# DRAFT APPROVED MINUTES
**ALUM ROCK ELEMENTARY SCHOOL DISTRICT**
**2930 Gay Avenue**
**San Jose, CA 95127**

**MINUTES OF A SPECIAL MEETING OF THE BOARD OF TRUSTEES**
**of the Alum Rock Union School District**
**Held on Monday, October 2, 2023, 7:30 p.m. at the Alum Rock Union School**
**Board Members and Superintendent participated at 2930 Gay Avenue, San Jose, CA 95127**
**Meeting #08-23/24**

## 1. OPEN SESSION

### 1.01 Call to Order/Roll Call/Acknowledgment

President Minh Pham called the Board Meeting to order at 7:30 p.m. followed by Roll Call.

*This is a Special Board Meeting held on October 2, 2023 #08-23/24.

Board Members Present:

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| Minh Pham | President |
| Corina Herrera-Loera | Vice-President |
| Andrés Quintero | Clerk |
| Linda Chavez | Member |
| Andrea Flores Shelton | Member |

Administrative and Support Staff Members Present:

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| Dr. Hilaria Bauer | Superintendent |
| Cesar Torrico | Assistant Superintendent, Human Resources |
| Patricia Tovar | Executive Assistant, Business Services |

## 2. CLOSED SESSION

### 2.01 Announcement and Public Comments Regarding Items to be Discussed in Closed Session

Superintendent Bauer announced the items that would be discussed in Closed Session. There were no public comments from the audience at this time.

The Board recessed to Closed Session at 7:32 p.m.

## 3. RECONVENE TO OPEN SESSION

### 3.01 Report of Action Taken in Closed Session

Assistant Superintendent Torrico reported the following action:

**2.03 Conference with Legal Counsel - Existing Litigation (Paragraph (1) of subdivision (d) of Section 54956.9).** Office of Administrative Hearings Case Number 2023030398, Maria Gutierrez, a Certificated Administrator, has withdrawn her request for a hearing in the matter and no longer contests the dismissal charges against her of immoral conduct, dishonesty, evident unfitness for service and persistent violation of state law and district policies and regulations, on that basis. The board voted unanimously to terminate Maria Gutierrez from her employment with the District effective for cause effective immediately. 5/0.

**2.04 Public Employee Discipline/Dismissal/Release (Government Code Section 54957).** The Board unanimously approved a statement of charges and notice of intent to suspend without pay as to one certificated teacher, and directs the statement of charges to be served upon the employee. 5/0.

**2.05 Public Employee Appointment/Employment (Government Code Section 54957).** The Board unanimously approved the appointment of Victor Guendulain as Principal of Adelante I Dual Language Academy effective immediately. 5/0.

## 4. ADJOURNMENT

### 4.01 President Adjourns the Meeting

President Minh Pham adjourned the meeting at 9:17 p.m.

Respectfully submitted,

Andrés Quintero
Board Clerk

HB/pt