APPROVED 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, July 9, 2020, 5:30 p.m. at the Alum Rock Union School
Board Members and Superintendent participated via Zoom Meeting
Meeting #1-20/21

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 5:30 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.

Member Dolores Marquez-Frausto asked that action items be discussed first so the Board will not run out of time.

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

2. SPECIAL PRESENTATION

2.01Presentation of the Citizen's Bond Oversight Committee (CBOC) Annual Report.

Alison Cingolani and Rob Duran had a PowerPoint presentation regarding the CBOC Annual Report, and the highlights are as follows:

1. How is the Citizen's Oversight
2. How does the CBOC serve community and our schools.
3. How can you be involved.

Conditions impacting the bond program in July 2018/June 2019

- Unfavorable audits
- Downgraded credit rating
- Inability to issue Measure I bonds
- Lack of adequate bond money to complete needed projects
- Needs assessment complete in 2018
- Before Measure I bonds can be issued, the Board will need to hire bonds counsel and a financial advisor, and determine the amount of the issue.

2.SPECIAL PRESENTATION *(continued)*

Vice-President Corina Herrera-Loera thanked the committee for doing such an important job. She asked if they could forward her the list of the audit findings the CBOC received.

Alison Cingolani said the audits are short because the district has not been spending money.

Clerk Andrès Quintero thanked Alison Cingolani and the CBOC team for all their work.

Public Comment:

1) Paul Soto thanked the Board members for bringing this item. He said he is concerned about the schools and the asbestos needs to be removed. He said he feels that the schools are neglected.

2) Veronica thanked the volunteers for the presentation. She asked for the resignation of Clerk Andrès Quintero and Member Dolores Marquez-Frausto.

3) Brenda Zendejas thanked Alison Cingolani for her volunteer work. She asked if any construction work done. She said renovating offices at the district and dismissing the roof problems can lead to potential hazards.

4) Camille Llanes-Fontanilla said in light of the current situation she was wondering if the bond money could be used. She said the same framework could be used to address issues that need to be fixed in the classrooms.

5) Flor De Leon thanked her colleagues on the committee for the presentation they gave to the community. She said when she went to MASCA and saw the murals it brought back memories.

6) Victor Vasquez thanked parents and the oversite committee. He said former Trustee Karen Martinez brought the idea to do a reassessment of schools. He said Del Terra and some of the Board members were a part of the decision. He said parents have mentioned to him that repairs need to be done at the schools.

7) Leilani Castillo said she has been at the Board meeting advocating for children just like other parents. She said she wants funding away from the police officers at schools and reinvest the money into the schools.

Alison Cingolani said it would be better to have someone that specializes in bonds. She said in her opinion some of the things that need to be fixed are facilities related. She said they could be fixed with Measure I funds.

2.SPECIAL PRESENTATION *(continued)*

2.02 REOPENING OF SCHOOL MODEL FOR FALL 2020

Superintendent Bauer thanked the team who worked so hard to bring this item tonight. She asked that Assistant Superintendent Sanchez introduce the team. She said she wanted to make it clear that the foundation of this model is safety. She said safety for the staff, students, and community.

Assistant Superintendent Sanchez introduced the team that worked on the Reopening of School Model for Fall 2020 Brittany Rykels E.L Coordinator of Academic Services, Jason Sorich Educational Technology Administrator, and Vince Iwaski Principal at Mathson.

Brittany Rykels, Jason Sorich, and Vince Iwaski had a PowerPoint presentation regarding the Reopening of School Model For Fall 2020, and the highlights are as follows:

Face to Face Instruction for 10% of the student population for students with the highest needs.

Phase Student Learning locations 1 Aug18 90% of students on distance learning 10% of students on-campus

- *Students with Disabilities in Special Day Classes. (~410 students)*
- *Foster students (~20 students)*
- *Homeless (McKinney Vento students) (107 students)*
- *English Language Learner Newcomers who do not speak English (~200 students)*
- *TK (178 students) 2 Spring 2021 If contagion subsides. 75% of students on distance learning 25% of students on-campus adding the following groups*
- *Kindergarten & 1st grade*
- *Students who are struggling in the distance learning model*

Superintendent Bauer said this was contingent if these conditions worsen. She said for the Board's approval because the staff needs to plan.

MOTION #01-01 by Clerk Andrés Quintero to approve Action Item 2.02 as presented. MOTION #01-01 was seconded by Vice-President Corina Herrera-Loera.

Assistant Superintendent Sanchez read public comments that came through email.

Public Comment:

1) Kimmy Erashima said she is a kindergarten teacher at Lucha Elementary School. She urged the Board to pass the plan to reopen schools. She said she learned a lot in the past few months to meet the needs of the students. She said she believes students need face to face interaction.

2.SPECIAL PRESENTATION *(continued)*

2) Elena Barron is a teacher at Lyndale Elementary School for the past twenty-three years. She said she heard that Special Education students were the first ones to come back to school. She said Special Education students are 10% and the rest of the students are 90%. She said she feels that it is unwise to have these groups of students come back because they are the most vulnerable.

3) Dilza Gonzalez said she agrees with the teacher that spoke students need to be prepared to go back to school. She said students need to be separated. She said she knows that not children can keep their masks on.

4) Silvia Nolasco said she has a son that has autism. She asked the Board to open schools because parents of children with special needs are having a difficult time. She said her son has advanced so much and if he stays at home she is afraid he will fall behind.

5) Araceli Sandoval said that she feels that everyone has different needs as the other parent mentioned. She asked that training be provided for technology. She said due to a lack of technical knowledge parents are unable to help students.

6) Gigi Chapman said it has been difficult for this transition for children. She asked how is the district going to set up students for success and the technology issues need to be addressed.

7) Nancy Aguirre said her son is attending Linda Vista. She said she does not feel that staff and children are safe to return to school. She said staff and students do not want to put themselves at risk.

8) Brenda Zendejas asked how the district ensure that staff and teachers will be safe. She asked if everyone will be tested regularly. She said there is a lot of Spanish speaking parents having technology problems. She asked how will the district make sure everyone has internet access.

9) Joanna Taamu asked if the afternoon programs have their own set up on coming back to school. She asked for the kids who have a 504 do they count as special needs. She asked if the district was going to provide the masks.

Superintendent Bauer said the first day of school will be August 18th and it will be virtual. She said if staff comes back they will be provided masks.

Clerk Andrès Quintero asked Superintendent Bauer if the kids who have a 504 will they come back with the special needs students.

2.SPECIAL PRESENTATION *(continued)*

Superintendent Bauer replied that the students that have 504 do not qualify as Special Education students. She said the students that have 504 plans will not come back.

Clerk Andrès Quintero asked the ones that have an independent plan are not in the plans to come back.

Superintendent Bauer replied whatever the plan is the students are bound to those agreements.

Clerk Andrès Quintero said the directive of the governor was to go ahead and put everyone in a shelter in place. He said this provided the opportunity for virtual learning.

Superintendent Bauer replied that the district needs to demonstrate that the district is doing everything possible to provide face to face instruction. She said every family needs to decide if they want to return to school.

Counsel Rogelio Ruiz said he agreed with what Superintendent Bauer said the statutory language now supersedes the governor's order offering in-person instruction. He said the statues also speak on distance learning taking into account the public health orders.

Vice-President Corina Herrera-Loera said what Superintendent Bauer stated is a proposal and when August comes around the district may be given a different direction. She read the guidelines that the American Pediatrics issued on keeping students at home. She said the most important thing for her is to keep students, teachers, and staff safe.

Member Dolores Marquez-Frausto said during her one-on-one with Superintendent Bauer they spoke about the plan and how there is a lot of questions and concerns. She said she would like parents to have a clear picture. She said she going to support this item.

Superintendent Bauer said facemasks will be provided. She said the students coming back are the ones that are in the highest need for face to face. She said she welcomes questions. She commented there will be a staff townhall next Wednesday.

Member Dolores Marquez-Frausto said if the district could let parents know those that do not fall in that category.

Member Linda Chavez said she keeps hearing technology and bathrooms are an issue. She said her main concern is facilities. She said some of the bathrooms do not have hot water. She said a couple of years ago OSHA was called and the bathrooms were not addressed. She asked if bathrooms could be fixed before the district moves down the line.

2.SPECIAL PRESENTATION *(continued)*

President Ernesto Bejarano thanked the team. He said he knows it is difficult with these moving pieces. He said he agreed with the 90/10 model that the team is speaking about. He said it makes more sense. He asked that the district goes with the bare minimum in terms of potential exposure. He asked that staff and Voler post frequently asked questions to have anyone who has questions can post them there.

Clerk Andrès Quintero thanked parents that showed up at the Town Hall meetings. He thanked the staff that put it together. He said the input was great.

Member Dolores Marquez-Frausto thanked the community. She said everyone will be talking about the pandemic for a long time.

Superintendent Bauer said the district will have an afternoon program with partners. She said she does not know how it will be.

Member Linda Chavez thanked Superintendent Bauer for speaking about the afterschool program. She asked that staff put something together to see how the educational classes are going to be. She said there was a parent who asked how was the district going to ensure everyone had internet access.

Superintendent Bauer said the district is ready to provide a device to each student. She said many areas have weak signals.

Vice-President Corina Herrera-Loera thanked all parents that attended the Town Halls. She said everyone is going to get through these hard times.

Roll call vote: Ayes: Member Linda Chavez, Clerk Andrès Quintero, President Ernesto Bejarano,Vice-President Corina Herrera-Loera and Member Dolores Marquez-Frausto.
Vote: 5/0; Motion Carries

3. Public Members Who Wish To Address The Board

3.01 Requests to Address the Board

Assistant Superintendent Sanchez read public comments that came through email.

Public Comment:

1) Julieann Sanchez said her cousin works in the district and was forced to go back to work. She said staff is not being temperature checked.

3. Public Members Who Wish To Address The Board *(continued)*

Public Comment:

2) Tamara Shane said she works for the Legal Advocate's Foundation of Silicon Valley. She said no Board member will be meeting with San Jose Police Department behind closed doors.

3) Zane said he was born and raised in San Jose. He said he feels there a moral obligation to invest in counseling.

4) Speaker said there is an issue with having President Ernesto Bejarano meeting with the San Jose Police Department. Speaker said President Ernesto Bejarano has a background in criminal justice.

5) Bryan Parker said he is a community member. He asked President Ernesto Bejarano to withdraw his proposal to meet with the police behind closed doors.

6) Speaker said he is an Assistant Professor of Chicano Studies at San Jose State University. He said he is demanding that the funds for police on campus be allocated funds for restorative justice.

7) Tim Espinoza asked the Board to take action and support the demands of the community. He said if the Board wants to have meetings with police to include the community.

8) Maria Martinez congratulated Member Dolores Marquez-Frausto for being on zoom. She said that good leaders do not hide.

9) Brenda Zendejas said there were two hundred parents that wanted to speak on public comment. She said she understands that the Board cares about their time.

10) Adria Colomer said she demands child services for students. She said that the Board should not have a close session meeting with the San Jose Police Department.

11) Flor De Leon said that Empuje wanted to remove police officers from the school campus. She said by having the contract with San Jose Police canceled it could be invested in counseling and restorative justice.

12) Victor Vasquez said that by reopening schools the district is putting people's lives at risk. He said it is a matter of life and death.

13) Paul Soto said he is tired of cuts being made.

14) Veronica said there is a community that is listening. She asked that President Ernesto Bejarano withdraw his proposal and sit with the San Jose Police Department.

4. Comments and Communications

4.01 Teamsters

There were no representatives from Teamsters at this time.

5.02 California School Employee's Association (CSEA)

There were no representatives from CSEA at this time

4.03 Alum Rock Administrator's (ARAA)

Maria Martinez said thanked everyone for the reopening plan.

4.04 Alum Rock Educator's Association (AREA)

Jocelyn Merz said she wanted dot thanked everyone very much for the reopening plan. She said AREA also participated in the reopening of the school's plan. She said information regarding COVID was always being updated at the district constantly. She said AREA will also commit to working with the district.

4.05 Superintendent

Superintendent Bauer thanked everyone. She said she knows these are difficult times. She said she echos what Jocelyn Merz said safety it first.

4.06 Board of Trustees/Communication/Comments

Clerk Andrès Quintero said he discourages everyone from looking at the city council meetings. He said some people were arrested. He said Superintendent Bauer and Dr. Betancourt from San Jose City College had a meeting regarding Ethnic Studies. He commented that Miriam Magana and Mayra Nava had the Epiphany Project. He said Miriam Magana passed away and he would like a letter sent to her family for the district.

Vice-President Corina Herrera-Loera said she appreciated all the parents that came out and spoke. She encourages parents to call the administration and what committee they would like to be in.

Member Linda Chavez thanked teachers for the extra work they do. She said she knows it is not easy. She thanked the Board and administration for all the work they do. She said she thinks there is something that everyone has in common which is the children's education.

4. Comments and Communications *(continued)*

Member Dolores Marquez-Frausto said that she does not have a problem with President Ernesto Bejarano speaking to San Jose Police Department as long that it is Ernesto Bejarano as a community member. She said she has a problem if it is President Ernesto Bejarano Board member of Alum Rock. She said it is not only blacks being killed. She thanked the community members.

President Ernesto Bejarano thanked those who supported him. He said he is committed to the safety of students, staff, and visitors at all times. He said there was never a mention or intention of signing an MOU behind closed doors. He said the process of MOU's is outlined in the Board Policy. He said there should be an overall plan for the school's safety. He said he is excited about the item that he is bringing later tonight.

5. Contracts Extensions Over $100,000

5.01 Approve Contract Extension/Increase for the 2019/2020 SY with Gold Star Foods for the purchase of individually wrapped and shelf stable food items that were needed for "grab and go" meal distribution during school closures due to Covid-19, CNS, $215,000.

MOTION #02-01 by Member Dolores Marquez-Frausto to approve Action Item 5.01 as presented. MOTION #02-01 was seconded by Clerk Andrés Quintero.

Public Comments:

1) Paul Soto said he was concerned that the budget for food has increased when children are not in school.

2) Joanna Taamu said she did not know if the district received money from the federal grant. She asked where the money was coming from to pay for the contract.

3) Brenda Zendejas asked how many lunches are being served to students. She asked how many lunches are being picked and how many are wasted.

4) Veronica asked that Clerk Andrés Quintero withdraw his signature from the Black Lives Matter resolution. She said the food contracts that are over two million who is the food being served to.

5) Tim Espinoza said he thinks because of this contract there needs to be an oversite committee. He said the food literally goes to waste.

6) Claudia Coello said the high amount of the contract does not make sense. She said there is no type of registration to get this food.

5. Contracts Extensions Over $100,000 *(continued)*

Superintendent Bauer said Alum Rock was the first district to feed children. She said the money for these contracts comes from the federal funds.

Vice-President Corina Herrera-Loera said she went to a school and the lunch line was long. She asked if the increase in the contract was due to the high volume of lunches being provided. She asked how many lunches are provided daily.

Superintendent Bauer replied the contract amount is not because of the number of lunches provided. She said these contracts come yearly.

Clerk Andrés Quintero said he know that Alum Rock has the highest need in Silicon Valley. He said he does appreciate the work the staff does with the idea that every child takes a lunch home. He said his children tell him that kids in school eat the food that is provided at school.

Member Linda Chavez said she has asked why the district is spending money on these programs. She said there are resources like EBT cards and the Second Harvest Food Bank. She said she feels that the district is taking away money from programs. She said when she was President of the Board she cut meals to be provided to the Board.

Member Dolores Marquez-Frausto said she will be supporting this item because students in Alum Rock need the food. She said the money comes from federal funds to keep the cafeteria open for children. She said if the funds would be used for something else the director and the superintendent would be in trouble.

President Ernesto Bejarano said he would be supporting this item. He said he has gone to schools and he sees families with smiles on their faces. He said he saw the hard work.

Member Linda Chavez said she is not saying to take the program away. She said the kids and parents that need it give it to them.

Superintendent Bauer said she wanted to give a shout out to CNS for working non-stop. She said she went to schools on Monday and she saw the team serving lunches.

Roll call vote: Ayes: Clerk Andrès Quintero, President Ernesto Bejarano,Vice-President Corina Herrera-Loera and Member Dolores Marquez-Frausto. Noes: Member Linda Chavez,
Vote: 4/1; Motion Carries

6. Contracts Over $100,000

6.01 Approve Contract with Illumiate Education, Inc., this is an outline data and assessment platform to monitor and assess achievement, SEL attendance and interventions, Academic Services, $183,293.97

MOTION #03-01 by Clerk Andrés Quintero to approve Action Item 6.01 as presented. MOTION #03-01 was seconded by Member Linda Chavez.

Public Comments:

1) Flor De Leon said some parents have expressed concerns about spending three in half a million dollars.

2) Veronica asked why the district is not monitoring lunches being provided to children. She said the district should not be providing lunches to people that are eighteen years old.

3) Brenda Zendejas asked where the money was coming from.

Superintendent Bauer said the money was coming from the local assessment. She said the district is supposed to monitor students learning.

Member Linda Chavez asked if the teachers knew about the change to iready. She asked if they need to be trained.

Superintendent Bauer replied that teachers are being trained on this platform.

Roll call vote: Ayes: Clerk Andrès Quintero, President Ernesto Bejarano,Vice-President Corina Herrera-Loera Member Dolores Marquez-Frausto and Member Linda Chavez
Vote: 5/0; Motion Carries

6.02 Approve Contract with Levered Learning, Inc., to provide an instructional program for upper elementary mathematics, with a focus on supporting instruction of all Common Core standards for the district's 3rd-5th grade classroom, Academic Services, $119,557.50.

MOTION #04-01 by Clerk Andrés Quintero to approve Action Item 6.02 as presented. MOTION #04-01 was seconded by Member Linda Chavez.

6. Contracts Over $100,000 *(continued)*

Public Comments:

1) Veronica said the Del Terra was stealing money. She said the CEO from Del Terra has turned themselves into the authorities. She asked if there could be a count of how many lunches are being provided.

2) Brenda Zendejas said she really wants a program that helps kids.

Vice-President Corina Herrera-Loera asked if this program was going to be for all schools or some schools.

Assistant Superintendent Sanchez replied it was going to be for all schools grades 3-5th. He said this will replace the current program.

Vice-President Corina Herrera-Loera asked if this was going to be provided in Spanish.

Assistant Superintendent Sanchez replied currently it is not provided in Spanish.

Member Linda Chavez said since there is declining enrollment the second and third year are not realistic. She asked if the program was getting more money because there are fewer students. She asked if the contract could be for a year and see how it goes. She said the reason why she is asking is that the contract says as is.

Assistant Superintendent Sanchez replied the contract has projections for all four years. He said the contract is for the next year only.

Member Linda Chavez said it does not seem right that the Board is going to vote for this contract for two years if the number of students is less.

Assistant Superintendent Sanchez replied that he was referring to 20/21 school year.

Clerk Andrés Quintero said there is a recommendation located in the Boardbook which speaks to concerns raised by the public.

Member Dolores Marquez-Frausto said she feels that the district is losing students so the cost should be going down. She said the district should be looking at staff because the district is losing staff.

6. Contracts Over $100,000 *(continued)*

Member Linda Chavez said she is not going to vote because the staff recommends. She said there has been a lot of bad choices that have been made.

Roll call vote: Ayes: Clerk Andrès Quintero, President Ernesto Bejarano,Vice-President Corina Herrera-Loera Member Dolores Marquez-Frausto and Member Linda Chavez
Vote: 5/0; Motion Carries

> **6.03 Approve Contract with Santa Cruz/Silicon Valley New Teacher Project, will partner with Alum Rock Union School District in conducting Induction programs according to state standards. Academic Services, $156,000.00**

MOTION #05-01 by Clerk Andrés Quintero to approve Action Item 6.03 as presented. MOTION #05-01 was seconded by Member Linda Chavez.

Public Comments:

1) Veronica thanked the Trustees and it is great to have other partnerships.

2) Brenda Zendejas said she wanted to know a little bit more about this project.

3) Joanna Taamu said that the Board should look at the contracts before voting for them. She said the community should know where the money is coming from.

4) Tim Espinoza asked if this was a counterpart for Teach America. He said this seems to him that this is meant to empower the superintendent.

5) Claudia Coello said her son is in a special day class and the teacher he was placed with has no credentials. She said her son did not meet his IEP goals.

6) Victor Vasquez said it was difficult to find teachers and hire them. He asked which children are going to be served. He said he appreciates the mentorship of new teachers coming in.

7) Natalie Abal said she has been a teacher and has mentored teachers that are in the Induction Program. She said the Induction Program strengthens teachers teaching skills.

Superintendent Bauer said this is a requirement for every teacher that comes.

6. Contracts Over $100,000 *(continued)*

Member Dolores Marquez-Frausto said Teach America teachers that come end up looking for work at other districts.

Member Linda Chavez said she will supporting this item. She said she knows that teacher retention is really hard. She asked if the teachers in the classroom going to be uncredentialed.

Assistant Superintendent Sanchez said the teachers are credentialed teaching in the classroom. He said this program is required by the state for them to become fully credentialed.

Counsel Rogelio Ruiz said the teaching program has standards induction programs by the commission on teaching credentialed. He said the provider of services needs to meet those standards. He said this was not just a contract and this is a standardized contract set by the state.

Clerk Andrés Quintero said he will be supporting this item. He said every problem is society teachers are blamed. He said then who want to the teaching profession. He said the district should go bigger and think of teacher housing to retain good teachers.

Roll call vote: Ayes: Clerk Andrès Quintero, President Ernesto Bejarano,Vice-President Corina Herrera-Loera Member Dolores Marquez-Frausto and Member Linda Chavez
Vote: 5/0; Motion Carries

> **6.04 Approve Contract with Crystal Creamery Dairy, for the purchase of juice and dairy products, along with services as needed which will support the breakfast, lunch programs during the 2020-2021 SY, Child Nutrition, $520,000.00**

MOTION #06-01 by Member Linda Chavez to approve Action Item 6.04 as presented. MOTION #06-01 was seconded by Clerk Andrés Quintero.

Public Comment:

1) Tim Espinoza said based on the first public comment what is the district spending with modifying the plan.

Superintendent Bauer said all the programs are federally funded programs. She said the money cannot be spent on anything else.

6. Contracts Over $100,000 *(continued)*

Public Comments:

2) Victoria Partida said that she is one of the parents that is receiving food from the district. She said her son does not drink milk. She said she would like to have other options than just milk.

3) Claudia Coello said that some of the milk provided by the district has been going bad.

4) Flor De Leon said some parents really need the food but they do not have transportation. She asked if there was any way to have them picked up to order for them to get food.

5) Veronica said the district does not have the obligation to feed the entire city. She said most of the children do not drink milk.

6) Brenda Zendejas said there is a lot of kids that are lactose intolerant. She said she would like to see an alternative.

7) Eustolia Garcia said her daughters cannot drink the cow's milk. She said her daughters have a condition. She said she does not know what alternate could be provided.

8) Victor Vasquez said he is not against alternate food. He said he agrees to feed the community and students.

9) Araceli Sandoval said she agrees that this is a waste of money.

10) Joanna Taamu asked if the money could be allocated. She said none of her kids drink milk. She said there should be other options.

Director Dennise Mendez said because this is an FDA program that has requirements that the district needs to adhere. She said she appreciated the community feedback.

Clerk Andrés Quintero thanked the nutrition program for moving forward and seeking alternatives to provide meals to the kids. He said the nutrition standards are put by the federal program.

6. Contracts Over $100,000 *(continued)*

MOTION #07-01 by Clerk Andrés Quintero to extend to 3:00 am. MOTION #07-01 was seconded by Member Linda Chavez.

Roll call vote: Ayes: Clerk Andrès Quintero, President Ernesto Bejarano,Vice-President Corina Herrera-Loera Member Dolores Marquez-Frausto and Member Linda Chavez
Vote: 5/0; Motion Carries

Item 6.04 Vote

Roll call vote: Ayes: Clerk Andrès Quintero, President Ernesto Bejarano,Vice-President Corina Herrera-Loera Member Dolores Marquez-Frausto and Member Linda Chavez
Vote: 5/0; Motion Carries

6.05 Approve Contract with Daylight Foods Inc., for the purchase of fresh and seasonal fruits and vegetables that will support the breakfast, lunch programs during the 2020-2021 SY, Child Nutrition, $400,000.00

MOTION #08-01 by Member Linda Chavez to approve Action Item 6.05 as presented. MOTION #08-01 was seconded by Vice-President Corina Herrera-Loera.

Public Comment:

1) Veronica said she does not know what she is voting for. She said she volunteers to pass the food. She said she sees food sitting out for a while.

Roll call vote: Ayes: Clerk Andrès Quintero, President Ernesto Bejarano,Vice-President Corina Herrera-Loera and Member Linda Chavez: Absent: Member Dolores Marquez-Frausto
Vote: 4/1; Motion Carries

6.06 Approve Contract with Gold Star Foods, Inc., for the purchase of commercial food products and paper supplies that will support the breakfast, lunch programs during the 2020-2021 SY, Child Nutrition, $800,000.00

MOTION #09-01 by Clerk Andrès Quintero to approve Action Item 6.06 as presented. MOTION #09-01 was seconded by Member Linda Chavez.

6. Contracts Over $100,000 *(continued)*

Public Comment:

1) Veronica said it is unbelievable how much money is being spent on paper bags. She said the district needs to get the city involved.

2) Brenda Zendejas asked if the district stop using styrofoam. She said that Clerk Andrès Quintero likes to comment back on public comments.

Roll call vote: Ayes: Clerk Andrès Quintero, President Ernesto Bejarano,Vice-President Corina Herrera-Loera, Member Dolores Marquez-Frausto and Member Linda Chavez
Vote: 5/0; Motion Carries

6.07 Approve Contract with Gold Star Foods, Inc.,SLIC for the distribution of all raw based food commodities to various USDA approved manufactures on behalf of Alum Rock School District. SLIC will assign USDA commodities with Gold Star Foods, Inc, Child Nutrition $1,400,000.00

MOTION #10-01 by Member Linda Chavez to approve Action Item 6.07 as presented. MOTION #10-01 was seconded by Vice-President Corina Herrera-Loera.

Roll call vote: Ayes: Clerk Andrès Quintero, President Ernesto Bejarano,Vice-President Corina Herrera-Loera, Member Dolores Marquez-Frausto and Member Linda Chavez
Vote: 5/0; Motion Carries

6.08 Approve Contract with P & R Paper Supply Co, who will provide supplies. This includes but not limited to trays, sporks, foil pans, paper towels, gloves, hairnets, cleaning supplies, etc. Items are needed to prepare and serve meals in a safe manner, Child Nutrition, $250,000.00

MOTION #11-01 by Member Linda Chavez to approve Action Item 6.08 as presented. MOTION #11-01 was seconded by Vice-President Corina Herrera-Loera.

Public Comment:

1) Veronica said the community needs data to see how many lunches are being provided.

2) Brenda Zendejas said maybe food could be delivered to parents.

Roll call vote: Ayes: Clerk Andrès Quintero, President Ernesto Bejarano,Vice-President Corina Herrera-Loera, Member Dolores Marquez-Frausto and Member Linda Chavez
Vote: 5/0; Motion Carries

7. Superintendent/ Board Business

7.01 Resolution # Black Lives Matter (AREA)

Veronica Talton, Teacher Lyndale & George, said she is an African American employee and teacher. She said Black Lives Matter was created back in 2013 by three black women.

Toby Nielson, Teacher Aptitud, said she is speaking as a member of AREA she is part of the AREA equity team.

MOTION #12-01 by Clerk Andrès Quintero to approve Action Item 7.01 as presented. MOTION #12-01 was seconded by Member Dolores Marquez-Frausto.

Public Comment:

1) Veronica said she had a question regarding the amendment of the memorandum she needs clarification.

2) Dilza Gonzalez said she was a part of the committee of Black Lives Matter. She thanked AREA for bringing this item up.

3) Brenda Zendejas thanked AREA for bringing this resolution. She said see diversity in the administration. She said teachers also experience racism.

4) Natalie Abal thanked AREA for bringing this resolution to schools. She thinks children need to be raised differently.

5) Victor Vasquez said he appreciated AREA for putting this item together.

Vice-President Corina Herrera-Loera thanked AREA for bringing this item forward. She said she was glad that everyone has these conversations.

Member Linda Chavez said the district should advocate for equal treatment. She said the district needs to seek solutions. She asked if in the last paragraph the police will be dismantled.

Veronica Talton said in terms of dismantling it is an institution of racism.

Member Linda Chavez asked if the police will be dismantled yes or no.

Veronica Talton replied that the resolution is simply saying that the Board is standing in solidarity with the Black Lives Matter movement. She said it stands with the resolution that was already approved supporting Black Lives Matter.

7. Superintendent/ Board Business *(continued)*

Roll call vote: Ayes: Clerk Andrès Quintero, President Ernesto Bejarano,Vice-President Corina Herrera-Loera and Member Dolores Marquez-Frausto: Absent: Member Linda Chavez
Vote: 4/1; Motion Carries

7.02 Board Policy 0450, Comprehensive Safety Plan

MOTION #13-01 by Clerk Andrès Quintero to approve Action Item 7.02 as presented. MOTION #13-01 was seconded by Vice-President Corina Herrera-Loera.

Public Comment;

1) Veronica said how can the children of color be safe. She said that the Board was not prepared.

2) Brenda Zendejas asked if there was a complaint against the superintendent or a designee who would someone go to file a complaint.

3) Victor Vasquez said some of the committees were up for grabs.

Vice-President Corina Herrera-Loera asked Counsel Rogelio Ruiz if education code 322.81 is needed in the Board Policy.

Counsel Rogelio Ruiz replied that it is required. He said it is decided by the School Site Council.

7.03 Board Policy 5141.4, Child Abuse Prevention and Reporting

MOTION #14-01 by Clerk Andrès Quintero to approve Action Item 7.03 as presented. MOTION #14-01 was seconded by Vice-President Corina Herrera-Loera.

Public Comment:

1) Veronica said the Board is not informed before coming to the Board meeting.

2) Brenda Zendejas said it was really hard to report child abuse and stay anonymous. She said there have been teachers that have reported child abuse and the parents come and yelling at the teachers.

3) Claudia Coello said she has been a witness of parents coming to school and yelling at teachers for reporting them.

7. Superintendent/ Board Business *(continued)*

Member Linda Chavez asked what has been omitted from the Board Policy to be added back.

7.04 Board Policy 4119.24/4219.24/4319.24, Maintaining Appropriate Adult-Student Interactions.

Public Comment:

1) Veronica said she would like to have it recorded when students and teachers have interactions.

2) Brenda Zendejas said there have been independent contractors that have had interactions with girls and they put their hands on them.

Counsel Rogelio Ruiz said state law prohibits the interaction with a teacher and a student. He said Member Linda Chavez has asked for a paragraph to be reinserted on item 7.03. He explained that CSBA has put the paragraph before that paragraph because it is a broader way.

ITEM 7.03
MOTION #15-01 by Clerk Andrès Quintero to approve Action Item 7.03 as presented. MOTION #15-01 was seconded by Member Linda Chavez.

ITEM 7.03

Roll call vote: Ayes: Clerk Andrès Quintero, President Ernesto Bejarano,Vice-President Corina Herrera-Loera, Member Dolores Marquez-Frausto and Member Linda Chavez
Vote: 5/0; Motion Carries

7.05 Board Policy 5125, Student Records

Public Comment:

1) Veronica said law enforcement will provide information to ICE.

2) Brenda Zendejas said she agrees with Veronica. She said police do provide information to ICE.

3) Victor Vasquez thanked the district for protecting families and students.

7. Superintendent/ Board Business *(continued)*

Counsel Rogelio Ruiz said this is an optional draft language. He said that CSBA's purpose is that it be part of this policy.

Superintendent Bauer said the district does not release any student's information only through a court order.

7.06 Board Policy 1312.1, Complaints Concerning District Employees

Public Comment:

1) Veronica said if someone reports the superintendent it should be anonymous.

2) Brenda Zendejas asked if the President does not respond to a complaint then what is the next step.

7.07 Approve District Energy Savings Solar Power Agreement

Public Comment:

1) Natalie Abal said solar is a good direction to move. She said there were a lot of districts that have solar. She asked if this was the time to do this.

2) Veronica said she wants to echo what was said previously. She said she does not feel comfortable with this item

3) Brenda Zendejas said one of the biggest concerns in the schools is electrical problems. She said she does not agree it is the right time.

4) Claudia Coello said some companies will provide solar for free.

5) Sandra Rivera said she would like the solars to be installed in the parking lots of the school.

6) Joanna Taamu said her husband works at the district and he sees a lot of kids jumping on the roof.

7) Victor Vasquez thanked the Board for this project that saves the district money.

7. Superintendent/ Board Business *(continued)*

President Ernesto Bejarano said he brought this item because the district has a budget problem. He said the Board needs to move forward on solar based on general numbers. He said this would increase the district's income.

Counsel Rogelio Ruiz said the government code requires that there be a proposed agreement be agendized for a public hearing for at least two weeks in advance. He said during the time the contract is presented the district needs to show there is a cost-saving.

Assistant Superintendent Chheng shared a cost analysis.

The Board has a discussion

MOTION #16-01 by President Ernesto Bejarano to direct staff to go forward and get concrete information making no commitments to anyone what so ever shaper or form to bring back to us. MOTION #16-01 was seconded by Clerk Andrés Quintero.

Member Linda Chavez said she thinks she made a motion to table this item and Member Dolores Marquez-Frausto.

President Ernesto Bejarano said he did not hear a motion to table this item.

Roll call vote: Ayes: Clerk Andrès Quintero, President Ernesto Bejarano andVice-President Corina Herrera-Loera Noes: Member Dolores Marquez-Frausto and Member Linda Chavez
Vote: 3/2; Motion Carries

8. Business

8.01 Approve First Amendment to Premises Use of Agreement Between the District and City of San Jose to Allow the City's Office of Emergency Management to Use Certain Facilities Owned by the District During Emergencies for Shelter or Mass Care Services.

Public Comment:

1) Wendy Boshart said kids should come back. She said half of the teachers do want to come back and the other half does not.

2) Brenda Zendejas said she was disappointed because the Board is here for the public.

3) Veronica said the city should pay the district.

8. Business *(continued)*

MOTION #17-01 by Member Linda Chavez to it back next time with a dollar amount Alum Rock receives. MOTION #17-01 was seconded by Member Dolores Marquez-Frausto.

Roll call vote: Ayes: Member Linda Chavez and Member Dolores Marquez-Frausto Noes: Clerk Andrès Quintero President Ernesto Bejarano and Vice-President Corina Herrera-Loera Vote: 2/3; Motion Fails

MOTION #18-01 by Clerk Andrès Quintero to approve Action Item 8.01 as presented. MOTION #18-01 was seconded by Vice-President Corina Herrera-Loera.

Roll call vote: Ayes Clerk Andrès Quintero President Ernesto Bejarano and Vice-President Corina Herrera-Loera Noes: Member Dolores Marquez-Frausto and Memebr Linda Chavez
Vote:3/2; Motion Carries

8.02 Approve Resolution No. 05-20-21 Temporary Interfund Transfer.

MOTION #19-01 by Clerk Andrès Quintero to approve Action Item 8.02 as presented. MOTION #19-01 was seconded by Vice-President Corina Herrera-Loera.

Assistant Superintendent Chheng said this item is for the budget.

Public Comment:

1) Brenda Zendejas said she was concerned that she does not see enough information on this item. She said this raises red flags.

2) Veronica said she would like a better explanation.

3) Joanna Taamu said she was like clarification about 10%.

Roll call vote: Ayes Clerk Andrès Quintero President Ernesto Bejarano and Vice-President Corina Herrera-Loera Noes: Member Dolores Marquez-Frausto and Memebr Linda Chavez
Vote:3/2; Motion Carries

9. Human Resouces

9.01 INFORMATION Regarding Resignations.

9.02 Approval and Ratification of Tentative Agreement between the Alum Rock Union School District and Teamsters Local 150, for a period of July 1, 2019- June 30, 2020 and July 1, 2020 –June 30, 2021.

MOTION #20-01 by Clerk Andrès Quintero to approve Action Item 9.02 as presented. MOTION #20-01 was seconded by Vice-President Corina Herrera-Loera.

Public Comment:

1) Brenda Zendejas said if this item was for an increase in wages.

Roll call vote: Ayes Clerk Andrès Quintero President Ernesto Bejarano and Vice-President Corina Herrera-Loera Noes: Member Dolores Marquez-Frausto Absent: Memebr Linda Chavez
Vote:3/1/1; Motion Carries

9.03 Resolution # 42-19/20 Reduction of Elimination of Classified Services.

MOTION #21-01 by Vice-President Corina Herrera-Loera to approve Action Item 9.03 as presented for the purpose of discussion. MOTION #21-01 was seconded by Clerk Andrès Quintero.

Public Comment:

1) Brenda Zendejas asked how many employees were going to be eliminated.

2) Dilza Gonzalez said many classified employees are being cut.

3) Joanna Taamu said classified jobs are going to cut.

4) Veronica asked how many classified are being cut.

Roll call vote: Ayes: Member Linda Chavez, Clerk Andrès Quintero, President Ernesto Bejarano and Vice-President Corina Herrera-Loera Noes: Member Dolores Marquez-Frausto.
Vote: 4/1; Motion Carries

10. CONSENT CALENDAR

Clerk Andrès Quintero asked to pull item 10.05.

Member Linda Chavez asked to pull item 10.06

There was a consensus from the Board to combine and take action on ***Agenda Items 10.01, 10.02, 10.03,10.04, and 10.07.***

- ***Agenda Item 10.01*** *Approve Acceptance of Donations.*
- ***Agenda Item 10.02*** *Approve Acceptance of Vendors & Payroll Warrants.*
- ***Agenda Item 10.03*** *Approve Acceptance of Grant/Award Notification.*
- ***Agenda Item 10.04*** *Approve/Ratify Notices of Employment and Changes of Status/July 9, 2020/Human Resources Department*
- ***Agenda Item 10.07*** *Approve Quarterly Report ON Williams Uniform Complaints*

MOTION #22-01 by Clerk Andrés Quintero to approve Agenda Items 10.01, 10.02, 10.03, 10.04 and 10.07as presented. MOTION #22-01 was seconded by Member Linda Chavez.

Public Comments:

1) Brenda Zendejas said there was a tower outside of Linda Vista.

2) Joanna Tammu said if there could be more information on grants and donations.

Roll call vote: Ayes: Member Linda Chavez, Clerk Andrès Quintero, President Ernesto Bejarano,Vice-President Corina Herrera-Loera and Member Dolores Marquez-Frausto.
Vote: 5/0; Motion Carries

10.05 Approve Contracts for Professional Service –Firms/Organizations

MOTION #23-01 by Clerk Andrès Quintero to approve the balance of Action Item 10.05 as presented except for the Planned Parenthood Contract. MOTION #23-01 was seconded by Member Linda Chavez.

Public Comment:

1) Veronica said Planned Parenthood helps parents.

2) Brenda Zendejas said she noticed that services are being rendered at two schools.

3) Dilza Gonzalez said she echoed what Veronica commented.

10. CONSENT CALENDAR

Roll call vote: Ayes: Member Linda Chavez, Clerk Andrès Quintero, President Ernesto Bejarano,Vice-President Corina Herrera-Loera and Member Dolores Marquez-Frausto.
Vote: 5/0; Motion Carries

10.05 Approve Contract with Planned Parenthood

MOTION #23-01 by Clerk Andrès Quintero to approve Action Item 10.05 Contract with Planned Parenthood as presented. MOTION #23-01 was seconded by Vice-President Corina Herrera-Loera.

Member Linda Chavez said she does not want to approve the Planned Parenthood contract because they kill unborn babies.

Public Comment:

1) Veronica said she believes in Planned Parenthood. She said to Member Linda Chavez that she was not here for her beliefs.

Roll call vote: Ayes: Clerk Andrès Quintero, President Ernesto Bejarano,Vice-President Corina Herrera-Loera and Member Dolores Marquez-Frausto: Noes: Member Linda Chavez
Vote: 4/1; Motion Carries

10.06 Approve Memorandum(s) of Understanding

MOTION #24-01 by Vice-President Corina Herrera-Loera to approve Action Item 10.06 as presented. MOTION #24-01 was seconded by Clerk Andrès Quintero.

Roll call vote: Ayes: Member Linda Chavez, Clerk Andrès Quintero, President Ernesto Bejarano,Vice-President Corina Herrera-Loera and Member Dolores Marquez-Frausto.
Vote: 5/0; Motion Carries

11. Closed Session

11.01 Recess to Closed Session: The Board will recess to Closed Session at approximately 9:00 pm. Open Session will resume of the conclusion of Closed Session.

President Ernesto Bejarano said the Board will recess to go to closed session at 2:30 am.

12. Reconvene to Open Session

President Ernesto Bejarano said there was nothing to report out from closed session.

15. ADJOURNMENT

13.01 President Adjourns the Meeting

President Ernesto Bejarano adjourned the meeting at 3:00 a.m.

Respectfully submitted,

Ernesto Bejarano, Board Clerk
mc