



AGENDA

Code: Regular #06-26/27

In compliance with the Americans with Disabilities Act, if you need special assistance in order to participate in the public meeting of the Board of Trustees, please contact the Office of the Superintendent at (408) 928-6822. Notification 72 hours prior to the meeting will enable the District to make reasonable accommodations.

THE MEETING WILL BE AVAILABLE FOR VIEWING LIVE VIA ZOOM WEBINAR MODE AND CAN BE ACCESSED AS FOLLOWS:

Join the Webinar from PC, MAC, iPad or Android:

<https://arusd-org.zoom.us/j/83856031869>

Webinar ID: 838 5603 1869

Or One tap mobile:

+6699006833, 83856031869# US (San Jose)

THE MEETING MAY ALSO BE VIEWED THROUGH LIVE STREAM AS FOLLOWS:

1. Live stream YouTube English Channel "AlumRock TV"

<https://www.youtube.com/@alumrocktv5143>

LAND ACKNOWLEDGMENT – The Board of Trustees of the Alum Rock Union Elementary School District does hereby acknowledge that the District schools and facilities sit on the traditional lands of the Muwekma Ohlone people, and the Board of Trustees further acknowledges with respect to the Muwekma Ohlone People Tribe of the San Francisco Bay Area for their stewardship of these lands.

Presentations/Recognitions involving students will be moved forward in the agenda.

Main Governing Board

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

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to, an announcement that an agenda item will be considered out of order, that consideration of an item has been withdrawn, postponed, rescheduled or removed from the Consent Calendar for separate discussion and possible action.

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. on this agenda as stated below.

2. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

The Brown Act prevents the Board from discussing or acting on any item not on this published agenda. Those who

wish to speak on a matter within the jurisdiction of the Board but not on the agenda may provide public comment in this portion of the meeting. The Board or Administration may refer to staff for follow-up on 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.

3. CLOSED SESSION - Following Closed Session, the Board Reconvenes to Public Session.

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

1. RECESS TO CLOSED SESSION: The Board will recess to Closed Session at approximately 5:35 p.m. Open Session will resume at conclusion of Closed Session.
2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code Section 54956.8) Agency Negotiators:
Public Property Advisors, Lisa Gillmor and Paulo Hernandez, and Dr. Marnie Hazelton, Superintendent and Teresa DeCelles, Assistant Superintendent of Business Services; Properties: 1300 Tallahassee Dr., San Jose, CA 95122-3939, 1824 Daytona Dr., San Jose, CA 95122-1719, 3720 East Hills Dr., San Jose, CA 95127-2418, 1290 Bal Harbor Dr., San Jose, CA 95122-1902, 277 Mahoney Dr., San Jose, CA 95127- 547, property at 600 Sinclair Dr., San Jose, CA 95116, 250 S King Rd, San Jose, CA 95122, and 1601 Cunningham Avenue, San Jose, CA. To be determined. Under discussion/negotiations: Price and terms of payment.
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 (4) potential cases and Claim for Damages of D. Ballesteros; Tort Claim for Claimant BAV #26-27-001
4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Paragraph (1) of Subdivision (d) of Section 54956.9):
(1) C.T.L. by and through her Guardian Ad Litem, Julio Tavares v. Alum Rock Union School District, et al., Santa Clara County Superior Court case no. 25CV459535; (2) Maria Gutierrez v. Alum Rock Union Elementary School District, Santa Clara County Superior Court case no. 25CV462406.
5. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Government Code Section 54956.9 subd. (d)(1) – One Matter – OAH Case No. 2026050628.
6. PUBLIC EMPLOYEE DISCIPLINE / DISMISSAL / RELEASE / RESIGNATION/NON REELECTION (Government Code 54957 and 54957.1)
7. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT Titles: Assistant Superintendent of Human Resources; Executive Assistant - Confidential, Business
8. CONFERENCE WITH LABOR NEGOTIATORS-- Employee Organization: AREA (Alum Rock Educators Association); District Negotiators: (1) Dr. Marnie Hazelton, Superintendent; (2) Cari Vaeth, Interim Assistant Superintendent, Human Resources; Lead Negotiator (3) Teresa DeCelles, Assistant Superintendent, Business.
9. CONFERENCE WITH LABOR NEGOTIATORS--Employee Organization: TEAMSTERS; District Negotiators: (1) Dr. Marnie Hazelton, Superintendent; (2) Cari Vaeth, Interim Assistant Superintendent, Human Resources; Lead Negotiator (3) Teresa DeCelles, Assistant Superintendent, Business.
10. CONFERENCE WITH LABOR NEGOTIATORS--Employee Organization: CSEA (Classified School Employees Association); District Negotiators: (1) Dr. Marnie Hazelton, Superintendent; (2) Cari Vaeth, Interim Assistant Superintendent, Human Resources; Lead Negotiator (3) Teresa DeCelles, Assistant Superintendent, Business.
11. CONFERENCE WITH LABOR NEGOTIATORS-- Affected Employees: Unrepresented Administrators,

4. RECONVENE TO OPEN SESSION - DISTRICT OFFICE BOARD ROOM

1. Report of Action Taken in Closed Session

5. COMMENTS / COMMUNICATION

1. Teamsters.
2. California School Employee's Association (CSEA).
3. Alum Rock Educator's Association (AREA).
4. Alum Rock Administrator's Association (ARAA).
5. Superintendent.
6. Board of Trustees.

6. PUBLIC HEARING

1. Public Hearing Regarding Sufficiency of Instructional Materials

Education Code Section 60119 requires that the local Board of Education hold a public hearing and declare by resolution whether or not all students have access to sufficient instructional materials consistent with the State curricular frameworks and standards. If the Governing Board finds an insufficiency, it must inform the public of the reasons for the insufficiency and take action to ensure that the situation is remedied within eight weeks from the start of school. This public hearing is intended to comply with Education Code requirements.

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

1. Board Bylaw 9240 Board Training: First Reading (Discussion Only; No Action).
2. Approve Resolution No. 11-26/27 Authorizing A 90-Day Feasibility Study for the Potential Transformation of the A.J. Dorsa Elementary School Site Into A TK-8 Gifted, Talented, Advanced Learning & Innovation Academy.
3. Approve covering all the costs of Dr. Marnie Hazelton's participation in ACSA's Clear Administrative Credential Program.
4. Resolution No.12-26/27 Declaring certain District-owned property (the Adelante Sites) surplus and exempt surplus property and declaring the Board's intention to lease the property subject to the priority offerings required by law Exempt Surplus Property

To declare certain District-owned property, specifically the Adelante Sites, as surplus and exempt surplus property pursuant to applicable law. The resolution also declares the Board's intent to lease the property, subject to any priority offerings and other requirements as required by law.
5. Approve Contract with DWK for Legal Services.
6. Approve Resolution No. 13-26/27 Relative to Commending Independence High School and the East Side Union High School District on the 50th Anniversary of Independence High School.

8. BUSINESS SERVICES - Board Discussion And/ or Action (The Board may take action on any items in this section, unless it is designated for information only).

1. Unaudited Actual Financial Report for 2025 – 2026. Report to the Board on Unaudited Actuals as Required by Law

Staff will provide an update on the Unaudited Actuals Financial Report for Fiscal Year 2025 – 2026. Education Code section 42100 requires that the Governing Board of each school district approve an annual statement for all revenues and expenditures of the district for the fiscal year.

2. Resolution No. 10-26/27 GANN Limit Calculations

In November of 1979, California voters approved Proposition 4, an initiative that added Article XIII B to the California Constitution. This constitutional amendment, known as the Gann Initiative, placed limits on the growth of expenditures for publicly funded programs. Division 9 of Title 1, beginning with Section 7900 of the Government Code, was then added to law to specify the process for calculating state and local government appropriation limits and appropriations subject to limitation under Article XII B of the Constitution. These constitutional and statutory sections explain and define the appropriations limit and appropriations subject to limitation as they apply to state and local government, and require that each entity of government formally "adopt" its appropriations limit for a given fiscal year.

Education Code section 42132 specifies that each year district Governing Boards shall adopt a resolution identifying their estimated appropriations limits for the current year and their actual appropriations limit for the preceding year. The documentation supporting the GANN adoption resolution shall be made available to the public.

3. Addendum for an Extension for Year Three with SLIC Commodity Cooperative RFP No. 2425-01 for 2026-2027 School Year

Alum Rock Union Elementary School District, through Child Nutrition Services, participates in the SLIC Commodity Cooperative with 121 California school districts. In joining SLIC Co-Op, all raw commodity items received from USDA, such as cheese, meat, poultry, beans, flour, and vegetables, are distributed to manufacturers for future processing to develop USDA-approved entrees. In addition, SLIC manages Department of Defense (DOD) fresh fruits and vegetables allocations and Brown Box commodity items assigned and requested by the district. SLIC Commodity Cooperative has held a previous contract (RFP No. 2425-01, with 2 additional year extensions), with Sequoia Union High School District as the lead district and Gold Star Foods as the awarded vendor.

9. INSTRUCTIONAL SERVICES - Board Discussion And/ Or Action (The Board may take action on any items in this section, unless it is designated for information only.)

1. Proposition 28: Arts and Music in Schools Annual Report, Fiscal Year 2025-26

To comply with Proposition 28 legal requirements as set forth by the State and California Education Code (EC) Section 8820(g)(4)- Local Educational Agencies (LEAs) must have this annual report board approved, submitted to the California Department of Education (CDE), and posted to the LEA's website. The report includes the number of full-time equivalent teachers, classified personnel, and teaching aides; the number of pupils served; and the number of school sites providing arts education programs with AMS funds.

2. Resolution No.08-26/27 Hispanic Heritage Month September 15 - October 15, 2026

Latino Contributions to growth and development of the United States have been many. As this nation looks forward to the 21 century, Latinos will continue to play a major role in meeting the opportunities and challenges ahead. Hispanic Heritage Month celebrates the Latino contribution. Is also lets us recognize America's cultural diversity - and the contributions of all of its citizens. Eighty point one percent of the students in Alum Rock Union School District are of Hispanic origin; therefore, the Board is encouraged to proclaim. September 15-October 15 Hispanic Heritage Month. Educational communities are encouraged to commemorate this time with appropriate instructional services.

3. Resolution No. 06-26-27: Regarding Sufficiency or Insufficiency of Instructional Materials

Education Code Section 60119 requires that the Governing Board adopt a resolution determining that every student is provided with sufficient textbooks and instructional materials aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks. Staff evaluation of all sites has determined that this is the case.

4. Approve School-Sponsored Field Trips

Per Board Policy 6153, field trips involving out-of-county or overnight travel require Board approval. The field trips listed fall under this policy. Administrative procedures will be followed for these trips.

5. Consolidated Application and Reporting System (CARS) 2024/25, 2025/26-2026/27 Reporting and 2026-2027 Application for Funding

The consolidated Application and Reporting System is the fiscal mechanism used by the California Department of Education (CDE) to distribute categorical funds from various state and federal programs to county offices, school districts, and charter schools throughout California. Annually, in June, Alum Rock Union Elementary School District submits CARS to the CDE to document participation in these programs and to assure that our district will comply with the legal requirements of each program.

6. School Plan for Student Achievement (SPSA) 2026-2027

The School Plan for Student Achievement (SPSA) is a strategic plan that maximizes the resources available to the school while minimizing duplication of effort with the ultimate goal of increasing student achievement. SPSA development should be aligned with and inform the Local Control and Accountability Plan process.

The SPSA consolidates all school-level planning efforts into one plan for programs funded through the consolidated application (ConApp) and for federal school improvement programs, including school wide programs, Comprehensive Support and Improvement (CSI), Targeted Support and Improvement (TSI) and Additional Targeted Support and Improvement (ATSI), pursuant to California Education Code (EC) Section 64001 and the Elementary and Secondary Education Act as amended by the Every Student Succeeds Act (ESSA).

10. 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.)

1. Resignations (Information Only)

Pursuant to Board Policy 4117.2, the Superintendent or designee has accepted the following resignations indicated in the accompanying Memorandum.

2. Approve Job Description - Assistant Superintendent, Curriculum, Instruction & Title I School Improvement

Under the direction of the Superintendent, the Assistant Superintendent, Curriculum, Instruction & Title I School Improvement provides intensive instructional leadership. To accelerate academic achievement in Title I schools. The federally funded position is designed to advance the District's Title I program and shall not be used as a substitute for regular state-or locally funded administrative services.

11. CONTRACTS OVER \$100,000 - BOARD DISCUSSION AND/OR ACTION (The Board may take action on any item in this section, unless it is designated for information only.)

1. Approve the contract with Creative Learning Center for the 2026/2027 SY. This contract will provide individualized instruction and behavior support services to autistic or severely behaviorally disordered students. Submitted by Special Education, \$226,729.00 dollars

Creative Learning Center is a certified, highly specialized nonpublic school that provides individualized instruction and behavior support services to autistic or severely behaviorally disordered students. Due to the severity of their disability, a nonpublic school placement is required.

12. 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.)

1. Approve the YMCA of Silicon Valley contract for the 2025/2026 ESY. This contract extension is for the

Amendment increases scope of contracted services for ELOP students for the Summer 2026 school year and the term dates listed in the contracted MY269377. Submitted by: Student Support Services; original approved contract was in the amount of \$267,120.00. A new increase request of \$65,520.00. The total contract amount for the 2026/2027 SY is in the amount of \$332,640.00 dollars.

YMCA will provide ARUSD students with summer learning and enrichment programs at two sites during summer school, March 16, 2026 - July 15, 2026. YMCA will provide half-day enrichment programs serving up to 260 students in TK/K-5th Grades from 12 PM - 5 PM, Monday - Friday. Enrichment activities include the following components: Arts, Science, Engineering, Tech, Physical Activity, Health& Nutrition, SEL, etc.

This Amendment increases the scope of contracted services for ELOP students for the Summer 2026 school year and the term dates listed in the contract MY269377

13. CONSENT CALENDAR/ACTION ITEMS - BOARD DISCUSSION AND/OR ACTION

1. Approval of Minutes for the following meeting: August 27, 2026, Regular Board Meeting

2. Vendor & Payroll Warrants

Summary of Vendor and Payroll Warrants issued during August month of Fiscal Year 2026/2027.

Total of Vendor warrants	\$ 6,324,106.94
Total of Payroll warrants	\$ 5,292,090.91
Total	\$ 11,616,197.85

3. Acceptance of Grants/Awards Notification

The District has received grants/awards as summarized on the attached sheet dated September 17, 2026.

4. Acceptance of Donations

The District has received donations as summarized on the sheet dated September 17, 2026.

5. Approval of Fundraising Activities

The District has received fundraising requests as summarized on the attached sheet dated September 17, 2026.

6. Application for Exemption from the Required Expenditures for Classroom Teachers' Salaries

Pursuant to Education Code Section 41372, elementary school districts are required to expend at least 60% of their current expense of education each fiscal year for the salaries of classroom teachers. For Fiscal Year 2025-26, the District did not meet this statutory requirement by 0.62% and is therefore requesting an exemption from the County Superintendent of Schools.

As demonstrated in the attached 2026-27 Multiyear Projections (MYP), requiring the District to meet the 60% requirement would result in a serious financial hardship. The District continues to face significant fiscal challenges, including declining enrollment and increased costs associated with providing required educational programs and services. The requirement can also be difficult for districts to meet when resources must be allocated to other mandated and supplemental programs. According to School Services of California, Inc., more than 57% of elementary school districts in the State did not meet this requirement in Fiscal Year 2024-25.

7. Approve Memorandum(s) of Understanding.

The District has received the following Memorandum(s) of Understanding as summarized on the sheet(s) dated September 17, 2026.

SCHOOL/ DEPARTMENT	DATE OF SERVICE	CONSULTANT NAME	COST	PURPOSE

Academic Services Sandra Garcia	09/18/2026-12/31/2026	Santa Clara County Office of Education	No Cost	SCCOE will participate in hosting VLDI Learning Walks for the Vietnamese American Experiences Model Curriculum (VAEMC) Fall Institute on Friday September 18, 2026. Funding: Not Applicable
Social Emotional Learning Kristin Burt	09/18/2026-06/30/2031	San Jose State University (School Counseling Internship)	No Cost	Multi-Year Service Contract: San Jose State University in collaboration with Alum Rock Union School District, will provide practicum and fieldwork experience for students pursuing a California Pupil Personnel Services (PPS) credential. Funding: Not Applicable

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.

SCHOOL/ DEPARTMENT	DATE OF SERVICE	CONSULTANT NAME	COST	PURPOSE
Adelante Dual Language Academy Victor Guendulain	09/18/2026-06/05/2027	Michael BUGGSY Malone	\$2,500.00	Michael BUGGSY Malone will develop a logo for Adelante based on the awarded student concept drawing of monarchs. The contractor will work closely with school administration and district personnel to create and finalize a school logo that reflects the school's history, community and traditions. Funding: General

Linda Vista Suzanne Cicala	09/18/2026- 06/30/2027	Parent Institute for Quality Education (PIQE)	\$14,500.00	Parent Institute for Quality Education will provide its eight-week Family Math Program in Spanish and English for the parents of Linda Vista TK-5th grade students. PIQE will recruit parents by phone, provide an Orientation session, a series of weekly training sessions, culminating in a graduation ceremony with certificates provided to parents who attend four or more sessions. The program is designed to provide families with tools and strategies to help families navigate math challenges and seek support from their child's school. Funding: Restricted
Russo McEntee Emeric Bisbee	09/21/2026- 12/31/2026	Ashley Bowden, DBA: Smiling Roots	\$21,840.00	Smiling Roots will provide 8 weekly place-based garden lessons to 18 TK-5th grade classes. Will also provide 2 hours of garden maintenance in the Russo Therapy Garden and Learning Garden for 8 weeks, facilitate 10 weekly Environmental Justice League meetings, and facilitate 4 three-hour garden volunteer workday sessions. Funding: Restricted
Academic Services Sandra Garcia	09/18/2026- 06/30/2027	The NCHERM Group LLC (TNG)	\$12,500.00	TNG will provide Alum Rock Union School District with an in-person, one-day training for Title IX Coordinator Foundations Level One: Compliance Essentials for K- 12 Education at a rate of \$12,500 for up to 35 people. Funding: General

Academic Services Emily McChristian	09/18/2026-06/30/2027	Young Producers Group, Inc.	\$10,500.00	Young Producers Group will provide up to 18 hours of professional development for music and art teachers in their CTE standards-aligned, project-based, Music Production curricula, for Sheppard and Ocala Music Production classes for the school year, 2026-2027. In addition to 42 hours of professional development for music teachers. Funding: Restricted
Child Nutrition Services Denisse Mendez	10/01/2026-09/30/2027	Cozzini Bros, Inc.	\$8,100.00	Cozzini Bros will provide a standardized knife exchange program. Each school site will receive a set of sharpened knives once every month, and the Robot Coup will be serviced once every 8 weeks. This service supports fresh-prepared meal and scratch cooking initiatives and improves employee safety and consistency in across all kitchens. Funding: Restricted
Child Nutrition Services Denisse Mendez	09/18/2026-09/01/2029	Garda CL West, Inc.	\$19,500.00 for 3 years (\$6,500.00 each year)	Multi-Year Service Contract: Garda will provide courier service to pick up and deposit money from district banking location. Pick-ups will be made every Wednesday, except in the month of July, August and holidays. Funding: General
M.O.T. Eric Wasinger	09/18/2026-12/31/2026	Axiom Communications Systems	\$92,242.84	Axiom Communications Systems will provide materials and installation of clocks and speakers to the existing PA system to the additional portable units to ensure safety, communication equity, and operational synchronization across Adelante Dual Language Academy. Funding: Restricted

M.O.T Eric Wasinger	08/01/2026- 06/30/2027	Axiom Communications Systems	\$50,000.00	Axiom Communications Systems will provide services and repairs on fire alarm, PA intercom, and security, district-wide. Funding: Restricted
M.O.T Eric Wasinger	07/15/2026- 09/30/2026	Blancas Construction, Inc.	\$89,067.00	Blancas Construction will provide installation of twelve (12) basketball hoops at Adelante Dual Language Academy to provide physical, social, and academic benefits for our students. Funding: Restricted
M.O.T Eric Wasinger	07/15/2026- 09/30/2026	Blancas Construction, Inc.	\$19,723.00	Blancas Construction will provide demolition of playground equipment, removal of 16 basketball hoops, 8 volleyball poles, and 10 playgrounds for students' safety, to meet regulatory compliance, and clear space for modern upgrades at Adelante Dual Language Academy, 1720 Hopkins Drive, San Jose, CA 95122. Funding: Restricted
M.O.T Eric Wasinger	08/01/2026- 06/30/2027	Blossom Hill Glass and Mirror	\$50,000.00	Blossom Hill Glass and Mirror will provide emergency glass repair and/or replacement due to vandalism to protect students and staff, secure the building against intruders, and prevent weather damage district-wide. Funding: General
M.O.T Eric Wasinger	08/25/2026- 06/30/2027	ICOM Mechanical, Inc.	\$30,000.00	ICOM Mechanical will provide repair and maintenance services for HVAC and Airedale Units at district facilities. Funding: Restricted

Student Support Services Dr. Kiela Jimenez	09/18/2026-06/30/2027	Girl Scouts of Northern California	No Cost	Master Service Contract: Girl Scouts of Northern California (GSN) will provide Alum Rock Union Elementary School District (ARUSD) students the Discover Together and Got Choices programs at no cost to participating sites during the 2026-2027 school year. Discover Together is 1-day per week for 90 minutes, for 12 weeks at each site. Got Choices is 1-day per week for 60 minutes, throughout the school year. Dates and time of program will be coordinated between GSNorcal and staff at each site. Funding: Not Applicable
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9. 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.

10. Current Enrollment.

14. FUTURE BOARD AGENDA REQUESTS

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

15. ADJOURNMENT

1. President adjourns the meeting.

16. NEXT MEETING(S)

1. September 24 , 2026 (2026-2027 School Year).