Thursday, July 18, 2024
REGULAR BOARD MEETING AMENDED AGENDA

Type: REGULAR BOARD MEETING AMENDED AGENDA
Time: 5:30 p.m.
Code: Regular #01-24/25

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:
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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 LINDA CHAVEZ.

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limited to, an announcement that an agenda item will be considered out of order, that consideration of an item has been withdrawn, postponed, rescheduled or removed from the Consent Calendar for separate discussion and possible action.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. CLOSED SESSION

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

2.02 RECESS TO CLOSED SESSION: The Board will recess to Closed Session at approximately 5:35 p.m. Open Session will resume at conclusion of Closed Session.

2.03 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.

2.04 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.

2.05 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9): Jane Doe 1, et al. v. Alum Rock Union School District, et al., Santa Clara County Superior Court case no. 23CV420187; Jane AAY Doe, by and through her Guardian ad Litem, John AAL Doe v. Alum Rock Union School District, et al., Santa Clara County Superior Court case no. 24CV429076; Jane Doe v. Alum Rock Union School District, et al., Santa Clara County Superior Court case no. 24CV435022; Jane AHK Doe, et al. v. Alum Rock Union School District, et al., Santa Clara County Superior Court case no. 24CV441079; Jane Doe E.W. v. Alum Rock Union School District, et al., Santa Clara County Superior Court case no. 22CV407905; JANE ROE 1, JANE ROE 2, and JANE ROE 3, vs. ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT, et al., County of Santa Clara Superior Court Consolidated Case No.: 22CV409107.

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

2.07 CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: CSEA (California Schools Employee Association); District Negotiators: (1) Imee Almazan Ed.D., Interim Superintendent; (2) Cesar Torrico, Assistant Superintendent, Human Resources; Lead Negotiator (3) Kolvira Chheng, Assistant Superintendent, Business.

2.08 CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: TEAMSTERS; District Negotiators: (1) Imee Almazan Ed.D., Interim Superintendent; (2) Cesar Torrico, Assistant Superintendent, Human Resources; Lead Negotiator (3) Kolvira Chheng, Assistant Superintendent, Business.

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

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

3. RECONVENE TO OPEN SESSION

3.01 REPORT OF ACTION TAKEN IN CLOSED SESSION.

4. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

4.01 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.

5. COMMENTS AND COMMUNICATION

5.01 Teamsters.

5.02 California School Employee's Association (CSEA).

5.03 Alum Rock Educator's Association (AREA).

5.04 Alum Rock Administrator's Association (ARAA).

5.05 Interim Superintendent.

5.06 Board of Trustees/Communications/Comments.

6. 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.)

6.01 Approve deferral of the proposal deadline for the old MACSA Youth Center (Sinclair property) from August 2024 to a date to be determined so long as the workforce housing project is not impacted. (Member Andrea Flores Shelton)

6.02 Approve Resolution No. 04-24/25 Improving Board-Community Relations. (Clerk Minh Pham)

6.03 Direct staff to Provide a cost for the preparation of Resolution No. 70-23/24 (June 27, 2024 Board Meeting). (Clerk Minh Pham)

6.04 Direct staff to develop and issue a Request For Proposal and Qualifications (RFPQ) for a performance audit of the ARUSD bond program for the 2022-2023 and 2023-2024 fiscal years; Interim Superintendent to inform the Board of all firms directly invited to submit proposals and how the RFQP was publicized and disseminated to obtain the most number of qualified firms and proposals. The scope of intended work in the RFQP will include specific areas of audit. (See accompanying Memo in Board Book.) The RFQP will provide that all responses and proposals will be submitted to Business Services simultaneously with a copy to ARUSD legal counsel Rehon & Roberts. (Andres Quintero Vice-President)

6.05 Approve CSBA Membership Dues, Period from July 1, 2024 through June 30, 2025, $17,919.00. Dues not processed before September 15, 2024 will result in a disruption of services.

6.06 Approve CSBA Educational Legal Alliance (ELA) Membership Dues, Period from July 1, 2024 through June 30, 2025, $4,480.00. Dues not processed before September 15, 2024 will result in a disruption of services.

6.07 Approve CSBA Gamut Policy Plus Service, Period from July 1, 2024 through June 30, 2025, $3,980.00. Services must be renewed by September 15, 2024 to keep uninterrupted access to service.

6.08 Approve CSBA GAMUT Online, Period from July 1,2024 through June 30, 2025, $3,875.00. Services must be renewed by September 15, 2024 to keep uninterrupted access to service.

6.09 Approve Contract for Interim Superintendent.

7. 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 Update on Strategic Energy Plan.

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 Quarterly Report on Williams Uniform Complaints.

8.02 Approve California State Preschool Program (CSPP) Contract CSPP-4539.

8.03 Approve Kidango Designation of California State Preschool Program (CSPP) Facility Responsibility- Cesar Chavez Early Learning Center and Cesar Chavez Center.

8.04 Approve THINK Together Designation of California State Preschool Program (CSPP) Facility Responsibility- Adelante I, Adelante II and McCollam Elementary.

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 Approve New Job Description- Site Wellness Center Specialist.

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 Learning A-Z Contract for the 2024/2025 SY. This contract will provide RAZ+ access for all students in grade K-5 and train teachers on the online reading support and online science supplemental activities.

Submitted by Instructional Services, $123,957.00 dollars.

10.02 Approve the Creative Learning Center Contract for the 2024/2025 SY. This contract will provide individualized instruction and behavior support services to students with autism. Submitted by Special Education, $179,065.50 dollars.

10.03 Approve The Creekside School Contract for the 2024/2025 SY. This contract will provide individualized instruction and behavior support services to autistic and behaviorally disordered students. Submitted by Special Education, $149,152.00 dollars.

10.04 Approve the Pine Health, LLC Contract for the 2024/2025 SY. This contract will provide a Licensed Marriage Family Therapist (LMFT) to provide mental health services to Alum Rock students as per the student's IEP. Submitted by Special Education, $168,750.00 dollars.

10.05 Approve the Tutorworks Inc. Contract for the 2024/2025 SY. This contract will provide an on-site and/or virtual academic tutoring program that is customized to address students' specific needs. Submitted by State and Federal, $250,000.00 dollars.

10.06 Approve the Lozano Smith Attorneys At Law Contract for the 2024/2025 SY. This contract will provide remote legal consultation and professional development regarding various school topics. Submitted by Student Services, $150,000.00 dollars.

11. 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.)

11.01 Approve Acceptance of Donations.

11.02 Approve Fundraising Activities.

11.03 Approve Acceptance of Vendor & Payroll Warrants.

11.04 Approve Bond Contracts/Extensions.

11.05 Approve/Ratify Notices of Employment and Changes of Status/July 18, 2024.

11.06 Approve Contracts for Professional Services-Firms/Organizations

11.07 Approve Memorandum(s) of Understanding.

11.08 Current Enrollment (Information Only).

12. FUTURE BOARD AGENDA REQUESTS

12.01 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

13. ADJOURNMENT

13.01 President adjourns the meeting.

14. NEXT MEETING(S)

14.01 August 8, 2024 (2024-25 School Year).