Lozano Smith
ATTORNEYS AT LAW

2026



Proposal Prepared For

Alum Rock Union School District

Submitted by Lozano Smith
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Table Of Contents

Executive Summary

Partnering with Alum Rock Union School District....2
Statewide Expertise, Local Focus....2
Experience in Santa Clara County....2
All Under One Roof: Expertise and Cost-Savings....2
Practice Areas....2
Cost and Preventive Measures....2

Narrative and Biographic Information

Alum Rock Union School District Team....3
Availability, Responsiveness, and Communication....4
Involvement with Professional Organizations....4
Changes in the Law, Trainings, and Client Resources....5

Experience and Qualifications

1. Human Resources....5
2. General Education Law....7
3. Business and Procurement Services – Contract Support....8
4. Government Relations....10

References

References....12

Appendix

Attorney Bios
Required Forms
Lozano Smith Professional Rate Schedule
Letter of Recommendation

Executive Summary

Partnering with Alum Rock Union School District

We have been fortunate to partner with Alum Rock Union School District (ARUSD) over the course of many years. Over that time, Lozano Smith has provided the District with counsel and representation on a wide variety of areas. We are confident that our longstanding relationship and our familiarity with the District serves to differentiate Lozano Smith from other law firms to the benefit of ARUSD and its students.

Statewide Expertise, Local Focus

Since 1988, Lozano Smith, LLP, has served more than **500 California school districts** in the areas requested by the district, and nearly every other area of school law. With offices located throughout California, Lozano Smith offers clients the benefits of a mid-size firm together with the comfortable relationships of a smaller firm. The firm has 128 attorneys across offices in Walnut Creek, Monterey, Sacramento, Fresno, San Luis Obispo, Bakersfield, Los Angeles, and San Diego.

Experience in Santa Clara County

Our firm provides counsel to many districts in Santa Clara County. Representative clients include:

- Alum Rock Union School District
- Berryessa Union School District
- Campbell Union Elementary School District
- Campbell Union High School District
- East Side Union High School District
- Evergreen Elementary School District
- Franklin-McKinley School District
- Fremont Union High School District
- Los Altos Elementary School District
- Los Gatos-Saratoga Union High School District
- Luther Burbank School District
- Metropolitan Education District
- Milpitas Unified School District
- Moreland School District
- Morgan Hill Unified School District
- Mountain View Los Altos Union High School District
- Oak Grove School District
- Orchard School District
- Santa Clara Unified School District
- Union Elementary School District

All Under One Roof: Expertise and Cost-Savings

Having dedicated attorneys in each practice area significantly reduces costs for our clients and ensures quality legal advice, while increasing accessibility. With the knowledge and experience of our team of attorneys spanning multiple practice areas, research time is reduced for our clients.

Practice Areas

- Administrative Hearings
- Board Governance
- Charter Schools
- Facilities & Business
- Investigations
- Labor & Employment
- Litigation
- Public Finance
- Special Education
- Students
- Technology
- Title IX

Cost and Preventive Measures

Our practice of billing in **1/10 (.10) hour increments** has saved clients significant money they can reinvest into their schools. Our numerous cost-preventive resources, workshops, and publications have been developed so that clients minimize their need for counsel.

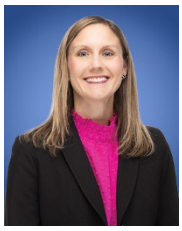
Narrative and Biographic Information

It is the practice of our firm to assign one partner as the responsible partner for all of an individual client's work, which also includes determining the specific role, responsibility and time each attorney will be involved in respective portions of assignments. Manuel F. Martinez has been designated as the responsible partner for Alum Rock Union School District. We also work in teams in order to access all of the firm's resources to provide cost-effective services.

With more than 120 attorneys in the firm, the breadth and depth of legal experience enables our attorneys to save costs for clients in the long and short run. This is accomplished by reducing research time as a result of conferring with other attorneys internally, and accessing the wealth of information, forms and opinions that we have developed across practice areas.



Manuel F. Martinez is a Partner in Lozano Smith's Walnut Creek Office. His practice focuses on governance, labor and employment, charter school, student, technology and facilities and business issues. Mr. Martinez has served as both an in-house General Counsel at a large urban school district and county office of education, and as General Counsel to several clients advising on a wide-range of issues. Mr. Martinez has also served as a Board member for his local school district, and understands the importance effective leadership has on student learning.



Kelly M. Rem is the Managing Partner of Lozano Smith's Walnut Creek Office. Ms. Rem specializes in Facilities and Business law and Litigation for public agency clients throughout California. During her career, she has handled hundreds of millions of dollars' worth of real property sales, acquisitions, and leases, as well as property exchanges. Ms. Rem is experienced in reviewing and providing advice to clients relating to all types of business contracts. She also regularly advises clients regarding school facilities or "developer" fees and construction matters.



Ed Sklar is a Partner in Lozano Smith's Walnut Creek office. He has provided legal counsel to California's public schools for over twenty years. Mr. Sklar advises school districts on all legal issues that arise in the routine course of educating students. This includes matters of student discipline, workplace investigations, Title IX, The Uniform Complaint process, residency, student confidentiality, and civil rights. He has extensive experience advising school boards on all aspects of governance, including compliance with the Brown Act and the California Public Records Act. Mr. Sklar is known throughout the state for helping school districts manage California's charter school landscape, serving as co-chair of the firm's Charter Schools Practice Group.



Erin Frazor is a Partner in Lozano Smith's Walnut Creek Office. Ms. Frazor's practice focuses on special education, student issues, and litigation. She is a former special education teacher and special education department chair within the Texas public school system. She assists clients with a wide variety of special education and student-related issues, including IEP meetings, mediations, and due process hearings. As a former special educator and department chair, Ms. Frazor tracked developments in education laws, trained and advised general and special educators regarding compliance issues, and developed policies, procedures, and forms to assist a public school in meeting compliance and reporting requirements.



Eric Barba is an Partner in Lozano Smith's Walnut Creek office. Mr. Barba has significant experience advising public agency clients on a broad range of labor and employment matters, including classified and certificated discipline and termination proceedings, layoffs, workplace investigations, collective bargaining, and matters before PERB. He also counsels clients on employee benefits and retirement issues involving CalPERS and CalSTRS and represents clients in responding to civil rights complaints before the Equal Employment Opportunity Commission and California Civil Rights Department. His experience conducting internal investigations and handling sensitive personnel matters enables him to provide practical, responsive guidance on complex workplace issues.



Emma J. Sol is an Associate in Lozano Smith's Walnut Creek office. Ms. Sol focuses her practice primarily on Title IX, labor and employment, student and investigations issues. Ms. Sol frequently advises clients on Title IX compliance, conducts investigations, drafts policy, and serves as an investigator, decision-maker, and appeals officer in Title IX grievance procedures. Beyond Title IX, she counsels on personnel issues—including investigations, discrimination, retaliation, sexual harassment claims, and employee discipline—and handles student matters such as investigations, discipline, and constitutional issues, drawing on her background in college athletic compliance.

Availability, Responsiveness, and Communication

Our priority is to provide our clients with high-quality, timely and cost-effective legal services. Lozano Smith has established high standards of practice that all personnel are expected to meet. Our attorneys adhere to firm standards to assure the highest quality of service to our clients. Our attorneys can be reached seven days a week by cell, for urgent and emergency matters. Responsiveness is one of the hallmarks of our Firm. The firm's standards of practice require that all telephone calls be returned within 24 hours, or sooner, if the client requires.

Experienced senior attorneys review all work to ensure that only outstanding work products are delivered to clients within the time period set by the client. We give careful consideration to the workload required for new matters and allocate our resources accordingly. We focus on providing legal options to meet the specific needs of each client.

Involvement with Professional Organizations

We believe our involvement with client-related organizations is also critically important to enhancing our direct work with clients. To that end, we are currently active in and support numerous public education-related organizations, for example:

- Association of California School Administrators (ACSA)
- Asian Pacific Islander School Board Members Association (APISBMA)
- California Association of Latino Superintendents and Administrators (CALSA)
- California Association of School Business Officials (CASBO)
- California's Coalition for Adequate School Housing (CASH)
- California Latino School Boards Association (CLSBA)
- California School Boards Association (CSBA)
- Small School Districts' Association (SSDA)

Changes in the Law, Trainings, and Client Resources

We understand our clients receive maximum value when we team together to anticipate and prevent legal problems, rather than simply responding when problems arise. Lozano Smith has become known for its Client News Brief system through which we provide an immediate summary of new laws, cases or other developments by email to clients. We are also one of the only law firms to operate a podcast series which allows our clients to keep abreast of emerging legal issues. These services minimize exposure and help avoid litigation well in advance of matters being escalated.

Lozano Smith's robust client training program is focused on cost control and ensuring preventative measures are in place. Attorneys throughout our offices provide hundreds of training opportunities directly to districts and alongside 20+ leading statewide associations and training partners each year. Our numerous cost-preventive resources, workshops, podcasts and publications have been developed so that clients refer to them throughout the year.

We repeatedly hear from clients that our services are cost-effective and in the long run end up saving them money. Our numerous cost-preventive resources are frequently provided to clients throughout the year. Examples include:

Sample Resources

- AI Primer Series
- Bond Election Timeline
- Government Claims Handbook
- Brown Act Handbook
- CEQA Checklist
- Hot-Topic Podcasts
- Board Member Toolkit
- Electronic Communication Guideline
- Special Education Booklet

Experience and Qualifications

1. Human Resources

Lozano Smith's attorneys serve as labor and employment counsel to hundreds of school districts. The firm's expertise covers the full spectrum of labor and employment law; from hiring employees and drafting employment contracts, to collective bargaining, contract grievances and matters of discrimination, retaliation, and misconduct, to layoffs, discipline, and dismissals. We are well qualified to provide legal assistance on virtually any labor and personnel issue involving certificated, classified, and administrative employees.

Labor Relations

- Day-to-day advice on labor relations and contract management
- Chief Negotiator, or advising and supporting the District's Chief Negotiator, on all collective bargaining issues
- Legal counsel in California Public Employment Relations Board (PERB) statutory impasse procedures, including mediation, factfinding, strike preparation, and post-factfinding implementation
- Defense counsel in contractual grievance arbitrations
- Legal counsel in PERB litigation on unfair labor practice charges that include bad faith bargaining, contracting out, interference, and discrimination/retaliation
- Legal counsel regarding labor organizing, bargaining unit determination and modification, and employee representation rights

Employment Counsel

- Employee discipline matters
- Reductions in force (layoffs)
- Fringe benefits issues for current and retired employees: health and welfare benefits generally and public pension benefits (CalPERS and CalSTRS)
- Conducting/overseeing workplace investigations, including complaints of sexual harassment, discrimination, retaliation, and whistleblowing
- Defense counsel in Department of Fair Employment and Housing (DFEH), Equal Employment Opportunity Commission (EEOC), and Office for Civil Rights (OCR) complaints
- Disability discrimination, including providing reasonable accommodations through the interactive process
- Subpoenas for employee records and testimony
- Drugs, alcohol, firearms, child abuse, sexual misconduct, and other workplace safety concerns
- Employee privacy rights
- Leaves of absence, including FMLA, CFRA, PDL, ADA, industrial accident, differential, and catastrophic leave
- Training services required by AB 1825 and for anti-sexual harassment and discrimination
- Defense counsel in litigation regarding workplace discrimination, harassment, and retaliation

Client Experience

Lozano Smith has successfully assisted many districts through a wide range of labor and employment issues, including negotiations, collective bargaining, PERB procedures, and arbitrations. Clients we have worked with include Alum Rock Union School District, Evergreen Elementary School District, Franklin-McKinley School District, Fremont Union High School District, Luther Burbank School District, Metropolitan Education District, Morgan Hill Unified School District, Oak Grove School District, Orchard School District, and Union Elementary School District.

Employment Litigation

We have broad experience assisting clients in preventing, investigating, and litigating all types of discrimination claims including ADA, gender, age and all other forms of employment discrimination. Our advice and advocacy has been sought in numerous sensitive, high-profile cases. Our attorneys have argued appellate court personnel cases, including arguments before the California Supreme Court. We have also represented public agencies in proceedings before a variety of administrative agencies, including the EEOC, DFEH, OCR and PERB.

We have represented and defended clients in matters involving the following labor laws:

- Title VII of the Civil Rights Act of 1964
- Title IX
- The Equal Pay Act of 1963 (EPA)
- The Age Discrimination in Employment Act of 1967 (ADEA)
- Title I and Title V of the Americans with Disabilities Act of 1990 (ADA)
- The Civil Rights Act of 1991 and Unruh Civil Rights Act
- The California Fair Employment and Housing Act

Administrative Hearings

Lozano Smith's attorneys undertake numerous administrative hearings, including hearings that are governed by the Administrative Procedures Act, and are experienced in and dedicated to assisting clients in a variety of administrative hearings facing K-12 school districts.

Combining our substantive expertise in education and employment law with advanced hearing skills, techniques, and tactical expertise, our team is equipped to understand the District's goals and to represent the District in preparing for and proceeding through administrative hearing processes, both with an eye toward the outcome of those proceedings and any in-court litigation that can follow, including:

- Certificated Discipline and Dismissal Hearings
- Classified Discipline and Dismissal Hearings
- Layoff / Reduction-in-Force Hearings
- PERB Hearings
- CalSTRS/CalPERS Hearings
- Grievances and Arbitrations

2. General Education Law

Student Services

We have extensive experience assisting districts in a broad range of student-based issues, including suspensions and expulsions, pupil records and privacy issues, child abuse reporting, religion in the schools, student speech, dress codes, search and seizure issues, intradistrict and interdistrict attendance, and all aspects of charter schools. We specialize in districts at the intersection of student issues and technology, including the complexities of district-wide digital initiatives, and the unique discipline issues that arise related to technology.

Additional areas of expertise, for example, include:

- Graduation Requirements
- Open Enrollment
- Student Publications
- The Equal Access Act
- Alternative Discipline
- Student Bullying
- Student Truancy & SARB
- Extracurricular Activities
- OCR Complaints
- Custody & Education Rights
- Directory Information
- Title IX
- Athletic Eligibility
- Media Access to Campus
- PBIS, MTSS, & Restorative Practices
- Immigrant Rights
- Students & Controlled Substances
- Uniform Complaint Procedures

Client Experience

We have successfully represented school districts in significant student matters, a sampling of which include *M.N. v. Morgan Hill Unified School District* 20 Cal.App.5th 607, which resolved several issues of first impression significant to student expulsion proceedings involving sexual battery, and *Nathan G. v. Clovis Unified School District* 224 Cal.App.4th 1393, which involved upholding a school district's involuntary transfer of a student to continuation high school and the validity of the district's involuntary transfer process.

Development of Policies and Regulations

We regularly help districts develop comprehensive policies and regulations, including restorative justice strategies, aimed at reducing and responding equitably to potential student discipline issues at school sites. For example, the firm is on the cutting edge in advising school districts on new strategies for dealing with student misconduct whether through technology or peer involvement. When behavioral concerns do surface, as a last resort for districts, the firm provides practical advice regarding suspensions and expulsions. This includes guidance regarding hearings, appeals and re-admissions.

The firm provides policy drafting and training services regarding the handling of confidential student records under FERPA and other applicable laws, and also provides assistance in responding to requests and subpoenas for student records.

Client Experience

Lozano Smith regularly counsels clients on education and student issues, including student fees, transfer, records and child abuse reporting. Some examples of districts that we work with include Berryessa Union School District, East Side Union High School District, Franklin-McKinley School District, Fremont Union High School District, Morgan Hill Unified School District, and Union Elementary School District.

Charter General Advice and Litigation

The firm has been involved in every aspect of charter school law on behalf of education agencies throughout the state, including:

- Review and guidance to charter authorizers regarding petitions they receive to establish charter schools;
- Guiding authorizers through the charter renewal process;
- Drafting and negotiating MOUs between authorizers and charter schools;
- Assisting school districts in oversight of approved charters;
- Reviewing and assisting charter authorizers with charter closure and revocation proceedings;
- Helping school districts, throughout California, adopt policies and regulations regarding all aspects of charter school authorization and oversight; and
- Providing counsel for authorizers in all charter school facilities matters, including expertise on Proposition 39 and the state's Charter School Facilities Program.

The firm's attorneys help clients navigate the law and manage their relationships with the charter schools that they authorize. Our client authorizers vary, with charter school communities that are both large, medium, and small. Lozano Smith prioritizes guidance to these authorizers in regard to their oversight obligations.

General Education Law Litigation

The Litigation Practice Group is highly regarded in the legal community and in the judiciary, even serving as legal counsel for the state court system itself. As demonstrated throughout this proposal,

Lozano Smith has successfully represented districts at all levels of state and federal jurisdiction, and is a constant, powerful advocate for its clients when they often need it the most.

Our litigation experience includes mediation, binding and non-binding arbitration and trial. We take into consideration alternative dispute resolution as a cost saving measure. We thoroughly analyze complaints from the outset, so our clients know the value of the claims, the chances of success, and the risks and costs associated with further litigation. We also consult with our clients on all major strategy decisions and keep them informed of developments throughout the case.

Our attorneys are disciplined in compliance with client case-management requirements, including:

- Preparation of Administrative Records;
- Preparation of Written Briefs and Motions;
- Specialized Public Agency Litigation, including Administrative Hearings, Writs of Mandate, Validation Actions;
- Successful Advocacy Before all California Courts, Including the California Supreme Court and Ninth Circuit Court of Appeals;
- Preparation of Initial Case Evaluations and Budgets;
- Preparation of Discovery Plans;
- Preparation of Case Updates;
- Monitoring of Case Budgets;
- Oral and Written Presentations to Client Senior Administration and Elected Officials; and
- Electronic Discovery.

3. Business and Procurement Services – Contract Support

Contracts and Procurement

School districts are required to enter into a broad range of contracts, from equipment purchases to software agreements, to educational consultants. Lozano Smith has substantial experience reviewing and developing contracts for virtually all types of business transactions. Our attorneys are highly knowledgeable about Education and Public Contract Code contracting requirements. The firm's goal is to help our clients avoid costly future disputes by ensuring the use of proper procedures and documents up front. Our services are tailored to meet each client's needs.

Our services include drafting and negotiating contracts, reviewing terms, and assisting clients with contract interpretation or disputes that come up after the contract is signed. Our attorneys also regularly present at conferences on these issues, including the Basic and Advanced Contracts workshops that are put on by CASBO across the State, and the contract training for FCMAT and CASBO's Chief Business Officer Mentor Program.

RFP's for Services

We regularly assist school district clients with preparation of Requests for Proposals ("RFPs") for various types of service contracts, including but not limited to financial consultants, food service management companies, and construction-related professionals such as construction managers and architects. We are familiar with the different legal requirements applicable to procurement of different types of consultants and service providers, and bring that expertise to our preparation and review of RFPs. Such requirements are also included in many of our presentations at CASBO, CSBA, and other professional conferences and workshops.

Information Technology and General Intellectual Property Matters

Lozano Smith routinely provides comprehensive legal services related to technology procurement, implementation, and intellectual property protection. Our attorneys have extensive experience drafting, reviewing, and negotiating complex technology contracts, including Requests for Proposal, Invitations for Bids, Statements of Work, and licensing agreements for software, hardware, and professional services. Our technology practice includes specialized experience with cell tower leases, FCC spectrum licensing for district networks, and intellectual property issues.

E-Rate and Regulatory Matter with Respect to Information Technology

Lozano Smith's depth of experience includes familiarity with E-Rate program requirements. As with all areas of law in which we practice, we pride ourselves on staying up to date with developments in this area. We've assisted many clients with navigating the federal requirements applicable to the E-rate program, and the manner in which those regulations intersect with state and local requirements.

Client Experience

Examples of clients that we have assisted with E-rate issues include Newark Unified School District, San Lorenzo Unified School District, and Berryessa Union School District. Our attorneys also regularly present at workshops through CASBO and other organizations regarding technology and purchasing issues, including E-Rate.

4. Government Relations

Board of Trustees Counsel and Support

Lozano Smith attorneys, as general counsel, advise school boards regarding board policies, media relations, communication with the public, election issues, political activity and conflict of interest issues, including the proper conduct of candidate and ballot measure elections. The firm's attorneys advise school districts on many election-related topics, including:

- Timing and conduct of elections, election contests and voter registration issues
- Trustee elections, including moving to by-trustee area elections
- Restrictions on use of district equipment and media for political purposes
- Political activity on campus by board members, staff, and third parties
- Guidelines for mass mailings sent at public expense
- Lobbying and campaign finance regulation

Board Policies & District Regulations

Our attorneys are experienced and provide consultation on issues related to Board policies and district regulations. We advise boards in the course of revisions of board policies and have worked with numerous school districts and county offices of education on drafting policies, revising specific existing policies and completely reviewing and overhauling policies. Our firm developed the State's first model policy addressing retention of emails. Lozano Smith has advised CSBA on drafting and updating its policies and has been retained by CSBA as counsel on other legal matters.

Individual Board Member Liability

Lozano Smith is mindful of political realities as well as potential liability exposure for individual board members. There are specific statutes that govern the rights and obligations of individual board members, including defense and indemnity for acts within the scope of their official duties, fiduciary responsibilities and conflicts of interest. Our firm has worked with many clients when issues arise.

Board Trainings

The firm frequently conducts training sessions for elected officials and staff on open meetings laws and tips for effective meetings. In addition to providing thorough coverage of Brown Act basics, which are outlined in the firm's published Brown Act Handbook, our workshops provide tips for effective communication among board members and the public. Our Brown Act workshops include a thorough review of the following issues:

- Allowable closed session topics
- The public's role at board meetings
- Maintaining confidentiality of closed session discussions
- Regular and special meetings of the board
- Hypothetical situations
- Board member conduct and liability
- Board bylaws
- Effective communication between board members
- Tips for effective communication with the public

Brown Act

Lozano Smith attorneys regularly attend closed and open sessions of Board meetings for our school district clients. We provide advice regarding the open meeting requirements of the Ralph M. Brown Act and are intimately familiar with meeting procedures. Lozano Smith publishes an extensive *Brown Act Handbook* which is available to clients.

Client Experience

We have successfully defended Brown Act suits at trial and on appeal, including *Duval v. Board of Trustees*, 93 Cal.App.4th 902. The Duval case established the principle that a legislative body may conduct comprehensive personnel evaluations in closed session, including a discussion of evaluation criteria and setting goals for future performance.

Client Experience

Lozano Smith was the community college's counsel in *Ricasa v. Office of Administrative Hearings*, Court of Appeal Case No. D071088, where the Court of Appeal ruled the Brown Act's 24-hour notice requirement did not apply to the college's initiation of disciplinary proceedings against an employee. The Court of Appeal's published decision constitutes the first time an appellate court has ruled on the Brown Act's personnel exception in the context of community college districts.

California Public Records Act

The firm's attorneys are well versed in the Public Records Act. We have a designated, expert Public Records Act team to help our clients navigate the increasing influx of requests for voluminous records. Our attorneys are also frequently asked to present on the Public Records Act at conferences for many organizations. We assist districts in responding to extensive requests, and Lozano Smith is a recognized leader on responding to requests for electronic records, and the rules for retention of such records.

Conflicts of Interest

We regularly train and advise school districts, including the board of trustees, regarding a wide range of conflicts of interest and ethics issues. We frequently advise school districts on public officials' obligations to disclose their economic interests, to abstain from participating in governmental decisions that can have a material effect on their economic interests, and to properly disclose potential conflicts at public meetings.

Intergovernmental Relations

As part of the larger community of governments, schools must constantly interact with their neighbors. We can help make these relationships efficient and effective. We frequently deal with school reorganization issues of all kinds and we have an excellent track record in resolving these structural matters using our client-centered approach. In addition, our attorneys have prepared inter-agency agreements and Memoranda of Understanding (MOUs). The topics range from law enforcement services to student demographics to special education. We have many years of experience in creating and administering joint powers authorities (JPAs). We advise public agencies on how to interact with JPAs to their advantage.

References

Oak Grove School District
6578 Santa Teresa Blvd, San Jose, CA 95119 - 408.227.8300
Lozano Smith has served this client on a wide variety of legal issues going back to 1994. A fee schedule of hourly rates will be provided upon request.
Dr. Ivan Chaidez, Superintendent - superintendent@ogsd.net

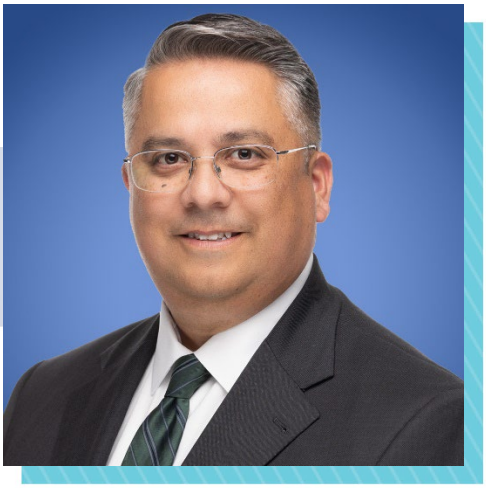
Alisal Union School District
1205 E. Market Street, Salinas, CA 93905 - 831.753.5700
Lozano Smith has served this client on a variety of legal issues since 1992. A fee schedule of hourly rates will be provided upon request.
Monica Anzo, Superintendent - monica.anzo@alisal.org
Rais Abbasi, Deputy Superintendent of Business Services - rais.abbasi@alisal.org

Berryessa Union School District
1376 Piedmont Road, San Jose, CA 95132 - 408.923.1800
Lozano Smith has served this client on a wide variety of legal issues since 2003, particularly focused on facilities and property. A fee schedule of hourly rates will be provided upon request.
Ricardo Cabrera, Associate Superintendent, Human Resources - ricardo.cabrera@alisal.org

LS Lozano Smith
ATTORNEYS AT LAW

Manuel F. Martinez

Partner



Walnut Creek Office
mmartinez@lozanosmith.com
925.953.1620

Overview

Manuel F. Martinez is a Partner in Lozano Smith's Walnut Creek Office. His practice focuses on governance, labor and employment, charter school, student, technology and facilities and business issues.

Experience

Mr. Martinez has served as both an in-house General Counsel at a large urban school district and county office of education, and as General Counsel to several clients advising on a wide-range of issues. Mr. Martinez has also served as a Board member for his local school district, and understands the importance effective leadership has on student learning.

He is well-versed in all areas of civil litigation, trial practice and appellate work. He has advised clients on cutting edge issues such as cloud computing, electronic records, and public private partnerships regarding web-based applications. He is also skilled in various aspects of employment law, including dismissals, discipline, investigations and employee/employer relations and negotiations. He also advises clients regarding the Brown Act, Public Records Act, Child Abuse and Neglect Reporting Act and elections. Mr. Martinez has also previoulsy served as the Co-Chair of Lozano Smith's Governance Practice Group.

Mr. Martinez is experienced in all aspects of charter schools, including drafting and negotiating MOUs, charter reviews, assisting clients with Prop. 39 facility requests, charter oversight, facility issues, petition review and revocation.

Prior to joining the firm, Mr. Martinez served as Associate County Counsel for the County of Alameda. He successfully negotiated the settlement of several cases through formal mediation and informal discussions. As a Deputy City Attorney in Los Angeles, he conducted jury trials, researched and briefed appeals before the Los Angeles Superior Court, and regularly assisted and advised attorneys with pretrial, trial, and post-conviction matters.

Presenter Experience

Mr. Martinez has been a speaker for the California School Boards Association (CSBA), co-presented at the California Latino School Board Associations Unity Conference (CLSBA), and at the Association of Superintendents with Innovative Charter Schools.

Education

Mr. Martinez received his Juris Doctor degree from Loyola Law School at Loyola Marymount University, where he was a member of the Scott Moot Court Honors Board. He earned his Bachelor of Arts degree from the University of California, Los Angeles, where he majored in Political Science.

Practices

Governance
Facilities & Business
Charter Schools
Student
Technology & Innovation
Labor & Employment

Education

J.D., Loyola Law School, Loyola Marymount University

B.A., University of California, Los Angeles

Admissions

California

Lozano Smith
ATTORNEYS AT LAW

Kelly M. Rem

Partner



Walnut Creek Office
krem@lozanosmith.com
925.953.1620

Overview

Kelly M. Rem is the Managing Partner of Lozano Smith's Walnut Creek office. Ms. Rem specializes in Facilities and Business law and Litigation for public agency clients throughout California.

Experience

Ms. Rem has extensive experience advising clients throughout the state on real property issues, ranging from school closures to asset management to the complicated process associated with sale or lease of school district real property. During her career, she has handled hundreds of millions of dollars' worth of real property sales, acquisitions, and leases, as well as property exchanges. She greatly enjoys helping school districts and other local agencies capitalize on their assets for the benefit of their students and the community.

She is also an expert on the California Environmental Quality Act (CEQA), including procedural requirements, deadlines and statutes of limitations, exemptions, and review of environmental impact reports and other environmental documents. She represented the California School Boards Association as *amicus curiae* in the matter of *Berkeley Hillside Preservation v. City of Berkeley* before the California Supreme Court.

Ms. Rem also has extensive litigation experience, particularly related to facilities and property matters including CEQA and eminent domain proceedings. Ms. Rem is experienced in reviewing and providing advice to clients relating to all types of business contracts. She also regularly advises clients regarding school facilities or "developer" fees and construction matters.

Presenter Experience

Ms. Rem is a regular presenter at various events including the California Association of School Business Officials (CASBO) annual conference and local workshops, and Lozano Smith's Facilities and Business workshops and webinars. She is particularly experienced in presenting topics related to contracting, public bidding, and construction issues.

Education

Ms. Rem received her Juris Doctor degree from University of California, Hastings College of the Law. As a student, she worked as a Senior Articles Editor for the Hastings Communications and Entertainment Law Journal, and was a volunteer and tutor with the Tenderloin After-School Program. She earned her Bachelor of Arts degree from the University of Michigan.

Professional Affiliations

Ms. Rem is admitted to the Central District of California.

Practices

Facilities & Business
Litigation
Technology & Innovation
Governance

Education

J.D., University of California, Hastings College of the Law

B.A., University of Michigan

Admissions

California

Lozano Smith
ATTORNEYS AT LAW

Edward J. Sklar

Partner



Walnut Creek Office
esklar@lozanosmith.com
925.953.1620

Overview

Edward J. Sklar has provided legal counsel to California's public schools for over twenty years. Mr. Sklar advises school districts and county offices of education on all legal issues that arise in the routine course of educating students. This includes matters of student discipline, workplace investigations, Title IX, The Uniform Complaint process, residency, student confidentiality, and civil rights. He has extensive experience advising school boards on all aspects of governance, including compliance with the Brown Act and the California Public Records Act.

Mr. Sklar is known throughout the state for helping school districts manage California's charter school landscape, serving as co-chair of the firm's Charter Schools Practice Group. He is an authority on all aspects of a public school district's obligations to comply with California's Charter Schools Act, including charter oversight, facilities, petition review and revocation.

Presenter Experience

Mr. Sklar has provided training and conducted seminars on a number of topics for multiple organizations. They include the California School Boards Association (CSBA), CASH Facilities Leadership Academy, Association of California School Administrators (ACSA) annual conference, and the California Charter Authorizing Professionals (CCAP).

Additional Experience

Ed is the product of public schools, and both of his parents were public school teachers. These experiences are what drive his dedication to his clients, with the resolve to provide a thriving system of public schools in California. All three of his sons are products of California's public schools.

Prior to joining Lozano Smith, Mr. Sklar practiced at two highly regarded litigation firms in San Francisco. The fast-paced practice of litigation provided the training ground for his vast experience in settlement negotiations and his advocacy skills in courtrooms and administrative hearings.

Education

Mr. Sklar received his J.D. from the University of San Francisco School of Law and his B.A. from Rutgers University.

Practices

Charter Schools
Student
Governance
Title IX
Investigations

Education

J.D., University of San Francisco

B.A., Rutgers University

Admissions

California

Lozano Smith
ATTORNEYS AT LAW

Erin Frazor

Partner



Walnut Creek Offices
efrazor@lozanosmith.com
925.953.1620

Overview

Erin Frazor is a Partner in Lozano Smith's Walnut Creek Office. Ms. Frazor's practice focuses on special education, student issues, and litigation. She is a former special education teacher and special education department chair within the Texas public school system. She assists clients with a wide variety of special education and student-related issues, including IEP meetings, mediations, and due process hearings.

Experience

Prior to joining Lozano Smith, Ms. Frazor practiced at a large multinational law firm, representing hundreds of clients in federal and state courts and before arbitration tribunals. She has extensive litigation experience, handling all aspects of business litigation from inception through settlement, trial, or appeal. She has served as lead trial counsel in commercial arbitration, and has managed a trial team of more than 15 attorneys in a large employment matter. She has also conducted internal investigations and advised clients in connection with whistleblower claims and internal audit findings, including revisions to policies and procedures, due diligence, and monitoring.

As a former special educator and department chair, Ms. Frazor tracked developments in education laws, trained and advised general and special educators regarding compliance issues, and developed policies, procedures, and forms to assist a public school in meeting compliance and reporting requirements. As a former board member of the Education Law Committee of the Lawyers' Committee for Civil Rights (LCCR), she wrote a comprehensive chapter on special education law for LCCR's legal clinic manual, summarizing federal and state special education laws, explaining legal systems and procedures, and examining issues likely to arise in the clinic. While in law school, Ms. Frazor published a law review comment examining the effect of IDEA's assessment requirements on both schools and students with disabilities, recommending an alternative approach that more appropriately considered the individual needs of students, and avoided unnecessarily punitive measures for schools.

Ms. Frazor also has prior pro bono experience representing students and families on various special education and student discipline issues, which gives her a unique perspective on the issues facing school districts. She also previously served as a judicial intern at the California Court of Appeal to the Honorable Justice Patricia Sepulveda.

Education

Ms. Frazor received her Juris Doctor degree from Golden Gate University School of Law with High Honors. While at Golden Gate University, Ms. Frazor received the Witkin Award for academic excellence in Civil Procedure, Criminal Procedure, Legal Writing & Research, Appellate Advocacy, and Sales. During law school, Ms. Frazor was Editor-in-Chief for the Golden Gate University Law Review. She earned her Bachelor of Science in Applied Learning and Development with a specialization in special education from the University of Texas at Austin. Ms. Frazor has received certification through ATIXA as a participant in Level 1 and Level 3 ATIXA Civil Rights Investigator Trainings.

Practices

Litigation
Special Education
Student

Education

J.D., Golden Gate University School of Law

B.S., University of Texas at Austin

Admissions

California

Lozano Smith
ATTORNEYS AT LAW

Eric Barba

Partner



Walnut Creek Office
ebarba@lozanosmith.com
925.953.1620

Overview

Eric Barba is a Partner in Lozano Smith's Walnut Creek Office. His practice focuses on the labor and employment, charter school, and governance aspects of education law.

Experience

Mr. Barba has worked closely with K-12 school boards and administrators on a wide range of subject matters. He is skilled in counseling school boards regarding state and federal civil rights laws, including Section 504 and the Individuals with Disabilities Education Act; student discipline; Fourth Amendment protections; and education record privacy. He is experienced in conducting internal investigations and has prepared external responses for complaints filed with the U.S. Department of Education, including the Office for Civil Rights and the Student Privacy Policy Office. Additionally, Mr. Barba has represented school boards in administrative proceedings and frequently drafts service agreements, contracts, board policies, and student-parent handbooks.

Previously, Mr. Barba has served as the Director of JD Admissions for an Ivy League law school, an experience through which Mr. Barba attributes his dedication to, and special understanding of, providing educational administrators with responsive and sound legal advice to address their daily operational needs.

Admissions

Mr. Barba is admitted to practice before the U.S. District Court for the Northern District of California.

Education

Mr. Barba received his Juris Doctor degree from the UCLA School of Law, where he was a recipient of the Douglas Ring Scholarship. While in Law School, he was a coordinator at the El Centro Legal Immigration Detention Center Clinic, and was the admissions chair of the La Raza Law Students Association. He also was Associate and Managing Editor of the *Chicana/o – Latina/o Law Review*. He earned his Bachelor of Arts degree in Political Science and History at the University of California, Los Angeles, where he was elected Phi Beta Kappa.

Practices

Labor & Employment
Charter Schools
Governance

Education

J.D., UCLA School of Law

B.A., University of California, Los Angeles

Admissions

California

Lozano Smith
ATTORNEYS AT LAW

Emma J. Sol

Associate



Walnut Creek Office
esol@lozanosmith.com
925.953.1620

Overview

Emma J. Sol is an Associate in Lozano Smith's Walnut Creek office. Ms. Sol focuses her practice primarily on Title IX, labor and employment, student and investigations issues.

Experience

Ms. Sol frequently advises clients on Title IX compliance, conducts investigations, drafts policy, and serves as an investigator, decision-maker, and appeals officer in Title IX grievance procedures. An Association of Workplace Investigators Certificate Holder (AWI-CH), Ms. Sol brings specialized training in impartial workplace investigations. She regularly assists with Title IX sports-equity issues and represents clients in Office for Civil Rights investigations. Beyond Title IX, she counsels on personnel issues—including investigations, discrimination, retaliation, sexual harassment claims, and employee discipline—and handles student matters such as investigations, discipline, and constitutional issues, drawing on her background in college athletic compliance.

Presenter Experience

Ms. Sol leverages her expertise to provide comprehensive trainings on Title IX, and develops and delivers programs on sexual-harassment prevention, Uniform Complaint Procedures, and workplace and misconduct investigations.

Education

Ms. Sol earned her law degree from Santa Clara University School of Law. She was a Dean's List graduate and received a High Tech Law Certificate, with honors. She also received CALI Awards in both Contracts and Negotiations. While in law school, she mentored first year law students as an Academic Support Program Fellow, and was the President of the Sports and Entertainment Law Society. Ms. Sol graduated magna cum laude from Texas Christian University, where she earned a Bachelor of Science in Sports Broadcasting, with an English minor and emphasis on Women & Gender Studies.

Practices

Title IX
Labor & Employment
Student
Investigations

Education

J.D., Santa Clara University School of Law

B.S., (*magna cum laude*), Texas Christian University

Admissions

California

PRICING SHEET

The purpose of this form is to provide a standard format by which the Proposer submits to the District a summary of the estimated costs suitable for detailed review and analysis. The Proposer shall complete the Price/Cost Proposal in its entirety. The negotiated hourly rate shall become the basis for payment of invoices and will be reflected in the Consultant Agreement. Hourly rates shall remain fixed for the duration of the contract period. The number of hours listed below is for evaluation purposes only, and may vary. The District does not guarantee the number of hours.

Name of Firm Lozano Smith, LLP

Name of Office _____

Signature _____ Date 8/10/26

Title	Hourly Rate
Senior Partner/Shareholder	$ 350 - $ 410 per hour
Partner	$ 350 - $ 410 per hour
Senior Associate	$ 350 - $ 410 per hour
Associate	$ 275 - $ 340 per hour
Paralegal	$ 225 - $ 300 per hour
Special Counsel	$395 - $475 per hour
Other, list:	
Sale or Lease of Real Property Work	
Partner/ Senior Counsel/ Of Counsel	$ 495 per hour
Associate	$ 425 per hour
Paralegal/ Law Clerk	$ 295 per hour

CERTIFICATION

REQUEST FOR PROPOSAL
LEGAL SERVICES FOR
ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

I certify that I have read the attached **Request For Proposal - (RFP) Legal Services,** and the instructions for submitting an RFP. I further certify that I must submit for each area of specialization, six (6) paper copies and one (1) electronic PDF copy on a flash drive of the firm's proposal in response to this request, completed Certification by Contractor Criminal Records Check and that I am authorized to commit the firm to the proposal submitted.



Signature

Andy Garcia
Typed or Printed Name

Executive Director
Title

Lozano Smith, LLP
Company

7407 N. Spalding Ave.
Address

Address

559.431.5600
Telephone

559.431.4420
Fax

8/10/26
Date

If you are bidding as a corporation, please provide your corporate seal here:

agarcia@lozanosmith.com
E-Mail Address

CERTIFICATION BY CONTRACTOR
CRIMINAL RECORDS CHECK
AB 1610, 1612 and 2102

To the Board of Trustees of the Alum Rock Union Elementary School District:

I, Andy Garcia certify that:
Name of Respondent

1. I have carefully read and understand the Notice to Contractors Regarding Criminal Record Checks (Education Code Section 45125.1) required by the passage of AB 1610, 1612 and 2102.

2. Due to the nature of the work I will be performing for the District, my employees may have contact with students of the District.

3. None of the employees who will be performing the work have been convicted of a violent or serious felony as defined in the Notice and in Penal Code Section 1192.7 and this determination was made by a fingerprint check through the Department of Justice.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Andy Garcia, California on 8/10/26
Date

Signature

Andy Garcia
Typed or printed name

Executive Director
Title

7404 N. Spalding Ave. Fresno, CA 93720
Address

559.431.5600
Telephone

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 12/30/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Edgewood Partners Insurance Center 3780 Mansell Rd. Suite 370 Alpharetta GA 30022	**CONTACT NAME:** EPIC Law Firm Group COI Specialist **PHONE (A/C, No, Ext):** 770-552-4225 **FAX (A/C, No):** **E-MAIL ADDRESS:** EPICLFGcerts@epicbrokers.com
INSURED LOZASMI Lozano Smith, LLP 7404 North Spalding Ave. Fresno CA 93720-3370	**INSURER(S) AFFORDING COVERAGE** / **NAIC #** **INSURER A :** StarStone Specialty Insurance Company — 44776 **INSURER B :** Aspen Specialty Insurance Company — 10717 **INSURER C :** Swiss Re Corp Solutions Cap Ins Corp — 34916 **INSURER D :** **INSURER E :** **INSURER F :**

COVERAGES **CERTIFICATE NUMBER:** 1419465026 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$
	☐ CLAIMS-MADE ☐ OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
							MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$
	☐ POLICY ☐ PRO-JECT ☐ LOC						PRODUCTS - COMP/OP AGG	$
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	☐ ANY AUTO						BODILY INJURY (Per person)	$
	☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
	☐ **UMBRELLA LIAB** ☐ OCCUR						EACH OCCURRENCE	$
	☐ **EXCESS LIAB** ☐ CLAIMS-MADE						AGGREGATE	$
	☐ DED ☐ RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N						☐ PER STATUTE ☐ OTH-ER	
	ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ **(Mandatory in NH)**	N / A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$
A	Professional Liability			LPL00729101P00	12/31/2025	12/31/2026	Each Claim	$1,000,000
B	Professional Liability			LRA9AET25	12/31/2025	12/31/2026	Aggregate	$2,000,000
C	Professional Liability			FNA337011431209	12/31/2025	12/31/2026		

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Deductible: $100,000 Each Claim / $200,000 Annual Aggregate

CERTIFICATE HOLDER

Alum Rock Union Elementary School District
2930 Gay Avenue
San Jose CA 95127

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Robert Herbert

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 4/1/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Edgewood Partners Insurance Center
115 North El Molino Avenue
Pasadena CA 91101

CONTACT NAME: Robyn Hastings
PHONE (A/C, No, Ext): | **FAX (A/C, No):**
E-MAIL ADDRESS: robyn.hastings@epicbrokers.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Sentinel Insurance Company, Ltd.	11000
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED LOZASMI1
Lozano Smith, LLP
7404 North Spalding Ave.
Fresno CA 93720-3370

COVERAGES **CERTIFICATE NUMBER:** 1083660828 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X **COMMERCIAL GENERAL LIABILITY** [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC [ ] OTHER:	Y	Y	72SBABK2J92	4/1/2026	4/1/2027	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG 	$ 1,000,000 $ 1,000,000 $ 10,000 $ 1,000,000 $ 2,000,000 $ 2,000,000 $
A	**AUTOMOBILE LIABILITY** [ ] ANY AUTO [ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [X] HIRED AUTOS ONLY [X] NON-OWNED AUTOS ONLY	Y	Y	72SBABK2J92	4/1/2026	4/1/2027	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) 	$ 1,000,000 $ $ $ $
A	X **UMBRELLA LIAB** [X] OCCUR **EXCESS LIAB** [ ] CLAIMS-MADE [ ] DED [X] RETENTION $ $10,000			72SBABK2J92	4/1/2026	4/1/2027	EACH OCCURRENCE AGGREGATE 	$ 5,000,000 $ 5,000,000 $
A	**WORKERS COMPENSATION AND EMPLOYERS' LIABILITY** Y / N ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? [ ] **(Mandatory in NH)** If yes, describe under DESCRIPTION OF OPERATIONS below	N / A	Y	72WECAK7CKL	4/1/2026	4/1/2027	X PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ 1,000,000 $ 1,000,000 $ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
District and the State and their agents, representatives, employees, trustees, officers, consultants, and volunteers, to the extent required by written contract are additional insured on a primary and non-contributory basis with respect to General Liability and Auto Liability. A waiver of subrogation applies in favor of the additional insureds to the extent required by written contract as allowed by applicable law with respect to General Liability, Auto Liability and Worker's Compensation. 30-day notice of cancellation, except 10 days for non-payment of premium, applies to the extent required by written contract.

CERTIFICATE HOLDER

Alum Rock Union Elementary School District
2930 Gay Ave
San Jose CA 95691-0000

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Form **W-9**
(Rev. March 2024)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Go to *www.irs.gov/FormW9* for instructions and the latest information.

Give form to the requester. Do not send to the IRS.

Before you begin. For guidance related to the purpose of Form W-9, see *Purpose of Form*, below.

Print or type. See ***Specific Instructions*** on page 3.

1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.)

Lozano Smith, LLP

2 Business name/disregarded entity name, if different from above.

3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor ☐ C corporation ☐ S corporation ☑ Partnership ☐ Trust/estate

☐ LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) . . . . .

Note: Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner.

☐ Other (see instructions)

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any)

Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any)

(Applies to accounts maintained outside the United States.)

3b If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions . . . . . ☐

5 Address (number, street, and apt. or suite no.). See instructions.

7404 N. Spalding Avenue

6 City, state, and ZIP code

Fresno, CA 93720

Requester's name and address (optional)

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. See also *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

			–			–				

or

Employer identification number

8	0	–	0	8	7	4	3	8	3

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and, generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here **Signature of U.S. person** Imual Gray **Date** 1-7-2026

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9*.

What's New

Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they

CONFLICT OF INTEREST CERTIFICATION

All respondents shall respond to each of the following questions to determine whether any actual or perceived conflict of interest exists.

PRINT NAME Andy Garcia

TITLE OF OFFICER Executive Director

NAME OF COMPANY Lozano Smith, LLP

As part of your Certification, please respond to the following questions listed below:

1. Have you or any of your team members or consultants been employed by the District in the last three years? [Yes] [No] If your answer is "Yes", please provide the following information:

   a. Full-time employee? [Yes] [No]
   Part-time employee? [Yes] [No]
   As-needed employee? [Yes] [No]
   Consultant? [Yes] [No]
   Other? Please explain below

   Explain: _____

   b. Dates of employment/employment contract/consulting contract?

   _____

   c. Which department(s) did employee(s) work at the District?

   _____

   d. Name of Supervisor(s)?

   _____

   e. Describe job duties and responsibilities for each District position held.

   _____

   f. Last date of employment?

   _____

2. Does (has) any District Board Member or District employee have (had) a business position, or serve as an Officer, Partner or Shareholder in your company? [Yes] [No] If the answer is "Yes", please provide the following information:

   a. Name(s) of the Board Member(s) or employee(s)?

   _____

   b. Title/position with your company?

   _____

c. If anyone is (was) District Board Member or employee, what percentage of your company's shares does he/she own?

3. Are any of your former employees or consultants presently employed by the District? [Yes] [No]
If the answer is "Yes", please provide the following information for each employee:

a. Name of former employee(s)?

b. Position/title with your company?

c. Please describe their duties and responsibilities for each position held at your company.

d. Dates of employment?

I declare under Penalty of Perjury, under the laws of the State of California, that the above mentioned statements are true and correct to the best of my knowledge, and this declaration was executed on:

August (Month) 10 (Day), 2026 ; in the Fresno (City) CA (State)

Signature

Andy Garcia
Printed Name

Executive Director
Title

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

2930 Gay Avenue, San José, CA 95127 · Phone: 408-928-6800 · Fax: 408-928-6416 · www.arusd.org

CONTRACTOR CERTIFICATION: PROHIBITION ON POLITICAL CONTRIBUTIONS

CONTRACTOR NAME: Lozano Smith, LLP ("Contractor")

On December 18, 2025, the Board of Trustees of the Alum Rock Union Elementary School District ("ARUSD") adopted Board Resolution #33-25/26 prohibiting political contributions by firms contracting with the Alum Rock Union Elementary School District, and defining appropriate certification, disclosure, and enforcement mechanisms. A copy of Resolution #33-25/26 is attached hereto. Per the Resolution, The Board of Trustees has directed that, as a condition of contract award, Contractor shall submit this signed Certification under penalty of perjury affirming compliance with the provisions of Resolution #33-25/26.

By signing below, Contractor certifies the following:

1. Contractor has read and understands Resolution #33-25/26 and agrees to abide by its terms as a condition of award of any contract with the Alum Rock Union Elementary School District for the period of time specified in Resolution #33-25/26, and has read and understands and agrees to the District's remedies therein upon a material breach of Resolution #33-25/26.

2. Contractor (and any officer, director, principal, owner, subsidiary, affiliate, subcontractor, or other entity under its control) has not made any political contribution or pledge of contribution, whether monetary or in-kind, to any current or prospective candidate for the ARUSD School Board, any ARUSD political committee, or any committee controlled by such candidate or officeholder during the 18 month period immediately preceding the contract award, nor during any negotiations for the Contract.

3. During the term of this Contract, and for a period of 18 months following its expiration or termination, Contractor (and any officer, director, principal, owner, subsidiary, affiliate, subcontractor, or controlled entity) shall not directly or indirectly make any contribution or pledge of contribution to:

   - any candidate for the ARUSD School Board;
   - any current ARUSD School Board Member running for any local, state, or federal office;
   - any ARUSD-related political campaign; or
   - any political action committee or independent-expenditure committee whose expenditures support or oppose ARUSD Board Members or candidates for the ARUSD School Board or any other office held or sought by an ARUSD Board Member.

George Sanchez, Interim Superintendent

Board of Trustees: Linda Chavez, President, Andrés Quintero, Vice-President
Minh Pham, Clerk ·Corina Herrera-Loera, Member· Minh Nguyen, Member

For purposes of this Section, "contribution" includes direct monetary contributions; in-kind contributions; and contributions made to or through independent-expenditure committees (IEs), political action committees (PACs), or similar entities.

4. Contractor shall disclose in writing to ARUSD any political contributions made during the Contract term (or restricted post-contract period), including the identity of the recipient, the amount, the date, and whether the contribution was direct or associated with independent expenditures.

5. Contractor will provide a copy of this signed Certification and the attached Resolution #33-25/26 to each of its officers, directors, principals, owners, subsidiaries, affiliates, subcontractors, or other entity under its control.

The undersigned hereby certifies under penalty of perjury under the laws of the State of California that they are authorized to execute this certification on behalf of Contractor and that the foregoing certifications are true and correct.

Dated: 8/10/26

"Contractor"

Andy Garcia

Print name: Andy Garcia

Title: Executive Director

Lozano Smith
ATTORNEYS AT LAW

PROFESSIONAL RATE SCHEDULE
FOR ALUM ROCK UNION SCHOOL DISTRICT

HOURLY PROFESSIONAL RATES

Client agrees to pay Attorney by the following standard hourly rate*:

Partner**/ Senior Counsel/ Of Counsel	$ 350 - $ 410 per hour
Associate	$ 275 - $ 340 per hour
Paralegal/ Law Clerk	$ 225 - $ 300 per hour
Consultant	$ 125 - $ 395 per hour

* Rates for individual attorneys within each category above vary based upon years of experience. Specific rates for each attorney are available upon request. ** Rates for work performed by Senior Partners with 20 years of experience or more may range from $395 - $475 per hour.

SALE OR LEASE OF REAL PROPERTY WORK

Partner/ Senior Counsel/ Of Counsel	$ 495 per hour
Associate	$ 425 per hour
Paralegal/ Law Clerk	$ 295 per hour

BILLING PRACTICE

Lozano Smith will provide a monthly, itemized Statement for services rendered. Time billed is broken into 1/10 (.10) hour increments, allowing for maximum efficiency in the use of attorney time. Invoices will clearly indicate the department or individuals for whom services were rendered.

Written responses to audit letter inquiries will be charged to Client on an hourly basis, with the minimum charge for such responses equaling .5 hours. Travel time shall be prorated if the assigned attorney travels for two or more clients on the same trip.

COSTS AND EXPENSES

Facsimile	No Charge
Copying and Printing	$0.25 per page
Postage	Actual Usage
Mileage	IRS Standard

Other costs, such as messenger, meals, and lodging shall be charged on an actual and necessary basis.

Office of the Superintendent

Dr. Antoine Hawkins
Superintendent

March 12, 2025

To: Whom It May Concern

Re: Recommendation - Lozano Smith, LLP

It is my pleasure to provide this letter of reference for Lozano Smith, which serves as trusted legal counsel to Evergreen School District

Lozano Smith has consistently demonstrated legal expertise in a wide variety of areas. Their attorneys provide well-researched, practical, and timely legal guidance, helping us navigate complex issues throughout the year.

Cost management is a top priority for our district. Lozano Smith understands this and works diligently to contain legal expenses by offering proactive legal strategies and preventive training. Their commitment to fiscal responsibility has resulted in cost savings, allowing us to preserve financial resources for educational priorities.

Lozano Smith understands the broader impact of legal decisions on our district, students, staff, and community. They take a holistic approach to legal counsel, ensuring that their recommendations align with our district's policies, mission, and public expectations. Their team is highly responsive and professional, providing clear communication and strategic guidance tailored to our unique needs.

Based on our experience, I confidently recommend Lozano Smith as a trusted legal partner for your district. If you have any questions regarding their services or would like further details on our experience working with them, please feel free to contact me at (408) 270-6800.

Sincerely,

Dr. Antoine Hawkins
Superintendent

District Office
3188 Quimby Road
San Jose, CA 95148
Phone: 408-270-6800
Fax: 408-274-3894
www.eesd.org

Superintendent: Dr. Antoine Hawkins
Board of Trustees: Mary Pollett
Jim Zito
Dr. Stan Rose
Patti Andrade
Jeremy Barousse