Thursday, November 14, 2024
REGULAR BOARD MEETING AMENDED AGENDA

Type: REGULAR BOARD AMENDED AGENDA
Time: 5:30 p.m.
Code: Regular #16-24/25
Location: Russo McEntee Academy, 2851 Gay Avenue, San Jose, CA 95127; Cafeteria.

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/89242518835
Webinar ID: 892 4251 8835
Or One tap mobile:
+16699006833, 89242518835# 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*********

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 to the Muwekma Ohlone People Tribe of the San Francisco Bay Area for their stewardship of these lands.

1. OPEN SESSION - CALL TO ORDER AND ROLL CALL

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to, an announcement that an agenda item will be considered out of order, that consideration of an item has been withdrawn, postponed, rescheduled or removed from the Consent Calendar for separate discussion and possible action.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

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

3.02 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.

3.03 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.

3.04 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to Government Code Section 54956.9, subd. (d)(2) – One Potential Matter – Student No. 42036918.

3.05 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Government Code Section 54956.9 subd. (d)(1) – One Matter – OAH Case No. 2024090816.

3.06 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; Jane Doe v. Alum Rock Union Elementary School District, Think Together and New Hope for Youth, Santa Clara County Superior Court case no. 24CV449309.

3.07 CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: AREA (Alum Rock Educators Association); District Negotiators: (1) German Cerda, Superintendent; (2) Cesar Torrico, Assistant Superintendent, Human Resources; Lead Negotiator (3) Teresa Decelles, Assistant Superintendent, Business.

3.08 CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: CSEA (California Schools Employee Association); District Negotiators: (1) German Cerda, Superintendent; (2) Cesar Torrico, Assistant Superintendent, Human Resources; Lead Negotiator (3) Teresa Decelles, Assistant Superintendent, Business.

3.09 CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: TEAMSTERS; District Negotiators: District Negotiators: (1) German Cerda, Superintendent; (2) Cesar Torrico, Assistant Superintendent, Human Resources; Lead Negotiator (3) Teresa Decelles, Assistant Superintendent, Business.

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

4. RECONVENE TO OPEN SESSION

4.01 REPORT OF ACTION TAKEN IN CLOSED SESSION.

5. Special Presentation -- Discussion/Action Consideration and Action

5.01 Presentation: FCMAT Fiscal Health Risk Analysis Report (Information Only).

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 Superintendent.

6.06 Board of Trustees/Communications/Comments.

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

7.01 Public Hearing: School Closures and School Consolidation Recommendation from the Superintendent.

8. 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.)

8.01 Consideration/Discussion: Exhibit 9250, First Reading -Remuneration, Reimbursement and Other Benefits.

8.02 Approve Terra Realty Advisors Contract for November 15, 2024-June 30, 2025. The cost is $59,500.00.

9. BUSINESS--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 Resolution No. 23-24/25 Intention to Solicit Bids to Refurbish, Repurpose and Lease 600 Sinclair Drive, San Jose, California, Formally Known as MACSA.

10. 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.)

10.01 Approve School Sponsored Field Trip List.

10.02 Approve Vietnamese American Experiences Model Curriculum (VAEMC) grant from SCCOE.

11. 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.)

11.01 Resignations (Information Only).

11.02 Approve New Management Position – Bond Program Manager.

12. 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.)

12.01 Approve the Bay Alarm Company Contract for the 2024/2025 SY. This contract will provide overnight security patrol, including mobile and walking the facilities, seven days a week and holidays district-wide. Submitted by M.O.T., $170,000.00 dollars.

12.02 Approve the Faith in Action Community Education Services Contract for the 2024/2025 SY. This contract will provide six full-time Mental health clinicians on-site five days per week for eight hours per day as well as clinical supervision. Submitted by Social Emotional Learning, $960,000.00 dollars.

12.03 Approve the Glen Price Group Contract for the 2024/2025 SY. This contract will provide virtual support in project management, professional development and capacity building, continuous improvement and implementation monitoring, data reporting, and sustainability planning. Submitted by Social Emotional Learning, $180,000.00 dollars.

13. Contract Extensions 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.)

13.01 Approve the Rising Star Academy contract for the 2024/2025 SY. This contract extension is to add an additional student to attend Rising Star Academy due to the severity of their disability. Submitted by: Special Education; original approved contract was in the amount of $224,573.00. A new increase request of $150,749.33 to pay for the 2024/2025 SY. The total contract amount for the 2024/2025 SY is in the amount of $375,749.33 dollars.

13.02 Approve the Curriculum Associates LLC contract for the 2024/2025 SY. This contract extension is to provide a professional learning license and session for State and Federal. Submitted by: State and Federal; original approved contract was in the amount of $589,965.48. A new increase request of $17,600.00 to pay for professional learning license and sessions. The total contract amount for the 2024/2025 SY is in the amount of $607,565.48 dollars.

13.03 Approve the Pine Hill NPS contract for the 2024/2025 SY. This contract extension is to add one additional student to attend Pine Hill due to the severity of their disability. Submitted by: Special Education; original approved contract was in the amount of $69,960.00. A new increase request of $55,190.00 to pay for the 24/25 SY. The total contract amount for the 2024/2025 SY is in the amount of $125,150.00 dollars.

14. 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.)

14.01 Approve Acceptance of Donations.

14.02 Approve Fundraising Activities.

14.03 Approve Acceptance of Vendor & Payroll Warrants.

14.04 Approve Bond Contracts/Extensions.

14.05 Approval of Annual Developer Fees 2023-2024.

14.06 Approve/Ratify Notices of Employment and Changes of Status/November 14, 2024.

14.07 Approve Resolution No. 22-24/25 AMENDED Page 1 Approval of District's Annual Authorized Signatures (Bank Deposits).

14.08 Approve Contracts for Professional Services-Firms/Organizations

14.09 Approve Memorandum(s) of Understanding.

14.10 Current Enrollment (Information Only).

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 December 19, 2024 (2024-25 School Year).