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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, September 10, 2020, 5:30 p.m. at the Alum Rock Union School
Board Members and Superintendent participated via Zoom Meeting
Meeting #4-20/21

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 5:34 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

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1. OPEN SESSION *(continued)*

1.01 Call to order/Roll Call/Pledge of Allegiance

President Ernesto Bejarano said there is a quorum.

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

Vice-President Corina Herrera-Loera asked to move agenda item 6.01 before 6.09.

Member Dolores Marquez-Frausto asked to move item 6.10 before 3.02.

2. Public Hearing

2.01 Public Hearing: GANN Limit Calculations.

President Ernesto Bejarano said the public hearing is opened at 5:43 p.m.

2.02 Presentation and Public Hearing on the 2020-2021 draft Learning Continuity and Attendance Plan.

Director, Sandra Garcia had a PowerPoint presentation regarding the 2020-21 draft Learning Continuity and Attendance Plan, and the highlights are as follows:

What is the Learning Continuity and Attendance Plan?

- For the 2020-21 school year, the requirement to adopt a Local Control and Accountability Plan by December 15, 2020 is being replaced by the Learning Continuity and Attendance Plan.
- LEAs will provide a summary of how the LEA will provide continuity of learning and address the impact of COVID-19 on pupils, families and staff.

Devices and Connectivity ❖ Provide and support Windows laptops, chromebooks, iPads for all Alum Rock students

❖ Provide iPads to students in TK/K grades

❖ Provide Windows laptops or chromebooks to students from 1st through 8th grade

❖ 5 of our middle school receive iPads with built-in Internet connectivity through Verizon Innovation Learning Schools (VILS) Program

❖ Offer support for internet connectivity through T-mobile and AT&T hotspots for students that need it

❖ Offer extended Tech Support hours until 7:00pm on weekdays and from 10:00am to 4:00pm on weekends

❖ Offer tech support in English, Spanish and Vietnamese

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1. OPEN SESSION *(continued)*

Sped (Special Education):
● IEPs will continue to be implemented to the greatest extent possible through synchronous and asynchronous methods
● Service providers are continuously monitoring progress on goals and adjusting supports to ensure that students are making progress towards their goals.
● For pupils with exceptional needs who currently receive special education, any learning loss will be addressed through the IEP process.
● During distance learning, if teachers or families have concerns regarding a student's access or goal progress, IEP teams will convene to consider and implement additional modifications and accommodations to address the student's learning.
● When schools return to in-person instruction, District staff working with the students will closely monitor skills and performance to confirm whether or not there are any concerns regarding goal progress or regression due to school closures. If there are any such concerns, the student's teacher will work with the IEP team and family to discuss the student's individual needs, which may include the offering of compensatory services.

Mental Health ● Professional Development
● Site based counseling
● After-hours crisis support
● Wellness resource & support requests
● Wellness Wednesdays for staff Social Emotional Learning
● Professional Development

○ SEL Awareness ○ Morning Meetings ○ Communities of Care ● Kimochis, PBIS, Restorative Practices

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1. OPEN SESSION *(continued)*

Public Comment:

1) Brenda Zendejas asked how many schools are using camoshi's. She thanked Sandra Garcia for the presentation.

2) Veronica thanked Sandra Garcia and her team for an amazing job. She said she would like more parent participation.

3) Dilza Gonzalez said she wanted to echo what Veronica said. She said Sandra Garcia is doing a wonderful job.

4) Flor De Leon said she did not have time to review the presentation.

Member Linda Chavez thanked Sandra Garcia for her presentation. She thanked the speakers.

Vice-President Corina Herrera-Loera asked Sandra Garcia when did she need the feedback for her to have the final plan.

Sandra Garcia replied she would need to have any information by the 21st of September to finalize the draft.

Vice-President Corina Herrera-Loera asked that parents send their information sent to Sandra Garcia or Superintendent Bauer by the 21st of September.

President Ernesto Bejarano said training is good to have available for parents.

Member Linda Chavez asked Sandra Garcia to have those pieces of the training posted on the district website.

Clerk Andrès Quintero said he acknowledges the hard work the staff does. He said the district has provided the student's hotspots.

President Ernesto Bejarano asked if there is a report on student participation.

Assistant Superintendent Sanchez replied there is a weekly engaging component. He said the component is outlining the engagement students are receiving.

2.03 Public Hearing Regarding Sufficiency of Instructional Materials.

President Ernesto Bejarano opened the public hearing 6:25p.m.

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3.Special Presentation

3.01 Presentation of the Citizen's Bond Oversight Committee (CBOC) School Sites' Visit.

Allison Cingolani and Flor De Leon had a PowerPoint presentation regarding the Citizen's Bond Oversite Committee.

3.02 Presentation of the Fiscal Crisis Management Assistance Team (FCMAT) Report on the Fiscal Health Risk Analysis (FHRA) of the District.

FCMAT Chief Analyst, John Von Flue and CPA, CGMA, CICA, FCMAT Intervention Specialist, Julie Auviel had a PowerPoint presentation regarding the Fiscal Health Risk Analysis (FHRA) of the District.

Assistant Superintendent Chheng said there was a response provided to FCMAT which could be found in the Board Book. He thanked FCMAT for their report.

Public Comments:

1) Veronica thanked the Board for having FCMAT presenters.

2) Flor De Leon said the district is going through hard times.

3) Camille Llanes Fontanilla spoke on the importance of Proposition 15. She said it is important to meet the families' needs.

4) Brenda Zendejas said the district lacks internal audits. She asked the community to support Proposition 15.

5) Jocelyn Merz said Brenda Zendejas commented classified staff had cut. She said AREA also took a financial cut.

Julie Auviel said the report shows areas of concern. She said there is a deficit in spending.

John Von Flue said some things need to be addressed in hopes to resolve the issues.

6. Superintendent/ Board Business

6.10 District Energy Savings Solar Power Agreement Follow up.

President Ernesto Bejarano said with the decisions the district needs to make it is wise to look into a solar program.

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6. Superintendent/ Board Business *(continued)*

Public Comments:

1) Veronica said some things need to be addressed before this item can be considered. She said she is not opposed to solar power.

2) Flor De Leon said there are other priorities that the district has.

3) Brenda Zendejas said she supports solar panels. She asked who will be paying for the electrical to be replaced.

Board had a discussion.

4. Public Members Who Wish To Address The Board

4.01 Requests to Address the Board

Public Comments:

1) Brenda Zendejas thanked Superintendent Bauer for responding to her email regarding Beautification Day at Linda Vista.

2) Veronica said she would like the community partners, Board, and families to start looking at the budget together.

3) Sandra Rivera said it is hard for the teachers and students to do the online classes.

4) Dilza Gonzalez said she went to MACSA when she was a child because her mother worked two jobs. She said she would like to be brought back to life.

5) Rocio Urena said she saw a leak on the roofs. She said there are concerns about HVAC at some of the schools.

6) Flor De Leon asked Member Dolores Marquez-Frausto to use time wisely.

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5. Comments and Communications

5.01 Teamsters

There were no representatives from Teamsters at this time.

5.02 California School Employee's Association (CSEA)

Sharon Fontaine said the district and CSEA reached an agreement on the MOU regarding the return to work.

5.03 Alum Rock Administrator's Association (ARAA)

ARAA President, Maria Martinez, said school sites are up and running.

5.04 Alum Rock Educator's Association (AREA)

AREA President, Jocelyn Merz, said she will not be speaking.

5.05 Superintendent

Superintendent Bauer thanked all CSEA, Teamsters, and AREA. She thanked the staff.

5.06 Board of Trustees/Communications/ Comments

Clerk Andrès Quintero said he wanted to express his gratitude to all the staff for the wonderful work they are doing. He said he attended his son's back to school night and they were showing parents how to use technology.

Vice-President Corina Herrera-Loera thanked all the staff and teachers. She said there is a lot of things going on with the fires and the pandemic. She asked that everyone be safe and use their masks.

Member Dolores Marquez-Frausto thanked everyone who stayed connected during the Board meeting. She asked that everyone stay home and be safe.

President Ernesto Bejarano said that the district zip codes have the highest number of cases of COVID.

6. Superintendent/ Board Business

6.09 Approve Board Resolution #14-20/21 Censure of the Board Member Dolores Marquez.

Vice-President Corina Herrera-Loera read the censure.

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6. Superintendent/ Board Business *(continued)*

MOTION #01-04 by Vice-President Corina Herrera-Loera to approve Action Item 6.09 as presented. MOTION #01-04 was seconded by President Ernesto Bejarano.

Public Comments:

1) Allison Cingolani said Member Dolores Marquez-Frausto is the second Trustee to threaten the superintendent with physical violence. She said students and families deserve ethical leaders.

2) Claudia Coello said she appreciated the Board for bringing this item. She said other Board members pushed Member Dolores Marquez-Frausto to say what she said.

3) Elizabeth Sanchez said she echos what Claudia Coello said.

4) Victor Vasquez said comments made by Member Dolores Marquez-Frausto were not necessary.

5) Brenda Zendejas said it was important for the Board members to be civil with each other.

6) Laura Aguirre said she wanted to thank Vice-President Corina Herrera-Loera for being a leader.

7) Veronica thanked Vice-President Corina Herrera-Loera for bringing the item forward.

8) Dilza Gonzalez said she wanted to echo what the rest of the speakers said. She thanked Vice-President Corina Herrera-Loera for having this item on the agenda.

Member Linda Chavez thanked the Board for allowing Member Dolores Marquez-Frausto to take anger management. She said it would be a good idea if all Board members took anger management.

Clerk Andrès Quintero thanked Vice-President Corina Herrera-Loera for bringing this item forward. He asked Counsel Rogelio Ruiz if Board could enforce Member Dolores Marquez-Frausto to take anger management.

Counsel Rogelio Ruiz replied the Board cannot compel that type of attendance to any Board member.

President Ernesto Bejarano said he has treated Member Dolores Marquez-Frausto with the utmost respect. He said this incident went too far.

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6. Superintendent/ Board Business *(continued)*

Member Dolores Marquez-Frausto said she apologized to all the individuals that spoke. She said she wanted the parents to speak and President Ernesto Bejarano cut their time.

Member Linda Chavez said if someone does not forgive the person that does not forgive damages itself. She said when Member Dolores Marquez-Frausto said hung them she did not mean it.

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

6.01 Approve Board Policy 1312.1, Complaints Concerning District Employees

MOTION #02-04 by Clerk Andrès Quintero to approve Action Item 6.01 as presented. MOTION #02-04 was seconded by Vice-President Corina Herrera-Loera.

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

6.02 Approve Board Policy 1312.3, Uniform Complaint Procedures

MOTION #03-04 by Clerk Andrès Quintero to approve Action Item 6.02 as presented. MOTION #03-04 was seconded by Vice-President Corina Herrera-Loera.

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

6.03 Approve Board Policy 5125, Student Records

MOTION #04-04 by Clerk Andrès Quintero to approve Action Item 6.03 as presented. MOTION #04-04 was seconded by Vice-President Corina Herrera-Loera.

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

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6. Superintendent/ Board Business *(continued)*

MOTION #05-04 by Clerk Andrès Quintero to approve Action Item 6.04 as presented. MOTION #05-04 was seconded by Member Linda Chavez.

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

6.05 Board Policy 4119.21/4219.21/4319.21, Professional Standards

Information only

6.06 Board Policy 4119.11/4219.11/4319.11, Sexual Harassment-Personal

Information only

6.07 Board Policy 5145.7, Sexual Harassment

Information only

6.08 Approve Biennial Notice- Conflict of Interest Code Amended.

MOTION #06-04 by Clerk Andrès Quintero to approve Action Item 6.08 as presented. MOTION #06-04 was seconded by Member Linda Chavez.

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

7. Contracts Over $100,000

7.01 Approve the Sunbelt Staffing Contract for the 2020-2021 SY. An Occupational Therapist will provide services to students at various sites with occupational therapy identified needs as per the students' IEP. Submitted by: Special Education, $113,000.

MOTION #07-04 by Member Linda Chavez to approve Action Item 7.01 as presented. MOTION #07-04 was seconded by Clerk Andrès Quintero.

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

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8. Business

8.01 Approve Unaudited Actual Financial Reports for 2019-2020 Report to the Board of Unaudited Actuals as Required by Law.

Superintendent Chheng had a PowerPoint presentation regarding the Unaudited Actual Financial Reports.

MOTION #08-04 by Member Linda Chavez to approve Action Item 8.01 as presented. MOTION #08-04 was seconded by Clerk Andrès Quintero.

Member Dolores Marquez-Frausto asked if the state will allow the district to use the Coronavirus Relief Fund.

Assistant Superintendent Chheng replied that the Coronavirus Relief Fund is restricted funds.

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

MOTION #09-04 by Member Linda Chavez to extend the Board meeting to 12:00 a.m. MOTION #09-04 was seconded by Vice-President Corina Herrera-Loera.

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

8.02 Update on California School Finance Authority's (CSFA) Pooled TRANs Program for K-12.

Assistant Superintendent Chheng said the state is offering the school trans to K-12. He said this item is information only.

8.03 Update on Request for Proposal (RFP) for Program Management Services for Construction Projects.

Superintendent Bauer asked that the Board provide direction on the selection for Program Management Services.

Board had a discussion.

President Ernesto Bejarano said the Board will take all six applicants and use the same process that they used for the law firm.

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8. Business *(continued)*

8.04 Approve Citizen's Bond Oversight Committee (CBOC) Appointment.

MOTION #10-04 by Vice-President Corina Herrera-Loera to approve Action Item 8.04 as presented. MOTION #10-04 was seconded by Clerk Andrès Quintero.

Public Comments:

1) Brenda Zendejas said she will speak on item 8.03. She said there needs to be an oversite committee.

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

9. Human Resources

9.01 Resignations

Public Comments:

1) Flor De Leon said she wants to speak on item 8.04. She said everyone is welcomed to apply as long that it is not someone from Del Terra Construction.

10. CONSENT CALENDAR

President Ernesto Bejarano asked to pull item 10.04.

President Ernesto Bejarano closed the public hearing for items 2.01, 2.02, and 2.03 at 10:41 p.m.

Member Linda Chavez asked to pull item 10.05.

Vice-President Corina Herrera-Loera asked to pull item 10.10.

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10. CONSENT CALENDAR *(continued)*

There was a consensus from the Board to combine and take action on ***Agenda Items 10.01, 10.02, 10.03, 10.06, 10.07, 10.08, 10.09, 10.11, 10.12, and 10.13.***

- ***Approve Item 10.01*** *Approve Board Meeting Minutes for the following dates: (1) June 11, 2020, Regular Board Meeting.*
- ***Agenda Item 10.02*** *Approve Acceptance of Donations.*
- ***Agenda Item 10.03*** *Approve Acceptance of Vendors & Payroll Warrants.*
- ***Agenda Item 10.06*** *Approve Resolution 11-20/21, Regarding Sufficiency or Insufficiency of Instructional Materials.*
- ***Agenda Item 10.07*** *Approve Resolution No. 12-20/21 GANN Limit Calculations.*
- ***Agenda Item 10.08*** *Approve Resolution No. 08-20/21; Creating a College Culture*
- ***Agenda Item 10.09*** *Approve Resolution No. 09-20/21; Hispanic Heritage Month, September 15- October 15, 2020.*
- ***Agenda Item 10.11*** *Approve Resolution No. 11-20/21; Week of the School Administrator, October 11-17, 2020.*
- ***Agenda Item 10.12*** *Approve Memorandum (s) of Understanding.*
- ***Agenda Item 10.13*** *Approve Contracts for Professional Services-Firms/Organizations.*

MOTION #11-04 by Member Linda Chavez to approve Agenda Items 10.01, 10.02, 10.03, 10.06, 10.07, 10.08, 10.09, 10.11, 10.12, and 10.13., as presented. MOTION #10-04 was seconded by President Ernesto Bejarano.

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

10.04 Approve the Santa Clara County Treasury Investment Portfolio Status.

President Ernesto Bejarano asked Assistant Superintendent Chheng to provide a summary of this item.

Assistant Superintendent Chheng replied the County ControllerTreasury receives the money from different school districts and puts the money altogether. He said the interest earned is given to the district and placed into the general fund.

MOTION #12-04 by President Ernesto Bejarano to approve Action Item 10.04 as presented. MOTION #12-04 was seconded by Member Linda Chavez.

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

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10. CONSENT CALENDAR *(continued)*

10.05 Approve/Ratify Notices of Employment and Changes of Status/September 10, 2020/Human Resources Department.

Member Linda Chavez commented that there were a lot of new hires and asked if any were for IT.

Superintendent Bauer replied that the district has a lot of experts in IT.

MOTION #13-04 by President Ernesto Bejarano to approve Action Item 10.05 as presented. MOTION #13-04 was seconded by Member Linda Chavez.

Public Comments:

1) Veronica said if someone is having problems with the computer the user is not always the problem.

2) Brenda Zendejas said sometimes when people face technology issues it could be a language barrier.

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

10.10 Approve Resolution No. 10-20/21; Character Education Month, October 2020.

Vice-President Corina Herrera-Loera said she was happy that children will be learning. She commented she would have liked to have had Character Education Month when she attended school.

MOTION #14-04 by Vice-President Corina Herrera-Loera to approve Action Item 10.10 as presented. MOTION #14-04 was seconded by Member Linda Chavez.

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

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11. Closed Session

11.01 Recess to Closed Session

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

12. RECONVENE TO OPEN SESSION

12.01 Call to Order

The Board reconvened to Open Session at 11:39 p.m. President Ernesto Bejarano welcomed everyone and said there was a quorum.

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

3.03 Board Rejected Claim for Damages of Nicole Kindle on behalf of Student.

(Motion made by Vice-President Corina Herrera-Loera and Second by Clerk Andrés Quintero. It was a unanimous vote by the Board)

15. ADJOURNMENT

15.01 President Adjourns the Meeting

President Ernesto Bejarano adjourned the meeting at 11:41 p.m.

Respectfully submitted,

DocuSigned by:
Ernesto Bejarano
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Ernesto Bejarano, Board Clerk
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