

**APPROVED MINUTES  
ALUM ROCK ELEMENTARY SCHOOL DISTRICT  
2930 Gay Avenue  
San Jose, CA 95127**

**MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES  
of the Alum Rock Union School District  
Held on Thursday, September 9, 2021, 5:30 p.m. at the Alum Rock Union School  
Board Members and Superintendent participated via Zoom Meeting  
Meeting #06-21/22**

**1. OPEN SESSION**

**1.01 Call to Order/Roll Call/Pledge of Allegiance**

President Corina Herrera-Loera welcomed everyone in the audience. President Corina Herrera-Loera called the Board Meeting to order at 5:30 p.m. followed by Roll Call.

Board Members Present:

Corina Herrera-Loera	President
Andrés Quintero	Vice-President
Ernesto Bejarano	Clerk
Linda Chavez	Member
Minh Pham	Member

Administrative and Support Staff Members Present:

Dr. Hilaria Bauer	Superintendent
Rene Sanchez	Assistant Superintendent, Instructional Services
Kolvira Chheng	Assistant Superintendent, Business Services
Tereasa Smith	Director, Human Resources
Maribel Carrillo	Sr. Executive Assistant, Superintendent's Office

**1. OPEN SESSION** *(continued)*

**1.01 Call to order/Roll Call/Pledge of Allegiance**

President Corina Herrera-Loera said there is a quorum.

President Corina Herrera-Loera opened the meeting by acknowledging those who have served our country.

**1.02 Discussion And/Or Modification(s) of the Agenda**

Member Minh Pham asked that item 5.02 be heard before item 5.01.

**2. Public Members Who Wish To Address The Board**

**2.01 Requests to Address the Board**

Public Comments:

- 1) Sandra Rivera said she is a teacher at Chavez Elementary. She said teachers are not feeling safe.
- 2) Kimberly Doty asked the district to keep the classroom at its capacity. She said COVID 19 has been becoming an issue in the district.
- 3) Adrienne Vane said she is a teacher at Joseph George Middle School. She said she did not know who decided to get rid of the Vice Principals at schools.
- 4) Jessica Lovoti said the windows are closed shut at her school and that is a safety issue.
- 5) Kimberli Doty said that McCollam Elementary does not have an attendance clerk. She said there were not enough substitute teachers.
- 6) Shawn Sweiss said he is a Dorsa Elementary teacher. He said one of the teachers at the school was reassigned to independent studies after fifteen days of school starting.
- 7) Brenda Zendejas said her both her sons are in independent studies. She asked the Board to go to the school sites to see what is going on at each site.
- 8) Jeff Berta said he was trying to speak to the Principal at Painter and the Principal was running around chasing students.
- 9) Randal Barber said he was delighted to see Superintendent Bauer and President Corina Herrera-Loera on the first day of school. He said he had a student who played piano for him and played Mozart.

## **2. Public Members Who Wish To Address The Board** *(continued)*

Public Comments:

- 10) Teodolinda Mendoza said to please settle the contract with AREA.

## **7. Instructional Services**

### **7.01 Special Recognition: Teacher of the Year 2021.**

Director, Barbara Campbell announced the winners.

#### **ARUSD Teacher of the Year Honorees 2020-2021**

Vanessa Perez, Veronica Marquez, Martin Brooks, Hector Hernandez, Catalina Nichols, Amalia Alvarez, Sarika Kukreja, Danelle Letts, Phoram Moolchandani, Kimi Hiroshima, Kristin Moeller, Trang Lim, Lynn Martinez, Maria Moyoli, Tamara Bermudes, May Toliao, Kareen Rivas and Abby Harris.

She said the teacher of the year representing the district at Santa Clara County Office of Education will be Tamara Bermudes from Renaissance Fischer.

Member Minh Pham congratulated Tamara Bermudes and all nominees.

Clerk Ernesto Bejarano congratulated everyone. He commented he liked the words used by Tamara Bermudes regarding autistic students.

President Corina Herrera-Loera said she wanted to thank every teacher. She said a quote from Malala Yousafzai “one child, one teacher, one pen can change the world”.

Vice-President Andrés Quintero thanked teachers and congratulated them for all that they do.

Member Linda Chavez said she wanted to thank all the teachers who were not nominated.

Public Comments:

- 1) Ms. Tanner said she cannot walk around her classroom because the class has gone from twenty-four to thirty-four. She said she will be reading a letter from one of her colleagues.
- 2) Kalsy Redrock said the focus could be on a smaller class size instead of having a combination class. She said the district needs to support the classrooms.

### **3. Comments and Communications**

#### **3.01 Alum Rock Administrator's Association (ARAA)**

Viviana Garcia said she is a principal at Dorsa Elementary. She said there will be a back-to-school night. She said ARAA would like to extend its appreciation to the leadership at Alum Rock.

#### **3.02 Teamsters**

Thanh Phu said he wanted to thank all the teachers in the district. He said his job is to serve the community.

#### **3.02 California School Employee's Association (CSEA)**

There was no one from CSEA.

#### **3.03 Alum Rock Educator's Association (AREA)**

AREA President, Jocelyn Merz congratulated teachers who were elected to represent the school sites. She said she have had the pleasure of working with them all. She said the morale has been low.

#### **3.05 Superintendent**

Superintendent Bauer spoke about the procedures the district has in place regarding COVID 19 notices. She gave a shout out to the Director of MOT Ed Villarreal for going above and beyond.

#### **3.06 Board of Trustees/Communications/ Comments**

Clerk Ernesto Bejarano said he wanted to thank Mr. Thanh Phu for giving an update. He said he appreciates all district staff. He thanked Superintendent Bauer for all that she does for the district. He commented that Panorama Education will gather data from parents.

Member Minh Pham commented that Saturday, September 11, 2021, will mark the 20<sup>th</sup> year of 9/11. He said the City of San Jose decided not to move forward on the disclosure of school properties.

Vice-President Andrés Quintero thanked all staff for all they do. He said regarding the comments made by Mr. Barber Alum Rock is going above and beyond for students. He said he wanted to acknowledge the significance of 9/11.

### **3. Comments and Communications** *(continued)*

President Corina Herrera-Loera said a quote “A leadership demonstrates what is possible”. She said these are scary times that we are living in. She said during the weekend young unvaccinated individuals passed away from COVID.

### **4. Public Hearing(s) And/Or Special Order of Business**

#### **4.01 Public Hearing: GANN Limit Calculations**

President Corina Herrera-Loera opened the public hearing for GANN Limit Calculations at 7:18 pm.

#### **4.01 Public Hearing Regarding Sufficiency of Instructional Materials.**

President Corina Herrera-Loera opened the public hearing for Sufficiency of Instructional Materials at 7:18 pm.

### **5. Superintendent/ Board Business**

#### **5.02 Approve Resolution No. 11-21/22 Board Member vaccinations and meeting conduct.**

Member Minh Pham said he urges all his colleagues to approve the item in hand.

**MOTION #01-06 by Member Minh Pham to approve Action Item 5.02 as presented. MOTION #01-06 was seconded by Vice-President Andrés Quintero.**

Clerk Ernesto Bejarano said he was not understanding the connection between the vaccination and the code of conduct.

Member Linda Chavez said she agrees with Clerk Ernesto Bejarano’s concerns.

**AMENDED MOTION #02-06 by Member Minh Pham to approve everything except the last section of the proposed resolution regards to Board conduct. MOTION #02-06 was seconded by Vice-President Andrés Quintero.**

President Corina Herrera-Loera said she had the Code of Conduct added to the resolution as a reminder to some.

**AMENDED MOTION #03-06 by Member Minh Pham to approve Board Member Vaccinatines everything except the last section of the proposed resolution regards to Board conduct. MOTION #03-06 was seconded by Vice-President Andrés Quintero.**

## **5. Superintendent/ Board Business (continued)**

**Roll call vote: Ayes: Vice-President Andrés Quintero, Member Minh Pham, Clerk Ernesto Bejarano and President Corina Herrera-Loera Noes: Member Linda Chavez. Vote: 4/1; Motion Carries**

Public Comments:

- 1) Veronica Talton said she was glad that the Board is making a positive decision that will impact the school community.

### **5.01 Approve Out of State Travel, Global Youth Justice, Boston, MA, September 28-29, 2021 for Member Linda Chavez, Cost \$1,650.00**

Member Linda Chavez said that she would like to attend the program because it is a positive program.

**Roll call vote: Ayes: Vice-President Andrés Quintero, Member Minh Pham, Clerk Ernesto Bejarano and President Corina Herrera-Loera Abstain: Member Linda Chavez. Vote: 4/1; Motion Carries**

## **6. Business Services**

### **6.01 Approve Unaudited Actual Financial Reports for 2020-2021 Report to the Board on Unaudited Actuals as Required by Law.**

Assistant Superintendent Chheng gave a presentation regarding Unaudited Actual Financial Reports for 2020-2021 Report to the Board on Unaudited Actuals as Required by Law.

Clerk Ernesto Bejarano asked if Assistant Superintendent Chheng knew where the district stood with the percentage.

Assistant Superintendent Chheng said he does not recall.

Member Minh Pham asked if the restricted balance covers the gap.

Assistant Superintendent Chheng replied that both restricted funds come from the general fund.

**MOTION #04-06 by Clerk Ernesto Bejarano to approve Action Item 6.01 as presented. MOTION #04-06 was seconded by Member Linda Chavez.**

**Roll call vote: Ayes: Vice-President Andrés Quintero, Member Linda Chavez, Member Minh Pham, Clerk Ernesto Bejarano and President Corina Herrera-Loera. Vote: 5/0; Motion Carries**

**6. Business Services** *(continued)*

**6.02 Approve Resolution No. 10-21/22 Fourth Amendment to Join Use Agreement with Kidango, Inc. to Extend the Second Five Year for the Period July 1, 2021, to June 30, 2026.**

**MOTION #05-06 by Member Linda Chavez to approve Action Item 6.02 as presented. MOTION #05-06 was seconded by Vice-President Andrés Quintero.**

**Roll call vote: Ayes: Vice-President Andrés Quintero, Member Linda Chavez, Member Minh Pham, Clerk Ernesto Bejarano and President Corina Herrera-Loera.**

**Vote: 5/0; Motion Carries**

President Corina Herrera-Loera closed the public hearings for GANN Limit Calculations and Sufficiency of Instructional Services at 8:18 pm.

**7. Instructional Services**

**7.02 Approve Resolution No. 07-21/22 Week of the School Administrator-October 10-16, 2021.**

**MOTION #06-06 by Member Linda Chavez to approve Action Item 7.02 as presented. MOTION #06-06 was seconded by Vice-President Andrés Quintero.**

**Roll call vote: Ayes: Vice-President Andrés Quintero, Member Linda Chavez, Member Minh Pham, Clerk Ernesto Bejarano and President Corina Herrera-Loera.**

**Vote: 5/0; Motion Carries**

**7.03 Approve Resolution No. 08-21/22 Hispanic Heritage Month September 15-October 15, 2021.**

**MOTION #07-06 by Member Linda Chavez to approve Action Item 7.03 as presented. MOTION #07-06 was seconded by Clerk Ernesto Bejarano.**

**Roll call vote: Ayes: Vice-President Andrés Quintero, Member Linda Chavez, Member Minh Pham, Clerk Ernesto Bejarano and President Corina Herrera-Loera.**

**Vote: 5/0; Motion Carries**

**7.04 Approve Next Generation Science Standards Delta Education Featuring Foss Adoption –Elementary School.**

**MOTION #08-06 by Vice-President Andrés Quintero to approve Action Item 7.04 as presented. MOTION #08-06 was seconded by Clerk Ernesto Bejarano.**

## **7. Instructional Services (continued)**

**Roll call vote: Ayes: Vice-President Andrés Quintero, Member Linda Chavez, Member Minh Pham, Clerk Ernesto Bejarano and President Corina Herrera-Loera.**

**Vote: 5/0; Motion Carries**

### **7.05 Resolution No. 11-21/22 – Regarding Sufficiency or Insufficiency of Instructional Materials.**

**MOTION #09-06 by Member Linda Chavez to approve Action Item 7.05 as presented. MOTION #09-06 was seconded by Clerk Ernesto Bejarano.**

**Roll call vote: Ayes: Vice-President Andrés Quintero, Member Linda Chavez, Member Minh Pham, Clerk Ernesto Bejarano and President Corina Herrera-Loera.**

**Vote: 5/0; Motion Carries**

## **8. Human Resources**

### **8.01 Resignations**

## **9. CONSENT/CONTRACTS OVER \$100,000**

*There was a consensus from the Board to combine and take action on Agenda Items 9.01, 9.02, and 9.03.*

- **Agenda Item 9.01** *Approve the GKS Education, LLC DBA: Sylvan Learning contract for the 2021-2022 SY. Sylvan Learning will provide tutoring services in reading or math for students 2<sup>nd</sup>-8<sup>th</sup> grade at any ARUSD school. Submitted by: State & Federal Programs, NTE \$250,000 dollars.*
- **Agenda Item 9.02** *Approve the Tutorworks Academic Services contract for the 2021-2022 SY. Tutorworks will provide on-site or virtual academic intervention tutoring customized to address students' specific needs in grades K-8. Submitted by: State & Federal Programs, NTE \$250,000 dollars.*
- **Agenda Item 9.03** *Approve the Miracle Playsystems, Inc. contract for the 2021-2022 SY. Sourcewell Piggyback Bid Contract #010521-LTS 3 for the purchase of a playground structure, through Miracle Playsystems, Inc. Playground structure will be placed at Linda Vista Elementary School. Submitted by: Maintenance & Operations Dept., \$128,382.35 dollars.*



## **9. CONSENT/CONTRACTS OVER \$100,000 (continued)**

***MOTION #10-06 by Vice-President Andrés Quintero to approve Agenda Items 9.01, 9.02, and 9.03 as presented. MOTION #10-06 was seconded by Member Linda Chavez.***

Public Comment:

- 1) Brenda Zendejas thanked the Board for approving Miracle Playsystems.

**Roll call vote: Ayes: Vice-President Andrés Quintero, Member Linda Chavez, Member Minh Pham, Clerk Ernesto Bejarano and President Corina Herrera-Loera.  
Vote: 5/0; Motion Carries**

## **10. CONSENT CALENDAR**

Vice-President Andrés Quintero asked that item 10.09 be pulled.

***There was a consensus from the Board to combine and take action on Agenda Items 10.01,10.02, 10.03, 10.04, 10.05, 10.06, 10.07, and 10.08.***

- ***Agenda Item 10.01 Approve Board Meeting Minutes for the following date: June 24, 2021, Regular Board Meeting.***
- ***Agenda Item 10.02 Approve Acceptance of Donations.***
- ***Agenda Item 10.03 Approve Fundraising Activities.***
- ***Agenda Item 10.04 Approve Acceptance of Vendor & Payroll Warrants.***
- ***Agenda Item 10.05 Approve the Santa Clara Treasury Investment Portfolio Status.***
- ***Agenda Item 10.06 Approve Resolution No. 09-21/22 GANN Limit Calculations.***
- ***Agenda Item 10.07 Approve/Ratify Notices of Employment and Changes of Status/September 9, 2021***
- ***Agenda Item 10.08 Approve Memorandum(s) of Understanding(s).***

***MOTION #11-06 by Member Linda Chavez to approve Agenda Items 10.01,10.02,10.03, 10.04, 10.05, 10.06, 10.07, and 10.08. as presented. MOTION #11-06 was seconded by Member Minh Pham.***

Public Comment:

- 1) Eddie said some schools have gaps in the Williams Act.

**Roll call vote: Ayes: Vice-President Andrés Quintero, Member Linda Chavez, Member Minh Pham, Clerk Ernesto Bejarano and President Corina Herrera-Loera.  
Vote: 5/0; Motion Carries**

**10. CONSENT CALENDAR** *(continued)*

**10.09 Approve Contracts for Professional Services-Firms/Organizations.**

**MOTION #12-06 by Vice-President Andrés Quintero to approve everything on item 10.09 and we pull contract separately that would be the Planned Parenthood contract. MOTION #12-06 was seconded by Member Linda Chavez.**

Clerk Ernesto Bejarano said he would like to pull three contracts Fly contract, Health & Trust, and YMCA.

**MOTION #13-06 by Vice-President Andrés Quintero to approve the balance MOTION #13-06 was seconded by Member Linda Chavez.**

**Roll call vote: Ayes: Vice-President Andrés Quintero, Member Linda Chavez, Member Minh Pham, Clerk Ernesto Bejarano and President Corina Herrera-Loera.  
Vote: 5/0; Motion Carries**

Clerk Ernesto Bejarano asked if the word homeless could be reworded to say experiencing homelessness on the Health & Trust contract.

Superintendent Bauer said the staff is dealing with terms used by the vendor. She said if the item is approved tonight the district can work with the vendor to use a different term.

**MOTION #14-06 by Clerk Ernesto Bejarano to approve Health & Trust contract. MOTION #14-06 was seconded by Vice-President Andrés Quintero.**

**Roll call vote: Ayes: Vice-President Andrés Quintero, Member Linda Chavez, Member Minh Pham, Clerk Ernesto Bejarano and President Corina Herrera-Loera.  
Vote: 5/0; Motion Carries**

Clerk Ernesto Bejarano asked what was the need for the Fly program.

**MOTION #15-06 by Member Linda Chavez to approve Fly contract. MOTION #15-06 was seconded by President Corina Herrera-Loera.**

Assistant Superintendent Sanchez replied that the district has had a long-term partnership with Fly.

Director, Norma Flores said Fly is a positive program for students. She said she checked with principals and they have good things to say about the program.

President Corina Herrera-Loera asked for an edit where it says “7-8<sup>th</sup> grade students who are identified by the school as being at risk of suspension or expulsion” to say “ Services limited to 7<sup>th</sup> & 8<sup>th</sup>-grade students who would benefit from this program”.

## **10. CONSENT CALENDAR *(continued)***

**Roll call vote: Ayes: Vice-President Andrés Quintero, Member Linda Chavez, Member Minh Pham, Clerk Ernesto Bejarano and President Corina Herrera-Loera.**

**Vote: 5/0; Motion Carries**

Clerk Ernesto Bejarano asked what the district is paying YMCA for and what is the effectiveness of the program. He said he would like that information added in moving forward. He said unknown costs do not make him feel comfortable.

Superintendent Bauer replied parents will not need to pay.

**MOTION #16-06 by Member Linda Chavez to approve the YMCA contract. MOTION #16-06 was seconded by Clerk Ernesto Bejarano.**

**Roll call vote: Ayes: Vice-President Andrés Quintero, Member Linda Chavez, Member Minh Pham, Clerk Ernesto Bejarano and President Corina Herrera-Loera.**

**Vote: 5/0; Motion Carries**

**MOTION #17-06 by Vice-President Andrés Quintero to approve the Planned Parenthood contract. MOTION #17-06 was seconded by Clerk Ernesto Bejarano.**

**Roll call vote: Ayes: Vice-President Andrés Quintero, Member Minh Pham, Clerk Ernesto Bejarano and President Corina Herrera-Loera Noes: Member Linda Chavez**

**Vote: 4/1; Motion Carries**

## **11. Closed Session**

### **11.01 Recess to Closed Session**

President Corina Herrera-Loera announced the items that would be discussed in Closed Session. There were no public comments from the audience at this time.

## **12. RECONVENE TO OPEN SESSION**

### **12.01 Report of Action Taken in Closed Session.**

The Board reconvened to Open Session at 11:27 p.m. President Corina Herrera-Loera welcomed everyone and said there was a quorum.

Superintendent Bauer reported the following actions that took place in closed session.

## **12. RECONVENE TO OPEN SESSION** *(continued)*

Item 11.05 The Board unanimously approved a release agreement claimant Alvarez & Herrera on behalf of a student. The settlement includes payment of three thousand dollars, tutoring expenses, six thousand dollars in attorney fees, mutual waiver, and release claims.

Item 11.11 The Board approved the appointment of Interim Principal Jennifer Doherty at Sheppard Middle School.

Item 11.12 The Board approved the appointment of Abby Harris Interim Assistant Principal at Sheppard Middle School.

President Corina Herrera-Loera reported the following action that took place in closed session.

Item 11.03 Superintendent Bauer's evaluation was considered and approved by the Board votes Clerk Ernesto Bejarano, Member Minh Pham, Vice-President Andrés Quintero, and President Corina Herrera-Loera voted yes and Member Linda Chavez voted no on it.

## **13. Future Board Agenda Requests**

### **13.01 Future Board Agenda Requests**

There was none

## **14. ADJOURNMENT**

### **14.01 President Adjourns the Meeting**

President Corina Herrera-Loera adjourned the meeting at 11:30 p.m.

Respectfully submitted,

DocuSigned by:  
  
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Ernesto Bejarano, Board Clerk  
mc