



**Thursday, July 20, 2023
REGULAR BOARD MEETING AGENDA**

Type: REGULAR BOARD MEETING AGENDA

Time: 6:30 p.m.

Code: Regular #03-23/24

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/83483257372>

Webinar ID: 834 8325 7372

Or One tap mobile:

+16699006833, 83483257372# 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limited to, an announcement that an agenda item will be considered out of order, that consideration of an item has been withdrawn, postponed, rescheduled or removed from the Consent Calendar for separate discussion and possible action.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. COMMENTS AND COMMUNICATION

3.01 Teamsters.

3.02 California School Employee's Association (CSEA).

3.03 Alum Rock Educator's Association (AREA).

3.04 Alum Rock Administrator's Association (ARAA).

3.05 Superintendent.

3.06 Board of Trustees/Communications/Comments.

4. 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.)

4.01 Approve Amended Board Policy 9220, First Reading.

4.02 Approve CSBA Membership Dues, Period from July 1, 2023 through June 30, 2024, \$16,208.00. Dues not processed before September 15, 2023 will result in a disruption of services.

4.03 Approve CSBA Educational Legal Alliance (ELA) Membership Dues, Period from July 1, 2023 through June 30, 2024, \$4,052.00. Dues not processed before September 15, 2023 will result in a disruption of services.

4.04 Approve CSBA Gamut Policy Plus Service, Period from July 1, 2023 through June 30, 2024, \$3,730.00. Services must be renewed by September 15, 2023 to keep uninterrupted access to service.

4.05 Approve CSBA GAMUT Online, Period from July 1, 2023 through June 30, 2024, \$3,690.00. Services must be renewed by September 15, 2023 to keep uninterrupted access to service.

5. BONDS -- 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 Notice of DSA Inspection Services from Advanced Inspections, Inc. for HVAC Upgrades at Russo/McEntee, McCollam Elementary School and Adelante II.

5.02 Approve Notice of DSA Inspection Services from Advanced Inspections, Inc. for Portable Classrooms projects at Adelante I and Aptitud at Goss.

5.03 Approve Addendum No.1 for the extension of RFQ/P No.2122-BUS03 with ARC Alternatives. This extension would be for additional one year, from July 1, 2023 through June 30, 2024.

5.04 Approve Notice of Completion and Change Order for Project B2223-Bonds20 at William Sheppard MS Locker Room Locker Installation and Cancellation at Joseph George Middle School by Bosco Construction Services.

5.05 Approve Notice of Hazardous Materials Survey, Specification & Abatement Oversight for HVAC Upgrades at Adelante II Dual Language Academy – RFQ/P No. 2223-Bonds36.

5.06 Approve Notice of Hazardous Materials Survey, Specification & Abatement Oversight for HVAC Upgrades at Russo-McEntee Academy – RFQ/P No. 2223-Bonds36.

5.07 Approve Notice of Hazardous Materials Survey, Specification & Abatement Oversight for HVAC Upgrades at Milliard McCollam Elementary School – RFQ/P No. 2223-Bonds36.

5.08 Approve Pool of Geotechnical Engineers for Geotechnical Services B2223-Bonds 35.

5.09 Approve Acceptance of Bid Package and Contract for #B2223-Bonds40 at Aptitud Community Academy and William Sheppard MS.

5.10 Approve Acceptance of Bid Package and Contract for #B2223-Bonds46 at Russo-McEntee Academy.

6. 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.)

6.01 Request for Approval of IFB#2023-CNS06 Grocery and Fresh Bakery Products for 2023-2024 School Year (Sysco).

6.02 Request for Approval of IFB#2023-CNS06 Grocery and Fresh Bakery Products for 2023-2024 School Year (Gold Star Foods).

6.03 Request for Approval of IFB#2023-CNS06 Grocery and Fresh Bakery Products for 2023-2024 School Year (Danielsen).

7. 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.)

7.01 Approve Quarterly Report on Williams Uniform Complaints.

7.02 Approve School Plan for Student Achievement (SPSA) 2023-2024.

7.03 Approve CAMINOS Program.

7.04 Approve Start and End Times for School Year 2023-2024.

8. 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.)

8.01 Resignations (Information Only).

9. 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.)

9.01 Approve the contract with Alia for the 2023-2024 SY. This contract will provide in-person consultation, virtual resilience lab sessions and virtual student-centered labs districtwide. A trauma competency lab and leadership strategy lab for Renaissance at Mathson will also be provided. Submitted by Social and Emotional Learning, \$188,500.00 dollars.

9.02 Approve the contract with City Year- Learning Recovery School Day Support for the 2023-2024 school year. City Year San Jose will deliver school day services to two sites; Cassell and Cureton. Submitted by: State and Federal Department, \$250,000.00 dollars.

9.03 Approve the contract with Envisioneers ASES for the 2023-2024 School Year. This contract will provide after-school homework support, apprenticeship activities and enrichment opportunities for 112-120 students at George, Ocala, Sheppard, Renaissance at Fischer, and Renaissance at Mathson M.S. Submitted by: State and Federal \$852,664.00 dollars.

9.04 Approve the contract with Envisioneers for School Day Support during the 2023-2024 School Year. This contract will provide additional school-day support by providing instructional intervention groups, supervised student clubs, and school-wide activities at George, Sheppard, Ocala, Renaissance at Fischer, and Renaissance at Mathson. Submitted by: State and Federal \$120,510.00 dollars.

9.05 Approve the Contract with RO Health for the 2023-2024 SY. This contract will provide LVN services to ARUSD students with medical needs, such as diabetes management, as well as assisting the district nurses. Submitted by: Student Services, \$300,000.00 dollars.

9.06 Approve the Contract with Think Together Inc. - ASES for the 2023-2024 SY. This contract will provide during/after school support for homework assistance, science, technology, art/math, enrichment, nutrition and organized physical activities to Adelante, Hubbard, Linda Vista, McCollam, Russo, Painter, Aptitud, Meyer, Ryan, and Lyndale paid by the ASES Grant. Submitted by: State & Federal, \$1,640,642.00 dollars.

9.07 Approve the Contract with Think Together Inc. - ELOP for the 2023-2024 SY. This contract will provide on-site/virtual Extended Learning Opportunity Program support to TK-6th grade students at Adelante, Hubbard, Linda Vista, McCollam, Russo, Painter, Aptitud, Meyer, Ryan, and Lyndale. Submitted by: State & Federal, \$3,668,182.00 dollars.

9.08 Approve the Contract with YMCA of Silicon Valley - ASES for the 2023-2024 SY. This contract will provide after school services including science, technology, art/math, enrichment, nutrition and organized physical activities to LUCHA, Adelante II, Cassell, Cureton, Dorsa, and San Antonio paid by the ASES Grant. Submitted by: State & Federal, \$878,914.00 dollars.

9.09 Approve the Contract with YMCA of Silicon Valley - ELOP for the 2023-2024 SY. This contract will provide an Extended Learning Opportunities Program support to TK-5th grade students at LUCHA, Adelante II, Cureton, San Antonio, Cassell, and Dorsa. Submitted by: State & Federal, \$1,097,568.00 dollars.

10. 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.)

10.01 Approve Board Meeting Minutes for the following dates: April 20, 2023 , Special Board Meeting, June 8, 2023, Regular Board Meeting, June 22, 2023, Regular Board Meeting and July 5, 2023, Special Board Meeting.

10.02 Approve Acceptance of Donations.

10.03 Approve Fundraising Activities.

10.04 Approve Acceptance of Vendor & Payroll Warrants.

10.05 Approve Acceptance of Grant/Award Notification.

10.06 Approve Resolution No. 01-23/24 Education/State & Local Government Purchase Agreement Piggyback for Apple Products, Services, and Related Items, Bid # P-13 18/19.

10.07 Approve Resolution No. 02-23/24 Delegation of Authority to Approve Bids and Award Contracts for Facilities Improvements in the Event of any Unforeseen Urgent Need District Wide.

10.08 Approve Resolution No. 03-23/24 Temporary Interfund Transfer.

10.09 Approve Adoption of Piggybackable Contracts for items such as Equipment, Materials, Supplies, and Services (non-construction services).

10.10 Approve Contracts for Professional Services-Firms/Organizations.

10.11 Approve/Ratify Notices of Employment and Changes of Status/July 20, 2023.

10.12 Current Enrollment (Information Only).

11. CLOSED SESSION

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

11.02 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.

11.03 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.

11.04 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.

11.05 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.

11.06 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, Negotiator.

11.07 Public Employee Discipline/Dismissal/Release (Government Code Section 54957).

11.08 PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT (Government Code Section 54957): Title(s): Principal Middle School, Assistant Principal Middle School and Supervisors.

12. RECONVENE TO OPEN SESSION

12.01 REPORT OF ACTION TAKEN IN CLOSED SESSION.

13. FUTURE BOARD AGENDA REQUESTS

13.01 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

14. ADJOURNMENT

14.01 President adjourns the meeting.

15. NEXT MEETING(S)

15.01 August 10, 2023 (2023-24 School Year).