●Surveys (Parents) **Spring Staff/Student survey has been postponed due to school shutdown
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Trends/Findings (Forums)

GOAL #1 Rigorous Instruction	GOAL #2 Proficiency in English	GOAL #3 Safe, welcoming environment	GOAL #4 Stakeholder Engagement
1. Advanced classes --math, college readiness 2. Tutoring -contracted -homework clubs 3. More social- emotional counseling and training 4. PD in content areas and train staff to use equipment that school has (drones, tech, etc.) in order to ensure materials is being used 5. Computers for all students 6. Coding courses at all middle schools	1. Professional Development for ALL teachers and administrators on an annual basis 2. Support for ELs during summer programs 3. After school tutoring	1. Need for more custodians to keep school clean 2. Improvement of school facilities 3. Increase counseling services 4. Cameras for security 5. Positive school culture 6. Need Library services	1. Advertisement & outreach to parents about school events 2. Flexible scheduling of events/meetings 3. Recruitment of parent volunteers 4. Diverse menu of parent training/workshops 5. Increase Community Liaisons support

6. Instructional Services (continued)

Vice-President Corina Herrera-Loera thanked Sandra Garcia for the presentation. She said that Sandra Garcia answered some questions she had regarding the survey. She said she did not see the fall information in the presentation. She said that Sandra Garcia did make it clear that the family surveys were done. She asked Sandra Garcia if she was going to send surveys out to staff and students by the end of the school year.

Sandra Garcia replied that she is talking to the principals about the surveys and she can do this. She said she wanted the distance learning to get off the ground to not bombard everyone. She commented she has concerns about students taking the survey at home without the guidance of their teacher.

Vice-President Corina Herrera-Loera asked if, before COVID-19, the plan was to have staff do the survey.

Sandra Garcia replied that it was already going to be launched and on the first day of shelter in place, it was postponed.

Vice-President Corina Herrera-Loera asked Sandra Garcia what she suggested would have the best outcome--if it's postponed or if it's done in a month or two.

Sandra Garcia replied that she would like to talk to a couple of principals and get Assistant Superintendent Sanchez involved to see what the outcome would be. She said it is important to get the voice of the students and the staff for the spring. It would good to compare the two.

Member Linda Chavez asked Sandra Garcia if she saw the students and teachers responding differently. She said if it would be postponed the needs would be different.

Sandra Garcia replied that there is going to be an emotional piece to this. She said students and staff may not feel secure with the situation the district is in. She feels that might affect the results. She said the district can give the survey, but the results may not be reliable.

President Ernesto Bejarano asked about the items that have goals 1, 2, 3 and 4 in different areas. They are numbered one-ten. Is there an order or are they just random numbers?

Sandra Garcia replied number one is what would appear most in the survey.

President Ernesto Bejarano asked if there was a threshold of items. He said he is trying to get a sense of what made it to the themes and what the threshold was for items that did not make it to the themes.

6. Instructional Services (continued)

Sandra Garcia replied what was looked at were things that were mentioned. She said all of the ones that were mentioned five to six times, they were mentioned a few times.

President Ernesto Bejarano thanked Sandra Garcia for the presentation—for the thoughtfulness and the formatting which was easy to understand.

Member Linda Chavez said, after COVID-19, she thinks that the first and second goals have changed drastically. She commented that if the staff were to ask parents now about learning goals, they will have different goals. She said parents need to be more tech-savvy to help students at home.

Public Comment:

- 1) Victor Vasquez thanked Sandra Garcia for providing the update and to continue to create ways to engage students. He said the timelines with this COVID-19 need to be approved.
- 2) Brenda Zendejas thanked Sandra Garcia for her report. She commented that if Sandra Garcia gives the survey, she feels it would be a good idea to get the emotions that kids are going through. She commented that the staff does not know if kids are safe at home. She said this would be a good way to get that input. She said teachers are in Zoom and she feels teachers can explain the survey that way.
- 3) Maria Martinez thanked Sandra Garcia for the information she presented. She commented that a lot of parents are asking for security cameras. She said she understands that the LCAP is conducted for learning purposes. She said she hopes there is more counseling for students.
- 4) Deliza Gonzalez thanked Sandra Garcia for the explanation of the LCAP. She said she is glad to see that the social-emotional program is continuing. She said she cannot wait to see what else the district can accomplish along with the parents and work as a team for the future of the students.
- 5) Olivia Ortiz thanked Sandra Garcia for the amazing job she is doing. She said she is a sub LCAP committee for the teachers. She said she is hoping to have the community attend the forums. She said to continue to work together.
- 6) Flor Del Leon said what people want to see is homework class and tutoring. She said she spoke to a lot of parents and they want to see tutoring programs. She said the LCAP is for low income and foster kids. She asked how security cameras are going to help these types of kids.

6. Instructional Services (continued)

Sandra Garcia mentioned that the translation in Spanish can be found on the district webpage.

Superintendent Bauer said Member Dolores Marquez-Frausto is back in the meeting.

Member Dolores Marquez-Frausto said she thought the presentation there would be more substantial than giving the report on surveys. She said she went to the forums in the beginning and they were very poorly attended. There were lots of staff but very little parents. She said she is very disappointed it was all done in surveys.

President Ernesto Bejarano said what has been presented looks very rigorous as far as he can tell. He said the total numbers of the surveys the Board received are significant at least in his estimation. He asked Superintendent Bauer if State and Federal Coordinator Imee Almazan helped to do some of this work. .

Superintendent Bauer said that is correct and the presentation is part of his packet.

President Ernesto Bejarano said with what is being said, he knows the type of work Sandra Garcia and Imee Almazan do given Imee Almazan's background. He said if Member Dolores Marquez-Frausto has concerns, he encourages her to voice them to the team so that they can answer her questions.

Member Linda Chavez said she attended the LCAP meetings and they were well staffed with Alum Rock employees there. She said that at each LCAP, she noticed that the parents had plenty of time to get to where the LCAPS were held. She commented the staff did a good job in asking questions, breaking up into groups.

7. Human Resources

7.02 Approve Resolution # 29-19/20 Classified School Employees Week May 17-23, 2020.

MOTION #06-14 by Member Linda Chavez to approve Action Item 7.02 as presented. MOTION #06-14 was seconded by Vice-President Corina Herrera-Loera.

Vice-President Corina Herrera-Loera thanked the classified staff in a personal way. She said she remembers that last year there was a celebration and she was taking pictures. She said this year things are different. She said she wanted to highlight everything they are doing--custodians and cafeteria workers. She commented that many continue to do the essential work for the students. She said she wanted to highlight them going above and beyond during this time, sacrificing time with their families, and being outside of their homes.

7. Human Resources (continued)

President Ernesto Bejarano said he wanted to echo those comments, thanking the district's classified employees for their service. He said these classified employees are the backbone of the district. He said a lot of what the teachers needed to do could not happen if the district did not have these staffers doing the work they do.

MOTION #06-14 carried with a vote of 5 in favor; no opposition; no absent; and no abstention.

8. CONSENT CALENDAR

There was a consensus from the Board to combine and take action on Agenda Items 8.02, 8.04, 8.05, 8.07, and 8.11.

Member Linda Chavez asked to pull Agenda Item 8.08 Approve Out of State Travel, NALEO Conference, Las Vegas, NV, June 23-25, 2020 for Dolores Marquez-Frausto Estimated cost \$2115.28 to be discussed separately.

President Ernesto Bejarano asked to pull Agenda Item 8.01, 8.06, 8.09 and 8.10

- ***Agenda Item 8.01 Approve Board Meeting Minutes for the following dates: (1) January 21, 2020, Board Study Session and (2) February 13, 2020, Regular Board Meeting,***
- ***Agenda Item 8.06 Approve Contracts for Professional Services-Firms/Organizations,***
- ***Agenda Item 8.09 Resolution No. 25-19/20 Asian Pacific Heritage Month***
- ***Agenda Item 8.10 Resolution No. 27-19/20 Week of the Teacher; May 4-8, 2020 to be discussed separately.***

Vice-President Corina Herrera-Loera asked to pull Agenda Item 8.03 Approve Fundraising Activities to be discussed separately.

MOTION #07-14 by Member Linda Chavez to approve Agenda Items, 8.02, 8.04, 8.05, 8.07, and 8.11, as presented with the expectation of 8.01, 8.03, 8.06, 8.08, 8.09 & 8.10
MOTION #07-14 was seconded by Vice-President Corina Herrera-Loera.

8.02 Approve of Acceptance of Donations.

8.04 Approve Acceptance of Vendor & Payroll Warrants.

8.05 Approve Acceptance of Enrollment/Attendance Report for Month 7 (February 17, 2020 thru March 13, 2020)

8.07 Approve/Ratify Notices of Employment and Changes of Status/April 9, 2020/Human Resources Department.

8.11 Resolution No. 27-19/20: Week of the Teacher; May 4-8, 2020.

MOTION #07-14 carried with a vote of 5 in favor; no opposition; no absent; and no abstention.

8. CONSENT CALENDAR *(continued)*

8.01 Approve Board Meeting Minutes for the following dates: (1) January 21, 2020, Board Study Session and (2) February 13, 2020, Amended Minutes of the Regular Board Meeting.

President Ernesto Bejarano said he will send the edits to Senior Executive Assistant Maribel Carrillo regarding the Special Board Meeting of January 21, 2020.

Maribel Carrillo asked President Ernesto Bejarano if the February 13, 2020 minutes were going to be approved.

Vice-President Corina Herrera-Loera said she had some edits for the February 13, 2020 meeting minutes on the second paragraph.

President Ernesto Bejarano said there will be modifications on both for January and February 2020 meeting minutes.

Vice-President Corina Herrera-Loera said she will email the modifications to Superintendent Bauer.

President Ernesto Bejarano said he and Vice-President Corina Herrera-Loera will send corrections offline.

8.03 Approve Fundraising Activities

Vice-President Corina Herrea-Loera said she did mention to Superintendent Bauer that she knew that a lot of these fundraisers were prior COVID-19. She said she wanted to make it public that regarding some dances that were scheduled, there is no way that the Board would agree to have a dance during this time.

MOTION #08-14 by Vice-President Corina Herrera-Loera to approve Action Item 8.03 as presented. MOTION #08-16 was seconded by Member Linda Chavez.

MOTION #08-14 carried with a vote of 5 in favor; no opposition; no absent; and no abstention.

8.06 Approve Contracts for Professional Services- Firms/Organizations

President Ernesto Bejarano said he wanted to make it clear regarding item 8.06 that there is a Tran Education Services for Painter Elementary. The name associated with this is Principal Le Tran. He said he wanted to make it clear and transparent that it is a common last name and there is no relationship. He asked if anyone from the staff can confirm that.

Superintendent Bauer said there is no issue there. She said that no relationship is there.

8. CONSENT CALENDAR *(continued)*

MOTION #09-14 by President Ernesto Bejarano to approve Action Item 8.06 as presented. MOTION #09-16 was seconded by Member Linda Chavez.

Clerk Andrés Quintero said he wanted to recognize the great work staff has done in partnering with the City Year Project. He said that they are going to come in and do some amazing work like they are doing at the City of San José.

MOTION #09-14 carried with a vote of 5 in favor; no opposition; no absent; and no abstention

8.09 Resolution No. 25-19/20: Asian Pacific Heritage Month

President Ernesto Bejarano said these are challenging times for our Asian Pacific Islander brothers and sisters in our community. They are facing some difficult actions in the public. He said not only in our district, but everywhere. He said everyone is part of the community and he wants to recognize that with the Asian Pacific Islander community.

Clerk Andrés Quintero said it is unacceptable these attacks that are taking place against Asian Pacific Islanders because of some natural thing that has happened. He said he wants to recognize the Asian Pacific Islander community and stop this irresponsible behavior.

MOTION #10-14 by President Ernesto Bejarano to approve Action Item 8.09 as presented. MOTION #10-16 was seconded by Member Linda Chavez.

MOTION #10-14 carried with a vote of 5 in favor; no opposition; no absent; and no abstention

8.08 Action: Approve Out of State Travel, NALEO Conference, Las Vegas, NV, June 23-25, 2020 for Dolores Marquez-Frausto. Estimated cost \$2,115.28.

Member Linda Chavez asked what is the total stipend for each Trustee and if additional money added to that.

Superintendent Bauer asked if she was talking about the amount.

Member Linda Chavez replied yes.

Superintendent Bauer replied it is within Member Dolores Marquez-Frausto's amount. She said she encouraged Member Dolores Marquez-Frausto to leave the item on the agenda. She said there is no risk of losing money.

Member Linda Chavez thanked Superintendent Bauer for the clarification.

8. CONSENT CALENDAR *(continued)*

MOTION #11-14 by Vice-President Corina Herrera-Loera to approve Action Item 8.08 as presented. MOTION #11-16 was seconded by President Ernesto Bejarano.

MOTION #11-14 carried with a vote of 5 in favor; no opposition; no absent; and no abstention.

Vice-President Corina Herrera-Loera asked that since this is for Member Dolores Marquez-Frausto, should she be voting on items for herself.

Counsel Rogelio Ruiz replied that this is a typical Board expense for professional development. He said the safe thing to do is to recuse herself.

President Ernesto Bejarano asked if the Board needed to take the vote again.

Counsel Rogelio Ruiz replied no. Member Dolores Marquez-Frausto can just recuse herself.

Member Dolores Marquez-Frausto said she wants to get a second opinion because the only gain she would get would be professional development. She said her colleague Clerk Andrés Quintero voted for this item when he went to NALEO. She said she challenges that for a second opinion because there is no financial gain.

Counsel Rogelio Ruiz said he does not think this is mandatory, but he is recommending it would be a safer thing to do. He said he does not believe that it is mandatory because it is not compensation. It is only an expense for professional development.

Member Linda Chavez said the way it was written made it seem like it was an addition to the \$5 thousand for professional development. She said she believes that it should not be on the agenda. It should just be approved. She said it should be brought to the Board for approval.

Superintendent Bauer replied that the reason why it comes to the Board for approval is because it is out of state.

8.10 Resolution No. 26-19/20: Cinco De Mayo Week; May 4 – May 8, 2020

Clerk Andrés Quintero said he is excited that the Board is going ahead and approving this resolution. He said he wants to mention the erroneous thought that this is a Mexican holiday. He said it was done away with under David Bautista.

President Ernesto Bejarano asked Clerk Andrés Quintero if he is saying that it is a dual celebration with the Batalla de Puebla.

8. CONSENT CALENDAR *(continued)*

Clerk Andrés Quintero replied that the name was taken from Batalla de Puebla. He said they are celebrating both primary Latinos and Mexicans--all kinds of people. He said they were already here in the United States. He said they came for the gold rush so they were all involved, primarily Mexicans.

President Ernesto Bejarano said he wanted to comment on the Batalla de Puebla. He said under-resourced individuals were fighting against a larger, more well-resourced, funded army coming out victorious. He said he feels that the community is under-resourced. He said the community has a challenge in terms of social economics. He commented that the district is still able to serve families to provide meals and get technology going. He said in many ways the Mexican army was able to fight and defeat.

MOTION #12-14 by Member Linda Chavez to approve Action Item 8.10 as presented. MOTION #12-14 was seconded by Clerk Andrés Quintero.

MOTION #12-14 carried with a vote of 5 in favor; no opposition; no absent; and no abstention.

President Ernesto Bejarano said the Board had 5.01 tabled to have Member Dolores Marquez-Frausto give comments or ask questions if she has them.

Member Dolores Marquez-Frausto asked why the Board did not move forward with this item. Is it because the Board wanted her to make comment?

President Ernesto Bejarano replied that there were a couple of requests from the Board to give her time to make any comments. He said it is because she was having a lot of technical issues. He said that even though there was a quorum, and since this is an important item, the Board wanted to make sure she was given the opportunity if she wanted it.

Member Dolores Marquez-Frausto said she wishes she had heard everyone's comments. She said all she remembered hearing was Counsel Rogelio Ruiz's voice. She said she does not know what she can add it to. She said she does not have a problem with term limits. She said the community was talking about two-term limits and she is not in favor of three-term limits. She said with two terms, the community made a statement but the three-terms that is saying nothing. She commented she has already been a Board member for three terms.

President Ernesto Bejarano commented that he will not be supporting this item for several reasons, primarily financial.

Member Dolores Marquez-Frausto said to President Ernesto Bejarano that the Board needs to move forward with the agenda and take a vote.

8. CONSENT CALENDAR *(continued)*

Clerk Andrés Quintero said he wanted to make sure that everyone is reasonable--people that can agree to disagree. He mentioned this based on information the Board received two days ago. He said this is an important component of democracy. He said he still stands on what he has stated before, but he wanted to make sure that the district's finances are going to be able to stand a great commitment of the general fund at the moment.

President Ernesto Bejarano thanked Clerk Andrés Quintero for saying that. He said he understood the comments and the sentiment that the Board is not listening. He said he hears them very clearly. He said he disagrees with that because the Board is having three or five ways to give public comment to participate. He said this is the reason why Superintendent Bauer created a group of parents to get feedback because the Board wants to listen. He said he believes, but could be mistaken, that a large part of the reason Vice-President Corina Herrera-Loera brought up this item is because she is also closely listening. He commented that he wanted to make it clear that he is listening, but he has a different opinion.

Member Linda Chavez said she wanted to add what she had said. She actually wanted to amend the motion because she does believe in term limits, but she does not believe the district should pay for them. She said either way whichever way the Board votes is the community gets the resolution on the ballot Alum Rock pays if Alum Rock puts it in the ballot Alum Rock pays. She wanted to amend the motion, but it hasn't been amended. What she stated is that she would like to amend the motion to include that no expenditures, disbursements, resources, staff time will be incurred by Alum Rock School District in putting this item forward and/or on the ballot. She said the reason being is because with everything happening, there is money but not enough money, especially now with this Coronavirus. She commented that there is going to be less, so she does not want to spend it on this right now. She doesn't think the Board should spend it on this now. In the future, yes, but not now. She said right now the district needs to use all their resources wisely.

President Ernesto Bejarano asked Member Linda Chavez, just to be clear, if she is putting an amendment forward right now.

Member Linda Chavez said no because the Board still has not voted on the other one. That is what she was told.

President Ernesto Bejarano said that from his understanding from what Counsel Rogelio Ruiz said, anyway it is sliced, the district bears the financial responsibility--whatever decision is made.

Vice-President Corina Herrera-Loera said to just move forward with the vote. She said she thinks it is pretty clear that she has said everything she had to.

MOTION #2-14 failed with a vote of 1 in favor; 4 opposition (Member Linda Chavez, Clerk Andrés Quintero, President Ernesto Bejarano, and Member Dolores Marquez-Frausto); no absent; and no abstention.

9. Closed Session

9.01 Announcement and Public Comments Regarding Items to be Discussed In Closed Session

President Ernesto Bejarano said the way closed session will work is all the Trustees have a link already to a separate Zoom meeting for closed session.

Superintendent Bauer asked, as a reminder, if there are any desires for the May agenda items.

President Ernesto Bejarano said he knows CSBA recommends that the Superintendent and President of the Board at the time be able to have discretion on the items that go onto the agenda. He said it is his understanding from Counsel Rogelio Ruiz that his recommendation, as well as that of the Board, is to allow for whoever the President may be at the time, to work in conjunction with the Superintendent to bring items to the agenda. He said this is to expedite the business of the district efficiently. He asked Counsel Rogelio Ruiz to confirm what he said.

Counsel Rogelio Ruiz replied yes, your description of the Board policy is correct. He said the district Board policy also differs from the standard form of policy issue.

President Ernesto Bejarano said he will be asking staff to see if he may request to bring that as a reading from a policy to relook at how we can do that to conform with CSBA's recommendations.

Counsel Rogelio Ruiz said that with the Board President's description of Alum Rock's Board bylaw, this issue is accurate. He said it is also true that the Alum Rock Board bylaw differs from the form of policy that is recommended by CSBA and also from other districts as well.

Vice-President Corina Herrera-Loera said that Ray Mueller came out to speak to the Board about the Census and she would like for him to come out again to do a presentation. She said if the Board wants to place an agenda item, make sure to email them to Superintendent Bauer.

President Ernesto Bejarano replied that she can always provide them in writing to Superintendent Bauer and himself.

President Ernesto Bejarano announced the items that would be discussed in Closed Session. There were no public comments from the audience at this time.

Superintendent Bauer said the Board needs to vote to see if they are willing to extend the meeting until 11:00 p.m.

9. Closed Session

Counsel Rogelio Ruiz said there is an item in the closed session agenda that is for claims for damages which may be an action which may be reportable.

MOTION #13-14 by Vice-President Corina Herrera-Loera to extend the meeting until 11:00 p.m. MOTION #13-14 was seconded by Member Linda Chavez.

MOTION #13-14 carried with a vote of 5 in favor; no opposition; no absent; and no abstention.

9.02 Recess To Closed Session: The Board will recess to Closed Session at approximately 9:56 p.m. Open session will resume approximately 1 ½ hours after the start of Closed Session.

President Ernesto Bejarano announced that the Board would reconvene to Open Session in approximately 1 ½ hours. The Board adjourned to Closed Session at 9:56 p.m.

10. RECONVENE TO OPEN SESSION

10.01 Call to Order / Roll Call

The Board reconvened to Open Session at 11:00 p.m. President Ernesto Bejarano welcomed everyone and took a second Roll Call in which all Board Members were present. There was a quorum.

Counsel Rogelio Ruiz reported that the Board took the following action:

9.05 Board rejected the claim for C. Guerra for claim damages. The Board voted 4-1 (Member Linda Chavez voting no).

Counsel Rogelio Ruiz reported that there is no other action to report at this time.

11. RECEIVE REPORTS

There are none.

12. FUTURE BOARD AGENDA REQUESTS

12.01 Requests from Board of Trustees and/or from the Public

There are none.

13. ADJOURNMENT

13.01 President Adjourns the Meeting

President Ernesto Bejarano adjourned the meeting at 11:03 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andrés Quintero', is written over a horizontal line.

Andrés Quintero, Board Clerk
mc