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 Wednesday, April 16, 2025, 6:30 p.m. at
Alum Rock Union Elementary School District – Board Room
Board Members and Superintendent participated at
2930 Gay Avenue San Jose, CA 95127
Meeting #30-24/25

1. OPEN SESSION – CALL TO ORDER AND ROLL CALL

1.1 Call to Order/Roll Call/Pledge of Allegiance - - President Linda Chavez

President Linda Chavez called the Board Meeting to order at 6:30 pm, followed by Roll Call. Board Members present were Linda Chavez (President), Andrés Quintero (Vice-President), Minh Pham (Clerk), Corina Herrera-Loera (Member), and Minh Nguyen (Member).

Administrative and Support Staff Members present were German Cerda (Superintendent), Teresa DeCelles (Assistant Superintendent, Business Services), Cesar Torrico (Assistant Superintendent, Human Resources), Sandra Garcia (Assistant Superintendent, Instructional Services) and Patricia Tovar (Interim Sr. Executive Assistant, Superintendent's Office). *(The meeting is being recorded.)*

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

Superintendent Cerda announced the following Closed Session Items to be discussed:
2.1 Conference with Legal Counsel – Existing Litigation; and
2.2 Public Employee Discipline/Dismissal/Release

Public Comment: None

The Board recessed to closed session at 6:32 p.m.

3. RECONVENE TO OPEN SESSION

3.1 Report of Action Taken in Closed Session

The Board reconvened to Open Session at 7:24 p.m.

3.1 Report of Action Taken in Closed Session (continued)

District Legal Counsel, Rogelio Ruiz reported the following action:

2.1 Conference with Legal Counsel – Existing Litigation

JANE ROE 1, JANE ROE 2, and JANE 3, vs ALUM ROCK UESD, et al, County of Santa Clara Superior Court Consolidated Case No.: 22CV409107

MOTION #01-30 the Board unanimously approved the settlement agreement and release of all claims pursuant to which the plaintiffs in the case have agreed to dismiss their claims against the District with prejudice and have agreed to release of claims against the District and its related employees' board members officers agent, etc… and in exchange of the District has agreed to pay the plaintiffs in that case the sum of $3,750,000.00, in accordance with the terms in the agreement. Again, approval was unanimous!

Jane Doe E.W. v. Alum Rock UESD, et at, Santa Clara County Superior Court Case No. 22CV407905

MOTION #02-30 in exchange for a release of claims and a dismissal with prejudice of that lawsuit. The Board unanimously approved the settlement agreement in release of all claims pursuant to which the District has agreed to pay the plaintiff in that case the sum of $1,250,000.00, in accordance with the terms, payment terms specified in that agreement. Again, vote was unanimous!

NOTE
Payment with American Home Assurance Company pursuant to which the insurance company will pay to the District the sum of $4,600,000.00 - to pay the settlements – in those two earlier referenced cases. In this agreement, the parties involved agreed to a release of claims of any and all claims relating to the underlined actions and any and all future. And the District has agreed to release any and all future kemp claims, demands, or lawsuits brought by anyone against the District or its members' schools for an occurrence alleged to have taken place in form or part between January 1, 1970 and December 31, 1973 and that the District will not seek insurance coverage for any of these claims or any of the American Home Assurance Company policies.
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Jane Doe 1, et al. v. Alum Rock UESD, et al., Santa Clara County Superior Court Case No. 23CV420187

MOTION #03-30 the Board unanimously approved the settlement agreement and release of all claims with the plaintiff and their Guardian ad Litem in that case pursuant to which the District has agreed to pay $620,000.00 to the plaintiff in accordance with the payment terms specified in the agreement and in exchange for which the plaintiff is granting or agreeing to provide the District wit the release of all claims arising from, or that could've been asserted in the lawsuit and the plaintiff is also agreeing to dismiss the lawsuit with prejudice in exchange with payment.

3. RECONVENE TO OPEN SESSION (continued)

MOTION #04-30 (Also, in the Case 23CV420187) the Board unanimously approved a separate settlement agreement and release of all claims as to plaintiff Jane Doe 2 in that case pursuant to which the District is agreed to pay $620,000.00 to the plaintiff. Also, with the release of claims and in exchange for dismissal of prejudice of the lawsuit against the District.

2.3 Public Employee Discipline/Dismissal/Release

MOTION #05-30 in the matter of Layoff of Certificated Employees Office of Administrative Hearing Case 2025031038, the Board unanimously approved a settlement agreement with AREA members that are the subject of that layoff preceding pursuant to which the District has agreed. In the agreement to certain reemployment rights and notifications as specified in the agreement, there are no monetary terms in that agreement.

MOTION #06-30 the Board unanimously approved a separate settlement agreement with one Certificated Unrepresented Employee to settle that matter also on the same terms granted to the District Certificated Employees who are AREA members.

4. ADJOURNMENT

4.1 President Adjourns the Meeting

President Linda Chavez announced the next regularly scheduled board meeting on April 24, 2025. The meeting adjourned at 7:31 p.m.

Respectfully submitted,

Minh Pham, Board Clerk

gc/pt