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

MINUTES OF THE REGULAR ORGANIZATIONAL MEETING OF THE BOARD OF TRUSTEES
of the Alum Rock Union School District
Held on Thursday, December 17, 2020, 5:30 p.m. at the Alum Rock Union School
Board Members and Superintendent participated via Zoom Meeting
Meeting #8-20/21

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 5:57 p.m. followed by Roll Call.

Board Members Present:

Ernesto Bejarano	President
Corina Herrera-Loera	Vice-President
Andrés Quintero	Clerk
Linda Chavez	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/And Officer Elections

President Ernesto Bejarano said the meeting is being live-streamed by the YouTube channel which is Alum Rock TV. He said if the public would like to make a public comment, instructions to do so are on the agenda.

1.02 Nomination and Election of Board President

Clerk Andrés Quintero nominated Vice-President Herrera-Loera for Board President. Vice-President Herrera-Loera accepted the nomination.

Roll call vote: Ayes: Clerk Andrès Quintero, President Corina Herrera-Loera, Trustee Ernesto Bejarano and Member Linda Chavez
Vote: 4/0; Motion Carries

1.03 Nomination and Election of Vice-President

Member Ernesto Bejarano nominated Clerk Andrés Quintero for Vice-President. Clerk Andrés Quintero accepted the nomination.

Roll call vote: Ayes: Clerk Andrès Quintero, President Corina Herrera-Loera, Trustee Ernesto Bejarano and Member Linda Chavez
Vote: 4/0; Motion Carries

1.04 Nomination and Election of Board Clerk.

Vice-President Andrés Quintero nominated Member Ernesto Bejarano for Board Clerk. Member Ernesto Bejarano accepted the nomination.

Roll call vote: Ayes: Vice-President Andrès Quintero, President Corina Herrera-Loera, Trustee Ernesto Bejarano and Member Linda Chavez
Vote: 4/0; Motion Carries

1.05 Approve and Appoint the Superintendent As the Secretary to the Board.

MOTION #01-10 by Vice-President Andrès Quintero to approve Action Item 1.05 as presented. MOTION #01-10 was seconded by Member Linda Chavez.

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

DocuSign Envelope ID: 9F4C141A-6339-4CFD-AE92-D036A1609BAA

1. OPEN SESSION *(continued)*

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

Member Linda Chavez asked to move item 8.03 before item 8.02. She said the order she will like for the items to be heard is 5.06, 8.03, and 8.02.

Vice-President Andrès Quintero asked that the items be heard in the following order: Item 8.01, item 8.02, item 8.03 after item 3.02. He commented these items are regarding financial issues.

President Corina Herrera-Loera said items 8.03, 8.02, and 8.03 will be heard before item 3.02

2. Special Presentation

2.01 Seal of Biliteracy Achievement Awards- 5th Grade- Student Recognition

Principal, Maria Martinez, announced the following winners of the award:

1) Natalia Belen Correa
2) Paola Cruz Espino
3) Carlos Jesus Garcia Martinez
4) Zammantha Moreira
5) Eviana Lorena Ordaz

The Board congratulated the winners.

Superintendent Bauer said the test that the students took is very hard. She congratulated the students and their families.

2.02 Board update on Distance Learning and Support Services.

Assistant Superintendent Sanchez, Director Barbara Campbell, Director Sandra Garcia, and Director Tony Colonna had a PowerPoint presentation regarding Distance Learning and Support Services.

DocuSign Envelope ID: 9F4C141A-6339-4CFD-AE92-D036A1609BAA

2. Special Presentation

Public Comments:

1) Veronica thanked the staff. She said Alum Rock School District teachers are great.

2) Camille Llanes-Fontanilla congratulated everyone in the district. She said it's hard work doing what they do.

3) Dilza Gonzalez thanked the staff for the presentation. She said the teachers are doing a great job.

4) Flor De Leon said some families are unable to pick up the lunches being provided by the school. She asked if the district was reaching out to those families.

5) Claudia Coello said she is happy the district is providing social-emotional resources.

Member Linda Chavez thanked all staff at the district. She said she went to the River Life Church and they provided food for families.

Clerk Ernesto Bejarano said the level of work being done by staff is impressive.

Vice-President Andrés Quintero thanked the staff for providing millions of meals.

President Corina Herrera-Loera thanked the staff. She asked if Assistant Superintendent Sanchez could describe the morning check-in.

Assistant Superintendent Sanchez replied the focus is on social-emotional learning.

Annya Artigas said the morning meeting is created for teachers for special development.

3. Public Hearing

3.01 District's Initial Bargaining Proposal to Open Negotiations with CSEA Chapter 305 for the period of July 1, 2020-June 30, 2023.

President Corina Herrera-Loera opened the public hearing at 7:09 pm.

3.02 CSEA Chapter 305 Initial Bargaining Proposal to Open Negotiations with the Alum Rock Union Elementary School District for the period of July 1, 2020-June 30, 2023.

President Corina Herrera-Loera opened the public hearing at 7:12 pm.

DocuSign Envelope ID: 9F4C141A-6339-4CFD-AE92-D036A1609BAA

8. Business

8.03 Response to Santa Clara County Office of Education's Letter Regarding the Fiscal Crisis Management Assistance Team's Fiscal Health Risk Analysis Report.

Assistant Superintendent Chheng read the response letter to the Santa Clara County Office of Education regarding Fiscal Health Risk Analysis.

Member Linda Chavez said the report provided from FCMAT is of great concern. She said the district did not do the May revisions.

Clerk Ernesto Bejarano thanked Assistant Superintendent Chheng. He asked Assistant Superintendent Chheng to summarize the letter.

Assistant Superintendent Chheng said the FCMAT report is an analysis of the district. He said the County Office of Education has physical oversite of all the districts in Santa Clara County. He said the response letter is a clarification of the financial position the district is in.

Superintendent Bauer asked President Corina Herrera-Loera if item 8.01 could be heard before item 8.02.

President Corina Herrera-Loera replied it was alright to do so.

8.01 Approve 2020-2021 Budget Overview for Parents

Director, Sandra Garcia, had a PowerPoint presentation regarding 2020-2021 Budget Overview for Parents.

Public Comment:

1) Dilza Gonzalez thanked Sandra Garcia for the presentation and for explaining it in a way parents understand.

2) Flor De Leon said she would like to see more data to get a better understanding of what is working and what is not working.

3) Veronica said she would like to see data to track information. She said she would like to see a longer presentation in the future.

Clerk Ernesto Bejarano asked the funds that were not all used what happens to that money.

Assistant Superintendent Chheng replied the money is not spent and it falls into the reserves of the general funds.

DocuSign Envelope ID: 9F4C141A-6339-4CFD-AE92-D036A1609BAA

8. Business *(continued)*

Vice-President Andrés Quintero asked Superintendent Bauer to steps has her administration taken.

Superintendent Bauer replied every program has an evaluation component. She said the extent of the money used for social-emotional learning is unknown.

MOTION #02-10 by Vice-President Andrès Quintero to approve Action Item 8.01 as presented. MOTION #02-10 was seconded by Clerk Ernesto Bejarano.

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

8.02 Approve 2020-21 First Interim Report.

Assistant Superintendent Chheng and CBO Eric Dill from Santa Clara County Office of Education, had a PowerPoint presentation regarding the 2020-21 First Interim Report.

Public Comment:

1) Karen Martinez said Alum Rock School District has not been transparent. She said she was in support of KIPP.

2) Flor De Leon said the Board needs to pay attention to the decisions being made that affect the classroom.

3) Veronica thanked Assistant Superintendent Chheng for the presentation. She said the parents need to know that the district is in a deficit.

4) Brenda Zendejas said she has concerns regarding the report presented. She said she would not like for the schools to be closing.

5) Dilza Gonzalez said that parents need to be trained. She commented once she got involved she started to understand what was going on in the district.

6) Camille Llanes-Fontanilla said to focus on a strategic plan.

MOTION #03-10 by Vice-President Andrès Quintero to approve Action Item 8.02 as presented. MOTION #03-10 was seconded by Member Linda Chavez.

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

DocuSign Envelope ID: 9F4C141A-6339-4CFD-AE92-D036A1609BAA

4. Public Members Who Wish To Address The Board

4.01 Requests to Address the Board

Public Comments:

1) Andrea Portillo said to remember staff and students who lost their lives due to COVID.

2) Anna Nguyen said the Racial Equity Committee would like to send out a second round of applications. She said the application will be posted through parent square.

3) Dilza Gonzalez thanked the Board for having a moment of silence for the community who lost their lives due to COVID.

4) Claudia Coello said some neighbors of hers lost their lives due to COVID.

5) Brenda Zendejas said she wanted to send out a shout-out to Hubbard's custodians for repainting the school and the basketball court.

6) Flor De Leon thanked the Board who acknowledge lives that were lost due to COVID. She asked what the district was doing to help families.

7) Veronica said she also wanted to acknowledge lives that have been lost due to COVID.

5. Comments and Communications

5.01 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.

5.03 Alum Rock Administrator's Association (ARAA)

ARAA President, Maria Martinez, congratulated Dr. Ivan Montes for his win as a Board member in Morgan Hill Unified School District. She said she wanted to congratulate Jonathan Natividad for winning the Principal of the Year Award.

DocuSign Envelope ID: 9F4C141A-6339-4CFD-AE92-D036A1609BAA

5. Comments and Communications

5.04 Alum Rock Educator's Association (AREA)

AREA President, Jocelyn Merz, said during this time it is important to address important issues. She said AREA will be sunshining during the January 2021 Board meeting. She asked that everyone follow guidelines and stay home and be safe.

5.05 Superintendent

Superintendent Bauer thanked the custodians of Hubbard for the work they did at the school. She said she would like to have a memorial for the victims of COVID 19.

Principal, Dr. Ivan Montes, and Camille Llanes-Fontanilla gave a presentation on an update of the Ethnic Studies.

5.06 Board of Trustees/Communications/ Comments

President Corina Herrera-Loera asked there be a moment of silence for those who lost their lives to COVID.

6. Contracts Over $100,000

6.01 Crown Castle Fiber, LLC Contract for Fiscal Years 2021-2026. This five year contract is to provide Wide Area Network (WAN) Services that will deliver connectivity from the district office to all school sites via fiber optic cables. Total cost $267,956.82.

MOTION #04-10 by Vice-President Andrès Quintero to approve Action Item 6.01 as presented. MOTION #04-10 was seconded by President Corina Herrera-Loera.

Roll call vote: Ayes: Vice-President Andrès Quintero, President Corina Herrera-Loera, Clerk Ernesto Bejarano and Member Linda Chavez.
Vote: 4/0; Motion Carries

7. Superintendent/ Board Business

7.01 Approve the County of Santa Clara Registrar of Voters' Certified Statement of Election Results from November 3, 2020, declaring (a) Corina Herrera-Loera; and (b) Scott Hung Pham were elected to the Office of Governing Board Members, Alum Rock Union Elementary School District. Pursuant to Elections Code Section 15400, the Governing Board shall accept the Certified Statement of Election Results, and declare the totals to be the final results of the Election.

MOTION #05-10 by Vice-President Andrès Quintero to approve Action Item 7.01 as presented. MOTION #05-10 was seconded by Member Linda Chavez.

DocuSign Envelope ID: 9F4C141A-6339-4CFD-AE92-D036A1609BAA

7. Superintendent/ Board Business *(continued)*

Public Comments:

1) Veronica congratulated President Corina Herrera-Loera for her win. She said teachers are the priority.

Roll call vote: Ayes: Vice-President Andrès Quintero, President Corina Herrera-Loera, Clerk Ernesto Bejarano and Member Linda Chavez.
Vote: 4/0; Motion Carries

7.02 Proposed Board Meeting Calendar for 2021. The Board will discuss and determine the proposed schedule for the Regular Board Meetings for the calendar year from January through December 2021. Proposed dates include: January 21, February 11; March 11; April 8; May 13; June 10 and June 24; July 8; August 12; September 9; October 14; November 11; and December 9.

Superintendent Bauer said some edits need to be made to the dates. The dates would be: January 14, April 15, November 18, and December 16.

MOTION #06-10 by Member Linda Chavez to approve Action Item 7.02 as presented. MOTION #06-10 was seconded by President Corina Herrera-Loera.

Roll call vote: Ayes: Vice-President Andrès Quintero, President Corina Herrera-Loera, Clerk Ernesto Bejarano and Member Linda Chavez.
Vote: 4/0; Motion Carries

7.03 Call for Nominations to CSBA's Delegate Assembly, Nomination and candidate biographical sketch forms are now accepted until Thursday, January 7, 2021. Elected Delegates serve a two-year term beginning April 1, 2021 through March 31, 2023.

MOTION #07-10 by Member Linda Chavez nominated herself to be the delegate to CSBA. MOTION #07-10 was seconded by Vice-President Andrès Quintero.

MOTION #08-10 by Clerk Ernesto Bejarano nominated Vice-President Andrès Quintero to be the delegate to CSBA. MOTION #08-10 was seconded by Member Linda Chavez.

Vice-President Andrès Quintero accepted the nomination.

Nomination for Member Linda Chavez roll call:

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

DocuSign Envelope ID: 9F4C141A-6339-4CFD-AE92-D036A1609BAA

7. Superintendent/ Board Business *(continued)*

Nomination for Vice-President Andrès Quintero roll call:

Roll call vote: Ayes: Vice-President Andrès Quintero, President Corina Herrera-Loera, Clerk Ernesto Bejarano and Member Linda Chavez.
Vote: 4/0; Motion Carries

7.04 Approve Workforce Requirements for Power Purchase Agreements.

Vice-President Andrès Quintero said he brought this item to the agenda. He said there need to be some edits to this item. He asked that Josue Garcia speak on this item.

Josue Garcia said this agreement is to give people good paying jobs. He said there is an Apprenticeship program that provides opportunities for recent graduates from High School.

Vice-President Andrès Quintero said there are issues with the agreement. He said he would like to provide direction to Counsel Rogelio Ruiz to address the issues.

MOTION #09-10 by Member Linda Chavez said to bring back this item. MOTION #09-10 was seconded by Clerk Ernesto Bejarano.

Board discussed this item.

Public Comments:

1) Veronica said this was not the time to spend.

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

8. Business

8.04 Approve Alpha Charter School Facilities Use Agreement.

Chris Kang, COO from Alpha, had a PowerPoint presentation regarding Alpha Charter Schools Facilities Use Agreement.

Superintendent Bauer respectfully asked the Board to approve only the six classrooms. She said it is what is stated in the written memorandum.

DocuSign Envelope ID: 9F4C141A-6339-4CFD-AE92-D036A1609BAA

8. Business *(continued)*

Public Comments:

1) Bianca Wright said she is a sixth-grade teacher at Alpha Charter School. She said she has seen Alpha Charter School grow throughout the years.

2) Rosie Carlson read a statement of one of the students in Alpha Charter School.

3) Guadalupe Dominguez said she is an ELA teacher at Alpha Charter School. She said the reason why she works there is because she wanted to give back to the community.

4) Elsa Retuta said she is a parent at Alpha Charter School. She said she has built a great relationship with the staff at Alpha Charter School.

Member Linda Chavez to approve Alpha Charter Schools with a bathroom for the students so they could be more comfortable.

Superintendent Bauer said it is unacceptable to be negotiating contracts in public. She said she is disappointed with Mr. Kang for asking for the additional bathroom. She asked that the Board disregard the additional bathroom.

MOTION #10-10 by Member Linda Chavez approve the contract Facilities Use Agreement with the agreement they had prior to this presentation what is in writing that they signed on. MOTION #10-10 was seconded by Vice-President Andrès Quintero.

AMENDED MOTION #11-10 by Member Linda Chavez to approve Action Item 8.04 as presented. MOTION #11-10 was seconded by Vice-President Andrès Quintero.

Assistant Superintendent Chheng said for the record this is to approve the lease agreement.

Roll call vote: Ayes: Vice-President Andrès Quintero, President Corina Herrera-Loera, Clerk Ernesto Bejarano and Member Linda Chavez.
Vote: 4/0; Motion Carries

8.05 Approve KIPP Charter School Facilities Use Agreement.

Superintendent Bauer said to disregard item 8.05 because KIPP never responded.

MOTION #12-10 by Member Linda Chavez to extend the meeting to 11:30 pm. MOTION #12-10 was seconded by Vice-President Andrès Quintero.

DocuSign Envelope ID: 9F4C141A-6339-4CFD-AE92-D036A1609BAA

8. Business *(continued)*

Roll call vote: Ayes: Vice-President Andrès Quintero, President Corina Herrera-Loera, Clerk Ernesto Bejarano and Member Linda Chavez.
Vote: 4/0; Motion Carries

8.06 Board Policy 3555, Nutrition Program Compliance.

There are no edits.

9. Instructional Services

9.01 Approve Board Policy 6174, Education for English Learners.

MOTION #13-10 by Member Linda Chavez to approve Action Item 9.01 as presented. MOTION #13-10 was seconded by Vice-President Andrès Quintero.

Roll call vote: Ayes: Vice-President Andrès Quintero, President Corina Herrera-Loera, Clerk Ernesto Bejarano and Member Linda Chavez.
Vote: 4/0; Motion Carries

9.02 2020-2021 Federal Programs Review (FPM).

Director, Sandra Garcia, said this item is for information only.

9.03 Board Policy 6173, Education for Homeless Children.

There are no edits.

10. Human Resources

10.01 Approve New CSEA Position and Job Description.

MOTION #14-10 by Member Linda Chavez to approve Action Item 10.01 as presented. MOTION #14-10 was seconded by President Corina Herrera-Loera for discussion purposes.

Roll call vote: Ayes: Vice-President Andrès Quintero, President Corina Herrera-Loera, Clerk Ernesto Bejarano and Member Linda Chavez.
Vote: 4/0; Motion Carries

10.02 Adopt the District's Initial Bargaining Proposal to Open Negotiations with CSEA Charter 305 for the period of July 1, 2020-June 30, 2020.

MOTION #15-10 by Vice-President Andrès Quintero to approve Action Item 10.02 as presented. MOTION #15-10 was seconded by Clerk Ernesto Bejarano.

DocuSign Envelope ID: 9F4C141A-6339-4CFD-AE92-D036A1609BAA

10. Human Resources *(continued)*

Roll call vote: Ayes: Vice-President Andrès Quintero, President Corina Herrera-Loera, Clerk Ernesto Bejarano and Member Linda Chavez.
Vote: 4/0; Motion Carries

10.03 Resignations

11. CONSENT CALENDAR

There was a consensus from the Board to combine and take action on ***Agenda Items 11.01, 11.02, 11.03, 11.04, 11.05, 11.06, 11.07, and 11.08.***

- ***Agenda Item 11.01*** *Approve Board Meeting Minutes for the following dates: (1) June 25, 2020, Regular Board Meeting, (2) July 9, 2020, Regular Board Meeting and (3) August 10, 2020, Regular Board Meeting*
- ***Agenda Item11.02*** *Approve Acceptance of Donations.*
- ***Agenda Item 11.03*** *Approve Acceptance of Vendor & Payroll Warrants*
- ***Agenda Item 11.04*** *Approve the Santa Clara County Treasury Investment Portfolio Status.*
- ***Agenda Item 11.05*** *Approve Resolution No.19-20/21 Inventory Disposal.*
- ***Agenda Item 11.06*** *Approve Contracts for Professional Services-Firms/Organizations*
- ***Agenda Item 11.07*** *Approve Memorandum(s) of Understanding(s)*
- ***Agenda Item 11.08*** *Approve/Ratify Notices of Employment and Changes of Status/December 17, 2020/Human Resources Department*

MOTION # 16-10 by Vice-President Andrès Quintero to approve Agenda Items 11.01, 11.02, 11.03, 11.04, 11.05, 11.06, 11.07, and 11.08., as presented. MOTION #16-10 was seconded by Member Linda Chavez.

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

12. Closed Session

12.01 Recess to Closed Session

President Corina Herrera-Loera announced the items that would be discussed in Closed Session. There were no public comments from the audience at this time.

President Corina Herrera-Loera closed public hearings for items 3.01 and 3.02 at 10:33 pm.

DocuSign Envelope ID: 9F4C141A-6339-4CFD-AE92-D036A1609BAA

13. RECONVENE TO OPEN SESSION

13.01 Call to Order

The Board reconvened to Open Session at 11:13 p.m. President Corina Herrera-Loera welcomed everyone and said there was a quorum.

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

MOTION #17-10 by Member Linda Chavez to approve the dismissal of one certificated middle school teacher. MOTION #17-10 was seconded by Clerk Ernesto Bejarano.

Counsel Rogelio Ruiz said there were no further actions to report.

15. ADJOURNMENT

15.01 President Adjourns the Meeting

President Corina Herrera-Loera adjourned the meeting at 11:14 p.m.

Respectfully submitted,

DocuSigned by:
Ernesto Bejarano
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Ernesto Bejarano, Board Clerk
mc