

Revolt spreads in Alum Rock

Board

School board gets earful from a packed meeting room, retreats into closed session

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By Sharon Noguchi

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SAN JOSE » The Alum Rock schools community is fed up and not taking it any more.

Tired of board members who they feel disregard their complaints, impatient for basics like heating and cooling in classrooms and now angry that trustees ignore warnings of potential financial shenanigans, a movement is afoot to change board behavior — or change the board itself.

About 150 people crowded into two meeting rooms Thursday night and spilled into the hallway at the district offices. They lambasted the school board. Then while the board retreated midmeeting behind closed doors, discontented constituents seized a ready-made organizing opportunity to map strategy, plot tactics and air grievances.

Parents and teachers were joined by leaders of business, community groups and student organizations.

By the meeting's end near midnight, the crowd was perfecting its tactic of standing and turning their backs to show displeasure — often when board President Khanh Tran interrupted a speaker, interjected a comment or unilaterally tabled agenda items that he thought were not going to pass.

With trustee Dolores Marquez absent, many issues deadlocked on a 2-to-2 vote.

The revolution roared to life at a meeting that opened with Jon Gundry, Santa Clara County's superintendent of schools, formally



Luis Rojas, CEO of Del Terra Real Estate, provides a construction project update to the Alum Rock Union School District board on Thursday.

SHARON NOGUCHI — STAFF PHOTOGRAPHER

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presenting a state audit that warned of serious financial hazards facing the Alum Rock Union School District.

While Gundry did not present any new information from the report, which was released a month ago, he emphasized several points.

The district lacks adequate oversight and accountability, has no regular reporting of project schedules, and has non-standard language in its contracts with Del Terra Real Estate, which has earned millions of dollars managing Alum Rock's construction

response.

While a handful of people held signs supporting the school board, the crowd was overwhelmingly hostile to the board.

"The gross incompetence of this body is inexcusable," said parent Ernesto Bejarano.

"If you guys don't get your act together, we're going to run" for board, said Mimi Hernandez, a mother and grandmother.

During its brainstorming session on how to engineer change, old activists and newly minted insurgents took turns proposing ideas: monitor board action, plan for

funds, the report by the state Fiscal Crisis and Management Assistance Team noted.

Dual contracts give the Southern California-based Del Terra authority to manage individual building projects and the entire construction program.

The result of a six-month investigation, the report warned of a cozy relationship between Alum Rock board members and Del Terra, creating conditions conducive to fraud, mismanagement and misappropriation of funds.

“Del Terra promises that Del Terra does not take advantage of the district,” Gundry said. “It’s not just a case of the fox guarding the henhouse. There’s potentially exposure to legal liability.”

He offered Alum Rock assistance in cleaning up business practices. “We are here to help make you successful. We are not here to judge you,” he said.

But board President Khanh Tran and trustee Esau Ruiz Herrera did not take the outstretched hand.

Tran called the state report “sloppy,” relying on “alternative facts” and said, “You can throw it out the window.”

Herrera questioned its accuracy and its authors’ competence.

“My immediate gut reaction is they’re not construction people,” he said.

Chris Roux, attorney for Del Terra, cited several errors in the report and denied its statements that Del Terra didn’t respond to questions or requests for information.

This is the first time in state history, Gundry said, that a school board has resisted a county schools superintendent’s recommendation to rein in a district’s fiscal independence — which state schools chief Tom Torlakson did last month.

Instead of working cooperatively with the county office of education, the Alum Rock board plans to hire a law firm to craft its

the 2018 election and demand the board make meetings more accessible.

By dragging meetings out “they’re making sure that we get bored and tired, so when they make important decisions, no one is here,” said parent Jaimie Perez.

That was not the case Thursday, as the board room was still full when the board returned from closed session at 9:30 p.m. The board then proceeded to pour fuel on the fire of discontent, by rejecting trustee Andrés Quintero’s effort to terminate Del Terra’s contracts, and failing to kill the bid award recommended by Del Terra for a \$9.9 million multipurpose room at Fischer Middle School. Trustee Karen Martinez joined Quintero in voting against the award. It will appear on the next board agenda.

Parents have assailed multipurpose rooms and gyms for three middle schools as expensive projects that have shoved aside basic needed repairs.

In a report, Del Terra’s Luis Rojas offered cursory updates on projects, with photos but scant cost and budget numbers.

“We don’t want pretty pictures. We want dollars,” responded Raymond Mueller, head of the district’s Citizens Bond Oversight Committee.

But about Thursday’s turnout, Mueller was pleased.

“There were people there who never come out, and speakers who never step up to the podium,” he said, “and they all showed up ready to be part of the solution.”

For decades, they’ve been able to pick up apart from one another,” said Camille Llanes-Fontanilla, executive director of the community group Somos Mayfair. Tonight is the first night we’re saying, ‘no more.’” To read Spanish and Vietnamese versions of this document, go to the Santa Clara County Office of Education’s website.