



Thursday, December 15, 2022
ANNUAL ORGANIZATIONAL AND REGULAR BOARD MEETING

Type: AGENDA - ANNUAL ORGANIZATIONAL AND REGULAR BOARD MEETING

Time: 5:30 p.m.

Code: Regular #10 -22/23

The December 15, 2022, ANNUAL ORGANIZATIONAL AND REGULAR BOARD MEETING WILL BE CONDUCTED EXCLUSIVELY VIA CONFERENCE TELEPHONE AND THROUGH "ZOOM" VIDEO CONFERENCING. THE DISTRICT OFFICE AND BOARD ROOM WILL NOT BE OPEN AND AVAILABLE FOR THE PUBLIC TO ATTEND AND PARTICIPATE IN THE BOARD MEETING AT THE DISTRICT OFFICE. MEMBERS OF THE PUBLIC MAY PARTICIPATE AND COMMENT IN REAL TIME IN OPEN SESSION THROUGH THE FOLLOWING MEANS:

1. Zoom - Live Board Meeting and use "Raise Hand" function to request opportunity to make a comments.

2. THE ZOOM MEETING CAN BE ACCESSED AS FOLLOWS:

Join Zoom Meeting <https://arUSD-org.zoom.us/j/85307698435>

One tap mobile

+16699006833, Meeting ID: 853 0769 8435# US (San Jose)

Zoom Spanish Interpretation available- Zoom Instructions link www.arUSD.org/zoomesp. If you call in you will not be able to access this function.

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

1. Live stream Youtube English Channel "AlumRock TV"

<https://www.arUSD.org/alumrocktv>

In compliance with the Americans with Disabilities Act and Executive Order N-08-21, if you need Special Assistance, Disability-Related modifications or accommodation, including auxiliary aids or services, in order to participate in the Regular Board Meeting of the Board of Trustees, please contact the office of the District Superintendent at (408) 928-6822 or by email at maribel.carrillo@arUSD.org immediately and the district will make reasonable arrangements to ensure accommodation and electronic accessibility to this meeting.

1. OPEN SESSION - CALL TO ORDER, ROLL CALL, AND OFFICER ELECTIONS

1.01 CALL TO ORDER/ ROLL CALL/LAND ACKNOWLEDGMENT- Board of Trustees of the Alum Rock Union Elementary School District does hereby acknowledge that the District schools and facilities sit on the traditional lands of the Muwekma Ohlone people, and the Board of Trustees further acknowledges with respect and reverence the Muwekma Ohlone People Tribe of the San Francisco Bay Area for their stewardship of these lands;/ **PLEDGE OF ALLEGIANCE --** **PRESIDENT ANDRES QUINTERO.**

1.02 ACTION: ANNUAL ORGANIZATIONAL MEETING, NOMINATION AND ELECTION OF BOARD PRESIDENT.

1.03 ACTION: ANNUAL ORGANIZATIONAL MEETING, NOMINATION AND ELECTION OF BOARD VICE-PRESIDENT.

1.04 ACTION: ANNUAL ORGANIZATIONAL MEETING, NOMINATION AND ELECTION OF BOARD CLERK.

1.05 ACTION: APPROVE AND APPOINT THE SUPERINTENDENT AS THE SECRETARY TO THE BOARD.

1.06 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.

2. SPECIAL PRESENTATION-DISCUSSION, CONSIDERATION AND/OR ACTION

2.01 Student Advisory Committee (SAC) (Information Only).

3. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

3.01 REQUESTS TO ADDRESS THE BOARD provides members of the public an opportunity to speak to the Board about any matter under the jurisdiction of the Board and not otherwise on the agenda. Those who wish to address specific agenda items will have an opportunity to do so when that agenda item is introduced and presented during this meeting. Individuals wishing to speak are requested to submit a comment or request for comment as specified above. There is a two-minute time limit for each speaker. The Board will automatically refer to staff any formal written requests that are brought before them at this time. Written matters may be placed on a future meeting.

4. COMMENTS AND COMMUNICATION

4.01 Alum Rock Administrator's Association (ARAA).

4.02 Teamsters.

4.03 California School Employee's Association (CSEA).

4.04 Alum Rock Educator's Association (AREA).

4.05 Superintendent.

4.06 Board of Trustees/Communications/Comments

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

5.01 PUBLIC HEARING. The Alum Rock Educators' Association (AREA) Initial Bargaining Proposal to Open Negotiations with the Alum Rock Union Elementary School District (ARUESD); Re: 2023-2024 Reopeners

5.02 PUBLIC HEARING. District's Initial Bargaining Proposal to Open Negotiations with Alum Rock Educators' Association (AREA); Re: 2023-2024 Reopeners

6. 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.)

6.01 Approve Proposed Board Meeting Calendar for 2023. The Board will discuss and determine the proposed schedule for the Regular Board Meetings for the calendar year from January through December 2023. Proposed dates include: January 19; February 09; March 09; April 13; May 11; June 08 and June 22; July 20; August 10; September 14; October 12; November 09; and December 14.

6.02 Discussion/Consideration to Approve Resolution #23-22/23 Authorizing Remote Virtual/Teleconference Meetings Of The Board And District Committees Subject To The Brown Act For The Period December 19, 2022 – January 19, 2023.

6.03 AR 5145.71(a) Title IX Sexual Harassment Complaint Procedures (Information Only).

6.04 Approval to Appoint the Board Representative for the County Committee Election for 2023. The California Education Code requires that the Governing Board of each school district, at its annual initial meeting, select one of its members to vote in the election for members of the County Committee on School District Organization.

6.05 Action/Review Needed: November 8, 2022 General Election Certification of Election Results for School Districts (Alum Rock Union School District).

6.06 Consider/Discussion/Approval of Resolution No. 25-22/23: REAFFIRMING THE CRITICAL ROLE OF SCHOOL PERSONNEL AS MANDATED REPORTERS IN THE SAFETY AND WELL BEING OF ALUM ROCK STUDENTS.

6.07 Discussion Local Contracting Initiative (Information Only).

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

7.01 Approve 2022-23 First Interim Report.

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

8.01 California Department of Education Expenditure Quarter 1 Report, from Aptitud Community Academy at Goss Early Literacy Support Block Grant (ELSB), and Literacy Action Plan in year-two of implementation (Information Only).

8.02 Approve California Department of Education (CDE) Amendment 01 Local Agreement for Child Development Services, at Dual Immersion Preschools, Adelante I and Adelante II.

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

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

9.01 Sourcewell Piggyback Bid Contract #010521-LTS-3 for the Purchase of a Play Structure through Miracle Playsystems, Inc., for LUCHA Elementary.

9.02 Sourcewell Piggyback Bid Contract #010521-LTS-3 for the Purchase of a Play Structure through Miracle Playsystems, Inc., for Cassell Elementary.

9.03 Award of Bid Package and Contract for #B2223-Bonds23 for ADA/DSA at George MS, Linda Vista ES, and Adelante I Academy.

9.04 Award of Bid Package and Contract for #B2223-Bonds24 for ADA/DSA at Sheppard MS and San Antonio ES.

9.05 Approve Additional Services with Studio W Architects for Architectural Services for HVAC Projects at Russo-McEntee Elementary, McCollam Elementary and Adelante II.

9.06 Approve Contract with Project Support Services (PSS) for Phase III of DSA Closeout and Certification.

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.)

10.01 Approve Revised Job Description – Early Learning Program Coordinator

10.02 Approve Revised Job Description – PARAEDUCATOR-SPECIAL EDUCATION I

10.03 Receive the Alum Rock Educators' Association (AREA) Initial Bargaining Proposal to Open Negotiations with the Alum Rock Union Elementary School District; Re: 2023-2024 Reopeners

10.04 Resignations (Information Only).

10.05 Adopt the District's Initial Proposal to Open Negotiations with Alum Rock Educators' Association (AREA); 2023-2024 Reopeners.

10.06 Approval of Revision to Salary Schedule for Classified Management.

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

11.01 Approve Board Meeting Minutes for the following dates: November 10, 2022, Regular Board Meeting and November 30, 2022, Special Board Meeting.

11.02 Approve Acceptance of Donations.

11.03 Approve Fundraising Activities.

11.04 Approve Acceptance of Vendor & Payroll Warrants.

11.05 Approve the Santa Clara County Treasury Investment Portfolio Status.

11.06 Approve Contracts for Professional Services -Firms/Organizations.

11.07 Approve Memorandum(s) of Understanding.

11.08 Approve/Ratify Notices of Employment and Changes of Status/December 15, 2022.

11.09 Current Enrollment (Information Only).

12. CLOSED SESSION

12.01 RECESS TO CLOSED SESSION: The Board will recess to Closed Session at approximately 9:00 p.m. Open Session will resume at conclusion of Closed Session.

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

12.03 CONFERENCE WITH LEGAL COUNSEL--Anticipated Litigation: significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Government Code Section 54956.9: One (1) potential case.

12.04 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9): CTG Construction, Inc. v. Alum Rock Union Elem. School District, Santa Clara County Superior Court case no. 20CV367630; Alum Rock Union Elementary School District v. Karen Martinez, Santa Clara County Superior Court case no. 21CV381923; Alum Rock Union Elementary School District v. Dolores Marquez, Santa Clara County Superior Court case no. 20CV372554; Alum Rock Union Elementary School District v. Esau Herrera, Santa Clara County Superior Court case no. 21CV382117 Leal & Trejo, APC v. Alum Rock Union Elem. Sch. District, Santa Clara County Superior Court case no. 19CV356647; Alum Rock Union Elem. Sch. District v. Del Terra Real Estate Services, Inc., San Mateo County Superior Court case no. 20-CIV-02466.

12.05 CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: AREA (Alum Rock Educators Association); District Negotiators: (1) Hilaria Bauer, Ph.D., Superintendent; (2) Cesar Torrico, Assistant Superintendent, Human Resources; (3) Kolvira Chheng, Assistant Superintendent, Business; (4) Jess Serna, Lead Negotiator.

12.06 CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: TEAMSTERS; District Negotiators: (1) Hilaria Bauer, Ph.D., Superintendent; (2) Cesar Torrico, Assistant Superintendent, Human Resources.

12.07 PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT (Government Code Section 54957): Title: Manager of Operations and Safety.

13. RECONVENE TO OPEN SESSION - VIA ZOOM

13.01 REPORT OF ACTION TAKEN IN CLOSED SESSION.

14. FUTURE BOARD AGENDA REQUESTS

14.01 Requests from Board of Trustees and/or from the Public. Requests shall be submitted in writing to the Superintendent or designee with supporting documents and information, if any, at least one week before the scheduled meeting date. Items submitted less than a week before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue. BB 9322

15. ADJOURNMENT

15.01 President adjourns the meeting.