Thursday, June 8, 2023
REGULAR BOARD MEETING AMENDED AGENDA

Type: REGULAR BOARD MEETING AMENDED AGENDA
Time: 5:30 p.m.
Code: Regular #21-22/23

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/83377477239
Webinar ID: 833 7747 7239
Or One tap mobile:
+16699006833,83377477239# 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limited to, an announcement that an agenda item will be considered out of order, that consideration of an item has been withdrawn, postponed, rescheduled or removed from the Consent Calendar for separate discussion and possible action.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 ARUSD Copita Mini World Cup Presentation.

3.02 Recognition of Ms. Jocelyn Merz as Amiga de Alum Rock for 13 years as AREA's Union President.

3.03 Santa Clara County Alliance of Black Educators – Student Recognition.

3.04 Strategic Plan Annual Update (Information Only).

3.05 Adelante I Middle School Band Recognition.

3.06 Recognition of members of the Racial Equity Committee: Joseph Manluco, ARUSD Administrator, Danny Sanchez, Community Based Organization, Michael The, ARUSD Educator, Kimberly Ivy, ARUSD Educator Kenneth Williams, Parent Crystal Webber, Parent Catalina Rodriguez, Community Member Dr. Imee Almazan, ARUSD Committee Liaison Dr. Annya Artigas, ARUSD Committee Liaison.

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. Public Hearing(s) And/or Special Order of Business

5.01 Public Hearing: Local Control and Accountability Plan (LCAP)

5.02 Staff Presentation: Proposal Local Control and Accountability Plan (LCAP)

5.03 PUBLIC HEARING: Proposed 2023-2024 Budget Adoption.

5.04 STAFF PRESENTATION. The Proposed 2023-24 Budget draft staff presentation will be held. A copy of the 2023-24 Budget draft will be available to the public at least 72 hours prior to the Public Hearing. The Budget draft will be located at the District Office, Receptionist's Desk.

5.05 PUBLIC HEARING. CSEA Chapter 305 Initial Bargaining Proposal to Open Negotiations with the Alum Rock Union Elementary School District for the period of July 1, 2023- June 30, 2026.

5.06 PUBLIC HEARING. District’s Initial Bargaining Proposal to Open Negotiations with CSEA Chapter 305 for the period of July 1, 2023 - June 30, 2026.

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 Notice of Architectural Services for Replacement of Play Structures at McCollam Elementary School.

6.02 Approve the contract extension for Solar Interconnection Application Preparation by ARC Alternatives for Three (3) additional meters for Contract #BD 238025.

6.03 Approve the Added Architectural Services at Adelante I and Aptitud at Goss Portable Classroom Projects to Provide Geotechnical Services Required by DSA

6.04 Approve the Renewal of Contract with Dale Scott & Co., Inc. as Municipal Advisor.

6.05 Information Only: Post-Sale Summary of Measure S, Series A and Refunding of the 2012, Series A Outstanding Bonds.

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 Resolution No. 63-22/23 Committed General Fund Balance.

7.02 Approve RFP#2023-CNS01 Fresh Produce and Services for 2023-2024 School Year.

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 California Department of Education Expenditure Quarter 3 Report, from Aptitud Community Academy at Goss Early Literacy Support Block Grant (ELSB), and Literacy Action Plan in year-two of implementation (Information Only).

8.02 Approve School Sponsored Field Trip List.

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 Accept CSEA Chapter 305 Initial Bargaining Proposal to Open Negotiations for the period of July 1, 2023 - June 30, 2026 with the Alum Rock Union Elementary School District.

9.03 Approve Resolution No. 61-22/23 - Recognition of Classified Retirees.

9.04 Approve Resolution No. 62-22/23 - Recognition of Certificated Retirees.

9.05 Adopt the District’s Initial Bargaining Proposal to Open Negotiations with CSEA Chapter 305 for the period of July 1, 2023 - June 30, 2026.

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 contract with Nearpod Inc. for the 2023-2024 SY, including the Extended Year Program (EYP). Nearpod will provide online standards-base lessons in all core subject areas, digital responsibility lessons, and English Language Learner Modules. Submitted by: Academic Services, $109,144.90 dollars.

10.02 Approve the contract with Maxim Healthcare Services for the 2023-2024 school year. Maxim Healthcare Services will provide LVN's who will provide daily medical assistance to students with medical needs. Submitted by: Special Education Department, $700,000.00 dollars

10.03 Approve the contract with The Stepping Stones Group for 2023-2024 SY. This contract will provide counseling support to special education students within ARUSD. Submitted by: Special Education, $500,000.00 dollars.

10.04 Approve the contract with Lazel, Inc. DBA: Learning A-Z,LLC for the 2023-2024 SY. Learning A-Z will provide teachers with access to differenciated online reading and online science reading activities for all students K-5. Submitted by: Academic Services, $118,047.00 dollars.

10.05 Approve the Contract with VocoVision, DBA: Blazerworks, for the 2023-2024 SY. This contract is to provide mental health behavioral/counseling support to special education students within ARUSD. Submitted by: Special Education, $450,000.00 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 Crystal Creamery for the 2022-2023 SY (contract includes the Extended Summer Program). This contract extension is to provide milk and juice products to ARUSD students. Submitted by: Child Nutrition Services; original approved contract was in the amount of $520,000.00. Increase number 1 in the amount of $52,000.00. Current increase request in the amount of $57,200.00 for a total contract amount of $629,200.00 dollars.

11.02 Approve the Contract Extension with RO Health for the 2022/2023 school year. This contract extension is to provide LVN services to ARUSD students with medical needs. Submitted by: Student Services; original approved contract was in the

amount of $310,000.00. Requested increase of $141,085.00 for a total contract amount of $451,085.00 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 fir the following dates: March 30, 2023, Special Board Meeting and April 13, 2023, Regular Board Meeting.

12.02 Approve Acceptance of Donations.

12.03 Approve Fundraising Activities.

12.04 Approve Acceptance of Vendor & Payroll Warrants.

12.05 Approve Acceptance of Grant/Award Notification.

12.06 Approve Education Protection Account (EPA) Spending Plan for 2023-2024.

12.07 Approve the Santa Clara County Treasury Investment Portfolio Status.

12.08 Approve Memorandum(s) of Understanding.

12.09 Approve Contracts for Professional Services -Firms/Organizations.

12.10 Approve/Ratify Notices of Employment and Changes of Status/June 8, 2023.

12.11 Approve AREA Calendar for 2023 – 2024.

12.12 Current Enrollment (Information Only).

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 Section 54956.9: four 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; Office of Administrative Hearings; case no. 2023030398; Office of Administrative Hearings, case no. 2023040779.

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 CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: TEAMSTERS; District Negotiators: (1) Hilaria Bauer, Ph.D., Superintendent; (2) Cesar Torrico, Assistant Superintendent, Human Resources; (3) George Kleidon Ed. D., Director, Human Resources; (4) Kolvira Chheng, Assistant Superintendent, Business and (5) Jess Serna, Lead Negotiator.

13.07 CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: CSEA (California School Employees Association); District Negotiators: (1) Hilaria Bauer, Ph.D., Superintendent; (2) Cesar Torrcio, Assistant Superintendent, Human Resources (3) George Kleidon Ed. D., Director, Human Resources; (4) Kolvira Chheng, Assistant Superintendent, Business and (5) Jess Serna, Lead Negotiator.

13.08 PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT (Government Code Section 54957): Title: Principal, Coordinators and Satellite Supervisor.

13.09 Public Employee Discipline/Dismissal/Release (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 June 22, 2023 (2022-23 School Year).