

**ALUM ROCK UNION ELEMENTARY
SCHOOL DISTRICT**

BOARD OF TRUSTEES



**Special Board Meeting
February 16, 2023**



**Thursday, February 16, 2023
SPECIAL BOARD MEETING AGENDA**

**Type: SPECIAL BOARD MEETING AGENDA
Time: 6:30 pm
Code: Special #15-22/23**

The February 16, 2023, SPECIAL BOARD MEETING WILL BE CONDUCTED EXCLUSIVELY VIA CONFERENCE TELEPHONE AND THROUGH "ZOOM" VIDEO CONFERENCING. THE DISTRICT OFFICE AND BOARD ROOM WILL NOT BE OPEN AND AVAILABLE FOR THE PUBLIC TO ATTEND AND PARTICIPATE IN THE BOARD MEETING AT THE DISTRICT OFFICE. MEMBERS OF THE PUBLIC MAY PARTICIPATE AND COMMENT IN REAL TIME IN OPEN SESSION THROUGH THE FOLLOWING MEANS:

- 1. Zoom - Live Board Meeting and use "Raise Hand" function to request opportunity to make a comment.**
- 2. THE ZOOM MEETING CAN BE ACCESSED AS FOLLOWS:**
Join Zoom Meeting <https://arusd-org.zoom.us/j/87090672828>
One tap mobile
+16699006833, Meeting ID: 870 9067 2828# US (San Jose)
Zoom Spanish Interpretation available- Zoom Instructions link www.arusd.org/zoomesp. If you call in you will not be able to access this function.
THE MEETING MAY ALSO BE VIEWED THROUGH LIVE STREAM AS FOLLOWS:
 - 1. Live stream Youtube English Channel "AlumRock TV"**
<https://www.arusd.org/alumrocktv>

In compliance with the Americans with Disabilities Act and Executive Order N-08-21, if you need Special Assistance, Disability-Related modifications or accommodation, including auxiliary aids or services, in order to participate in the Special Board Meeting of the Board of Trustees, please contact the office of the District Superintendent at (408) 928-6822 or by email at maribel.carrillo@arusd.org immediately and the district will make reasonable arrangements to ensure accommodation and electronic accessibility to this meeting.

Members of the public shall have an opportunity to address the Board of Trustees on the agenda items identified below. (Government Code Section 54954.3)

1. OPEN SESSION - CALL TO ORDER AND ROLL CALL

1.01 CALL TO ORDER/ ROLL CALL/LAND ACKNOWLEDGMENT- Board of Trustees of the Alum Rock Union Elementary School District does hereby acknowledge that the District schools and facilities sit on the traditional lands of the Muwekma Ohlone people, and the Board of Trustees further acknowledges with respect and reverence the Muwekma Ohlone People Tribe of the San Francisco Bay Area for their stewardship of these lands; PLEDGE OF ALLEGIANCE -- PRESIDENT MINH PHAM.

2. SUPERINTENDENT/ BOARD BUSINESS -- BOARD DISCUSSION AND/OR ACTION (The Board may take action on any item in this section, unless it is designated for information only.)

2.01 Announcement of Board Vacancy; Consideration of Recommendation to Suspend and Waive Section of Board Bylaw 9223 Specifying "Special Meeting One Week Before Appointment" for Purposes of Provisional Appointment Process; Establish Process, Procedures and Timelines for Provisional Appointment to Fill Board Vacancy.

3. ADJOURNMENT

3.01 President adjourns the meeting.

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

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION – BOARD OF EDUCATION

To the Board of Trustees:

Subject: Discussion/Action Re: Filling of Board Vacancy

Board member Ernesto Bejarano has submitted his resignation from his Trustee position. Mr. Bejarano held a “short term” seat through 2024.

Board Bylaw 9223 states in pertinent part: “When a vacancy occurs longer than four months before the end of a Board member’s term, the Board shall, within 60 days of the date of the vacancy or the filing of the member’s deferred resignation, either order an election or make a provisional appointment”

The Board is asked to consider and take action on whether it will make a provisional appointment to fill the vacancy or order an election.

The qualifications to serve on the Board are set forth in Board Bylaw 9220, as follows:

“Any person is eligible to be a member of the Governing Board, without further qualifications, if he/she is 18 years of age or older, a citizen of California, a resident of the school district, a registered voter and not legally disqualified from holding civil office. Any person who has been convicted of a felony involving the giving, accepting, or offering of a bribe, embezzlement or theft of public funds, extortion, perjury, or conspiracy to commit any such crime, under California law or the law of another state, the United States of America, or another country, is not eligible to be a candidate for office or elected as a Board member except when he/she has been granted a pardon in accordance with law. (Education Code 35107; Elections Code 20)”

If the Board desires to fill the vacancy by provisional appointment, the provisional appointment process is specified in Board Bylaw 9223. The provisional appointment process in Board Bylaw 9223 includes, among other things:

- The Board shall advertise in the local media to solicit candidate applications or nominations.
- A committee consisting of less than a quorum of the Board shall ensure that applicants are eligible for Board membership and announce the names of the eligible candidates.
- The Board shall interview the candidates at a public meeting, accept oral or written public input, and select the provisional appointee by a majority vote.

Board Bylaw 9223 also provides that:

"The Board will hold a special meeting one week before appointment for the following purposes:

- (1) Receive community and public comment to express what applicant characteristics would be important to them in the selection process
- (2) To allow interested applicants to present themselves to the board and the community and provide an introductory statement to the Board and the community
- (3) For the Board to develop VALUES that current Board Members determine are vital to be a high functioning team member of the governing body
- (4) To allow Board members to introduce two questions each that will be included in the applicant interviews (one for the first round, one for the second round, if necessary)"

The values statement and candidate questions previously adopted by the Board are included with these agenda materials.

If the Board decides to proceed with a provisional appointment, then it is recommended that the Board consider suspending this portion of BB 9223 for the purposes of this provisional appointment selection process.

Also, it is recommended that the Board: (1) set a deadline for the submittal of statements of interest and applications by qualified candidates for provisional appointment to the Board, (2) appoint a committee (consisting of less than a quorum of the Board) to ensure that applicants are eligible for Board membership, and (3) set a special meeting for the selection of a provisional appointee by the Board.

Any provisional appointee selected will serve for the remainder of Mr. Bejarano's short term seat, as specified per the Education Code.

Submitted by: Hilaria Bauer Title: Superintendent

To the Board of Trustees:

Meeting:

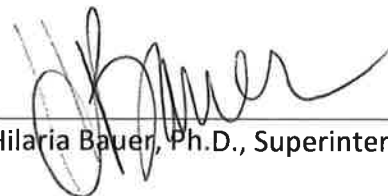
February 16, 2023

SPECIAL BOARD MEETING/COMMUNITY FORUM AND NOTICE OF VACANCY, BOARD OF TRUSTEES

Discussion/Action

2.01

Agenda Placement



Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____

Seconded by: _____

Approved: _____

Not Approved: _____

Tabled: _____

INTERVIEW QUESTIONS FOR CANDIDATES FEBRUARY 6, 2019

1. Do you currently work and/or will you take a job with a Charter School?
2. Will you support the sale or long-term leases to anyone?
3. How will you utilize your experience working with children, families, and community and inform the Strategic Plan for the District?
4. When things have not gone your way, in the past, how do you work with colleagues to face challenges and solve problems? What strategies and techniques have you utilized for a positive and productive outcome?
5. What makes a good Trustee or a bad Trustee?
6. Why should we select you as the new Trustee above all the others?
7. How can policymakers affect change in the achievement gap at the elementary K-8 level?
8. Describe your understanding of accountability for the school board vs. the district's leadership.

VALUES
FEBRUARY 6, 2019

1. Each applicant will be student/family-focused and bring a parent experience in school and district roles with a level-headed look.
2. Look at their work, on the Board, with a bigger picture focus.
3. Time Commitment. Trustee to attend various trainings and participate in Board Retreats with experience that they can share. Work to unify this Board and become as a team that works together. Time commitment to the job!
4. Be honest, respectful, and supporting each other as a Board – remember that we are all working for the betterment of the students' education – the students come first! Learning on a daily basis but especially learning from our mistakes. Having the mindset to work as a team.
5. Does the individual put Alum Rock first with the students, parents, teachers, and the taxpayers? Are they first here for the community and not for themselves?