



Thursday, March 9, 2023
REGULAR BOARD MEETING AMENDED AGENDA

Type: REGULAR BOARD MEETING AMENDED AGENDA

Time: 5:30 p.m.

Code: Regular #15-22/23

In compliance with the Americans with Disabilities Act, if you need special assistance in order to participate in the public meeting of the Board of Trustees, please contact the Office of the Superintendent at (408) 928-6822. Notification 72 hours prior to the meeting will enable the District to make reasonable accommodations.

THE MEETING WILL BE AVAILABLE FOR VIEWING LIVE VIA ZOOM WEBINAR MODE AND CAN BE ACCESSED AS FOLLOWS:

Join Zoom Meeting: <https://arusd-org.zoom.us/j/83793667168>

Webinar ID: 837 9366 7168

Or One tap mobile:

+16699006833,,85819050155# US (San Jose)

THE MEETING MAY ALSO BE VIEWED THROUGH LIVE STREAM AS FOLLOWS:

1. Live stream Youtube English Channel "AlumRock TV"

<https://www.arusd.org/alumrocktv>

*******PUBLIC COMMENT WILL BE ONLY IN PERSON: NO PUBLIC COMMENT WILL BE AVAILABLE THROUGH ZOOM*******

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.

1.02 DISCUSSION AND/OR MODIFICATION(S) OF THE AGENDA. The Board may change the order of business including, but not limited to, an announcement that an agenda item will be considered out of order, that consideration of an item has been withdrawn, postponed, rescheduled or removed from the Consent Calendar for separate discussion and possible action.

1.03 WELCOME AND EXPLANATION TO AUDIENCE: Any person may address the Board on any item on the meeting agenda. Persons who wish to speak on an item on the agenda will have an opportunity to do so when that agenda item is introduced and presented during this meeting. There is a limit of 2 minutes for each speaker. The Board has the right to limit total public comment on any agenda item to no more than 20 minutes. Persons who wish to speak to the Board about any matter within the jurisdiction of the District but not on this agenda will have an opportunity to speak during item 2.01 on this agenda as stated below.

2. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

2.01 PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD ON MATTERS NOT ON THE AGENDA: REQUESTS TO ADDRESS THE BOARD provides members of the public an opportunity to speak about any matter under the jurisdiction of the District but not on this agenda. (If the subject you wish to discuss is already on this agenda, please provide your comment when that item is called during the meeting.) Those who wish to speak on a within the jurisdiction of The Brown Act prevents the Board from discussing any item not on this published agenda but the Board may refer to staff for follow-up any formal written requests that are brought before the Board at this time. There is a limit of 2 minutes

for each speaker. The Board has the right to limit total public comment on any agenda item to no more than 20 minutes. Written matters may be placed on a future meeting agenda.

3. Special Presentation- Discussion, consideration and action

3.01 Social Emotional Learning Programs and Supports - Presentation (Information Only).

4. COMMENTS AND COMMUNICATION

4.01 Teamsters.

4.02 California School Employee's Association (CSEA).

4.03 Alum Rock Educator's Association (AREA).

4.04 Alum Rock Administrator's Association (ARAA).

4.05 Superintendent.

4.06 Board of Trustees/Communications/Comments.

5. 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.)

5.01 Approve Resolution No. 45-22/23 RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS, 2016 ELECTION, SERIES B IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$19,000,000, AUTHORIZING THE EXECUTION AND DELIVERY OF A RELATED OFFICIAL STATEMENT AND BOND PURCHASE AGREEMENT AND APPROVING DOCUMENTS AND OFFICIAL ACTIONS RELATING THERETO.

5.02 Approve Resolution No. 46-22/23 RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS, 2022 ELECTION, SERIES A IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$19,000,000, AUTHORIZING THE EXECUTION AND DELIVERY OF A RELATED OFFICIAL STATEMENT AND BOND PURCHASE AGREEMENT AND APPROVING DOCUMENTS AND OFFICIAL ACTIONS RELATING THERETO.

5.03 Approve Resolution No. 47-22/23 RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF 2023 REFUNDING GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$34,000,000 FOR THE PURPOSE OF REFINANCING OUTSTANDING GENERAL OBLIGATION BONDS, 2012 ELECTION, SERIES A OF THE DISTRICT, AUTHORIZING THE EXECUTION AND DELIVERY OF A RELATED OFFICIAL STATEMENT AND BOND PURCHASE AGREEMENT AND APPROVING DOCUMENTS AND OFFICIAL ACTIONS RELATING THERETO.

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

6.01 Approve the Purchase of Two (2) Portable Classrooms from Mobile Modular for Adelante I and Aptitud Academy.

6.02 Approve SVA Architects, Inc. for Architectural Services for Portable Classrooms at Adelante I and Aptitud.

6.03 Approve Notice of Completion and Change Order for Project B2223-Bonds21 ADA and FLS Upgrades.

6.04 Approve SixthDimension for Construction Management Services for Play Structures at LUCHA, Lyndale and Cassell; Outdoor Classroom at Russo/McEntee and Signage at Multiple Campuses at Parking Lots and Interior/Exterior of Buildings at Locations for Required DSA Sign Off.

6.05 Approve SixthDimension for Construction Management Services for Portable Classrooms at Adelante I and Aptitud.

6.06 Approve SixthDimension for Construction Management Services for HVAC Upgrades at Adelante II, Russo/McEntee and McCollam.

6.07 Approve Studio W, for the DSA Pre-Check Outdoor Classroom Structure and ADA Upgrades for Russo/McEntee Academy.

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

7.01 Approve Second Interim Financial Report.

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

8.01 Approve School Sponsored Field Trip List.

8.02 Approve Resolution No. 42-22/23 Cesar Chavez Day – March 31, 2023.

8.03 Approve Resolution No. 41-22/23 Dolores Huerta Day – April 10, 2023.

8.04 Approve Resolution No. 39-22/23 California Public Schools Month - April 2023.

8.05 Approve Resolution No. 40-22/23 Public School Volunteer Week – April 17-21, 2023.

8.06 Approve Resolution No. 43-22/23 Bilingual/Multilingual Learner Advocacy Month – April, 2023.

8.07 California Department of Education Expenditure Quarter 2 Report, from Aptitud Community Academy at Goss Early Literacy Support Block Grant (ELSB), and Literacy Action Plan in year-two of implementation (Information Only).

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

9.01 Resignations (Information Only).

9.02 Certificated Substitute Pay Rates Effective March 9, 2023.

9.03 Reclassification of Community Liaison Position and Approval of Newly Bargained Job Description.

10. CONTRACTS OVER \$100,000--BOARD DISCUSSION AND/OR ACTION (The Board may take action on any item in this section, unless it is designated for information only.)

10.01 Approve the Springboard Collaborative Contract for SY 2022-2023 Summer Program. Springboard will provide an evidence-based summer literacy program designed to improved educational outcomes for students in grades PreK-3rd. Submitted by: State & Federal. \$210,000 dollars.

10.02 Approve the REDUCTION of contract #MY 236041 with City Year for the 22/23 SY. ARUSD and City Year have agreed to amend contract #MY 236041 and terminate services at Dorsa Elementary due to decreased staff capacity for the remainder of 2022-2023 SY. Submitted by: State & Federal Programs, original approved contract was in the amount of \$489,326.00. Requested decrease amount \$36,665.16 for a new total contract amount of \$452,660.84 dollars.

11. CONTRACT EXTENSION OVER \$100,000--BOARD DISCUSSION AND/OR ACTION (The Board may take action on any item in this section, unless it is designated for information only.)

11.01 Approve the Contract Extension with Think Together, Inc. Preschool Program for the 2022-2023 SY. This contract extension is to provide early learning education services at two preschools, Adelante I and Adelante II. Submitted by: Early Learning Department; original approved contract was in the amount of \$846,443.70. Requested increase amount \$408,413.30 for a total contract amount of \$1,254,857.00 dollars.

11.02 Approve the Contract Extension with Maxim Healthcare Services for the 2022-2023 SY and during the Summer Program. This contract extension is to provide Behavior Tech's to assist Alum Rock District students at various sites. Submitted by: Special Education Department; original approved contract was in the amount of \$894,600.00. Requested increase amount \$600,000.00 for a total contract amount of \$1,494,600.00 dollars.

11.03 Approve the Contract Extension with YMCA for the 2022-2023 SY. This contract extension due to termination of the school contract by City Year, YMCA has agreed to provide after school services to Dorsa Elementary School for the remainder of the 2022-23 SY. Submitted by: State and Federal Programs; original approved contract was in the amount of \$732,412.00. Requested increase amount \$68,853.00 for a total contract amount of \$801,265.00 dollars.

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

12.01 Approve Board Meeting Minutes for the following dates: December 8, 2022, Special Board Meeting, January 19, 2023, Regular Board and Meeting, January 21, 2023, Special Board Meeting/Board Study Session.

12.02 Approve Acceptance of Donations.

12.03 Approve Fundraising Activities.

- 12.04 Approve Acceptance of Vendor & Payroll Warrants.
- 12.05 Approve the Santa Clara County Treasury Investment Portfolio Status.
- 12.06 Approve Contracts for Professional Services -Firms/Organizations
- 12.07 Approve Memorandum(s) of Understanding
- 12.08 Approve Contracts for Professional Services - Individuals.
- 12.09 Current Enrollment (Information Only).
- 12.10 Approve/Ratify Notices of Employment and Changes of Status/March 9, 2023.

13. CLOSED SESSION

13.01 RECESS TO CLOSED SESSION: The Board will recess to Closed Session at approximately 9:00 p.m. Open Session will resume at conclusion of Closed Session.

13.02 ANNOUNCEMENT AND PUBLIC COMMENTS REGARDING ITEMS TO BE DISCUSSED IN CLOSED SESSION (Government Code Section 54957.7).

13.03 CONFERENCE WITH LEGAL COUNSEL--Anticipated Litigation: significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Government Code Section 54956.9: Four (4) potential cases.

13.04 CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9): CTG Construction, Inc. v. Alum Rock Union Elem. School District, Santa Clara County Superior Court case no. 20CV367630; Alum Rock Union Elementary School District v. Karen Martinez, Santa Clara County Superior Court case no. 21CV381923; Alum Rock Union Elementary School District v. Dolores Marquez, Santa Clara County Superior Court case no. 20CV372554; Alum Rock Union Elementary School District v. Esau Herrera, Santa Clara County Superior Court case no. 21CV382117 Leal & Trejo, APC v. Alum Rock Union Elem. Sch. District, Santa Clara County Superior Court case no. 19CV356647; Alum Rock Union Elem. Sch. District v. Del Terra Real Estate Services, Inc., San Mateo County Superior Court case no. 20-CIV-02466.

13.05 CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: AREA (Alum Rock Educators Association); District Negotiators: (1) Hilaria Bauer, Ph.D., Superintendent; (2) Cesar Torrico, Assistant Superintendent, Human Resources; (3) Kolvira Chheng, Assistant Superintendent, Business; (4) Jess Serna, Lead Negotiator.

13.06 PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT (Government Code Section 54957): Title: Network and Systems Supervisor

13.07 PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT (Government Code Section 54957): Title: Early Learning Program Coordinator

13.08 Public Employee Discipline/Dismissal/Release/Non-Reelection (Government Code Section 54957).

14. RECONVENE TO OPEN SESSION

14.01 REPORT OF ACTION TAKEN IN CLOSED SESSION.

15. FUTURE BOARD AGENDA REQUESTS

15.01 Requests from Board of Trustees and/or from the Public. Requests shall be submitted in writing to the Superintendent or designee with supporting documents and information, if any, at least one week before the scheduled meeting date. Items submitted less than a week before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue. BB 9322

16. ADJOURNMENT

16.01 President adjourns the meeting.

17. NEXT MEETING(S)

17.01 April 13, 2023 (2022-23 School Year).