



RIALTO

Unified School District

BOARD OF EDUCATION
AGENDA, OCTOBER 7, 2020



***“Bridging Futures
Through Innovation”***

MISSION

The mission of the Rialto Unified School District, the bridge that connects students to their aspirations for the future, is to ensure each student achieves personal and career fulfillment within a global society, through a vital system distinguished by:

- High expectation for student achievement
- Safe and engaging learning environments
- Effective family and community involvement
- Learning opportunities beyond the traditional school setting
- Appreciation of universal diversity

RUSD Board of Education

Mrs. Nancy G. O'Kelley, President

Ms. Dina Walker, Vice President

Mr. Joseph Martinez, Clerk

Mr. Joseph Ayala, Member

Mr. Edgar Montes, Member

Destiny Lopez, Student Member

RUSD Superintendent

Dr. Cuauhtémoc Avila



Cover Picture

The Rialto Unified School District Board of Education welcomes Eisenhower High School senior, **Destiny Lopez**, as the 2020-2021 Student Board Member! She was sworn-in at the RUSD School Board meeting on September 23 by Board President, **Mrs. Nancy G. O'Kelley** alongside her mother, Superintendent, **Dr. Cuauhtémoc Avila**, and Eisenhower High School Principal, **Mr. Frank Camacho**.

RIALTO UNIFIED SCHOOL DISTRICT
Dr. John R. Kazalunas Education Center
182 East Walnut Avenue
Rialto, California

NANCY G. O'KELLEY
President

JOSEPH W. MARTINEZ
Clerk

EDGAR MONTES
Member



DINA WALKER
Vice President

JOSEPH AYALA
Member

DESTINY LOPEZ
Student Board Member

CUAUHTÉMOC AVILA, ED.D.
Superintendent

IMPORTANT PUBLIC NOTICE

The Board Meeting of October 7, 2020 will be held TELEPHONICALLY and available to the public via streamlined-audio only.

For those that wish to participate in the meeting and/or make public comments, Please follow the steps set forth below:

- To access the Board Meeting via live stream, go to “Our Board”, scroll down to “Board Meeting Videos” and click play.
- The agenda may be accessed on our website by also going to “Our Board” and scrolling down to “Agendas and Minutes”.
- Although not required, for those who wish to make a public comment at this meeting, please email your comments to Martha Degortari, Executive Administrative Agent, at mdegorta@rialtousd.org, or leave a detailed message with your comment and call back number at (909) 820-7700, ext. 2124, no later than 4:00 p.m., the day of the Board meeting.
- To listen to this Board meeting in Spanish, please visit our website at www.rialto.k12.ca for instructions.



**RIALTO UNIFIED SCHOOL DISTRICT
REGULAR MEETING OF THE BOARD OF EDUCATION
AGENDA**

October 7, 2020

**Dr. John R. Kazalunas Education Center
182 East Walnut Avenue
Rialto, California**

Board Members:

**Nancy G. O'Kelley, President
Dina Walker, Vice-President
Joseph Martinez, Clerk
Joseph Ayala, Member
Edgar Montes, Member
Destiny Lopez, Student Board Member**

Superintendent:

Cuauhtémoc Avila, Ed.D.

Any individual who requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the Board meeting should contact the Superintendent or designee in writing.

Pages

A. OPENING

A.1 CALL TO ORDER - 6:30 p.m.

A.2 OPEN SESSION

A.2.1 Comments on Closed Session Agenda Items

Any person wishing to speak on any item on the Closed Session Agenda will be granted three minutes.

A.3 CLOSED SESSION

Moved _____

Seconded _____

As provided by law, the following are the items for discussion and consideration at the Closed Session of the Board Meeting:

Vote by Board Members to move into Closed Session.

_____ Nancy G. O'Kelley

_____ Dina Walker

_____ Joseph W. Martinez

_____ Joseph Ayala

_____ Edgar Montes

Time: _____

**A.3.1 PUBLIC EMPLOYEE
EMPLOYMENT/DISCIPLINE/DISMISSAL/RELEASE/REASSIG
NMENT OF EMPLOYEES (GOVERNMENT CODE SECTION
54957)**

**A.3.2 STUDENT EXPULSIONS/REINSTATEMENTS/EXPULSION
ENROLLMENTS**

A.3.3 CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Cuauhtémoc Avila, Ed.D., Superintendent; Rhea McIver Gibbs, Ed.D., Lead Personnel Agent, Personnel Services; and Rhonda Kramer, Lead Personnel Agent, Personnel Services.

Employee organizations: California School Employees Association, Chapter 203 (CSEA), Rialto Education Association (REA), Communications Workers of America (CWA)

A.4 ADJOURNMENT OF CLOSED SESSION

Moved _____

Seconded _____

Vote by Board Members to adjourn out of Closed Session.

_____ Nancy G. O'Kelley

_____ Dina Walker

_____ Joseph W. Martinez

_____ Joseph Ayala

_____ Edgar Montes

Time: _____

A.5 OPEN SESSION RECONVENED - 7:00 p.m.

A.6 PLEDGE OF ALLEGIANCE

A.7 REPORT OUT OF CLOSED SESSION

A.8 ADOPTION OF AGENDA

Moved _____

Seconded _____

Vote by Board Members to adopt the agenda.

_____ Nancy G. O'Kelley

_____ Dina Walker

_____ Joseph W. Martinez

_____ Joseph Ayala

_____ Edgar Montes

B. PRESENTATIONS - None

C. COMMENTS

C.1 PUBLIC COMMENTS FROM THE FLOOR

At this time, any person wishing to speak on any item **not on** the Agenda will be granted three minutes.

C.2 PUBLIC COMMENTS ON AGENDA ITEMS

Any person wishing to speak on any item on the Agenda will be granted three minutes.

C.3 COMMENTS FROM ASSOCIATION EXECUTIVE BOARD MEMBERS

Rialto Education Association (REA), California School Employees Association (CSEA), Communications Workers of America (CWA), Rialto School Managers Association (RSMA).

C.4 COMMENTS FROM THE SUPERINTENDENT

C.5 COMMENTS FROM MEMBERS OF THE BOARD OF EDUCATION

D. PUBLIC HEARING - None 12

E. CONSENT CALENDAR ITEMS 14

All items on the Consent Calendar will be acted upon in one motion unless pulled by Board of Education members or the Superintendent for individual action.

Moved _____

Seconded _____

Vote by Board Members to Consent Calendar items.

_____ Nancy G. O'Kelley

_____ Dina Walker

_____ Joseph W. Martinez

_____ Joseph Ayala

_____ Edgar Montes

E.1 MINUTES

E.1.1 MINUTES - REGULAR BOARD OF EDUCATION MEETING OF SEPTEMBER 23, 2020 15

Approve the minutes of the regular Board of Education meeting of September 23, 2020.

E.2	GENERAL FUNCTIONS CONSENT ITEMS	
E.2.1	SECOND READING OF REVISED BOARD POLICY 5125.1(a-b); RELEASE OF DIRECTORY INFORMATION	28
	Approve the second reading of revised Board Policy 5125.1(a-b); Release of Directory Information.	
E.2.2	SECOND READING OF REVISED BOARD POLICY 0420.4(a-h); CHARTER SCHOOL AUTHORIZATION	30
	Approve second reading of revised Board Policy 0420.4(a-h); Charter School Authorization.	
E.2.3	SECOND READING OF REVISED BOARD POLICY 0420.41(a-h); CHARTER SCHOOL OVERSIGHT	38
	Approve the second reading of revised Board Policy 0420.41(a-h); Charter School Oversight.	
E.2.4	SECOND READING OF REVISED BOARD POLICY 0420.43(a-d); CHARTER SCHOOL REVOCATION	48
	Approve second reading of revised Board Policy 0420.43(a-d); Charter School Revocation.	
E.3	INSTRUCTION CONSENT ITEMS - None	
E.4	BUSINESS AND FINANCIAL CONSENT ITEMS	
E.4.1	WARRANT AND PURCHASING ORDER LISTING	
	Approve Warrant Listing and Purchase Order listing for all funds from September 3, 2020 through September 16, 2020. (Sent under separate cover to Board Members). A copy for public review is available in the District's website.	
E.4.2	STUDENT TEACHER & INTERNSHIP AGREEMENT WITH ALLIANT INTERNATIONAL UNIVERSITY	52
	Ratify Student Teacher and Internship Agreement with Alliant International University to assist current and future educators in completing state requirements for credentialing from August 13, 2020 through August 12, 2023, at no cost to the District.	

- E.4.3 STUDENT TEACHING EXPERIENCE AGREEMENT WITH CALIFORNIA STATE UNIVERSITY, EAST BAY** 53
- Ratify Student Teaching Experience Agreement with California State University, East Bay to assist current and future educators in completing state requirements for credentialing from July 1, 2020 through June 30, 2025, at no cost to the District.
- E.4.4 AGREEMENT WITH GUNN PSYCHOLOGICAL, SERVICES INC.** 54
- Approve an agreement with Gunn Psychological, Services Inc. to provide Independent Education Evaluations (IEEs) effective October 8, 2020, through June 30, 2021, at a cost not-to-exceed \$10,000.00, to be paid from the General Fund - Special Education Budget.
- E.4.5 KEENAN & ASSOCIATES FOR CONSULTING SERVICES ON THE SUPPLEMENTAL EARLY RETIREMENT PLAN (SERP)** 55
- Approve an agreement with Keenan & Associates as the consultant to assist with the design, implementation and administration of a Supplemental Early Retirement Plan (SERP), effective October 8, 2020 through the duration of all benefits paid under the Plan over a period of five (5) years, at a cost of 3.75% fee based on annual premiums, to be paid from the General Fund.
- E.4.6 AGREEMENT WITH EHECATL WIND PHILOSOPHIES** 56
- Approve an agreement with Ehecatl Wind Philosophies to provide thirty-nine (39) virtual/live training workshops of professional development to high school teachers in the facilitation of the creation of Multicultural Literature and U.S. History: Race & Gender high school courses, effective October 8, 2020 through June 30, 2021, at a cost not-to-exceed \$42,900.00, and to be charged to the General Fund.

E.5 FACILITIES PLANNING CONSENT ITEMS

- E.5.1 NOTICE OF COMPLETION FOR TRANE U.S., INC. FOR THE COMPLETION OF THE FOURTH ENERGY EXPENDITURE PLAN (EEP NO. 4), PROP. 39 IMPLEMENTATION PHASE IV PROJECTS** 57

Approve the work completed before July 14, 2020 by Trane U.S, Inc. for all work required in connection with the Fourth Energy Expenditure Plan (EEP No. 4) Prop. 39 Implementation Phase IV Projects and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder, at no cost to the District.

E.6 PERSONNEL SERVICES CONSENT ITEMS

- E.6.1 PERSONNEL REPORT NO. 1244 FOR CLASSIFIED AND CERTIFICATED EMPLOYEES** 58

Approve Personnel Report No. 1244 for classified and certificated employees.

- E.6.2 RESOLUTION NO. 20-21-06 PROVISIONAL INTERNSHIP PERMIT** 62

Adopt Resolution No. 20-21-06 authorizing the Lead Personnel Agent, Personnel Services, to assign various teachers who are enrolled in a credential program, but have not yet completed the requirements to enter an internship program.

- E.6.3 RESOLUTION NO. 20-21-07 ENGLISH LEARNER AUTHORIZATION WAIVER** 63

Adopt Resolution No. 20-21-07 authorizing the Lead Personnel Agent, Personnel Services, to employ or assign identified individuals additional time to complete the requirements for the credential that authorizes the service or to provide employing agencies time to fill the assignment with an individual who either holds an appropriate credential or qualifies under one of the available assignment options. This includes waivers to employ or assign identified individuals when the employing agency finds there is an insufficient number of certificated persons who meet the specified employment criteria for the position.

F. DISCUSSION/ACTION ITEMS

64

F.1 BID NO. 20-21-001 FOR THE KITCHEN/MULTIPURPOSE ROOM EXPANSION PROJECT AT MILOR HIGH SCHOOL

65

Moved _____

Seconded _____

Award Bid No. 20-21-001 to Braughton Construction, Inc. for the Kitchen/Multipurpose Room Expansion Project at Milor High School, at a cost not-to-exceed \$968,000.00, and to be paid from Fund 21 – Measure Y, Series C.

Vote by Board Members.

_____ Nancy G. O'Kelley

_____ Dina Walker

_____ Joseph W. Martinez

_____ Joseph Ayala

_____ Edgar Montes

F.2 RESOLUTION NO. 20-21-08 SUPPLEMENTAL EARLY RETIREMENT PLAN (SERP)

66

Moved _____

Seconded _____

Adopt Resolution No. 20-21-08 establishing a Supplemental Early Retirement Plan (SERP) for Certificated (Management or Non-Management), Classified (Management or Non-Management), Supervisory and Confidential employees of the Rialto Unified School District effective July 1, 2021.

Vote by Board Members.

_____ Nancy G. O'Kelley

_____ Dina Walker

_____ Joseph W. Martinez

_____ Joseph Ayala

_____ Edgar Montes

Moved _____

Seconded _____

Adopt Resolution No. 20-21-09 declaring October 19 -23, 2020, as National School Bus Safety Week to provide schools with positive and safe learning climates.

Vote by Board Members.

_____ Nancy G. O'Kelley

_____ Dina Walker

_____ Joseph W. Martinez

_____ Joseph Ayala

_____ Edgar Montes

Moved _____

Seconded _____

Adopt Resolution No. 20-21-10 declaring October 12-16, 2020 as National School Lunch Week and encourages all residents to become aware and concerned about their children's and their own nutrition habits, in the hope of achieving a more healthful citizenry for today and the future.

Vote by Board Members.

_____ Nancy G. O'Kelley

_____ Dina Walker

_____ Joseph W. Martinez

_____ Joseph Ayala

_____ Edgar Montes

F.5 RESOLUTION NO. 20-21-11 TAX AND REVENUE ANTICIPATION NOTES (TRAN)

72

Moved _____

Seconded _____

Adopt Resolution No. 20-21-11 authorizing the Rialto Unified School District to submit an application with the California School Finance Authority's (CSFA) statewide pooled Tax and Revenue Anticipation Notes (TRAN).

Vote by Board Members.

_____ Nancy G. O'Kelley

_____ Dina Walker

_____ Joseph W. Martinez

_____ Joseph Ayala

_____ Edgar Montes

F.6 RENEWAL AGREEMENT WITH BLACKBOARD, INC.

74

Moved _____

Seconded _____

Ratify the renewal of the agreement with Blackboard, Inc., for a one (1) year subscription from July 1, 2020 through June 30, 2021, for use of the Blackboard, Inc. as a centralized communication service for the Rialto Unified School District education community, at a cost not-to-exceed \$58,750.00, and to be paid by the General Fund/Categorical Title I.

Vote by Board Members.

_____ Nancy G. O'Kelley

_____ Dina Walker

_____ Joseph W. Martinez

_____ Joseph Ayala

_____ Edgar Montes

G. ADJOURNMENT

The next regular meeting of the Board of Education of the Rialto Unified School District will be held on October 21, 2020, at 7:00 p.m., **telephonically and via streamlined-only**.

Materials distributed or presented to the Board of Education at the Board Meeting are available upon request from the Superintendent's Office.

Moved _____

Seconded _____

Vote by Board Members to adjourn.

_____ Nancy G. O'Kelley

_____ Dina Walker

_____ Joseph W. Martinez

_____ Joseph Ayala

_____ Edgar Montes

Time: _____

D PUBLIC HEARING

D. PUBLIC HEARING

NONE

E CONSENT CALENDAR ITEMS

MINUTES

RIALTO UNIFIED SCHOOL DISTRICT

September 23, 2020

**Dr. John R. Kazalunas Education Center
182 East Walnut Avenue
Rialto, California**

Board Members

Present:
Nancy O'Kelley, President
Dina Walker, Vice-President
Joseph Martinez, Clerk
Joseph Ayala, Member
Edgar Montes, Member

Administrators

Present:
Cuahtémoc Avila, Ed.D., Superintendent
Darren McDuffie, Ed.D., Lead Strategic Agent: Strategics,
Congruence and Social Justice
Martha Degortari, Executive Administrative Agent

A. OPENING

A.1 CALL TO ORDER - 6:30 p.m.

The regular Board meeting of the Board of Education, which was held telephonically and available to the public via streamlined audio only, was called to order at 6:32 p.m.

A.2 OPEN SESSION

A.2.1 Comments on Closed Session Agenda Items

Any person wishing to speak on any item on the Closed Session Agenda will be granted three minutes.

None.

A.3 CLOSED SESSION

Moved By Member Montes

Seconded By Clerk Martinez

As provided by law, the following are the items for discussion and consideration at the Closed Session of the Board Meeting:

Vote by Board Members to move into Closed Session.

Time: 6:32 p.m.

Approved by a Unanimous Vote

**A.3.1 PUBLIC EMPLOYEE
EMPLOYMENT/DISCIPLINE/DISMISSAL/RELEASE/REASSIGN
MENT OF EMPLOYEES (GOVERNMENT CODE SECTION
54957)**

**A.3.2 STUDENT EXPULSIONS/REINSTATEMENTS/EXPULSION
ENROLLMENTS**

A.3.3 CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Cuauhtémoc Avila, Ed.D., Superintendent; Rhea McIver Gibbs, Ed.D., Lead Personnel Agent, Personnel Services; and Rhonda Kramer, Lead Personnel Agent, Personnel Services.

Employee organizations: California School Employees Association, Chapter 203 (CSEA), Rialto Education Association (REA), Communications Workers of America (CWA)

A.4 ADJOURNMENT OF CLOSED SESSION

Moved By Clerk Martinez

Seconded By Vice-President Walker

Vote by Board Members to adjourn out of Closed Session.

Time: 7:06 p.m.

A.5 OPEN SESSION RECONVENED 7:00 p.m.

Open session reconvened at 7:06 p.m.

A.6 PLEDGE OF ALLEGIANCE

Board President Mrs. Nancy G. O'Kelley, led the pledge of allegiance.

A.7 REPORT OUT OF CLOSED SESSION

Superintendent, Dr. Avila, reported that in closed session the Board of Education took the following action:

Moved By Member Ayala

Seconded By Clerk Martinez

The Board of Education accepted the request for an unpaid leave of absence for classified employee #2904020, September 26, 2020 through December 18, 2020.

Approved by a Unanimous Vote

Moved By Clerk Martinez

Seconded By Vice-President Walker

The Board of Education took action to suspend certificated employee #2237520, without pay pursuant to Education Code section 44939 and to authorize the administration to issue a 30-Day Notice of Dismissal in accordance with Education Code Section 44934, and directed the Superintendent or designee to send out appropriate legal notices.

Approved by a Unanimous Vote

A.8 ADOPTION OF AGENDA

Business Consent Item No. E.4.6 - Agreement with Clay Counseling Foundation, was pulled from the agenda

Vote by Board Members to adopt the agenda as amended.

B. PRESENTATIONS

B.1 2020-21 STUDENT BOARD MEMBER

Board President, Mrs. Nancy G. O'Kelley, introduced and administered the Oath of Office to new Student Board Member, Destiny Lopez.

B.2 LEARNING CONTINUITY AND ATTENDANCE PLAN (SB 98) - FINAL REVIEW

Carol Mehochko, Academic Agent: Special Programs, provided a final review presentation on the District's Learning Continuity and Attendance Plan (SB 98).

C. COMMENTS

C.1 PUBLIC COMMENTS FROM THE FLOOR

At this time, any person wishing to speak on any item **not on** the Agenda will be granted three minutes.

None.

C.2 PUBLIC COMMENTS ON AGENDA ITEMS

Any person wishing to speak on any item **on** the Agenda will be granted three minutes.

None.

C.3 COMMENTS FROM ASSOCIATION EXECUTIVE BOARD MEMBERS

Rialto Education Association (REA), California School Employees Association (CSEA), Communications Workers of America (CWA), Rialto School Managers Association (RSMA).

Superintendent, Dr. Avila, read the following public comment, which was received via email:

Angela Brantley, RSMA President, shared that the Rialto School Management Association (RSMA) commended the entire Rialto community and District colleagues as they continue to serve students and families through these challenging times.

She announced that the annual RSMA Membership drive has begun and has gone virtual. Information went out to all managers launching the two-week membership drive this past Monday, September 21, 2020 until Monday October 5, 2020. They invite all managers to join early, as they want to continue to bring staff development and networking opportunities, as well as scholarships for members and students.

She also shared that last spring, they held a very engaging event entitled, "Racism is a Public Health Crisis" with over 100 managers in attendance. The discussion was a call to action. They promised at that time to continue the dialogue with a follow up event. At this time, they would like to extend an invitation to all Rialto USD managers on October 29th from 4:30-6:00pm for our "Let's Stop Talking, Let's Take Action" event. It will be hosted by RSMA Board members who will facilitate and lead discussions on strategies and actions that we can begin implementing on our campuses.

C.4 COMMENTS FROM THE SUPERINTENDENT

C.5 COMMENTS FROM MEMBERS OF THE BOARD OF EDUCATION

D. PUBLIC HEARING

D.1 OPEN PUBLIC HEARING

Any person wishing to speak on the item on the Public Hearing Agenda will be granted three minute.

Moved By Member Montes

Seconded By Vice-President Walker

Vote by Board Members to open Public Hearing.

Time: 7:52 p.m.

Approved by a Unanimous Vote

D.1.1 PUPIL TEXTBOOK AND INSTRUCTIONAL MATERIALS PROGRAM

D.2 CLOSE PUBLIC HEARING

Moved By Clerk Martinez

Seconded By Member Montes

Vote by Board Members to close Public Hearing.

Time: 7:53 p.m.

Approved by a Unanimous Vote

E. CONSENT CALENDAR ITEMS

All items on the Consent Calendar will be acted upon in one motion unless pulled by Board of Education members or the Superintendent for individual action.

Moved By Vice-President Walker

Seconded By Clerk Martinez

Vote by Board Members to approve Consent Calendar items.

Approved by a Unanimous Vote

E.1 MINUTES

E.1.1 MINUTES - REGULAR BOARD OF EDUCATION MEETING OF SEPTEMBER 9, 2020

Moved By Vice-President Walker

Seconded By Clerk Martinez

Approve the minutes of the regular Board of Education meeting of September 9, 2020.

Approved by a Unanimous Vote

E.2 GENERAL FUNCTIONS CONSENT ITEMS

E.2.1 FIRST READING OF REVISED BOARD POLICY 5125.1(a-b); RELEASE OF DIRECTORY INFORMATION

Moved By Vice-President Walker

Seconded By Clerk Martinez

Approve the first reading of revised Board Policy 5125.1(a-b); Release of Directory Information.

Approved by a Unanimous Vote

E.2.2 FIRST READING OF REVISED BOARD POLICY 0420.4(a-h); CHARTER SCHOOL AUTHORIZATION

Moved By Vice-President Walker

Seconded By Clerk Martinez

Approve the first reading of revised Board Policy 0420.4(a-h); Charter School Authorization.

Approved by a Unanimous Vote

E.2.3 FIRST READING OF REVISED BOARD POLICY 0420.41(a-h); CHARTER SCHOOL OVERSIGHT

Moved By Vice-President Walker

Seconded By Clerk Martinez

Approve the first reading of revised Board Policy 0420.41(a-h); Charter School Oversight.

Approved by a Unanimous Vote

**E.2.4 FIRST READING OF REVISED BOARD POLICY 0420.43(a-d);
CHARTER SCHOOL REVOCATION**

Moved By Vice-President Walker

Seconded By Clerk Martinez

Approve the first reading of revised Board Policy 0420.43(a-d);
Charter School Revocation.

Approved by a Unanimous Vote

E.3 INSTRUCTION CONSENT ITEMS - None

E.4 BUSINESS AND FINANCIAL CONSENT ITEMS

E.4.1 WARRANT AND PURCHASING ORDER LISTINGS

Moved By Vice-President Walker

Seconded By Clerk Martinez

Approve Warrant Listing and Purchase Order listing for all funds from
August 7, 2020 through September 2, 2020. (Sent under separate
cover to Board Members). A copy for public review is available in
the District's website.

Approved by a Unanimous Vote

E.4.2 DONATIONS

Moved By Vice-President Walker

Seconded By Clerk Martinez

Accept the listed donation from Southwire, and request that a letter
of appreciation be sent to the donor.

Approved by a Unanimous Vote

**E.4.3 CALIFORNIA STUDENT OPPORTUNITY AND ACCESS
PROGRAM (CAL-SOAP) INLAND EMPIRE IN PARTNERSHIP
WITH CALIFORNIA STATE UNIVERSITY, SAN BERNARDINO
(CSUSB)**

Moved By Vice-President Walker

Seconded By Clerk Martinez

Ratify the approval of Rialto Unified School District's participation in the Cal-SOAP Inland Empire Program effective August 2020 through June 2023, at no cost to the District.

Approved by a Unanimous Vote

E.4.4 MEMORANDUM OF UNDERSTANDING WITH CALIFORNIA PARTNERSHIP FOR ACHIEVING STUDENT SUCCESS (Cal-PASS PLUS)

Moved By Vice-President Walker

Seconded By Clerk Martinez

Approve the Memorandum of Understanding (MOU) with Cal-PASS Plus for data sharing, effective September 24, 2020 through June 30, 2023, at no cost to the District.

Approved by a Unanimous Vote

E.4.5 AGREEMENT WITH ST. CATHERINE OF SIENA PRIVATE SCHOOL FOR TITLE III SERVICES

Moved By Vice-President Walker

Seconded By Clerk Martinez

Approve an agreement with St. Catherine of Siena Private School for Anna Corlew, Salve Banzon and Angelica Regalado to provide extended day services during non-school hours three (3) to five (5) times per week to students identified as English Learners at St. Catherine of Siena Private School, effective September 30, 2020 through May 28, 2021, at a cost not-to-exceed \$3,900.00, and to be paid from the General Fund, Title III.

Approved by a Unanimous Vote

E.4.7 CONSOLIDATED APPLICATION FOR THE 2020-21 SCHOOL YEAR

Moved By Vice-President Walker

Seconded By Clerk Martinez

Approve the Rialto Unified School District's application for federal funding through the Consolidated Application for the 2020-21 school year that was submitted in August 2020, at no cost to the District.

Approved by a Unanimous Vote

E.4.8 POWER SAFETY POWER SHUTOFF (PSPS) COMMUNITY RESOURCE CENTER (CRC) AND LICENSE AGREEMENT WITH SOUTHERN CALIFORNIA EDISON (SCE) AT KORDYAK ELEMENTARY SCHOOL

Moved By Vice-President Walker

Seconded By Clerk Martinez

Approve the Power Safety Power Shutoff Community Resource Center (CRC) and License Agreement with Southern California Edison Company at Kordyak Elementary School, from September 24, 2020 through September 24, 2025, with a renewal option of five (5) additional years.

Approved by a Unanimous Vote

E.4.9 CITY OF SAN BERNARDINO POLICE DEPARTMENT – SCHOOL RESOURCE OFFICER (SRO)

Moved By Vice-President Walker

Seconded By Clerk Martinez

Ratify the Termination of the existing Memorandum of Understanding (MOU) with the City of San Bernardino Police Department, retroactive to July 1, 2020, and renegotiate terms under a new Memorandum of Understanding after students return to our campuses, at no cost to the District.

Approved by a Unanimous Vote

E.4.10 CITY OF RIALTO POLICE DEPARTMENT – SCHOOL RESOURCE OFFICER (SRO)

Moved By Vice-President Walker

Seconded By Clerk Martinez

Ratify the temporary suspension from August 1, 2020 until further notice and approve the amendment to the existing Memorandum of Understanding with the City of Rialto Police Department so that when School Resource Officers resume duties, the terms of the MOU will be extended through June 30, 2022, at no cost to the District.

Approved by a Unanimous Vote

E.4.11 2020-21 FRESH FRUIT AND VEGETABLE PROGRAM GRANT

Moved By Vice-President Walker

Seconded By Clerk Martinez

Accept the first allocation, in the amount of \$52,098.75, to start-up the Fresh Fruit and Vegetable Program Grant for the following Schools: Bemis, Boyd, Casey, Curtis, Dollahan, Dunn, Garcia, Henry, Hughbanks, Kelley, Morgan, Morris, Myers, Preston, Simpson and Werner Elementary, at no cost to the District.

Approved by a Unanimous Vote

E.4.12 DATA PRIVACY AGREEMENTS FOR THIRD PARTY APPLICATIONS

Moved By Vice-President Walker

Seconded By Clerk Martinez

Approve the Data Privacy Agreements for the following Program/Applications: Epic! Books, EdPuzzle, and Screencastify, for the term as specified in each agreement, at no cost to the District.

Approved by a Unanimous Vote

E.5 FACILITIES PLANNING CONSENT ITEMS

E.5.1 NOTICE OF COMPLETION FOR BRAUGHTON CONSTRUCTION INC.

Moved By Vice-President Walker

Seconded By Clerk Martinez

Accept all of the required work completed before August 24, 2020 by Braughton Construction, Inc. in connection to the addition of three (3) Relocatable Classroom Buildings, one (1) Modular Restroom Building and associated ADA site work at Morgan Elementary School and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder, at no cost to the District.

Approved by a Unanimous Vote

E.5.2 NOTICE OF COMPLETION FOR IVL CONTRACTORS, INC.

Moved By Vice-President Walker

Seconded By Clerk Martinez

Accept all the required work completed before August 24, 2020 by IVL Contractors, Inc. in connection with the Eisenhower High School Building R Modernization Project, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder, at no cost to the District.

Approved by a Unanimous Vote

E.6 PERSONNEL SERVICES CONSENT ITEMS

E.6.1 PERSONNEL REPORT NO. 1243 FOR CLASSIFIED AND CERTIFICATED EMPLOYEES

Moved By Vice-President Walker

Seconded By Clerk Martinez

Approve Personnel Report No. 1243 for classified and certificated employees.

Approved by a Unanimous Vote

E. CONSENT CALENDAR ITEMS

E.4 BUSINESS AND FINANCIAL CONSENT ITEMS

E.4.6 AGREEMENT WITH CLAY COUNSELING FOUNDATION

Item was pulled from the Agenda.

~~Approve an agreement with Clay Counseling Foundation in conjunction with Young Visionaries to provide a full-scale mentorship program to students at Rialto Unified School District and parenting courses, effective September 24, 2020 through June 30, 2021, at a cost not to exceed \$45,000.00, and to be paid from the General Fund.~~

F. DISCUSSION/ACTION ITEMS

F.1 RESOLUTION NO. 20-21-05 SUFFICIENCY OF INSTRUCTIONAL MATERIALS

Moved By Clerk Martinez

Seconded By Vice-President Walker

Adopt Resolution No. 20-21-05, Sufficiency of Instructional Materials.

Vote by Board Members.

Approved by a Unanimous Vote

F.2 LEARNING CONTINUITY AND ATTENDANCE PLAN (LEARNING CONTINUITY PLAN) FOR THE 2020-21 SCHOOL YEAR

Moved By Clerk Martinez

Seconded By Vice-President Walker

Approve the Learning Continuity and Attendance Plan (Learning Continuity Plan) for the 2020-21 school year.

Vote by Board Members.

Approved by a Unanimous Vote

F.3 AGREEMENT WITH PF VISION INC. FOR INSPECTION SERVICES FOR THE EXPANSION OF THE MULTIPURPOSE ROOM/KITCHEN PROJECT AT MILOR HIGH SCHOOL

Moved By Clerk Martinez

Seconded By Vice-President Walker

Approve an agreement with PF Vision Inc. for inspection services for the Expansion of the Multipurpose Room/Kitchen Project at Milor High School from October 1, 2020 through June 30, 2021, at a cost not to exceed \$75,000.00, to be paid from Fund 21 – Measure Y, Series C, General Obligation (G.O.) Bond.

Vote by Board Members.

Approved by a Unanimous Vote

G. ADJOURNMENT

The next regular meeting of the Board of Education of the Rialto Unified School District will be held on October 7, 2020, at 7:00 p.m., **telephonically and via streamlined-only.**

Materials distributed or presented to the Board of Education at the Board Meeting are available upon request from the Superintendent's Office.

Seconded By Member Montes
Vote by Board Members to adjourn.

Upon a motion by Student Board Member Lopez, seconded by Member Montes, and approved by Student Board Member Lopez's preferential vote and a unanimous 5-0 vote by the Board of Education, the meeting was adjourned.

Time: 8:04 p.m.

Approved by a Unanimous Vote

Clerk, Board of Education

Secretary, Board of Education



RIALTO UNIFIED SCHOOL DISTRICT

Students

BP 5125.1(a)

RELEASE OF DIRECTORY INFORMATION

The Governing Board recognizes the importance of maintaining the confidentiality of directory information and therefore authorizes the release of such information only in accordance with law, Board policy, and administrative regulation.

The Superintendent or designee may ~~authorize the release of~~ student directory information to representatives of the news media, prospective employers or nonprofit organizations as provided by law, **Board policy, and administrative regulation.** ~~Unless prohibited by the parent/guardian in accordance with law, directory information which school officials may disclose consists of the following: student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of athletic team members, dates of attendance, degrees and awards received, and most recent previous school attended.~~

The Superintendent or designee may limit or deny the release of specific directory information to any public or private nonprofit organization based on his/her determination of the best interest of the student. (Education Code 49073)

~~Military services representatives shall have access to directory information.~~

Colleges and prospective employers, including military recruiters, shall have access to directory information. Military recruiters shall have access to a student's name, address, and telephone number, unless the parent/guardian has specified that the information not be released in accordance with law and administrative regulation. (20 USC 7908; 10 USC 503; Education Code 49603)

The Superintendent or designee shall develop procedures regarding the release of directory information and notification of parents/guardians, including the right of parents/guardians to opt out of providing directory information to third parties.

Under no circumstances shall directory information be disclosed to a private profit-making entity ~~other than employers, prospective employers, and representatives of the news media~~ **except for representatives of the news media and prospective employers, in accordance with Board Policy.** Private schools and colleges may be given the names and addresses of 12th-grade students and students who are no longer enrolled provided they use this information only for purposes directly related to the institution's academic or professional goals. (Education Code 49073)

RELEASE OF DIRECTORY INFORMATION - continued

Legal Reference:

EDUCATION CODE

49061 Definitions

49063 Notification of parents of their rights

49073 Release of directory information

49073.5 Directory information; military representatives; telephone numbers

49603 Public high schools; military recruiting

UNITED STATES CODE, TITLE 10

503 Military recruiter access to directory information

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

PUBLIC LAW 107-110

9528 Armed forces recruiter access to students and student recruiting information

Management Resources:

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Access to High School Students and Information on Students by Military Recruiters, 2002

WEB SITES

United States Department of Education: <http://www.ed.gov>

Policy

adopted: August 25, 1999

revised: April 15, 2002

revised: January 8, 2003

revised:

RIALTO UNIFIED SCHOOL DISTRICT

Rialto, California



RIALTO UNIFIED SCHOOL DISTRICT

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0420.4(a)

CHARTER SCHOOL AUTHORIZATION

The Board of Education recognizes that charter schools may assist the district in offering diverse learning opportunities for district students. In considering any petition to establish a charter school within the district, the Board shall give careful consideration to the potential of the charter school to provide students with a high-quality education that enables them to achieve to their fullest potential.

One or more persons may submit a petition for a start-up charter school to be established within the district. In addition, an existing district school may be converted to a charter school when deemed beneficial by the district and community ~~or when state or federal law requires restructuring of the school because of low performance.~~

~~(cf. 0520.2 Title I Program Improvement Schools)~~

Any petition for a start-up charter school or conversion charter school shall include all components ~~and signatures~~ **and statements** required by law, **as specified in the accompanying administrative regulation. The proposed charter shall be attached to the petition.** ~~and shall be submitted to the Board.~~

The Superintendent or designee may work with charter school petitioners prior to the formal submission of the petition in order to ensure compliance of the petition with legal requirements. As needed, he/she also may meet with the petitioners to establish workable plans for ~~technical assistance or~~ contracted services which the district may provide to the proposed charter school.

Within ~~30-60~~ days of receiving a petition to establish a charter school, **the Board shall hold a public hearing on the charter provisions, at which time the Board shall consider** ~~determine~~ the level of support for the petition by teachers, other employees of the district, and parents/guardians. (Education Code 47605)

The Board shall either grant or deny the petition at a public hearing held within 90 days of receiving the petition, or within 120 days with the consent of both the petitioner and the Board (Education Code 47605)

~~(cf. 9320 - Meetings and Notices)~~

At least 15 days before the public hearing at which the Board will grant or deny the charter, the district shall publish all staff recommendations regarding the petition, including any recommended findings and, if applicable, certification from the County Superintendent of Schools regarding the potential fiscal impact of the charter schools on the district. During the public hearing, the petitioners shall have equal time and opportunity to present evidence and testimony in response to the staff recommendations

CHARTER SCHOOL AUTHORIZATION (continued)

~~and findings. Within 60 days of receiving a petition, or within 90 days with mutual consent of the petitioners and the Board, the Board shall either approve or deny the request to establish the charter school. (Education Code 47605)~~

The Superintendent or designee shall maintain accurate records, in relation to each charter petition, of documents submitted, the Board's proceedings, and the findings upon which the Board's decision is made.

~~The approval or denial of a charter petition shall not be controlled by collective bargaining agreements nor subject to review or regulation by the Public Employment Relations Board. (Education Code 47611.5)~~

Approval of Petition

~~The Board shall approve the charter petition if doing so is consistent with sound educational practice. A charter petition shall be granted only if the Board is satisfied that doing so is consistent with sound educational practice and the interests of the community in which the school is proposing to locate. In granting charters, the Board shall consider the academic needs of the students the charter school proposes to serve and shall give preference to schools best able to provide comprehensive learning experiences for academically low-achieving students according to standards established by the California Department of Education (CDE) under Education Code 54032. (Education Code 47605)~~

Prior to authorizing any charter, the Board shall verify that the charter includes adequate processes and measures for monitoring and holding the school accountable for fulfilling the terms of its charter and complying with all applicable laws, including Education Code 47604. Such processes and measures shall include, but are not limited to, fiscal accountability systems, multiple measures for evaluating the educational program, inspection and observations of any part of the charter school, and regular reports to the Board.

The Board may initially grant a charter for a specified term not to exceed five years.

(Education Code 47607) (cf. 0420.42 - Charter School Renewal)

(cf. 0420.43 - Charter School Revocation)

The Board shall ensure that any approved charter contains adequate processes and measures for holding the school accountable for fulfilling the terms of its charter. These shall include, but not be limited to, fiscal accountability systems, multiple measures for evaluating the educational program, and regular reports to the Board.

CHARTER SCHOOL AUTHORIZATION (continued)

(cf. 0420.41 - Charter School Oversight)

The approval or denial of a charter petition shall not be controlled by collective bargaining agreements nor subject to review or regulation by the Public Employment Relations Board. (Education Code 47611.5)

~~The district shall not require any district student to attend the charter school nor shall it require any district employee to work at the charter school. (Education Code 47605)~~

The Board may approve one or more memoranda of understanding to clarify the financial and operational agreements between the district and the charter school. Any such memorandum of understanding shall be annually reviewed by the Board and charter school governing body and amended as necessary.

When a petition is approved by the Board it shall be the responsibility of the petitioners to provide written notice of the Board's approval and a copy of the charter to the County Superintendent of Schools, the CDE, and the State Board of Education (SBE). (Education Code 47605)

Denial of Petition

The Board **shall summarily deny any charter petition that proposes to:**
~~deny any petition to authorize the conversion of a private school to a charter school or that proposes to serve students in a grade level that is not served by the district, unless the petition proposes to serve students in all the grade levels served by the district. (Education Code 47602, 47605; 5 CCR 11965)~~

~~Any other charter petition shall be denied only if the Board presents written factual findings specific to the petition that one or more of the following conditions exist: (Education Code 47605)~~

1. **Operate a The charter school as or by a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization (Educational Code 47604)** ~~presents an unsound educational program for the students to be enrolled in the charter school.~~
2. **Convert a private school to a charter school (Education Code 47602)** ~~The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.~~
3. **Serve students in a grade level that is not served by the district, unless the petition proposes to serve students in all the grade levels served by the district (Education Code 47605)** ~~does not contain the number of signatures required.~~
4. **Offer nonclassroom-based instruction (Education Code 47612.7)** ~~The petition does not contain an affirmation of each of the conditions described in Education Code 47605(d).~~

CHARTER SCHOOL AUTHORIZATION (continued)

~~5. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(b).~~

Regarding all other charter petitions, the ~~The~~ Board shall ~~not~~ deny a petition **only if the Board makes written factual findings specific to the petition that one or more of the following conditions exist:** ~~based on the actual or potential costs of serving students with disabilities, nor shall it deny a petition solely because the charter school might enroll disabled students who reside outside the special education local plan area in which the district participates. (Education Code 47605;5 47605.7, 47647 CCR 11967.5.1)~~

~~(cf. 0430—Comprehensive Local Plan for Special Education)~~

- 1. The Charter school presents an unsound educational program that has a likelihood of physical, educational, or psychological harm to, or which is not likely to provide an educational benefit for, the student to be enrolled in the charter school.**
- 2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.**
- 3. The petition does not contain the number of signatures required.**
- 4. The petition does not contain a clear, unequivocal statement described in Education Code 47605(e), including that the charter school will be nonsectarian and that the school shall not charge tuition or discriminate against any student based on the characteristics specified in Education Code 220.**
- 5. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(c).**
- 6. The petition does not contain a declaration as to whether or not the charter school shall be deemed the exclusive public employer of the school's employees for purposes of collective bargaining pursuant to Government Code 3540-3549.3.**
- 7. The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate. Analysis of this finding shall include consideration of the fiscal impact of the proposed charter school. A written factual finding shall detail specific facts and circumstances regarding:**
 - a. The extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings**
 - b. Whether the proposed charter school would duplicate a program currently offered within the district, when the existing program has sufficient capacity for the students proposed to be served within reasonable proximity to where the charter school intends to locate.**

CHARTER SCHOOL AUTHORIZATION (continued)

8. The district is not positioned to absorb the fiscal impact of the proposed charter school. The district meets this criterion if it has a negative interim certification, or has a qualified interim result in the district having a negative interim certification.

~~If the~~ **The Board shall not deny a petition based on the actual or potential costs of serving students with disabilities, nor shall it deny a petition solely because the charter school might enroll students with disabilities who reside outside the special education local plan area in which the district participates. the petitioners may choose to submit the petition to the County Board of Education and, if then denied by the County Board, to the SBE. (Education Code 47605.7, 47647)**

(cf. 0430 - Comprehensive Local Plan for Special Education)

Appeals

If the Board denies a petition, the petitioner may choose to submit the petition to the County Board of Education and , if then denied by the County Board, to SBE. (Education Code 47605)

At the request of the petitioner, the Board shall prepare the documentary record, including a transcript of the public hearing at which the Board denied the charter, no later than 10 business days after the petitioner makes the request. (Education Code 47605)

Within 30 days of receipt of an appeal submitted to SBE, the Board may submit a written opposition to SBE detailing, with specific citations to the documentary record, how the Board did not abuse its discretion in denying the petition. (Education Code 47605)

If either the County Board or SBE remands the petition to the Board because the petition on appeal contains new or different materials terms, the Board shall consider the petition and grant shall or deny the petition within 30 days. (Education Code 47605)

Legal Reference:

EDUCATION CODE

200 Equal rights and opportunities in state educational institutions

220 Nondiscrimination

1240 Duties of County Superintendent

17078.52-17078.66 Charter schools facility
funding; state bond proceeds 17280-17317 Field
Act

17365-17374 Field Act,
fitness for occupancy

**32282 Comprehensive
safety plan**

CHARTER SCHOOL AUTHORIZATION (continued)

33126 School Accountability

Report Card

41365 Charter school
revolving loan fund

42131 Interim certification

42238.51-42238.53 Funding for charter districts

44237 Criminal record summary

44830.1 Certificated employees, conviction of a
violent or serious felony 45122.1 Classified
employees, conviction of a violent or serious felony

46201 Instructional minutes

47600-47616.7 Charter Schools Act of 1992

47640-47647 Special education funding for charter
schools 47650-47652 Funding of charter schools

49011 Student fees

51745-51749.3

Independent study

**52052 Accountability: numerically significant
student subgroups**

52060-52077 Local control and accountability plan

~~53300-53303-~~

~~Parent-~~

~~Empowerment Act~~

56026 Special

education

56145-56146 Special education

services in charter schools

CORPORATIONS CODE

5110-6910 Nonprofit public benefit
corporations GOVERNMENT CODE

**1090-1099 Prohibitions applicable
to specified officers**

3540-3549.3 Educational

Employment Relations Act

6250-6270 California Public

Records Act

54950-54963 Ralph M. Brown

Act

81000-91014 Political Reform

Act of 1974

CHARTER SCHOOL AUTHORIZATION (continued)

CODE OF REGULATIONS,
TITLE 5

~~4800-4808 Parent
Empowerment Act~~

11700.1-11705

Independent study

~~11960-11969~~**11968.5.5** Charter schools

~~CODE OF REGULATIONS, TITLE 24~~

~~101 et seq. California
Building Standards Code~~

UNITED STATES

CODE, TITLE 20

~~6316 Program improvement~~

7223-7225 Charter schools COURT DECISIONS

Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130

Cal.App.4th 986 ATTORNEY GENERAL OPINIONS

Opinion No. 11-201 (2018)

89 Ops.Cal.Atty.Gen. 166 (2006)

80 Ops.Cal.Atty.Gen. 52 (1997)

78 Ops.Cal.Atty.Gen. 297 (1995)

Management Resources:

CSBA PUBLICATIONS

**Uncharted Waters: Recommendations for Prioritizing Student
Achievement and Effective Governance in California's Charter Schools,
September 2018**

**Charter Schools in Focus, Issue 1: Managing the Petition Review
Process, Governance Brief, November 2016**

**Charter Schools and Board Member Responsibilities, Education
Insights Legal Update Webcast, March 2016**

Charter Schools: A Guide for Governance Teams, rev. February 2016

~~The Role of the Charter School Authorizer,
Online Course Charter Schools: A Manual
for Governance Teams, rev. 2009~~

CHARTER SCHOOL AUTHORIZATION (continued)

~~Charter School Facilities and Proposition 39: Legal Implications for School Districts, 2005 CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS~~
Sample Copy of a Memorandum of Understanding

~~Special Education and Charter Schools: Questions and Answers, September 10, 2002~~

U.S. DEPARTMENT OF EDUCATION GUIDANCE PUBLICATIONS

Dear Colleague Letter: Guidance Regarding the Oversight of Charter Schools Program and Regulatory Requirements, including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, August 2016

~~Charter Schools Program, July 2004: Title V, Part B of the ESEA, Nonregulatory Guidance, January 2014~~

Guidance on the Voluntary Use of Race to Achieve Diversity and Avoid Racial Isolation in Elementary and Secondary Schools, December 2011

~~The Impact of the New Title I Requirements on Charter Schools, July 2004~~

WEB SITES

CSBA: <http://www.csba.org>

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools:
<http://www.cde.ca.gov/sp/cs> National Association of Charter School

Authorizers: <http://www.charterauthorizers.org>

U.S. Department of Education:

<http://www.ed.gov> Policy

Policy
adopted: September 12, 2001
revised: June 23, 2004
revised: August 23, 2006
revised: August 8, 2012
revised:

RIALTO UNIFIED SCHOOL DISTRICT
Rialto, California



RIALTO UNIFIED SCHOOL DISTRICT

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0420.41(a)

CHARTER SCHOOL OVERSIGHT

The ~~Governing Board of Education~~ recognizes its ongoing responsibility to ~~ensure~~ **oversee** that any charter school authorized by the Board is successfully fulfilling the terms of its charter and is providing a high-quality educational program for students enrolled in the charter school.

(cf. 0420.4 - Charter School Authorization)
(cf. 0500 - Accountability)

The Superintendent or designee shall identify at least one staff member to serve as a contact **person** for each charter school **authorized by the Board**. (Education Code 47604.32)

The ~~Board and Superintendent or designee may inspect or observe any part of the charter school at any time.~~ The Superintendent or designee shall visit each charter school at least annually **and may inspect or observe any part of a charter school at any time**. (Education Code 47604.32, 47607)

The Superintendent or designated charter school contact shall attend meetings of the charter school governing body whenever possible and shall periodically meet with the representative of the charter school.

Waivers

If the charter school wishes to request a general waiver of any state law or regulation applicable to it, it shall request that the district submit a general waiver request of the State Board of Education (SBE) on its behalf. Upon approval of the Board, the Superintendent or designee shall submit such a waiver request to the SBE on behalf of the charter school.

(cf.1431 - Waivers)

~~Whenever a charter school operates as or is operated by a nonprofit public benefit corporation as authorized by Education Code 47604, the Superintendent shall recommend and the Board shall appoint a district representative, who may be the district's charter school contact, to serve as a voting or nonvoting member of the corporation's board of directors.~~

Provision of District Services

~~The district may charge for the actual costs of supervisorial oversight of a charter school not to exceed one percent of the charter school's revenue. If the district is able to provide substantially rent-free facilities to the charter school, the district may charge actual costs up to~~

CHARTER SCHOOL OVERSIGHT

~~three percent of the charter school's revenue for supervisory oversight. (Education Code 47613)~~

~~(cf. 7160—Charter School Facilities)~~

The charter school may ~~separately~~ purchase administrative or other services from the district or any other source. (Education Code 47613)

Whenever the district agrees to provide administrative or support services to a charter school, the district and the charter school shall develop a memorandum of understanding which clarifies the financial and operational agreements between them.

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System or Public Employees' Retirement System on behalf of the charter school. The **district may charge the charter school** ~~may be charged~~ for the actual costs of the reporting services, but shall not ~~be required~~ **the charter school** to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

Waivers

~~If the charter school wishes to request a general waiver of any state law or regulation, it shall request that the Superintendent or designee submit a general waiver request to the State Board of Education (SBE) on its behalf.~~

Material Revisions to Charter

Material revisions to a charter may ~~be made~~ only **be made** with Board approval. Material revisions shall be governed by the same standards and criteria that apply to new ~~charter~~ petitions **for the authorization charter schools** as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement ~~of~~ **for** charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

If an approved charter school proposes to ~~expand~~ **establish or move** operations to one or more additional sites **or grade levels**, ~~within the district's boundaries~~, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations **or grade levels**. The Board shall consider approval of the additional locations **or grade levels** at an open meeting. (Education Code 47605)

The Board shall have the authority to determine whether a proposed change in charter school operations constitutes a material revision **of the approved charter**.

CHARTER SCHOOL OVERSIGHT

Monitoring Charter School Performance

The Superintendent or designee shall ~~regularly report to the Board on the charter school's performance, based on the academic and fiscal accountability measures specified in the approved charter.~~ **monitor each charter school that is authorized by the district to determine whether it complies with all legal requirements applicable to charter schools, including making all reports required of charter schools in accordance with Education Code 47604.32. Any violations of law shall be reported to the Board.**

~~In providing general oversight of a charter school, the Board and the Superintendent or designee shall determine whether the school complies with all legal requirements applicable to charter schools, including making all reports required of charter schools in accordance with Education Code 47604.32.~~

The Board shall monitor each charter school to determine whether it is achieving the measurable student outcomes set forth in the charter, both schoolwide and for each numerically significant student subgroup served by the school as defined in Education Code 52052. This determination shall be based on the measures specified in the approved charter and any applicable memorandum of understating, and on the charter school's annual review and assessment of its progress toward the goals and actions identified in its local control and accountability plan (LCAP), as reported in the California School Dashboard

The Board shall monitor the fiscal condition of the charter school based on any financial report or information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, annual update of the charter school's LCAP, first and second interim financial reports, and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33, 47606.5)

~~The Board shall monitor each charter school to determine whether it is achieving the outcomes for student learning set forth in the charter agreement. In addition, the Board shall determine whether the charter school makes "adequate yearly progress" as defined by the SBE and federal Title I accountability requirements. If a charter school fails to make~~

~~adequate yearly progress for two or more consecutive years, the Board shall take action for program improvement in accordance with law, Board policy, and administrative regulations.~~

~~(cf. 0520.2—Title I Program Improvement Schools)~~

~~Evaluation data for the charter school shall be considered in the Board's determination of the renewal or revocation of a charter.~~

CHARTER SCHOOL OVERSIGHT

~~(cf. 0420.42 — Charter School Renewal) (cf. 0420.43 — Charter School Revocation) School Closure~~In the event that the Board revokes or denies renewal of a charter or the school closes for any other reason, the Superintendent or designee shall provide assistance, when applicable in accordance with the charter and/or a memorandum of understanding, to facilitate the transfer of the charter school's former students and to finalize financial reporting and close out.

~~The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days, if the charter school will cease operation for any reason. Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)~~

The district may charge up to one percent of a charter school's revenue for the actual costs of supervisorial oversight of the school. However, if the charter school is able to obtain substantially rent-free facilities from the district, the district may charge up to three percent of the charter school's revenue for actual costs of supervisorial oversight or, if the facility is provided under Education Code 47614, the-rata share facilities costs calculated pursuant to 5 CCR 11969.7. If the district charges the pro-rata share, it may also charge one percent of the charter school's revenue in oversight fees. If the district is given responsibility for supervisorial oversight of a charter school that was authorized by SBE on appeal, the district is not limited to these percentages and may charge for the actual costs of supervisorial oversight and for the administrative costs necessary to secure charter school funding. (Education Code 47613)

(cf. 7160 - Charter School Facilities)
Technical Assistance/Intervention

Whenever a charter school is identified for technical assistance based on the performance of one or more numerically significant student subgroups on SBE-established criteria, the charter school shall receive technical assistance from the County Superintendent of Schools. Such technical assistance shall be focused on building the charter school's capacity to develop and implement actions and services responsive to student and community needs, including, but not limited to, any of the following: (Education Code 45607.3)

1. Assisting the charter school to identify its strengths and weaknesses in regard to the state priorities applicable to the charter school pursuant to Education Code 47605. This shall include working collaboratively with the charter school to review performance data on the state and local indicators included in the California School Dashboard and other relevant local data and to identify effective, evidence-based programs or practices that address any areas of weakness.
2. Working collaboratively with the charter school to secure assistance from an academic, programmatic, or fiscal expert or team of experts to identify and implement effective programs and practices that are designed to improve performance in any areas of weakness identified by the charter school. Another service provider, including, but not limited to, a school district,

CHARTER SCHOOL OVERSIGHT

county office of education, or charter school, may be solicited to act as a partner to the charter school in need of technical assistance.

3. Obtaining from the charter school timely documentation demonstrating that it has completed the activities described in items #1 and 2 or substantially similar activities, or has selected another service provider to work with the charter school to complete the activities described in items #1 and 2 or substantially similar activities, and ongoing communication with the Board to assess the charter school's progress in improving student outcomes.

In addition, if, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more numerically significant student subgroups, or for all of the student subgroups if the school has fewer than three subgroups, in regard to one or more state or school priorities identified the charter, the district: Education Code 47607.3)

1. Shall provide technical assistance to the charter school based on the California School Dashboard

2. May request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code 52704

In accordance with law, the Board may deny a charter school's renewal petition or may revoke a charter based on the charter school's poor performance, especially with regard to inadequate academic achievement of all numerically significant subgroups of students served by the charter school.

(cf. 0420.42 - Charter School Renewal)
(cf. 0420.43 - Charter School Revocation)

Complaints

Each charter school shall establish and maintain policies and procedures to enable any person to file a complaint, in accordance with the uniform complaint procedures as specified in 5 CCR 4600-4670, alleging the school's noncompliance with Education Code 47606.5 or 47607.3. (Education Code 52075)

(cf. 1312.3 - Uniform Complaint Procedures)

A complaint who is not satisfied with the decision may appeal the decision to the SPI. (Education Code 52075)

If the charter school finds merit in the complaint or the SPI finds merit in an appeal, a remedy shall be provided to all affected students and parents/guardians. (Education Code 52075)

CHARTER SCHOOL OVERSIGHT

School Closure

In the event that the Board revokes or denies renewal of a charter or the charter school ceases operation for any reason, the Superintendent or designee shall, when applicable in accordance with the charter and/or a memorandum of understanding, provide assistance to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days of the Board's action, if renewal of the charter is denied, the charter is revoked, or the charter school will cease operations for any reason.

Such notification shall include, but not limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)

Legal Reference:

EDUCATION CODE

215 Suicide prevention policy

215.5 Student identification cards, inclusion of safety hotlines

220 Nondiscrimination

221.6.1 Posting of Title IX information on web site

221.9 Sex equity in competitive athletics

222 Lactation accommodations for students

222.5 Pregnant and parenting students, notification of rights

231.5-231.6 Sexual harassment policy

234.4 Mandated policy on bullying prevention

234.6 Bullying and harassment prevention information

234.7 Student protections relating to immigration and citizenship status

17070.10-17079.30 Leroy F. Greene School Facilities Act

17280-17317 Field Act

17365-17374 Field Act, fitness for occupancy ~~35330 Field trips and excursions; student fees~~

~~38080-38086 School meals~~

32282 Comprehensive safety plan

32283.5 Online training on bullying prevention

33479-33479.9 The Eric Parades Sudden Cardiac Arrest Prevention Act

35179.4-35179.6 Interscholastic athletic programs, safety

35183.1 Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance

35330 Field trips and excursions; student fees

38080 - 38086 School meals

CHARTER SCHOOL OVERSIGHT

39831.3 Transportation safety plan
 39843 Disciplinary action against bus driver; report to Department of Motor Vehicles
 41024 Report of expenditure of state facility funds
 42100 Annual statement of receipts and expenditures 44237 Criminal record summary
 44030.5 Reporting change in employment status due to alleged misconduct
 44237 Criminal record summary
 44691 Information on detection of child abuse
 44830.1 Certificated employees, conviction of a violent or serious felony
 45122.1 Classified employees, conviction of a violent or serious felony
 45125.1 Fingerprinting; employees of contracting entity
 46015 Accommodations for pregnant and parenting students; parental leave
 46201 ~~Instructional minutes~~
 47600-47616.7 Charter Schools Act of 1992
 47634.2 Nonclassroom-based instruction
 47640-47647 Special education funding for charter schools
 47651 Apportionment of funds, charter schools
 48000 Minimum age of admission for kindergarten; transitional kindergarten
 48010-48011 Minimum age of admission (first grade)
 48206.3-48208 Students with temporary disabilities; individual instruction
 4885-48859 Educational placement of foster youth and homeless students
 48901.1 Suspension and expulsion, willful defiance
 48907 Students' exercise of free expression; rules and regulations
 48913.5 Suspended students, homework assignments
 48950 Student speech and other communication
 48985 Parental notification
 49005-49006.4 Seclusion and Restraint
 49011 Student fees
 49014 Public School Fair Debt Collection Act
 49061 Student records
 49062.5 Student records, name or gender changes
 49070 Challenging student records
 49073.2 Privacy of student and parent/guardian personal information
 49076.7 Student records; data privacy; Social security numbers
 49110 Authority of issue work permits
 49381 Human trafficking prevention
 49414 Epinephrine auto-injectors
 49414.3 Administration of opioid antagonist
 49428 Notification of mental health services
 49430-49434 The pupil Nutrition, Health, and Achievement Act of 2001, especially:
 49431.9 Advertisement of non-nutritious foods
 49475 Health and safety, concussions and head injuries
 49557.5 Child Hunger Prevention and Fair Treatment Act of 2017
 49564 meals for needy students
 51224.7 Mathematics placement policy

CHARTER SCHOOL OVERSIGHT

51225.1-51225.2 Exemption from local requirements; acceptance of coursework
51225.6 Instruction in cardiopulmonary resuscitation
5 1513 Diploma of graduation, without passage of high school exit examination
51745-51749.36 Independent study
51930-51939 California Healthy Youth Act
52052 Alternative ~~accountability system~~; numerically significant student subgroups
52060-52077 Local control and accountability plan
52075 Uniform complaint procedures
56026 Special education
56040.3 Availability of assistive technology devices
56145-56146 Special education services in charter schools
56365-56366.12 Nonpublic, nonsectarian schools
60600-60649 Assessment of academic achievement
~~60850-60859 High school exit examination~~
64000 Categorical programs included in consolidated application
64001 School plan for student achievement, consolidated application programs
65000-65001 School site councils
69432.9-69432.92 Cal grant program; notification of grade point average and high school graduation
CORPORATIONS CODE
5110-6910 Nonprofit public benefit corporations
GOVERNMENT CODE
1090-1099 Prohibition applicable to specified officers
3540-3549.3 Educational Employment Relations Act
54950-54963 The Ralph M. Brown Act
6250-6270 California Public Records Act
81000-91014 Political Reform Act of 1974
HEALTH AND SAFETY CODE
104420 Tobacco Use Prevention Education grant program
104559 Tobacco-free schools
LABOR CODE
1198.5 Personnel records related to performance and grievance
PENAL CODE
667.5 Definition of violent felony
1192.7 Definition of serious felony
VEHICLE CODE
28160 Child safety alert system
CALIFORNIA CONSTITUTION
Article 9, Section 5 Common school system
Article 16, Section 8.5 Public finance; school accountability report card
CODE OF REGULATIONS, TITLE 5
4600-4670 Uniform complaint procedures
11700.1-11705 Independent study
11960-11969 Charter schools

CHARTER SCHOOL OVERSIGHT

CODE OF REGULATIONS, TITLE 24

101 et seq. California Building Standards Code

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972; discrimination based on sex

6311 Adequate yearly progress-State Plan

7221-7221j Charter schools

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

~~6319 Qualifications of teachers and paraprofessionals 7223-7225 Charter schools~~

CODE OF FEDERAL REGULATIONS, TITLE 34

200.1-200.78 Accountability

~~300.18 Highly qualified special education teachers~~

COURT DECISIONS

Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986

ATTORNEY GENERAL OPINIONS

Opinion No. 11-201 (2018)

89 Ops.Cal.Atty.Gen. 166 (2006)

80 Ops.Cal.Atty.Gen. 52 (1997)

78 Ops.Cal.Atty.Gen. 297 (1995)

CALIFORNIA OFFICE OF ADMINISTRATIVE HEARINGS DECISIONS

Student v. Horizon Instructional Systems Charter School, (2012) OAH Case No. 2011060763

Management Resources:

CSBA PUBLICATIONS

Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charters Schools, September 2018

Charter Schools in Focus, Issue 2: Ensuring Effective Oversight, Governance Brief, October 2017

Charter Schools: A Guide for Governance Teams, rev. 2016

~~The Role of the Charter School Authorizer, Online Course Charter Schools: A Manual for Governance Teams, rev. 2009~~

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Sample Copy of a Memorandum of Understanding

Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 147-01, ~~November 9, 2014~~ July 28, 2017

Special Education and Charter Schools: Questions and Answers, September 10, 2002

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Charter Schools Program, July 2004 Title V, Part B of the ESEA, January 2014

~~The Impact of the New Title I Requirements on Charter Schools, July 2004~~

WEB SITES

CSBA: <http://www.csba.org>

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

CHARTER SCHOOL OVERSIGHT

National Association of Charter School Authorizers:

<http://www.charterauthorizersqualitycharters.org>

U.S. Department of Education: <http://www.ed.gov>

Policy
adopted: August 8, 2012
revised:

RIALTO UNIFIED SCHOOL DISTRICT
Rialto, California



RIALTO UNIFIED SCHOOL DISTRICT

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0420.43(a)

CHARTER SCHOOL REVOCATION

The Governing Board of Education expects any charter school it authorizes to provide a sound educational program that promotes student learning and to carry out its operations in a manner that complies with law and the terms of its charter. The Board may revoke a charter in accordance with law.

(cf. 0420.4 - Charter School Authorization) (cf. 0420.41 - Charter School Oversight) (cf. 0420.42 - Charter School Renewal)
(cf. 0500 - Accountability)

When the Board determines, in writing, that any violation under Education Code 47607 constitutes a severe and imminent threat to the health or safety of students, the Board may immediately revoke a the school's charter. ~~before the date it is due to expire whenever the Board makes a written factual finding, supported by substantial evidence, that the charter school has done any of the following:~~ When such a determination is made, the Board shall approve and deliver to the charter school's governing body, the County Board of Education, and the California Department of Education (CDE) a Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety. (Education Code 47607; 5 CCR 11968.5.3)

In all other circumstances, the Board may revoke a charter after providing due process and using the procedures described below. The Board may revoke a charter if it makes a written factual finding specific to that charter school and supported by substantial evidence that the charter school has done any of the following: (Education Code 47607)

1. Committed a material violation of any of the conditions, standards, or procedures set forth in the charter
2. Failed to meet or pursue any of the student outcomes identified in the charter
3. Failed to meet generally accepted accounting principles or engaged in fiscal mismanagement
4. Violated any ~~provision~~ of law

The Board shall also consider revoking the charter of any charter school for which the California Collaborative for Educational Excellence (CCEE) has provided advice and assistance pursuant to Education Code 47607.3 if CCEE has issued either of the following findings: (Education Code 47607.3)

CHARTER SCHOOL REVOCATION (continued)

1. That the charter school has failed or is unable to implement the recommendations of the CCEE
2. That the inadequate performance of the charter school, as based on the California School Dashboard, is so persistent or acute as to require revocation of the charter

In determining whether to revoke a charter, the Board shall consider increases in student academic achievement for all "numerically significant" groups of students served by the charter school, as defined in Education Code 52052, ~~as the most important factor.~~ (Education Code 47607, 47607.3)

Revocation Procedures

~~At least 72 hours prior to any Board meeting at which the Board will consider issuing a Notice of Violation, the Board shall provide the charter school notice and all relevant documents related to the proposed action. (5 CCR 11968.5.2)~~

~~(cf. 9320 – Meetings and Notices)~~

~~If the Board takes action to issue a Notice of Violation~~ is considering a revocation of a charter school, it shall take action to approve and deliver ~~the~~ a Notice of Violation to the charter school's governing body. The Notice of Violation shall identify: (Education Code 47607; 5 CCR 11965, 11968.5.2)

1. The charter school's alleged violation(s)
2. All evidence relied upon by the Board in determining that the charter school committed the alleged violation(s), including the date and duration of the alleged violation(s). The Notice shall show that ~~the~~ each alleged violation(s) ~~are~~ is both material and uncured and that it occurred within a reasonable period of time before the Notice of Violation is issued.
3. The period of time that the Board has concluded is a reasonable period of time for the charter school to remedy or refute the identified violation(s). In identifying this time period, the Board shall consider the amount of time reasonably necessary to remedy each identified violation, which may include the charter school's estimation as to the anticipated remediation time.

At least 72 hours prior to any meeting at which the Board will consider issuing a Notice of Violation, the Board shall provide the charter school with notice and all relevant documents related to the proposed action (5 CCR 11968.5.2)

(cf. 9320 - Meetings and Notices)

CHARTER SCHOOL REVOCATION (continued)

By the end of the remedy period identified in the Notice of Violation, the charter school's governing body may submit to the Board a detailed written response and supporting evidence addressing each identified violation, including, as applicable, ~~the~~ a refutation, remedial action taken, or proposed remedial action. (5 CCR 11968.5.2)

~~Within 60 calendar days of the~~ At the conclusion of the remedy period, specified in the Notice of Violation, the Board shall evaluate any response and supporting evidence provided by the charter school's governing body and shall take on the of following actions: (5 CCR 11968.5.2)

1. Discontinue revocation of the charter and provide timely written notice of such action to the charter school's governing body
2. ~~If there is substantial evidence that the charter school has failed to remedy a violation identified in the Notice of Violation or refute a violation to the Board's satisfaction,~~ Continue revocation of the charter, by issuing a Notice of Intent to Revoke to the charter school's governing body within 60 calendar days of the conclusion of the remedy period, if there is substantial evidence that the charter school has failed to remedy a violation identified in the Notice of Violation or to refute a violation to the Board's satisfaction. All evidence relied upon by the Board for the decision shall be included in the Notice of Intent to Revoke.

If the Board issues a Notice of Intent to Revoke, it shall hold a public hearing concerning the revocation on the date specified in the notice, which shall be no later than 30 days after providing the notice. Within 30 calendar days after the public hearing, or within 60 calendar days if extended by written mutual agreement of the Board and the charter school, the Board shall issue a final decision ~~to revoke or decline to revoke~~ on the revocation of the charter. (Education Code 47607; 5 CCR 11968.5.2)

If the Board fails to meet the timelines specified above for issuing a Notice of Intent to Revoke or a final decision, the revocation process shall be deemed terminated. (5 CCR 11968.5.2)

Within 10 calendar days of the Board's final decision, the Superintendent or designee shall provide a copy of the final decision to ~~the California Department of Education (CDE) and the County Board of Education.~~ (Education Code 47604.32; 5 CCR 11968.5.2)

Severe and Imminent Threat

~~The procedures specified above shall not be applicable when the Board determines, in writing, that any violation under Education Code 47607 constitutes a severe and imminent threat to the health or safety of students.~~

~~In such circumstances, the Board may immediately revoke the school's charter by approving and delivering a Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety to the charter school's governing body, the County Board, and the CDE. (Education Code 47607; 5 CCR 11968.5.3)~~

CHARTER SCHOOL REVOCATION (continued)

Appeals

~~In the event that~~ If the Board revokes the charter, the charter school may, within 30 days of the Board's final decision, appeal the revocation to the County Board. The County's Board's decision may subsequently be appealed to the State Board of Education by either the charter school or the District. ~~may subsequently appeal the County Board's decision to the SBE.~~ However, a revocation based upon the findings of CCEE pursuant to Education Code 47607.3 may not be appealed. (Education Code 47607.3; 47607.3; 5 CCR 11968.5.3-11968.5.5)

School Closure

If a charter school ceases operation due to revocation, the Board and/or the charter school shall implement the school closure procedures specified in the charter in accordance with Education Code 47605 and 5 CCR 11962. (Education Code 47603.32)

Legal Reference:

EDUCATION CODE

47600-47616.7 Charter Schools Act of 1992, especially:

47607 Charter renewals and revocations

52052 Accountability: numerically significant student subgroups;
definition

CODE OF REGULATIONS, TITLE 5

11960-11969 Charter schools, especially:

11968.5.1-11968.5.5 Charter revocations

COURT DECISIONS

Today's Fresh Start, Inc. v. Los Angeles County Office of Education, (2013) 57
Cal.4th 197

Management Resources:

CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

Charter Schools: A ~~Manual~~ Guide for Governance Teams, rev. 2012-2016

WEB SITES

CSBA: <http://www.csba.org>

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools:

<http://www.cde.ca.gov/sp/cs> National Association of Charter School

Authorizers: <http://www.qualitycharters.org>

U.S. Department of

Education: <http://www.ed.gov>

Policy

adopted: August 7, 2012

revised: July 17, 2013

revised:

RIALTO UNIFIED SCHOOL DISTRICT

Rialto, California



RIALTO UNIFIED SCHOOL DISTRICT

October 7, 2020

TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **STUDENT TEACHER AND INTERNSHIP AGREEMENT WITH ALLIANT INTERNATIONAL UNIVERSITY**

Background: The California Commission on Teacher Credentialing requires teacher/psychology/counselor candidates that are enrolled in a college/university program to complete student teaching/intern/fieldwork before the university student can receive their preliminary credential.

Reasoning: Alliant International University provides fieldwork, education and training for university student/intern teachers, and psychology/counseling students. University students enrolled in the programs at Alliant International University will gain experience with mentors from Rialto Unified School District in their specialized fields in the process of completing their credential requirements.

Recommendation: Ratify Student Teacher and Internship Agreement with Alliant International University to assist current and future educators in completing state requirements for credentialing from August 13, 2020 through August 12, 2023.

Fiscal Impact: No fiscal impact

Submitted by: Rhonda Kramer and Rhea McIver-Gibbs, Ed.D.

Reviewed by: Mohammad Z. Islam



RIALTO UNIFIED SCHOOL DISTRICT

October 7, 2020

TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **STUDENT TEACHING EXPERIENCE AGREEMENT WITH CALIFORNIA STATE UNIVERSITY, EAST BAY**

Background: The California Commission on Teacher Credentialing requires teacher/psychology/counselor candidates that are enrolled in a college/university program to complete student teaching/intern/fieldwork before the university student can receive their preliminary credential.

Reasoning: California State University, East Bay provides fieldwork, education and training for university student/intern teachers, and psychology/counseling students. University students enrolled in the programs at California State University East Bay will gain experience with mentors from Rialto Unified School District in their specialized fields in the process of completing their credential requirements.

Recommendation: Ratify Student Teaching Experience Agreement with California State University, East Bay to assist current and future educators in completing state requirements for credentialing from July 1, 2020 through June 30, 2025.

Fiscal Impact: No fiscal impact

Submitted by: Rhonda Kramer and Rhea McIver-Gibbs, Ed.D.
Reviewed by: Mohammad Z. Islam



Rialto Unified School District

Board Date: October 7, 2020

TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **AGREEMENT WITH GUNN PSYCHOLOGICAL, SERVICES INC.**

Background: The Rialto Unified School District needs a Licensed Educational Psychologist to provide Independent Education Evaluations (IEEs) in the area of Psycho-Educational Evaluation for current students per their Individualized Education Program (IEP) and settlement agreements for the remainder of 2020-2021 school year.

Reasoning: To ensure compliance with students' IEPs and settlement agreement(s), the District will need to contract with an IEE assessor to complete a psycho-educational assessment.

Recommendation: Approve an agreement with Gunn Psychological, Services Inc. to provide Independent Education Evaluations (IEEs) effective October 8, 2020, through June 30, 2021.

Fiscal Impact: Not-to-exceed \$10,000.00 – General Fund - Special Education Budget

Submitted by: Bridgette Ealy
Reviewed by: Darren McDuffie, Ed.D.



TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **KEENAN & ASSOCIATES FOR CONSULTING SERVICES ON THE SUPPLEMENTAL EARLY RETIREMENT PLAN (SERP)**

Background: The District is in need of a consultant to assist with the design, implementation and administration of a Supplemental Early Retirement Plan (SERP). The District is recommending a Supplemental Early Retirement Plan be offered to eligible Certificated (Management or Non-Management), Classified (Management or non-Management), Supervisory, and Confidential employees, effective July 1, 2021.

Reasoning: Keenan & Associates will provide services relating to the Plan design, conducting group and individual meetings, preparation of enrollment materials, distribution of forms, processing of annuity applications, and other associated matters.

The service fee for Keenan & Associates is based on a percentage of the total annual premium for the annuity or annuities used to fund the Plan which will be at 3.75% of premiums paid over a period of five (5) years. The agreement shall be effective October 8, 2020, and shall continue in effect until all benefits due under the Plan have been paid.

Recommendation: Approve an agreement with Keenan & Associates as the consultant to assist with the design, implementation and administration of a Supplemental Early Retirement Plan (SERP), effective October 8, 2020 through the duration of all benefits paid under the Plan over a period of five (5) years.

Fiscal Impact: 3.75% Fee based on annual premiums – General Fund

Submitted by: Derek Harris
Reviewed by: Mohammad Z. Islam



TO: Board of Education
FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: AGREEMENT WITH EHECATL WIND PHILOSOPHIES

Background: Ehecatl Wind Philosophies has over 30 years of work in the field of education with an emphasis on ethnic and social justice studies. They have served as consultants in the area of ethnic studies for Ventura, Santa Barbara, Santa Maria, and Centinela Valley School Districts in building ethnic studies courses and programs.

Reasoning: Ehecatl Wind Philosophies will provide thirty-nine (39) virtual/live training workshops of professional development with future Multicultural Literature and U.S. History: Race & Gender teachers at the high school level to facilitate the building of the courses and corresponding lesson plans ensuring a consistent and culturally relevant curriculum. Three (3) of these workshops will be with counselors, administrators, and teaching staff to build capacity and infrastructure.

Recommendation: Approve an agreement with Ehecatl Wind Philosophies to provide thirty-nine (39) virtual/live training workshops of professional development to high school teachers in the facilitation of the creation of Multicultural Literature and U.S. History: Race & Gender high school courses, effective October 8, 2020 through June 30, 2021.

Fiscal Impact: Not-to-exceed \$42,900.00 – General Fund

Submitted by: Elizabeth Curtiss
Reviewed by: Darren McDuffie, Ed.D.



TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **NOTICE OF COMPLETION FOR TRANE U.S., INC. FOR THE COMPLETION OF THE FOURTH ENERGY EXPENDITURE PLAN (EEP NO. 4), PROP. 39 IMPLEMENTATION PHASE IV PROJECTS**

Background: Representatives from Maintenance and Operations, Trane U.S., Inc. and Facilities Planning Departments completed the final walk-through for all work required with the construction of the fourth Energy Expenditure Plan (EEP No. 4) Prop. 39 Implementation Phase IV Projects.

Reasoning: The Notice of Completion, when filed with the County Recorder, will begin a thirty-five (35) day period for Stop Notice filing after which our final payment to the contractor may be released.

Recommendation: Approve the work completed before July 14, 2020, by Trane U.S, Inc. for all work required in connection with the fourth Energy Expenditure Plan (EEP No. 4) Prop. 39 Implementation Phase IV Projects and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.

Fiscal Impact: No fiscal impact

Submitted by: Angie Lopez
Reviewed by: Mohammad Z. Islam



TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **CLASSIFIED EMPLOYEES – PERSONNEL REPORT #1244**

RESIGNATIONS

Moreno, Carina	Nutrition Service Worker I Nutrition Services	09/16/2020
Rathor, Anum	Instructional Assistant II SE (RSP/SDC) Rialto Middle School	09/21/2020
Simental, Angel	Nutrition Service Worker I Casey Elementary School	09/03/2020
Wagoner, Vernesha	Bus Driver Transportation	10/02/2020
Williams, Vanessa	Licensed Vocational Nurse Health Services	10/02/2020

EXTENSION OF CERTIFICATION OF ELIGIBILITY LIST – Safety Intervention Officer II

To: Eligible: 10/10/2020
Expires: 04/10/2021

From: Eligible: 04/09/2020
Expires: 10/09/2020

**Position reflects the equivalent to a one-Range increase for night differential

*** Position reflects a \$50.00 monthly stipend for Confidential position

Submitted and Reviewed by: Rhea McIver Gibbs, Ed.D. and Rhonda Kramer



TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **CERTIFICATED EMPLOYEES – PERSONNEL REPORT #1244**

BACKGROUND/CRIMINAL HISTORY CHECKS HAVE BEEN COMPLETED, AS PER LAW, ON ALL INDIVIDUALS RECOMMENDED FOR EMPLOYMENT.

EMPLOYMENT

lossif, Italia	Special Education Teacher Eisenhower High School	10/05/2020	IV-3	\$66,977.00	(184 days)
Martinez, Melanie	Speech Therapist Special Services	09/21/2020	Rge.1	\$83,455.00	(184 days)

RE-EMPLOYMENT

Chaidez, Fernando	Elementary Teacher Morris Elementary School	09/16/2020	II -2	\$58,874.00	(184 days)
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RESIGNATIONS

Darby, Gia	PBIS/At-Risk Counselor Rialto High School	10/02/2020			
Davila, Brendan	Secondary Teacher Kucera Middle School	10/02/2020			

RETIREMENT

Duran, Rita	Intervention Strategist Preston Elementary School	09/24/2020			
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HOME AND HOSPITAL TEACHER (To be used during the 2020/2021 school year, as needed, at the regular hourly rate of \$45.04)

Di Cesare, Bethany
Evans, Brittany

EXTRA DUTY COMPENSATION (Additional class assignment at 1/6 of their daily rate or \$45.04, whichever is greater, for the fall semester of 2020/2021 school year, and to be charged to General Fund)

Jehue Middle School

Dahl, John	G Suite	08/18/2020			
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EXTRA DUTY COMPENSATION (Continued)

Jehue Middle School (Continued)

Kashiwagi, Keita	STEM	08/20/2020
Robinson, Teresa	Civic Engagement	08/17/2020

EXTRA DUTY COMPENSATION

Boyd Elementary School

Ramirez, Adriana	PBIS Coach (Internal)	2020/2021 (1/2 Share)	\$ 581.50
Resendez, Kristina	PBIS Coach (Internal)	2020/2021 (1/2 Share)	\$ 581.50

Casey Elementary School

Weaver, Karen	PBIS Coach (Internal)	2020/2021 (1/2 Share)	\$ 1,163.00
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Morris Elementary School

Dover, Yuliana	Grade Level Lead	2020/2021	\$ 698.00
Merritt, Andrea	Academic Coach	2020/2021	\$ 1,768.00
Merritt, Andrea	Grade Level Lead	2020/2021	\$ 698.00
Ochoa, Caroline	Grade Level Lead	2020/2021	\$ 698.00
Rodriguez, Delores	Grade Level Lead	2020/2021	\$ 698.00
Solarzano Carcamo, Narda	Grade Level Lead	2020/2021	\$ 698.00
Vasta, Thomas	PBIS Coach (Internal)	2020/2021	\$ 1,163.00
Yates, Sandra	Grade Level Lead	2020/2021	\$ 698.00

Preston Elementary School

Alcaraz, Eva	Grade Level Lead	2020/2021	\$ 698.00
McGuire, Lori	Grade Level Lead	2020/2021	\$ 698.00
Phelps, Andrea	Grade Level Lead	2020/2021	\$ 698.00
Reynolds, Denise	Grade Level Lead	2020/2021	\$ 698.00
Shetler, Jessi	Grade Level Lead	2020/2021	\$ 698.00
Thies, Gabriela	Grade Level Lead	2020/2021	\$ 698.00
Toivonen, Ross	Grade Level Lead	2020/2021	\$ 698.00
Tran, Antonette	PBIS Coach (Internal)	2020/2021	\$ 1,163.00

Eisenhower High School

Benoit, David	Asst. ROTC Drill Team	2020/2021	\$ 2,327.00
Chamberlain-Farris, Stefanie	Choir	2020/2021	\$ 3,443.00
Davis, Jeremy	Speech/Debate	2020/2021	\$ 3,443.00
Davis, Jeremy	Journalism	2020/2021 (1/2 Share)	\$ 1,163.50
Jackson, Charlan	Band (Only) ***	2020/2021	\$ 4,653.00
Kull, Suzanne	Head Counselor	2020/2021 (1/2 Share)	\$ 1,279.50
Luster, Wayne W.	ROTC Drill Team	2020/2021	\$ 3,257.00
Marquez, Monique	Athletic Director	2020/2021	\$ 4,653.00
Nilsson, Elizabeth	AVID Coordinator	2020/2021	\$ 1,861.00
Price, Hazel	Yearbook	2020/2021	\$ 2,606.00

EXTRA DUTY COMPENSATION (Continued)

Eisenhower High School (Continued)

Quinto, Kellen	Academic Decathlon	2020/2021	\$ 3,443.00
Ressa, Vincent	Drama	2020/2021	\$ 3,443.00
Riley, Elizabeth	Journalism	2020/2021 (1/2 Share)	\$ 1,163.50
Solorzano, Andreas	PBIS Coach (Internal)	2020/2021	\$ 1,163.00
Stevenson, Lindsey	Link Crew	2020/2021	\$ 1,163.00
Stevenson, Lindsey	Student Activities	2020/2021	\$ 4,653.00
Wood, Bridget	Head Counselor	2020/2021 (1/2 Share)	\$ 1,279.50

EXTRA DUTY COMPENSATION (Department Chairpersons for the 2020/2021 School Year)

Eisenhower High School

Atkinson, Lance	Science	63 Sections	\$ 3,257.00
Bailey, Kim	Foreign Language	38 Sections	\$ 2,327.00
Contreras, Caren	Special Education	56 Sections (1/2 Share)	\$ 1,628.50
Davis, Jeremy	English	70 Sections	\$ 4,188.00
Dunbar-Small, Laurie	Math	72 Sections (1/2 Share)	\$ 2,094.00
Romagnano, Terese	VAPA	32 Sections	\$ 2,327.00
Sabbara, Dana	Special Education	56 Sections (1/2 Share)	\$ 1,628.50
Samuel, Eddie	Physical Education	26 Sections	\$ 2,327.00
Schaefer Dole, Tyler	Social Science	63 Sections	\$ 3,257.00
Solache, Brenda	Math	72 Sections (1/2 Share)	\$ 2,094.00
Streeter, Mark	Career Technical Education (CTE)	32 Sections	\$ 2,327.00

Rialto High School

Anderson, Denedra	Special Education	38 Sections (1/2 Share)	\$ 1,163.50
Ansermet, Julien	Science	76 Sections (1/2 Share)	\$ 2,094.00
Cantrell, Joye	CTE / ROP / Naval Science	45 Sections	\$ 2,327.00
Casarrubias, Liliana	Social Science	65 Sections	\$ 3,257.00
Chavez-Ayala, Jose	Math	96 Sections (1/2 Share)	\$ 2,559.50
Cordaro, Anne	Physical Education/Health	31 Sections	\$ 2,327.00
Gardner, Rachel	English	89 Sections (1/2 Share)	\$ 2,094.00
Maya, Laurette	Special Education	38 Sections (1/2 Share)	\$ 1,163.50
Oliveros-Valenzuela, Cynthia	Foreign Language	49 Sections	\$ 3,257.00
Rodriguez, Steven	VAPA	59 Sections	\$ 3,257.00
Samuel, Kimberly	Math	96 Sections (1/2 Share)	\$ 2,559.50
Spears, Kristen	English	89 Sections (1/2 Share)	\$ 2,094.00
Valero, Guadalupe	Science	76 Sections (1/2 Share)	\$ 2,094.00

Submitted and Reviewed by: Rhea McIver Gibbs, Ed.D. and Rhonda Kramer



TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **RESOLUTION NO. 20-21-06**
PROVISIONAL INTERNSHIP PERMIT

RESOLUTION NO. 20-21-06
RESOLUTION OF THE BOARD OF EDUCATION
RIALTO UNIFIED SCHOOL DISTRICT
2020-2021

October 7, 2020

The Board of Education of the Rialto Unified School District authorizes the Lead Personnel Agent, Personnel Services, to assign various teachers who are enrolled in a credential program, but have not yet completed the requirements to enter an internship program.

<u>NAME</u>	<u>SITE</u>	<u>CREDENTIAL</u>	<u>ASSIGNMENT</u>
Green, Nikki	Myers Elementary	Provisional Internship Permit – Multiple Subject	Grade 2

I, Cuauhtémoc Avila, Ed.D., Secretary of the Governing Board of the Rialto Unified School District, hereby certify that the foregoing is a true and correct copy of a credential waiver duly made, adopted and entered in the Board minutes of the Governing Board of the Rialto Unified School District of San Bernardino County on the 7th day of October, 2020.

Date: _____

Cuauhtémoc Avila, Ed.D.
Secretary, Board of Education

Submitted by: Rhea McIver Gibbs and Rhonda Kramer



TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **RESOLUTION NO. 20-21-07**
ENGLISH LEARNER AUTHORIZATION WAIVER

RESOLUTION NO. 20-21-07
RESOLUTION OF THE BOARD OF EDUCATION
RIALTO UNIFIED SCHOOL DISTRICT
2020-2021

October 7, 2020

Pursuant to Title V Section 80120(b), for the 2020/2021 school year, the Board of Education of the Rialto Unified School District authorizes the Lead Personnel Agent, Personnel Services, to employ or assign identified individuals additional time to complete the requirements for the credential that authorizes the service or to provide employing agencies time to fill the assignment with an individual who either holds an appropriate credential or qualifies under one of the available assignment options. This includes waivers to employ or assign identified individuals when the employing agency finds there is an insufficient number of certificated persons who meet the specified employment criteria for the position.

<u>NAME</u>	<u>SITE</u>	<u>CREDENTIAL TO BE WAIVED</u>	<u>ASSIGNMENT</u>
McGuire, George	Carter H.S.	EL Authorization	CTE Instructor

I, Cuauhtémoc Avila, Ed.D., Secretary of the Governing Board of the Rialto Unified School District, hereby certify that the foregoing is a true and correct copy of a credential waiver duly made, adopted and entered in the Board minutes of the Governing Board of the Rialto Unified School District of San Bernardino County on the 7th day of October, 2020.

Date: _____

Cuauhtémoc Avila, Ed.D.
Secretary, Board of Education

Submitted by: Rhea McIver Gibbs, Ed.D. and Rhonda Kramer



TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **BID NO. 20-21-001 FOR THE KITCHEN/MULTIPURPOSE ROOM EXPANSION PROJECT AT MILOR HIGH SCHOOL**

Background: Public Contract Code 20111 requires that contracts for public works projects exceeding \$15,000.00 be legally advertised and awarded to the lowest responsible bidder who shall have such surety as required by the Board of Education.

Reasoning: On August 6, 2020 and August 13, 2020, Notice Inviting Bids for Bid No. 20-21-001 for the Milor High School Kitchen/Multipurpose Room Expansion project was advertised in the San Bernardino Sun. Nine Bidders participated in the Bid walk on August 17, 2020.

Bids were opened at 2:00 p.m. on Friday, September 11, 2020. The District received three (3) responsive bids. The responsive bids were:

CONTRACTOR	BASE BID
Dalke & Sons Construction, Inc.	\$1,098,868.00
IVL Construction, Inc.	\$ 972,000.00
Broughton Construction, Inc.	\$ 968,000.00

Recommendation: Award Bid No. 20-21-001 to Broughton Construction, Inc. for the Kitchen/Multipurpose Room Expansion Project at Milor High School.

Fiscal Impact: Not-to-exceed \$968,000.00 - Fund 21 – Measure Y, Series C - General Obligation Bond

Submitted by: Angie Lopez
Reviewed by: Mohammad Z. Islam



TO: Board of Education
FROM: Cuauhtémoc Avila, Ed.D., Superintendent
ITEM: **RESOLUTION NO. 20-21-08**
SUPPLEMENTAL EARLY RETIREMENT PLAN (SERP)

RESOLUTION NO. 20-21-08
RESOLUTION OF THE BOARD OF EDUCATION OF
THE RIALTO UNIFIED SCHOOL DISTRICT

SUPPLEMENTAL EARLY RETIREMENT PLAN (SERP)

October 7, 2020

WHEREAS, the Board of Education (the “Board”) of the Rialto Unified School District (the “District”) desires to offer a Supplemental Early Retirement Plan (the “Plan”); and

WHEREAS, California Government Code Section 53224 authorizes school districts to make contributions to retirement plans; and

WHEREAS, the RIALTO UNIFIED SCHOOL DISTRICT desires to provide retirement benefits to its employees under such a plan; and

THEREFORE, IT IS RESOLVED that the Board of Education of RIALTO UNIFIED SCHOOL DISTRICT hereby establishes an early retirement incentive plan for eligible employees of the District effective July 1, 2021.

RESOLVED FURTHER that the eligibility requirements for employees to participate in such plan shall be as follows:

- Employee must be a Certificated (Management or Non-Management), Classified (Management or Non-Management), Supervisory or Confidential employee of the District with an FTE of at least 0.75 in a permanent position.
- Employee must be in paid and active status with the District as of the last work day of their assigned work calendar.
- Employee must be at least 55 years of age with 5 consecutive years of service or at least 50 years of age with 20 consecutive years of service with the District by June 30, 2021.
- Employee must retire from the District on or before July 1, 2021.
- Employee must submit to the District Office a completed SERP Enrollment Package, a Letter of Resignation and an Irrevocable Letter of SERP Participation no later than January 22, 2021.

RESOLVED FURTHER that the Board hereby adopts the plan known as the RIALTO UNIFIED SCHOOL DISTRICT's Supplemental Early Retirement Plan (SERP), effective July 1, 2021.

RESOLVED FURTHER that the employer's contributions will fund each participant's benefit at 85% of the final annual base salary, paid over a period of five (5) years.

RESOLVED FURTHER that the RIALTO UNIFIED SCHOOL DISTRICT shall make all contributions to the Plan to fund the annuities purchased pursuant to the Plan.

RESOLVED FURTHER that, for purposes of the limitations on contributions under the Plan, as prescribed by section 415 of the Internal Revenue Code of 1986, as amended, the "limitation year" shall be the Plan Year, as defined under the terms and provisions of the Plan.

RESOLVED FURTHER that, for purposes of clarification of administration of the Plan but not for purposes of making said Plan subject to title I of Employee Retirement Income Act of 1974 (ERISA), the Board hereby designates the District as the plan administrator.

RESOLVED FURTHER that the Board hereby appoints Keenan Financial Services as the contract administrator to assist the District in the implementation and administration of the Plan.

RESOLVED FURTHER that the Board hereby authorizes and directs the Associate Superintendent of Business Services and the Lead Risk Management and Transportation Agent to take the following actions:

- A. Execute the Plan and any and all other documents necessary or proper to implement the Plan.
- B. Contract with Keenan Financial Services as contract administrator to provide all services described in the contract.
- C. Final implementation of the SERP is contingent upon savings as determined through a final savings analysis provided to the District at the end of the plan window period and final rescind date. The final determination will be made by Business Services and reported to the Board. If there is not adequate savings, those who submitted letters of retirement shall be permitted to rescind his or her resignation and return to work for the next 2021-22 school year.
- D. Execute any and all documents, including any amendment to the Plan, necessary or proper to obtain and maintain IRS approval of the form of the Plan if the IRS makes available a procedure for approval.
- E. Enter into any other contract or agreement which he or she deems necessary or proper to administer and/or fund the Plan and to attain and maintain the income tax qualification of the Plan under the Internal Revenue Code of 1986, as amended.

APPROVED, PASSED AND ADOPTED this 7th day of October, 2020, by the Board of Education of the Rialto Unified School District of San Bernardino County by the following vote:

AYES: _____ NOES: _____ ABSENT: _____ ABSTAINED: _____

Nancy G. O’Kelley, President

Dina Walker, Vice President

Joseph W. Martinez, Clerk

Joseph Ayala, Member

Edgar Montes, Member

I, Cuauhtémoc Avila, Ed.D., Secretary of the Board for the RIALTO UNIFIED SCHOOL DISTRICT, hereby certify that the above and the foregoing Resolution was duly and regularly adopted by the said Board at a regular meeting thereof on the 7th day of October 2020 and passed by a majority vote of said Board.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 7th day of October 2020.

Date: _____

Cuauhtémoc Avila, Ed.D.
Secretary, Board of Education

Submitted by: Derek Harris
Reviewed by: Mohammad Z. Islam



TO: Board of Education
FROM: Cuauhtémoc Avila, Ed.D., Superintendent
ITEM: **RESOLUTION NO. 20-21-09**
NATIONAL SCHOOL BUS SAFETY WEEK

RESOLUTION NO. 20-21-09
OF THE BOARD OF EDUCATION OF
THE RIALTO UNIFIED SCHOOL DISTRICT
NATIONAL SCHOOL BUS SAFETY WEEK

October 7, 2020

WHEREAS, school bus drivers and all Transportation staff, including managers, monitors, trainers, mechanics, and dispatchers, make substantial contributions to the future of America and the development of our nation's young people as knowledgeable, responsible, and productive citizens; and

WHEREAS, excellence in education is dependent on safe, secure, and peaceful routes to school and school settings; and

WHEREAS, the safety and well-being of many students rely on school bus drivers and the school transportation team to get them to and from school and other events in a safe, professional manner; and

WHEREAS, school bus drivers and all Transportation staff, including managers, monitors, trainers mechanics and dispatchers oversee and manage the transportation needs of approximately 2,700 students per day; and

WHEREAS, school bus drivers and all Transportation staff, including managers, monitors, trainers, mechanics, and dispatchers, are an invaluable component of our educational system and have performed an outstanding job transporting our most precious resource, young students; and

WHEREAS, for the 2020-2021 school year, bus drivers have assisted the Nutrition Services Department in their efforts to provide meals to students during school closure, due to the COVID-19 pandemic, therefore;

BE IT RESOLVED that the Board of Education of the Rialto Unified School District declares October 19 - 23, 2020 as National School Bus Safety Week to provide schools with positive and safe learning climates.

APPROVED, PASSED, AND ADOPTED by the Governing Board of the Rialto Unified School District, San Bernardino County, State of California, this 7th day of October 2020, by the following vote:

_____ Ayes _____ Noes _____ Abstain _____ Absent

Nancy G. O’Kelley, President

Dina Walker, Vice President

Joseph W. Martinez, Clerk

Joseph Ayala, Member

Edgar Montes, Member

I, Cuauhtémoc Avila, Ed.D., Superintendent of Rialto Unified School District of San Bernardino County, California, do hereby certify under penalty of perjury that the foregoing is a full, true, and correct copy of the Resolution duly adopted by the Board of Education on October 7, 2020.

Dated: October 7, 2020

Cuauhtémoc Avila, Ed.D.
Secretary, Board of Education

Submitted by: Derek Harris
Reviewed by: Mohammad Z. Islam



TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **RESOLUTION NO. 20-21-10**
NATIONAL SCHOOL LUNCH WEEK

RESOLUTION NO. 20-21-10
RESOLUTION OF THE BOARD OF EDUCATION OF
THE RIALTO UNIFIED SCHOOL DISTRICT

NATIONAL SCHOOL LUNCH WEEK

October 7, 2020

WHEREAS, the National School Lunch Program has served our nation admirably for over 60 years through advanced practices and nutrition education; and

WHEREAS, the National School Lunch Program is dedicated to the health and well-being of our nation’s children, and

WHEREAS, the National School Lunch Program has been joined through the years by many other excellent child feeding programs; and there is evidence of continued need for nutrition education and awareness of the value of school nutrition programs.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Rialto Unified School District declares October 12-16, 2020 as National School Lunch Week and encourages all residents to become aware and concerned about their children’s and their own nutrition habits, in the hope of achieving a more healthful citizenry for today and the future.

APPROVED, PASSED, AND ADOPTED by the Governing Board of the Rialto Unified School District, San Bernardino County, State of California, this 7th day of October, 2020 by the following vote:

_____ Ayes _____ Noes _____ Abstain _____ Absent

Nancy G. O’Kelley, President

Dina Walker, Vice President

Joseph W. Martinez, Clerk

Joseph Ayala, Member

Edgar Montes, Member

Submitted by: Fausat Rahman-Davies
Reviewed by: Mohammad Z. Islam



TO: Board of Education
FROM: Cuauhtémoc Avila, Ed.D., Superintendent
ITEM: RESOLUTION NO. 20-21-11
TAX AND REVENUE ANTICIPATION NOTES (TRAN)

**RESOLUTION NO. 20-21-11
RESOLUTION OF THE BOARD OF EDUCATION OF
THE RIALTO UNIFIED SCHOOL DISTRICT**

TAX AND REVENUE ANTICIPATION NOTES (TRAN)

October 7, 2020

WHEREAS, School districts are expected to receive approximately 70% of their State apportionment payments for 2020-21, with deferrals starting in February 2021 and continuing through June 2021. Districts must seek other financing options to ensure sufficient cash is available to meet their financial obligations; and

WHEREAS, pursuant to Sections 53850 *et seq.*, of the Government Code of the State of California (the "Code") contained in Title 5, Division 2, Part 1, Chapter 4, Article 7.6 thereof, on or after the first day of any fiscal year, the Rialto Unified School District (the "District") may borrow money by issuing notes to be designated "Rialto Unified School District 2020-2021 Tax and Revenue Anticipation Notes" (the "Notes") in anticipation of the receipt of taxes, income, revenue, cash receipts and other moneys to be received by the District attributable to its fiscal year ending June 30, 2021 (the "Repayment Fiscal Year") for any purpose for which the District is authorized to expend moneys, including but not limited to current expenses, capital expenditures and the discharge of any obligation or indebtedness of the District; and

WHEREAS, Section 53853 of the Code provides that such notes may be issued by the board of supervisors of the county, the county superintendent of which has jurisdiction over the school or community college district on behalf of the school or community college district upon the authority of a resolution of the governing board of the school or community college district; and

WHEREAS, pursuant to the Code, the Notes shall be payable no more than 13 months after the date of issue and the Notes shall be payable only from revenue received or accrued during the fiscal year in which the Notes were issued; and

WHEREAS, pursuant to Section 53856 of the Code, the District may pledge any taxes, income, revenue, cash receipts or other moneys deposited in inactive or term deposits, excepting funds of the District otherwise restricted, to the repayment of the Notes, which shall be issued as a general obligation of the District, and to the extent not paid from the taxes, income, revenue, cash receipts and other moneys of the District pledged for the payment thereof, shall be paid with interest thereon from any other moneys of the District lawfully available therefor, as required by Section 53857 of the Code; and

WHEREAS, the Notes to be issued hereunder in Fiscal Year 2020-2021 when added to the interest payable thereon, may not exceed eighty-five percent (85%) of the estimated amount of the uncollected taxes, income, revenue (including but not limited to revenue from state and federal governments),

cash receipts and other moneys of the District which will be available for the payment of principal of the Notes and the interest thereon, as required by Section 53858 of the Code; and

WHEREAS, it may be in the best interests of the District to participate in the California School Finance Authority's (CSFA) statewide pooled Tax and Revenue Anticipation Notes (TRAN) in order to achieve the highest possible rating, the lowest possible interest rate for the Notes and savings in costs of issuance and to improve the marketability of the Notes, and, accordingly, for the state of California Treasurer and the California School Finance Authority to provide for the execution and delivery of participation certificates ("Participation Certificates"), evidencing proportionate interests in the Notes for sale to the general public on a pooled basis with the tax and revenue anticipation notes of other school districts and/or community college districts located within the participating school districts and/or community colleges of California; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Education hereby authorizes the Rialto Unified School District to submit an application with the California School Finance Authority's (CSFA) statewide pooled Tax and Revenue Anticipation Notes (TRAN).

APPROVED, PASSED AND ADOPTED this 7th day of October, 2020, by the Board of Education of the Rialto Unified School District of San Bernardino County by the following vote:

_____ AYES _____ NOES _____ ABSTAIN _____ ABSENT

Nancy G. O'Kelley, President

Dina Walker, Vice President

Joseph W. Martinez, Clerk

Joseph Ayala, Member

Edgar Montes, Member

I, Cuauhtémoc Avila, Ed.D., Secretary of the Board for the RIALTO UNIFIED SCHOOL DISTRICT, hereby certify that the above and the foregoing Resolution was duly and regularly adopted by the said Board at a regular meeting thereof on the 7th day of October 2020 and passed by a majority vote of said Board.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 7th day of October 2020.

Date: _____

Cuauhtémoc Avila, Ed.D.
Secretary, Board of Education

Submitted by: Diane Romo
Reviewed by: Mohammad Z. Islam



TO: Board of Education
FROM: Cuauhtémoc Avila, Ed.D., Superintendent
ITEM: **RENEWAL AGREEMENT WITH BLACKBOARD, INC.**

Background: Blackboard Inc. services allow Rialto Unified School District administrators and/or designated users to record, schedule, deliver, and track thousands of voice messages, within minutes. Also, school leaders can broadcast an unlimited number of telephone calls and/or text messages to parents/guardians, students, staff members or a combination of these groups. Messages are recorded in English and Spanish in the sender’s own voice. Free voice translation is available through Blackboard Inc. and the company also includes a mobile application.

Reasoning: Blackboard, Inc. allows school and District staff to provide parents/guardians and the education community with timely, and needed, information regarding parent involvement, activities, general school announcements, student absences, and campus/District emergencies, and for all of these reasons, we would like to request the renewal with Blackboard, Inc. for a one (1) year contract from July 1, 2020 through June 30, 2021.

Recommendation: Ratify the renewal of the agreement with Blackboard, Inc., for a one (1) year subscription from July 1, 2020 through June 30, 2021, for use of the Blackboard, Inc. as a centralized communication service for the Rialto Unified School District education community.

Fiscal Impact: Not-to-exceed \$58,750.00 – General Fund/Categorical Title I

Submitted by: Syeda Jafri and Carol Mehochko
Reviewed by: Darren McDuffie, Ed.D.

BELIEFS

- Everyone has unique talents
- There is boundless power in all of us
- All people have equal inherent worth
- Diversity is strength
- Each person deserves respect
- High expectation inspires to high achievement
- Risk is essential for success
- Common and individual interest are reciprocal
- Integrity is critical to trust
- Honest conversation leads to understanding
- Music is the universal language
- A strong community benefits all of its members
- Everyone can contribute to the good of the community

PARAMETERS

- We will make all decisions in the best interest of students
- We will honor the worth and dignity of each person
- We will hold the highest expectations of everyone
- We will assert the unlimited potential of every student
- We will practice participatory decision-making throughout the district
- We will not allow the past to determine our future

Top Picture

The Rialto Unified School District sends a warm congratulations to **Vanessa Rumbles**, a 2003 Eisenhower High School grad, for her recent Emmy win as a producer on CNN's New Day Weekend. She was part of the team that won in the "Outstanding News Analysis: Editorial & Opinion" category for the episode " 'Infested,' He Says."

Bottom Picture

Ms. Ana Garay, RUSD English Learners Secretary III, celebrated the start of Hispanic Heritage Month (Sept. 15-Oct. 15) by displaying her cultural spirit through festive attire, including indigenous beaded jewelry called Huichols. "I wore the top, the Huichols and the shoes, to show support of this month," she said. She took a picture alongside Lead Strategic Agent, **Dr. Darren McDuffie** (on left), and RUSD Superintendent, **Dr. Cuauhtémoc Avila**.

CONGRATULATIONS TO
2020 EMMY AWARD WINNER

Vanessa Rumbles

CNN Producer
Eisenhower High School Class of 2003

Outstanding News
Analysis: Editorial &
Opinion category

New Day Weekend:
'Infested,' He Says

