Regular Board of Trustees Meeting - February 13, 2025 Agenda

Time: 5:30 PM

Location: Alum Rock Union Elementary School District, 2930 Gay Avenue, San Jose, CA 95127; District Board Room.

Code: Regular #25-24/25

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 arrangements.

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/89684267756

Webinar ID: 896 8426 7756

Phone one-tap: +16694449171,,89684267756#

US +16699006833,,89684267756# 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

LAND ACKNOWLEDGEMENT- Board of Trustees of 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 those lands.

*******PUBLIC COMMENT WILL BE ONLY IN PERSON: NO PUBLIC COMMENT WILL BE AVAILABLE THROUGH ZOOM*******

1. OPEN SESSION - CALL TO ORDER AND ROLL CALL

1.1 CALL TO ORDER/ ROLL CALL/PLEDGE OF ALLEGIANCE-- PRESIDENT LINDA CHAVEZ

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to, an announcement that an agenda item will be considered out of order, that consideration of an item has been withdrawn, postponed, rescheduled or removed from the Consent Calendar for separate discussion and possible action.

1.3 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

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 / COMMUNICATION

3.1 Teamsters.

3.2 California School Employee's Association (CSEA).

3.3 Alum Rock Educator's Association (AREA).

3.4 Alum Rock Administrator's Association (ARAA).

3.5 Superintendent.

3.6 Board of Trustees/Communications/Comments.

4. SUPERINTENDENT / BOARD BUSINESS--(The Board may take action on any item in this section, unless it is designated for information only.)

4.1 2025 Ballot for CSBA Delegate Assembly - Deadline is March 17, 2025. The Board may vote for no more than 4 candidates in the Region or Subregion as indicated on the ballot. All re-elected and newly elected Delegates will serve two-year terms beginning April 1, 2025-March 31, 2027. Ballots must be postmarked by the U.S. Post Office on or before Friday, March 17, 2025.

CSBA Delegate Assembly.pdf

5. 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.)

5.1 **Approval Realty Consulting Services**

Alum Rock solicited a Request for Proposals (RFP) for Realty Consulting Services to provide the following services:

Complete an inventory of existing school facilities and property owned by the District and their current use and develop a plan with recommendations for their potential future use. The District seeks a plan and recommendations for its facilities highest and best use and in the best interest of the District. Potential use may include, but not be limited to, lease, joint use or occupancy, property exchange or surplus property disposition/sale in accordance with applicable Education Code requirements.

The District followed Federal and District guidelines for the RFP by releasing the RFP on Tuesday, December 17, 2024 and publicizing it for two weeks via Challenge News and the ARUSD website. The District followed the process for questions and responses which were posted on Wednesday, January 15, 2025. The proposals were due on Wednesday, January 22, 2025. The Board requested at least three proposals. The District received one proposal from the RFP. Due to the lack of response, the District solicited three additional proposals. The four firms that submitted proposals and met qualifications are: The Academy Group Inc., Terra Realty Advisors, DCG Strategies, and Public Property Advisors. The cost estimates for each firm are:

The Academy Group	Time and Materials hourly rates: $250, $175, $100, 2.5% of sale/lease

Terra Realty Advisors	Time and Materials hourly rates: $310/hr - $95/hr Phase I, not to exceed $59,500.00 plus $1,000 for reimburseables, Total $60,500.00
DCG Strategies	Phase I: $25,000 per site plus $5,000 for Architectural Services, Total $30,000 per site
Public Property Advisors	Phase I: not to exceed $50,000, 3.12% of sale/lease

While all three firms have solid backgrounds and qualifications, we recommend Terra Realty Advisors for Phase I in the amount of $60,500.00 due to the best combination of qualifications and cost.

Realty Consulting Svcs rev Cover.pdf

RFP Realty Consulting Svcs_DComm (The Academy Group Proposal).pdf

RFP Realty Consulting Svcs_DComm (DCG Strategies Proposal).pdf

RFP Realty Consulting Svcs_DComm (Public Prop Advisors).pdf

RFP Realty Consulting Svcs_DComm (Terra Realty Advisors Proposal final).pdf

6. BOND / FACILITIES

6.1 Approve Amendment No. 1 with DSK Architects for additional scope related to the merger of Painter Elementary and Sheppard Middle School.

On December 14, 2023, the Board of Trustees approved the award of a contract to DSK Architects for a fencing project at Painter Elementary and Sheppard Middle School. The scope included site surveys, schematic design, construction design services, and DSA permitting. Work on this project was paused in anticipation of the Boards action as to which schools would close and which would be consolidated.

At the December 2, 2024 Special Board Meeting the Board acted to consolidate Painter Elementary and Sheppard Middle School. In order to accomplish the consolidation of the two schools' both short- and long-term modifications will be necessary in order to align the building and site with the merger goals. The scope of work for this added service is limited to a short-term scope to have the site ready by the start of the 2025/2026 school year. Additional services to cover

the permanent modifications will continue after the start of the 2025/2026 SY.

Some of the short-term modifications include: additional fencing to accommodate pedestrian traffic between the two sites, fencing to prevent lower-grade TK-2 students from accessing the Sheppard backfield, replacement of fencing behind the cafeteria to cover garbage bins, replacement of drinking fountains, resurfacing and restriping of Sheppard parking lot, refurbishment of girls' and boys' bathrooms at Painter Elementary, addition of temporary bathrooms at both Painter and Sheppard. The scope will continue to include surveys, schematic design, construction design, and DSA permitting.

Item	**Amount**
Original Contract Amount	$ 35,824.70
Change Order	$ 6,500.00
Amendment No. 1	$148,000.00

New Contract total $190,324.70

Cover Amendment No 1 Additional Scope to the Merger of Painter-Sheppard Project with DSK_DComm (backup).pdf

Amendment No 1 Additional Scope to the Merger of Painter-Sheppard Project with DSK_DComm (backup).pdf

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.)

7.1 Approve School Accountability Report Cards (SARC)

California public and nonpublic, nonsectarian schools annually provide information to the community to allow public comparison of schools for student achievement, environment, resources and demographics. LEAs are responsible for updating each school's SARC on an annual basis and submitting to the local governing board for approval. SARCs are submitted to the California Department of Education (CDE) and must be posted on the district website.

7.2 Approve Arts Education Month – March, 2025.

March, 2025, has been proclaimed as Arts Education Month.

This resolution proclaims the month of March, 2025, as Arts Education Month and encourages all educational communities to celebrate the arts with meaningful student activities and programs that demonstrate learning and understanding in the visual and

performing arts. The strategy is to develop and maintain productive, meaningful partnerships with families and communities to ensure the highest quality education for all students.

7.3 Local Control Accountability Plan (LCAP) Timeline (Information Only).

The Local Control Accountability Plan (LCAP) is a required component of the Local Control Funding Formula (LCFF). Under the LCFF, LEAs are required to develop an LCAP every three years and provide an Annual Update every year. The LCAP describes how the LEAs intend to meet annual goals for all pupils, with specific activities to address state and local priorities identified pursuant to Education Code Section 52060(d).

Staff will follow the attached timeline for the 2024-2025 Annual Update and development of the 2025-2026 Local Control Accountability Plan.

7.4 Presentation Mid-year Report on the Annual update to the 2024/25 LCAP and Budget Overview for Parents (Information Only).

Senate Bill 114 requires LEAs to present an update on the annual update to the Local Control and Accountability Plan (LCAP) and Budget Overview for Parents (BOP) on or before February 28 each at a regularly scheduled meeting of the governing board or body of the LEA.

The report must include the following:

- All available midyear outcome date related to metrics identified in the current LCAP; and,
- All available midyear expenditure and implementation data on all actions identified in the current LCAP.

7.5 Approve Women's History Month – March, 2025.

March, 2025, has been proclaimed as Women's History Month.

This resolution proclaims the month of March, 2022, as Women's History Month and encourages all educational communities to commemorate this occasion with appropriate instructional activities. The strategy is to develop and maintain productive, meaningful partnerships with families and communities to ensure the highest education for all students.

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)

8.1 Approval and Ratification of Tentative Agreement between the Alum Rock Union Elementary School District and Teamsters Local 150, for the period of July 1, 2024 - June 30, 2025.

The District and Teamsters Local 150 reached the attached Tentative Agreement on collective bargaining issues for the period of July 1, 2024 - June 30, 2025.

Cover - Teamsters TA 2.13.25.docx

Teamsters TA 2.13.25.pdf

8.2 Approval and Ratification of Tentative Agreement between the Alum Rock Union Elementary School District and California School Employees Association (CSEA), Chapter #305, for the period of July 1, 2024 – June 30, 2025.

The District and CSEA Chapter #305 reached the attached Tentative Agreement on collective bargaining issues for the period of July 1, 2024 - June 30, 2025.

Cover - CSEA TA 2.13.25.docx

CSEA TA 2.13.25.pdf

8.3 Approval of District Memorandum of Understanding with CSEA Chapter 305

The District and CSEA Chapter 305 reached the attached Memorandum of Understanding regarding the Early Tell Retirement Incentive.

Cover - CSEA MOU.docx

CSEA MOU Retirement Incentive_2025_TA.docx

8.4 Approve Resolution No. 39-24/25 Reducing/Laying Off Classified Employee Services

Given the current state of the District's budget and due to a lack of work and/or funds, the District is forced to consider the elimination of certain services now being provided by classified employees.

Education Code Section 45114, 45115, 45117, 45298, and 45308 set forth the process and procedure that school districts must follow in order to layoff or reduce classified employees for lack of work and/or lack of funds. This procedure requires a board resolution to reduce/layoff classified positions and provided employees with notice no later than March 15th.

Resolution No. 39-2425 - Board Cover.pdf

Resolution No. 39-2425 Classified Reduction.docx

8.5 Approve Resolution No. 41-24/25 Reducing/Laying Off Certificated Employee Services

Given the current state of the District's budget and due to a lack of work and/or funds, the District is forced to consider the elimination of particular kinds of services now being provided by certificated employees.

Resolution No. 41-2425 - Board Cover.pdf

Resolution No. 41-2425 Certificated Layoffs 2.13.25.docx

8.6 Resignations (Information Only)

Pursuant to Board Policy 4117.2 the Superintendent or designee has accepted the following resignations.

Cover - Resignations - 2.13.25.docx

Classified Resignations 2.13.25.doc

Certificated Resignations 2.13.25.docx

9. 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.)

9.1 Approve the California State Preschool Program (CSPP) Kidango contract for the 2024/2025 SY. This contract adjustment is to add language of Senate Bill (SB)140, for CSPP contractors to issue payment to subcontractors based on the number of children enrolled in a CSPP. Submitted by: Early Learning; Original approved contract was in the amount of $2,893,576.00. A new increase request of $288,648.00 to cover the cost to be encumbered as of July 2024-June 2025 for 96-120 children for twelve months. The total contract amount for the 2024/2025 SY is in the amount of $3,182,224.00 dollars.

A Contract Change Order (POCO) is being submitted requesting adding line 02 to say: Per California Department of Education, pursuant to Senate Bill (SB)140 (Chapter 193, Statutes of 2023), California State Preschool Program (CSPP) contractors will issue monthly payments to subcontractors under the Cost of Care Plus Rate which is based on the number of children enrolled in a CSPP. The monthly amount will be calculated from the prior month's enrollment as reported in the CDE California Preschool Data

Collection (CAPSDAC). The Cost of Care Plus calculations to encumber as of July 2024-June 2025 for 96-120 children at the rate of $211.00 for twelve months is the sum amount of $288,648.00 dollars.

CALIFORNIA-STATE-PRESCHOOL-PROGRAM-KIDANGO.pdf

9.2 Approve the California State Preschool Program (CSPP) Think Together contract for the 2024/2025 SY. This contract adjustment is to add language of Senate Bill (SB)140, for CSPP contractors to issue payment to subcontractors based on the number of children enrolled in a CSPP. Submitted by: Early Learning; original approved contract was in the amount of $1,119,679.00. A new increase request of $121,536.00 to cover the cost to be encumbered as of July 2024-June 2025 for 48 children for twelve months. The total contract amount for the 2024/2025 SY is in the amount of $1,241,215.00 dollars.

A Contract Change Order (POCO) is being submitted requesting adding line 02 to say: Per California Department of Education, pursuant to Senate Bill (SB)140 (Chapter 193, Statutes of 2023), California State Preschool Program (CSPP) contractors will issue monthly payments to subcontractors under the Cost of Care Plus Rate which is based on the number of children enrolled in a CSPP. The monthly amount will be calculated from the prior month's enrollment as reported in the CDE California Preschool Data Collection (CAPSDAC). The Cost of Care Plus calculations to encumber as of July 2024-June 2025 for 48 children at the rate of $211.00 for twelve months is the sum amount of $121,536.00 dollars.

CALIFORNIA-STATE-PRESCHOOL-PROGRAM-THINK-TOGETHER.pdf

10. CONSENT CALENDAR/ACTION ITEMS--BOARD DISCUSSION AND/OR ACTION (The Board may take action on any item in this section, unless it is designated for information only.)

10.1 **Approve Board Meeting Minutes for the following dates: December 2, 2024, Special Board Meeting; December 19, 2024, Annual Organizational and Regular Board Meeting; January 11, 2025, Board Retreat/Special Board Meeting; January 16, 2025, Regular Board Meeting; January 21, 2025, Special Board Meeting and January 24, 2025, Special Board Meeting.**

Draft Special BM MINUTES of December 2, 2024.pdf Draft December 19, 2024, Meeting Minutes.pdf Draft Special BM MINUTES of January 11, 2025.pdf Draft January 16, 2025 Meeting

Minutes.pdf Draft Special BM MINUTES of January 21, 2025.pdf
Draft Special BM MINUTES of January 24, 2025.pdf

10.2 Notices of Employment and Changes of Status / Human Resources

This item includes recommendations such as new hires, leaves of absence, or other changes in employee status.

Cover - Personnel Report - 2.13.25.docx

Classified Personnel Report 2.13.25.docx

Certificated Personnel Report 2.13.25.docx

10.3 Approve Acceptance of Donations

The District has received donations as summarized on the sheet dated February 13, 2025.

Donations Cover.pdf

Donations_BDocs.pdf

Donations_BDocs (backup).pdf

10.4 Approve Fundraising Activities.

The District has received fundraising requests as summarized on the attached sheet dated February 13, 2025.

Fundraisers Cover.pdf

Fundraisers_BDocs.pdf

Fundraisers_BDocs (backup).pdf

10.5 Approve Acceptance of Vendor & Payroll Warrants.

Summary of Vendor and Payroll Warrants issued during January month of Fiscal Year 2024/2025.

Total of vendor warrants	$ 6,032,994.94
Total of payroll warrants	$ 5,025,251.38
Total	**$11,058,246.32**

Fundraisers Cover.pdf

Vendor Warrant_DComm.pdf

Vendor Warrant_DComm (backup).pdf

10.6 Approve Bond Contracts/Extensions

The District has received a summarized list of bond contracts/extensions dates February 13, 2025.

Bond Extensions Cover.pdf

Bonds Contracts_Extensions_BDocs.pdf

Bonds Contracts_Extensions_DComm (Sixth Dimension).pdf

10.7 Current Enrollment.

Master Enrollment 2025-01-31.xlsx - Page1_1.pdf

10.8 Approve Contracts for Professional Services-Firms/Organizations

The following contracts for professional services are being presented to the Board of Trustees for review and approval.

Cover Page

FEBRUARY-13-2025-FIRMS-COVER-PAGE.pdf

February-13-2025-Firms.docx

SOCIAL-AND-ENVIRONMENTAL-ENTREPRENEURS-MATH-FESTIVAL.pdf

YMCA-CAMP-CAMPBELL-OUTDOOR-SCIENCE-SCHOOL.pdf

LITERARY-RESOURCES-DBA-HEGGERTY.pdf

HARVEY-M.-ROSE-ASSOCIATES-LLC .pdf

ORENDA.pdf

CREATIVE-WEST-GRAPHIC-SOLUTIONS-LLC.pdf

LDP-INC-DBA-LEADER-SERVICES .pdf

LITTLE-HEROES.pdf

NEXPLORE-LLC.pdf

THINK-TOGETHER-INC.pdf

SILICON-VALLEY-EDUCATION-FOUNDATION.pdf

RESOURCE-AREA-FOR-TEACHING.pdf

ELLIOT-PAUL-SCHLANG-DBA-BIG-SMILES.pdf

THE-FUTURE-TALENT-OF-SILICON-VALLEY.pdf

11. CLOSED SESSION

11.1 ANNOUNCEMENT AND PUBLIC COMMENTS REGARDING ITEMS

TO BE DISCUSSED IN CLOSED SESSION (Government Code Section 54957.7)

11.2 RECESS TO CLOSED SESSION: The Board will recess to Closed Session at approximately 9:00pm. Open Session will resume at the conclusion of Closed Session.

11.3 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

11.4 **CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9):** (1) Jane Doe 1, et al. v. Alum Rock Union School District, et al., Santa Clara County Superior Court case no. 23CV420187; (2) 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; (3) Jane Doe v. Alum Rock Union School District, et al., Santa Clara County Superior Court case no. 24CV435022; (4) Jane AHK Doe, et al. v. Alum Rock Union School District, et al., Santa Clara County Superior Court case no. 24CV441079; (5) Jane Doe E.W. v. Alum Rock Union School District, et al., Santa Clara County Superior Court case no. 22CV407905; (6) 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; (7) Jane Doe v. Alum Rock Union Elementary School District, Think Together and New Hope for Youth, Santa Clara County Superior Court case no. 24CV449309, and (8) *Jane ACC Doe v. ARUSD, et al.*(case no. 24CV444348).

11.5 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.

11.6 Conference with Labor Negotiators, Employee Organization: TEAMSTERS; District Negotiators: (1) German Cerda, Superintendent; (2) Cesar Torrico, Assistant Superintendent, Human Resources; Lead Negotiator (3) Teresa DeCelles, Assistant Superintendent, Business.

11.7 Conference with Labor Negotiators, Employee Organization: CSEA; District Negotiators: (1) German Cerda, Superintendent; (2) Cesar Torrico, Assistant Superintendent, Human Resources; Lead Negotiator (3) Teresa DeCelles, Assistant Superintendent, Business.

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

11.9 PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT (Government Code Section 54957): Title: Chief Bonds Officer.

11.10 Public Employee Performance Evaluation (Gov. Code section 54957): Superintendent.

12. RECONVENE TO OPEN SESSION - DISTRICT OFFICE BOARD ROOM

12.1 Report of Action Taken in Closed Session

13. FUTURE BOARD AGENDA REQUESTS

13.1 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

President adjourns the meeting.

15. Next Meeting (s)

15.1 February 27, 2025 (2024-2025 School Year)