

**REGULAR MEETING OF THE BOARD OF EDUCATION
RIALTO UNIFIED SCHOOL DISTRICT
DR. JOHN R. KAZALUNAS EDUCATION CENTER
182 EAST WALNUT AVENUE, RIALTO, CA 92376**

August 23, 2017

A. OPENING

CALL TO ORDER AND ROLL CALL

The regular meeting of the Board of Education of the Rialto Unified School District was called to order at 5:30 p.m. by Vice President Martinez at the Dr. John R. Kazalunas Education Center, 182 East Walnut Avenue, Rialto, CA 92376.

Members present: Joseph W. Martinez, Vice President; Edgar Montes, Clerk; and Nancy G. O'Kelley, Member. Joseph Ayala, Member, arrived at 5:32 p.m. and Dina Walker, President, was absent.

Administrators present: Cuauhtémoc Avila, Ed.D., Superintendent; Mohammad Z. Islam, Associate Superintendent, Business Services; Kelly Bruce, Lead Innovation Agent, Education Services; Rhea McIver Gibbs, Lead Personnel Agent, Personnel Services; and Rhonda Kramer, Senior Director, Personnel Services. Also present was Nancy Mann, Administrative Secretary II.

OPEN SESSION

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.

There were no comments.

CLOSED SESSION

Upon a motion by Clerk Montes, seconded by Member O'Kelley, and approved by a unanimous 4-0 vote, the Board of Education entered into closed session at 5:32 p.m. to consider and discuss the following items:

1. Public Employee Employment/Discipline/Dismissal/Release/ Reassignment of Employees (Government Code section 54957)

Administrative Appointments

- High School Assistant Principal

(Ref. E 1.1)

- Continuation High School Assistant Principal
2. Student Expulsions/Reinstatements/Expulsion Enrollments
 3. CONFERENCE WITH LABOR NEGOTIATORS
Agency designated representatives: Cuauhtémoc Avila, Ed.D., Superintendent, Rhèa McIver Gibbs, Lead Personnel Agent, Personnel Services, and Rhonda Kramer, Senior Director, Personnel Services.
Employee organizations: California School Employees Association, Chapter 203 (CSEA), Rialto Education Association (REA), Communications Workers of America (CWA)
 4. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation (Subdivision (a) of Government Code section 54956.0):

Rialto Unified School District v. PMI
Case No. RIC1613390
Consideration of Settlement Agreement

Rialto Unified School District v. Educational Consulting Services, Inc., et al. (Case No. CIVDS1518116)

ADJOURNMENT OF CLOSED SESSION

Upon a motion by Member Ayala seconded by Clerk Montes, and passed by a unanimous 4-0 vote, closed session adjourned at 7:00 p.m.

OPEN SESSION RECONVENED – 7:00 P.M.

Members present: Joseph W. Martinez, Vice President; Edgar Montes, Clerk; Joseph Ayala, Member; and Nancy G. O’Kelley, Member. Dina Walker, President, was absent.

Administrators present: Cuauhtémoc Avila, Ed.D., Superintendent; Mohammad Z. Islam, Associate Superintendent, Business Services; Kelly Bruce, Lead Innovation Agent, Education Services; Rhea McIver Gibbs, Lead Personnel Agent, Personnel Services; and Rhonda Kramer, Senior Director, Personnel Services. Also present was Nancy Mann, Administrative Secretary II, and Jose M. Reyes, Interpreter.

PLEDGE OF ALLEGIANCE

Karina Monterrubio, 3rd grade Boyd Elementary School student, led the Pledge of Allegiance.

(Ref. E 1.2)

PLEDGE OF ALLEGIANCE

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REPORT OUT OF CLOSED SESSION

Superintendent Avila stated that a correction needed to be made to an employee number that was reported out of closed session at the August 9, 2017, Board meeting. Following is the correct information as noted:

- Denied the request for a leave of absence for **classified certificated** employee #1408947 #1381427, August 10, 2017 through June 30, 2018.

The vote was as follows:

President Walker – Absent

Vice President Martinez – Aye

Clerk Montes – Aye

Member Ayala – Aye

Member O’Kelley - Absent

Superintendent Avila reported that in closed session the Board of Education, by a unanimous 4-0 vote, took the following action:

- Approved a settlement agreement with Program Management Integration (PMI). Under the agreement, PMI will pay the District \$300,000.00. The District, in exchange, agrees to dismiss the lawsuit against PMI.

The vote was as follows:

President Walker – Absent

Vice President Martinez – Aye

Clerk Montes – Aye

Member Ayala – Aye

Member O’Kelley – Aye

- Approved the leave of absence for classified employee #1728237, September 20, 2017 through December 10, 2017.

The vote was as follows:

President Walker – Absent

Vice President Martinez – Aye

Clerk Montes – Aye

Member Ayala – Aye

Member O’Kelley – Aye

- Approved the leave of absence for classified employee #1990927, October 2, 2017 through December 8, 2017.

The vote was as follows:

President Walker – Absent

Vice President Martinez – Aye

Clerk Montes – Aye

Member Ayala – Aye

Member O’Kelley – Aye

- Accepted the administrative appointment of Johanna Cuellar as Continuation High School Assistant Principal, Milor High School.

The vote was as follows:

President Walker – Absent

Vice President Martinez – Aye

Clerk Montes – Aye

Member Ayala – Aye

Member O’Kelley – Aye

- Accepted the administrative appointment of Gilberto Henriquez-Pulido as High School Assistant Principal, Eisenhower High School.

The vote was as follows:

President Walker – Absent

Vice President Martinez – Aye

Clerk Montes – Aye

Member Ayala – Aye

Member O’Kelley – Aye

ADOPTION OF AGENDA

Upon a motion by Member O’Kelley, seconded by Clerk Montes, the Agenda was adopted by a unanimous 4-0 vote by the Board of Education.

B. PRESENTATIONS

1. Eisenhower High School student, Miguel Hernandez, National Recognition

Member O’Kelley presented a plaque to Miguel Hernandez, Eisenhower High School student, for his achievement in the Family, Career and Community Leaders of American (FCCLA) competition, and receiving recognition in both State and National levels in fashion design.

2. RUSD Employee, Mrs. Isabella Davidson, Posthumous Tribute

Member Ayala presented the family of Isabella Davidson, Lead Nutrition Services Worker, with a plaque honoring her 29½ years of service to the Rialto Unified School District. Mrs. Davidson passed away on August 9, 2017.

C. COMMENTS

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.

Sue Robertson, school nurse, talked about the District's Mission, Beliefs, and Parameters and noted that they were not printed on the inside cover of the Board Agenda as they have been in the past. She spoke of her disappointment that issues have not been addressed at Frisbie Middle School. Ms. Robertson also mentioned that the revised Maintenance & Operations Board Policy did not include the key elements the Frisbie Middle School staff requested.

Michelle Ramirez, teacher, Frisbie Middle School, addressed the revised Maintenance & Operations Board Policy. She requested that the policy be rewritten to include accountability and communication to the sites before, during, and after work orders have been submitted.

Laurette Allen, teacher, Frisbie Middle School, shared that she was excited to meet Mr. Kelly Bruce, Lead Innovation Agent, and thanked him and Mohammad Islam, Associated Superintendent, Business Services, for coming to her classroom during Back to School Night. She spoke of safety issues, including toxic conditions, at Frisbie Middle School, but more specifically, in the B-wing.

Tobin Brinker, teacher, Frisbie Middle School, shared that he is the newly elected Middle School Director of the REA Rep Council. He also spoke of the Rep Council helping the community. Lastly, he spoke of the Inland Empire Book Project that will give students access to free books and asked principals for their support in this project.

2. Public Comments on Agenda Items: Any person wishing to speak on any item **on** the Agenda will be granted three minutes.

There were no comments.

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)

Raquel Torres, President, CSEA, offered condolences to the Davidson family on behalf of Rialto Chapter 203. She also shared that on August 18th the membership unanimously voted and passed the Tentative Agreement Contract. She thanked everyone for successfully passing it the first time around.

4. Comments from the Superintendent
5. Comments from Members of the Board of Education

D. PUBLIC HEARING

OPEN PUBLIC HEARING

Upon a motion by Member O'Kelley, seconded by Clerk Montes, Public Hearing was opened at 8:07 p.m. by a unanimous 4-0 vote by the Board of Education.

1. Public Hearing: Pursuant to Government Code Section 4217.10 et seq., the Board of Education will consider for approval an agreement between the District and Trane U.S. Inc. ("Trane"), whereby resulting in energy cost savings and other benefits to the District.

Upon a motion by Clerk Montes, seconded by Member Ayala, Public Hearing was closed at 8:10 p.m. by a unanimous 4-0 vote by the Board of Education.

PUBLIC INFORMATION

2. Williams Inspection Reports – 2016/2017, Fourth Quarterly Report.

CONSENT CALENDAR ITEMS

Upon a motion by Clerk Montes, seconded by Member O'Kelley, Items E - J, were approved by a unanimous 4-0 vote by the Board of Education.

E. MINUTES

1. Approve the minutes of the Regular Board of Education meeting held August 9, 2017.

(Ref. E 1.6)

F. GENERAL FUNCTIONS CONSENT ITEMS

1. Approve second reading of revised Board Policy 3260(a-d); Business and Noninstructional Operations: Fees and Charges.
2. Approve second reading of revised Board Policy 3350(a-c); Business and Noninstructional Operations: Travel Expenses.
3. Approve second reading of revised Board Policy 4127, 4227, 4327(a-c); All Personnel: Temporary Athletic Team Coaches.
4. Approve second reading of revised Board Policy 4312.1(a-d); Administrative and Supervisory Personnel: Contracts.

G. INSTRUCTION CONSENT ITEMS – None

H. BUSINESS AND FINANCIAL CONSENT ITEMS

1. Approve Warrant Listing Register and Purchase Order Listing for all funds from July 19, 2017 through August 7, 2017, (sent under separate cover to Board Members). A copy for public review will be available at the Board Meeting.
2. Accept the listed donations from The Way Bible Fellowship and R3 Church of Fontana/Pastor Dr. Troy Johnson, and request that a letter of appreciation be sent to the donors.
3. Approve the use of the California Multiple Award Schedule (CMAS) Contract #1-16-23-20A for Fiscal Year 2017-2018, pursuant to Public Contract Code 20118, to be paid from the General Fund.
4. Approve the authorization of Fausat Rahman-Davies, Assistant Director of Nutrition Services, to electronically approve commercial warrants for the Cafeteria Fund (Fund 13), effective August 24, 2017.
5. Approve Amendment No. 1 with Twining Consulting, Inc. for additional testing and inspection services required for the Eisenhower High School Stadium project for an additional fee not-to-exceed \$12,371.00 and a total cost not-to-exceed \$74,130.00, to be paid from Fund 21, Measure Y, Series "C", General Obligation Bond Funds.
6. Approve an agreement with Inland Valley Recovery Services to provide classes on truancy intervention and school attendance, effective September 1, 2017 through May 31, 2018, at no cost to the District.

7. Ratify an agreement with Alliant University for mentoring opportunities for university students in their respective programs, effective August 1, 2017 through July 31, 2020, at no cost to the District.
8. Ratify an agreement with Azusa Pacific University for mentoring opportunities for university students in their respective programs, effective August 1, 2017 through July 31, 2020, at no cost to the District.
9. Approve an agreement with Loma Linda University for mentoring opportunities for university students in their respective programs, effective September 1, 2017 through August 31, 2020, at no cost to the District.
10. Approve an agreement with Loyola Marymount University for mentoring opportunities for university students in their respective programs, effective September 1, 2017, through August 31, 2020, at no cost to the District.
11. Ratify an agreement with National University for mentoring opportunities for university students in their respective programs, effective August 1, 2017 through August 1, 2020, at no cost to the District.
12. Approve an agreement with The Brightest Star, Inc. to provide Tier II level support for twenty-five (25) students at Werner Elementary to promote pro-social skills, character building and academic empowerment, effective September 1, 2017 through May 30, 2018, at a total cost not-to-exceed \$35,000.00, to be paid from the General Fund.
13. Ratify an agreement with Orange County Department of Education to accept the Scaling Up Multi-Tiered System of Support Statewide (SUMS) Grant to provide for a multi-tiered system of standards-based instruction, intervention, and mental health support, effective May 1, 2017 through June 30, 2020, in the amount of \$25,000.00.
14. Approve an agreement with San Bernardino Community College District, Valley Campus College, to establish a college level Economics (Econ 201) course and provide textbooks to high school students from Carter, Eisenhower, and Rialto High Schools, effective September 5, 2017 through December 15, 2017, at an estimated cost not-to-exceed \$19,318.88, to be paid from the General Fund. This term may be extended for an additional period by written agreement between the two parties for a total period not-to-exceed one (1) year.
15. Approve the planning, management and production services of The United College Action Network, Inc. (U-CAN) to bring U-CAN's 18th Annual Historically Black Colleges and Universities Recruitment Fair for all seniors at high schools in Rialto Unified School District for the 2017-2018

(Ref. E 1.8)

school year. The total cost of this event, including transportation costs, is a total of \$9,000.00, to be paid from the General Fund.

16. Approve an additional CAL-Card with a credit limit of \$10,000.00 to be issued to Mr. Kelly Bruce, Lead Innovation Agent, Education Services.

I. FACILITIES PLANNING CONSENT ITEM

1. Accept the work completed before August 7, 2017, by IVL Contractors, Inc. for all work required in connection with the Jehue Middle School Path of Travel Compliance project, Bid No. 16-17-015, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.

J. PERSONNEL SERVICES CONSENT ITEMS

- 1-3. Approve Personnel Report No. 1178 for classified and certificated employees.
4. Approve Declaration of Need for Fully Qualified Educators for the 2017-2018 school year.
5. Adopt Resolution No. 17-18-08, 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.

K. DISCUSSION/ACTION ITEMS

Upon a motion by Clerk Montes, seconded by Member O'Kelley, Item K1 was approved by a unanimous 4-0 vote by the Board of Education.

1. Ratify an agreement with Twining Consulting to provide field and/or in-plant testing and special inspection services for light poles, bleachers, and a press box at the Eisenhower High School Stadium project for a cost not-to-exceed \$81,916.00, to be paid from Fund 21, Measure Y, Series "C", General Obligation Bond Funds.

Upon a motion by Member O'Kelley, seconded by Clerk Montes, Item K2 was approved by a unanimous 4-0 vote by the Board of Education.

2. Approve an agreement with Scholastic Education to provide systemic professional learning and ongoing job-embedded coaching to support middle school history/social studies teachers, coaches, and administrators,

effective October 1, 2017 through February 28, 2018, for a total cost not-to-exceed \$47,879.00, to be paid from Unrestricted General Funds.

Upon a motion by Member Ayala, seconded by Clerk Montes, Item K3 was approved by a unanimous 4-0 vote by the Board of Education.

3. Approve an agreement with Scholastic Education to provide systemic professional learning to support Transitional Kindergarten and Kindergarten teachers, elementary administrators and Intervention Strategist, effective September 7, 2017 through May 30, 2018, for a total cost not-to-exceed \$30,000.00, to be paid from the Educator Effectiveness Fund.

Upon a motion by Member O'Kelley, seconded by Clerk Montes, Item K4 was approved by a unanimous 4-0 vote by the Board of Education.

4. Approve the agreement with Trane US, Inc. with Notice to Proceed, contingent on the District's ability, to secure financing for approximately \$11 million over fifteen (15) years for the project of implementing District-wide heating, ventilation, and air-conditioning (HVAC) equipment, LED lighting, and energy management system upgrades. The District will make the final determination of choosing the financing partner. The financing agreement will be presented to the Board for approval at a later date.

Upon a motion by Member O'Kelley, seconded by Member Ayala, Item K5 was approved by a unanimous 4-0 vote by the Board of Education.

5. Adopt Resolution No. 17-18-06, excusing the absence of Board President Dina Walker from the Wednesday, August 9, 2017, Regular Meeting of the Board of Education.

Upon a motion by Member Ayala, seconded by Clerk Montes, Item K6 was approved by a unanimous 4-0 vote by the Board of Education.

6. Adopt Resolution No. 17-18-07, excusing the absence of Board Member Nancy G. O'Kelley from the Wednesday, August 9, 2017, Regular Meeting of the Board of Education.

Upon a motion by Clerk Montes, seconded by Member O'Kelley, Item K7 was approved by a unanimous 4-0 vote by the Board of Education.

7. Approve the recommendations of the Administrative Hearing Panel (AHP):

STIPULATED EXPULSION


Case Number:
17-18-01

REINSTATEMENT

Case Numbers:
12-13-98
EE 17-18-01

L. **ADJOURNMENT**

Upon a motion by Member O'Kelley, seconded by Member Ayala, and approved by a unanimous 4-0 vote by the Board of Education, the meeting was adjourned at 8:33 p.m., with a moment of silence in memory of Isabella Davidson who worked in the Nutrition Services Department for over 29 years.



Clerk, Board of Education



Secretary, Board of Education