



**Thursday, April 4, 2024
REGULAR BOARD MEETING AGENDA**

Type: REGULAR BOARD MEETING AGENDA

Time: 5:30 p.m.

Code: Regular #16-23/24

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/83211909360>

Webinar ID: 832 1190 9360

Or One tap mobile:

+16699006833, 83211909360# 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 CORINA HERRERA-LOERA.

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limited to, an announcement that an agenda item will be considered out of order, that consideration of an item has been withdrawn, postponed, rescheduled or removed from the Consent Calendar for separate discussion and possible action.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 Special Recognition: Elementary and Middle School Spelling Bee – Student Recognition

4. CLOSED SESSION

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

4.02 RECESS TO CLOSED SESSION: The Board will recess to Closed Session at approximately 6:00 p.m. Open Session will resume at conclusion of Closed Session.

4.03 PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT (Government Code Section 54957) Title: Interim Superintendent.

4.04 CONFERENCE WITH LABOR NEGOTIATORS Agency designated representatives: Board of Trustees
Unrepresented employee: Interim Superintendent.

5. RECONVENE TO OPEN SESSION

5.01 REPORT OF ACTION TAKEN IN CLOSED SESSION.

6. COMMENTS AND COMMUNICATION

6.01 Teamsters.

6.02 California School Employee's Association (CSEA).

6.03 Alum Rock Educator's Association (AREA).

6.04 Alum Rock Administrator's Association (ARAA).

6.05 Interim Superintendent.

6.06 Board of Trustees/Communications/Comments.

7. 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.)

7.01 Approve Contract for Interim Superintendent.

7.02 Discuss and approve a process for the selection and hiring of a permanent Superintendent.

7.03 Direct Administration to put out a request for proposals for a search firm to assist with the process of hiring a Superintendent.

7.04 Direct Administration to Develop Administrative Regulation Detailing the Processes Used by Staff to Prepare Contracts, Requests for Proposals and Requests for Qualifications, and Bid Solicitations and For Presenting Such Items for Board Consideration and Approval.

7.05 Approve Resolution No. 50-23/24 Declaring Black April (Fall of Saigon) Memorial Week.

7.06 Update on the feasibility of levying an increase in developer fees (Information Only).

7.07 Update on RFP for Affordable Housing Developers (Information Only).

8. BONDS -- 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.)

8.01 Approve Rejection of Bid Package and Contract for Linda Vista Elementary Bus Drop Off (Project #11).

9. 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.)

9.01 Approve County of Santa Clara Department of Behavioral Health Services.

9.02 Approve Resolution No. 48-23/24 National Teacher Appreciation Week – May 6-10, 2024.

9.03 Valley Health Foundation School-Based Wellness Center Grant (Information Only).

9.04 Approve School Sponsored Field Trip List.

9.05 SB 187 Comprehensive School Safety Plans. Schools must routinely write or revise their Comprehensive School Safety Plans.

9.06 Local Control Accountability Plan (LCAP) Progress Update.

10. 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.)

10.01 Resignations (Information Only).

11. 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.)

11.01 Approve Contract with The Art of Education University for the 2023-2024 SY. This contract will provide a state-adopted visual arts curriculum and professional development to 16 elementary school sites. Submitted by: Academic Services VAPA, \$220,044.00 dollars.

11.02 Approve Contract with Little Heroes for the 2023-2024 SY. This contract will provide summer youth development programs to 4 elementary sites from June 17 to July 25, 2024. Submitted by: State and Federal , \$184,800 dollars.

11.03 Approve Contract with KV Educational Services for the 2023-2024 SY. This contract will provide summer CTE Arts, Media & Entertainment enrichment programs at two ARUSD sites from June 17 to July 24, 2024. Submitted by: State and Federal, \$124,000.00 dollars.

11.04 Approve the Think Together Inc. Non-Instructional Day Services Contract for the 2023/2024 SY. This contract will provide non-instructional day services for the Summer at Hubbard and Linda Vista. Submitted by State and Federal, \$248,205.00 dollars.

11.05 Approve the YMCA of Silicon Valley Contract for the 2023/2024 SY. This contract will offer Summer Learning and Summer Enrichment Programs at Dorsa and San Antonio. Submitted by State and Federal, \$259,000.00 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/Ratify Notices of Employment and Changes of Status/April 4, 2024.

12.02 Approve Acceptance of Donations.

12.03 Approve Fundraising Activities.

12.04 Approve Bond Contracts/Extensions.

12.05 Approve Notice of Completion and Change Order for Project No. 10.1-William Sheppard MS, Project No. 10.2-Ben Painter ES, and Project No. 10.3- LUCHA ES; Fencing Projects – Cal West Fence, Inc.

12.06 Approve Out of State Travel, Educator Job Fair, Howard University, Washington DC, Cesar Torrico, Irma Barahona, Vanessa Le, Veronica Talton, Sandra Rivera. Estimated cost \$7,630.

12.07 Approve Contracts for Professional Services-Firms/Organizations.

12.08 Approve Memorandum(s) of Understanding.

12.09 Approve Resolution No. 46-23/24 National Environmental Education Week – April 21-27, 2024.

12.10 Approve Resolution No. 47-23/24 Asian American and Pacific Islander Heritage Month – May 2024.

12.11 Approve Resolution No. 49-23/24 Cinco de Mayo – May 5, 2024.

12.12 Terminate Independent Contractor Agreement for Negotiations and Job Classifications Studies with Jess Serna per Contract Terms (30 Days Notice).

12.13 Current Enrollment (Information Only).

13. CLOSED SESSION

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

13.02 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.

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): 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 and no. 23CV425680; 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 LEGAL COUNSEL – EXISTING LITIGATION (pursuant to Government Code Section 54956.9, subd. (d)(1) – One Matter – OAH Case No. 2023120127.

13.06 CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: AREA (Alum Rock Educators Association); District Negotiators: (1) Imee Almazan Ed.D., Superintendent; (2) Cesar Torrico, Assistant Superintendent, Human Resources; Lead Negotiator (3) Kolvira Chheng, Assistant Superintendent, Business.

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

13.08 PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT (Government Code Section 54957): Title: Assistant Superintendent, Instructional Services.

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 May 9, 2024 (2023-24 School Year).