



Board of Education Agenda

Wednesday, October 16, 2024



RIALTO
UNIFIED SCHOOL DISTRICT
BRIDGING FUTURES THROUGH INNOVATION

Mission

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

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

Board of Education

Joseph W. Martinez, President
Edgar Montes, Vice President
Evelyn P. Dominguez, LVN, Clerk
Dr. Stephanie E. Lewis, Member
Nancy G. O'Kelley, Member

RUSD Acting Superintendent

Dr. Edward D'Souza

Front Cover Picture:

Rialto Middle School roared into its 100th year with a spectacular celebration on October 10, 2024! The Rialto Unified School District and community came together to honor the school's century-long milestone. The event, attended by alumni, former staff members, past principals, and current students, showcased Rialto Middle's remarkable journey from its beginnings in 1924, when it educated about 90 seventh, eighth, and ninth-grade students, to the award-winning institution it is today. Principal **Mr. Ricardo Garcia** welcomed the community, sharing fascinating insights into the school's profound history. Festivities included a historical picture gallery presented by student leaders, inspiring performances from the school band and cheer team, and a memorable time capsule ceremony. The event celebrated a century of integrity and determination while looking ahead to the next 100 years.



IMPORTANT PUBLIC NOTICE

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

- To access the Board Meeting via live stream, go to “Our Board”, scroll down to “Board Meeting Videos” and click play.
- To access the meeting agenda, visit our website and click on “Our Board”, then scroll down to “Agendas and Minutes”.
- **To make public comments, please arrive five minutes prior to the school Board meeting to allow time for you to submit your public comment request. Remember that comments are limited to three minutes on each item on or off the agenda.**
- If you have any questions, please contact Martha Degortari, Executive Administrative Agent, at mdegorta@rialtousd.org, or 1(909) 820-7700, ext. 2124.
- To access the Spanish version of the Board meeting: United States Toll +1(408) 418-9388 Access Code – 960 675 512 #.



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

October 16, 2024

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

Board Members:

**Joseph W. Martinez, President
Edgar Montes, Vice President
Evelyn P. Dominguez, LVN, Clerk
Dr. Stephanie E. Lewis, Member
Nancy G. O'Kelley, Member**

Acting Superintendent:

Edward D'Souza, Ph.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 6:00 p.m.

A.2 OPEN SESSION

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:

- PUBLIC EMPLOYEE EMPLOYMENT / DISCIPLINE / DISMISSAL / RELEASE / REASSIGNMENT OF EMPLOYEES (GOVERNMENT CODE SECTION 54957)
- STUDENT EXPULSIONS / REINSTATEMENTS / EXPULSION ENROLLMENTS
- CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Edward D'Souza, Ph.D., Acting Superintendent; Lead Personnel Agents: Rhonda Kramer, Roxanne Dominguez, and Armando Urteaga, Personnel Services.

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

- PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d) and/or (d)(3).
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE LITIGATION - Number of Potential Claims: 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.

Vote by Board Members to move into Closed Session:

Ayes: _____ Noes: _____ Abstain: _____ Absent: _____

Time: _____

A.4 ADJOURNMENT OF CLOSED SESSION

Moved _____

Seconded _____

Vote by Board Members to adjourn Closed Session:

Ayes:_____Noes:_____Abstain:_____Absent:_____

Time:_____

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

A.6 PLEDGE OF ALLEGIANCE

A.7 PRESENTATION BY EISENHOWER HIGH SCHOOL

A.8 REPORT OUT OF CLOSED SESSION

A.9 ADOPTION OF AGENDA

Moved _____

Seconded _____

Vote by Board Members to adopt the agenda:

Ayes:_____Noes:_____Abstain:_____Absent:_____

B. PRESENTATIONS

B.1 2024-2025 STUDENT BOARD MEMBER

Board President, Joseph W. Martinez, will administer the Oath of Office to Student Board Member.

B.2 HIGH SCHOOL - DISTRICT STUDENT ADVISORY COMMITTEE

B.3 PRESENTATION ON RIALTO PROJECT IMPACT - GIA AWARD WINNERS

Presented by Dr. Rhea McIver Gibbs, Lead Strategic Agent, and Dr. Chinaka DomNwachukwu, Dean, CSUSB College of Education.

C. COMMENTS

C.1 PUBLIC COMMENTS NOT ON THE AGENDA

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 STUDENT BOARD MEMBER

C.5 COMMENTS FROM THE ACTING SUPERINTENDENT

C.6 COMMENTS FROM MEMBERS OF THE BOARD OF EDUCATION

D. PUBLIC HEARING - None

27

E. CONSENT CALENDAR ITEMS

29

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 approve Consent Calendar Items:

_____ Preferential vote by Student Board Member, Ivan Manzo

_____ Nancy G. O'Kelley, Member

_____ Dr. Stephanie E. Lewis, Member

_____ Evelyn P. Dominguez, LVN, Clerk

_____ Edgar Montes, Vice President

_____ Joseph W. Martinez, President

E.1 GENERAL FUNCTIONS CONSENT ITEMS

E.1.1	APPROVE THE FIRST READING OF REVISED BOARD POLICY 0510; SCHOOL ACCOUNTABILITY REPORT CARD	30
E.1.2	APPROVE THE FIRST READING OF REVISED BOARD POLICY 2210; ADMINISTRATIVE DISCRETION REGARDING BOARD POLICY	35
E.1.3	APPROVE THE FIRST READING OF REVISED BOARD POLICY 2230; REPRESENTATIVE AND DELIBERATIVE GROUPS	38
E.1.4	APPROVE THE FIRST READING OF REVISED BOARD POLICY 4118, 4218; DISMISSAL/SUSPENSION/DISCIPLINARY ACTION	41
E.1.5	APPROVE THE FIRST READING OF REVISED BOARD POLICY 5148.2; BEFORE/AFTER SCHOOL PROGRAMS	69
E.1.6	APPROVE THE FIRST READING OF REVISED BOARD POLICY 6177; SUMMER LEARNING PROGRAMS	80

E.1.7	APPROVE THE FIRST READING OF REVISED BYLAW OF THE BOARD 9270; CONFLICT OF INTEREST	90
E.2	INSTRUCTION CONSENT ITEMS	
E.2.1	APPROVE AN OVERNIGHT TRIP TO SAN DIEGO - MILOR HIGH SCHOOL	105
	<p>Approve 30 students (15 boys, 15 girls) of the Milor High School, CTE, Water Science pathway and 4 chaperones (2 male, 2 female) to attend the multi-day, overnight STEM Study trip to tour multiple locations within San Diego, California, effective November 12, 2024 through November 14, 2024, at a cost not-to-exceed \$35,000.00, and to be paid from the General Fund (Equity Multiplier Funds).</p>	
E.2.2	APPROVE AN OVERNIGHT TRIP TO THE CALIFORNIA SCHOOL NUTRITION ASSOCIATION CONFERENCE	106
	<p>Approve two (2) female students and (1) female chaperone to attend the 72nd Annual California School Nutrition Association Conference at SAFE Credit Union Convention Center in Sacramento, California, effective November 14, 2024 through November 16, 2024, at a cost not-to-exceed \$3,000.00, and to be paid from the General Fund.</p>	
E.2.3	APPROVE AN OVERNIGHT TRIP TO THE FALL 2024 HEALTHY MEALS SUMMIT	107
	<p>Approve two (2) female students and (1) female chaperone to attend the 2024 Healthy Meals Summit at Caesar's Palace, Las Vegas, Nevada, effective October 21, 2024 through October 23, 2024, at a cost not-to-exceed \$6,000.00, and to be paid from the General Fund.</p>	

E.2.4 APPROVE PARENT/COMMUNITY MEMBER TO ATTEND REGIONAL EDUCATIONAL LEADERSHIP ACADEMY (RELA) 108

Approve one (1) parent to attend six (6) sessions of the Regional Educational Leadership Academy offered by the San Bernardino County Superintendent of Schools from November 8, 2024, through April 11, 2025, at a cost not to exceed \$750.00, and to be paid from the General Fund (Title I Parent Involvement).

E.3 BUSINESS AND FINANCIAL CONSENT ITEMS

E.3.1 APPROVE THE WARRANT LISTING AND PURCHASE ORDER LISTING

All funds from September 6, 2024 through September 23, 2024, (Sent under separate cover to Board Members). A copy for public review will be available on the District's website.

E.3.2 DONATIONS 109

Accept the listed donations from Amazon; and The Echohero Show, and that a letter of appreciation be sent to the donor.

E.3.3 APPROVE A RENEWAL AGREEMENT WITH LEXIA LEARNING SYSTEMS, LLC - FRISBIE MIDDLE SCHOOL 110

Approve the purchase of the annual membership for Frisbie Middle School, effective November 1, 2024 through October 31, 2025, at a cost not-to-exceed \$9,450.00 and to be paid from the General Fund (CSI).

- E.3.4 APPROVE A RENEWAL AGREEMENT WITH ST. CATHERINE OF SIENA PRIVATE SCHOOL** 111
- Provide extended day services to students identified as English Learners at St. Catherine of Siena Private School, effective October 17, 2024 through May 30, 2025, at a cost not-to-exceed \$6,833.96, and to be paid from the General Fund (Title III).
- E.3.5 RATIFY AGREEMENTS WITH IN-HOME ABA COMPANIES** 112
- Enable in-home Applied Behavioral Analysis (ABA) therapists to provide additional support and services to Rialto Unified School District students within the school setting, effective August 5, 2024 through June 30, 2026, at no cost to the District.
- E.3.6 APPROVE AN AGREEMENT WITH BY ANY MEANS VISIONARY, LLC** 114
- Provide six (6) 40-minute assemblies for all eighth graders participating in the Career Cruisin' Career Technical Education recruitment event at the Chavez Huerta Center for Education, effective October 17, 2024 through June 30, 2025, at a cost not-to-exceed \$17,000.00, and to be paid from the General Fund (Perkins Grant).
- E.3.7 APPROVE AN AGREEMENT WITH ANN SIMUN, PSY.D., SIMUN PSYCHOLOGICAL ASSESSMENT GROUP** 115
- Provide Independent Education Evaluations during the 2024-2025 school year, effective October 17, 2024 through June 30, 2025, at a cost not-to-exceed \$12,000.00, and to be paid from the General Fund.

E.3.8	APPROVE AN AGREEMENT WITH GREEN SCHOOLYARDS AMERICA	116
	Approve an agreement that would allow three (3) staff members to participate in the Green Schoolyards America project at California State Polytechnic University, Pomona, effective October 17, 2024 through June 30, 2025, at no cost to the District.	
E.3.9	APPROVE AN AGREEMENT WITH SOLUTION TREE - KUCERA MIDDLE SCHOOL	117
	Provide professional development services, beginning with a complete School Culture Audit followed by a customized Transforming School Culture Workshop for Kucera Middle School teachers and Administrators, effective October 17, 2024 through June 30, 2025, at a cost not-to-exceed \$15,890.00, and to be paid with the General Fund (CSI).	
E.3.10	APPROVE AN AGREEMENT WITH NUCLEUS ROBOTICS, LLC	118
	Provide access to the Nucleus Financial Literacy & Entrepreneurship curriculum to all Career Technical Education participants, effective October 17, 2024 through June 30, 2025, at a cost not-to-exceed \$45,000.00, and to be paid from the General Fund (CTEIG).	
E.3.11	APPROVE AN AGREEMENT WITH STEP-BY-STEP FOLKLORICO LLC - WERNER ELEMENTARY SCHOOL	119
	Provide 16 lessons in Ballet Folklorico, one (1) student performance, costume rentals, art and craft activities, and one (1) learning presentation to 40 students at Werner Elementary School, effective October 17, 2024 through June 30, 2025, at a cost not-to-exceed \$17,100.00, and to be paid from the General Fund (PROP 28 AMS).	

E.3.12	APPROVE AN AGREEMENT WITH TRUBEL&CO	120
	Provide trubel&co virtual student workshops for any students in grades 9 through 12 interested in learning about Geographic Information Systems (GIS) at any Rialto Unified School District high school, effective October 17, 2024 through June 30, 2025, at a cost not-to-exceed \$20,000.00, and to be paid from the General Fund (California Serves Grant).	
E.3.13	APPROVE A STUDENT TEACHER AGREEMENT WITH TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY & SAN DIEGO STATE UNIVERSITY	121
	Assist current and future educators in completing state requirements for credentialing from October 17, 2024, through October 16, 2029, at no cost to the District.	
E.3.14	APPROVE AN AGREEMENT WITH JAMEY CLARK, INC.	122
	Approve an agreement with Jamey Clark Inc., to audit and provide comprehensive reports of existing playground structures at multiple sites, effective October 17, 2024, through June 30, 2025, at the cost not-to-exceed \$28,000.00, and to be paid from the General Fund (Routine Repair Maintenance Account).	
E.4	FACILITIES PLANNING CONSENT ITEMS - None	
E.5	PERSONNEL SERVICES CONSENT ITEMS	
E.5.1	APPROVE PERSONNEL REPORT NO. 1326 FOR CLASSIFIED AND CERTIFICATED EMPLOYEES	123

E.5.2	ADOPT RESOLUTION NO. 24-25-23 - BILINGUAL AUTHORIZATION WAIVER	133
	<p>Authorize 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.</p>	
E.5.3	ADOPT RESOLUTION NO. 24-25-25; PROVISIONAL INTERNSHIP PERMIT	134
	<p>Authorize 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.</p>	
E.6	MINUTES	135
E.6.1	APPROVE THE MINUTES OF REGULAR BOARD OF EDUCATION MEETING HELD SEPTEMBER 25, 2024	136

F. DISCUSSION/ACTION ITEMS 151

F.1 AUTHORIZE THE PURCHASE, WARRANTY, INSTALLATION, AND MAINTENANCE OF TECHNOLOGY HARDWARE, SOFTWARE, AND SOLUTIONS FROM DATA IMPRESSIONS UTILIZING CALIFORNIA MULTIPLE AWARD SCHEDULE (CMAS) NUMBER 3-19-70-0697W AND 4-20-58-0080A 152

Moved _____

Seconded _____

Approve the use of California Multiple Award Schedule (CMAS) numbers 3-19-70-0697W and 4-20-58-0080A from Data Impressions at a cost to be determined at the time of purchase and to be paid using various funds.

DISCUSSION

Vote by Board Members:

_____ Preferential vote by Student Board Member, Ivan Manzo

_____ Nancy G. O'Kelley, Member

_____ Dr. Stephanie E. Lewis, Member

_____ Evelyn P. Dominguez, LVN, Clerk

_____ Edgar Montes, Vice President

_____ Joseph W. Martinez, President

F.2 AUTHORIZE THE PURCHASE AND WARRANTY OF TECHNOLOGY SOLUTIONS FROM J. SWEIGART INC. DOING BUSINESS AS BDJTECH UTILIZING CALIFORNIA MULTIPLE AWARD SCHEDULE (CMAS) NUMBER 3-24-05-1014

Moved _____

Seconded _____

Approve the use of California Multiple Award Schedule (CMAS) Number 3-24-05-1014 from J. Sweigart Inc. doing business as BDJtech at a cost to be determined at the time of purchase and to be paid using various funds.

DISCUSSION

Vote by Board Members:

_____ Preferential vote by Student Board Member, Ivan Manzo

_____ Nancy G. O'Kelley, Member

_____ Dr. Stephanie E. Lewis, Member

_____ Evelyn P. Dominguez, LVN, Clerk

_____ Edgar Montes, Vice President

_____ Joseph W. Martinez, President

**F.3 AUTHORIZE THE PURCHASE, WARRANTY, AND
INSTALLATION OF FURNITURE FROM OFS BRANDS
INC. UTILIZING CALIFORNIA MULTIPLE AWARD
SCHEDULE (CMAS) NUMBER 4-24-01-1049**

154

Moved _____

Seconded _____

Approve the use of California Multiple Award Schedule (CMAS) Number 4-24-01-1049 from OFS Brands Inc. at a cost to be determined at the time of purchase and to be paid using various funds.

DISCUSSION

Vote by Board Members:

_____ Preferential vote by Student Board Member, Ivan Manzo

_____ Nancy G. O'Kelley, Member

_____ Dr. Stephanie E. Lewis, Member

_____ Evelyn P. Dominguez, LVN, Clerk

_____ Edgar Montes, Vice President

_____ Joseph W. Martinez, President

F.4 AUTHORIZATION TO EXTEND THE USE OF PREVIOUSLY APPROVED INTERGOVERNMENTAL CONTRACTS

Moved _____

Seconded _____

Approve the extension and continued use of intergovernmental contracts during the 2024-2025 school year at a cost to be determined at the time of purchase and to be paid from various funds.

DISCUSSION

Vote by Board Members:

_____ Preferential vote by Student Board Member, Ivan Manzo

_____ Nancy G. O'Kelley, Member

_____ Dr. Stephanie E. Lewis, Member

_____ Evelyn P. Dominguez, LVN, Clerk

_____ Edgar Montes, Vice President

_____ Joseph W. Martinez, President

F.5 RATIFY A RENEWAL AGREEMENT WITH IMAGINE LEARNING - ZUPANIC VIRTUAL ACADEMY

Moved _____

Seconded _____

Provide a learning license and digital libraries, effective August 5, 2024 through June 30, 2025, at a cost not-to-exceed \$162,475.97, and to be paid from the General Fund.

DISCUSSION

Vote by Board Members:

_____ Preferential vote by Student Board Member, Ivan Manzo

_____ Nancy G. O'Kelley, Member

_____ Dr. Stephanie E. Lewis, Member

_____ Evelyn P. Dominguez, LVN, Clerk

_____ Edgar Montes, Vice President

_____ Joseph W. Martinez, President

F.6 APPROVE A RENEWAL AGREEMENT WITH PEARSON CLINICAL ASSESSMENT GROUP

Moved _____

Seconded _____

Approve a subscription renewal for one year with Pearson Clinical Assessment for assessment tools to determine students' eligibility for Special Education Supports and Services, effective October 17, 2024, through October 16, 2025, at a cost not to exceed \$56,113.25, and to be paid from the General Fund.

DISCUSSION

Vote by Board Members:

_____ Preferential vote by Student Board Member, Ivan Manzo

_____ Nancy G. O'Kelley, Member

_____ Dr. Stephanie E. Lewis, Member

_____ Evelyn P. Dominguez, LVN, Clerk

_____ Edgar Montes, Vice President

_____ Joseph W. Martinez, President

F.7 APPROVE AN AGREEMENT WITH SCOOT EDUCATION

Moved _____

Seconded _____

Provide instructional and behavior support aides during the 2024-2025 school year, effective October 17, 2024 through June 30, 2025, at a cost not-to-exceed \$200,000.00, and to be paid from the General Fund.

DISCUSSION

Vote by Board Members:

_____ Preferential vote by Student Board Member, Ivan Manzo

_____ Nancy G. O'Kelley, Member

_____ Dr. Stephanie E. Lewis, Member

_____ Evelyn P. Dominguez, LVN, Clerk

_____ Edgar Montes, Vice President

_____ Joseph W. Martinez, President

F.8 APPROVE AN AGREEMENT WITH ART SPECIALTIES - EISENHOWER HIGH SCHOOL

161

Moved _____

Seconded _____

Provide signage and installation at Eisenhower High School, effective October 17, 2024 through June 30, 2025, at a cost not-to-exceed \$50,000.00, and to be paid from the General Fund.

DISCUSSION

Vote by Board Members:

_____ Preferential vote by Student Board Member, Ivan Manzo

_____ Nancy G. O'Kelley, Member

_____ Dr. Stephanie E. Lewis, Member

_____ Evelyn P. Dominguez, LVN, Clerk

_____ Edgar Montes, Vice President

_____ Joseph W. Martinez, President

F.9 APPROVE SETTLEMENT AGREEMENT WITH SJD&B, INC. FOR THE SPECIAL ED DEPARTMENT RENOVATION PROJECT BID NO. 21-22-006 AND, THEREAFTER, ACCEPT THE PROJECT AS COMPLETE

162

Moved _____

Seconded _____

Staff recommends that the Board of Education: (1) approve the settlement agreement with SJD&B, Inc., to provide for a full and final settlement, and final payment to the Contractor \$200,000.00, to be paid from Fund 40 - Special Reserve for Capital Outlay Projects; and (2) thereafter, formally accept the project as complete.

DISCUSSION

Vote by Board Members:

_____ Preferential vote by Student Board Member, Ivan Manzo

_____ Nancy G. O'Kelley, Member

_____ Dr. Stephanie E. Lewis, Member

_____ Evelyn P. Dominguez, LVN, Clerk

_____ Edgar Montes, Vice President

_____ Joseph W. Martinez, President

Moved _____

Seconded _____

Declare October 14-18, 2024, 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.

DISCUSSION

Vote by Board Members:

_____ Preferential vote by Student Board Member, Ivan Manzo

_____ Nancy G. O'Kelley, Member

_____ Dr. Stephanie E. Lewis, Member

_____ Evelyn P. Dominguez, LVN, Clerk

_____ Edgar Montes, Vice President

_____ Joseph W. Martinez, President

F.11 ADOPT RESOLUTION NO. 24-25-19; CONTINUED FUNDING APPLICATION WITH THE STATE OF CALIFORNIA DEPARTMENT OF EDUCATION CONTRACT FOR STATE PRESCHOOL PROGRAM FOR THE 2024-2025 SCHOOL YEAR

166

Moved _____

Seconded _____

DISCUSSION

Vote by Board Members:

_____ Preferential vote by Student Board Member, Ivan Manzo

_____ Nancy G. O'Kelley, Member

_____ Dr. Stephanie E. Lewis, Member

_____ Evelyn P. Dominguez, LVN, Clerk

_____ Edgar Montes, Vice President

_____ Joseph W. Martinez, President

F.12 ADOPT RESOLUTION NO. 24-25-20; REMUNERATION

168

Moved _____

Seconded _____

Excuse the absence of Board Member, Nancy G. O'Kelley, from the Wednesday, September 25, 2024, regular meeting of the Board of Education.

DISCUSSION

Vote by Board Members:

_____ Preferential vote by Student Board Member, Ivan Manzo

_____ Nancy G. O'Kelley, Member

_____ Dr. Stephanie E. Lewis, Member

_____ Evelyn P. Dominguez, LVN, Clerk

_____ Edgar Montes, Vice President

_____ Joseph W. Martinez, President

Moved _____

Seconded _____

The Board of Education of the Rialto Unified School District hereby establishes a retirement plan for certain eligible employees of the District effective July 1, 2025.

DISCUSSION

Vote by Board Members:

_____ Preferential vote by Student Board Member, Ivan Manzo

_____ Nancy G. O'Kelley, Member

_____ Dr. Stephanie E. Lewis, Member

_____ Evelyn P. Dominguez, LVN, Clerk

_____ Edgar Montes, Vice President

_____ Joseph W. Martinez, President

Moved _____

Seconded _____

Authorize the filing of Form J-13A and requesting approval by the County Superintendent of Schools for the emergency closure and reduction of Average Daily Attendance for Tuesday, September 10, 2024, through Monday, September 16, 2024, for Rialto Unified School District.

DISCUSSION

Vote by Board Members:

_____ Preferential vote by Student Board Member, Ivan Manzo

_____ Nancy G. O'Kelley, Member

_____ Dr. Stephanie E. Lewis, Member

_____ Evelyn P. Dominguez, LVN, Clerk

_____ Edgar Montes, Vice President

_____ Joseph W. Martinez, President

F.15 ADOPT RESOLUTION NO. 24-25-24; NATIONAL SCHOOL BUS SAFETY WEEK

181

Moved _____

Seconded _____

Declare October 21-24, 2024, as National School Bus Safety Week and encourages all teachers, support staff, and students to participate in appropriate programs and activities.

DISCUSSION

Vote by Board Members:

_____ Preferential vote by Student Board Member, Ivan Manzo

_____ Nancy G. O'Kelley, Member

_____ Dr. Stephanie E. Lewis, Member

_____ Evelyn P. Dominguez, LVN, Clerk

_____ Edgar Montes, Vice President

_____ Joseph W. Martinez, President

F.16 ADOPT RESOLUTION NO. 24-25-26 AUTHORIZING THE EMERGENCY REPAIR AND RESTORATION OF RIALTO HIGH SCHOOL ROOM H109

183

Moved _____

Seconded _____

DISCUSSION

Vote by Board Members:

_____ Preferential vote by Student Board Member, Ivan Manzo

_____ Nancy G. O'Kelley, Member

_____ Dr. Stephanie E. Lewis, Member

_____ Evelyn P. Dominguez, LVN, Clerk

_____ Edgar Montes, Vice President

_____ Joseph W. Martinez, President

G. ADJOURNMENT

The next regular meeting of the Board of Education of the Rialto Unified School District will be held on November 13, 2024, at 7:00 p.m. at the Dr. John Kazalunas Education Center, 182 East Walnut Ave, Rialto, California.

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, with preferential vote by Student Board Member, Ivan Manzo:

Ayes: _____ Noes: _____ Abstain: _____ Absent: _____

Time: _____

PUBLIC HEARING

NONE

CONSENT CALENDAR ITEMS



RIALTO UNIFIED SCHOOL DISTRICT

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0510(a)

School Accountability Report Card

The Board of Education recognizes its responsibility to inform parents/guardians and the community about the conditions, needs, and progress at each District school and to provide data by which parents/guardians can make meaningful comparisons between schools. The process of gathering and analyzing data also provides opportunities for school and District staff to review achievements and identify areas for improvement.

The Board of Education shall annually issue a School Accountability Report Card (SARC) for each school site. (Education Code 35256)

In preparing the District's report cards, the Superintendent or designee may choose to use or adapt the model template provided by the California Department of Education. If the model template is not used, the Superintendent or designee shall ensure that data ~~are~~ **is** reported in a manner that is consistent with the definitions for school conditions as provided in the template. At least every three years, the Board shall compare the content of the District's ~~report cards~~ **SARC's** to the State's model template, recognizing that variances are allowed by law as necessary to meet local needs. (Education Code 33126.1, 35256)

The Board shall annually approve the SARC's for all District schools and shall evaluate the data contained in the SARC's as part of the Board's regular review of the effectiveness of the District's programs, personnel, and fiscal operations.

The Superintendent or designee shall develop strategies for communicating the information contained in the SARC's to all stakeholders, including opportunities for staff and the community to discuss their content.

Notification and Dissemination of SARC's

~~The Superintendent or designee shall annually publicize the issuance of the SARC's and notify parents/guardians that a paper copy will be provided upon request. On or before February 1 of each year, the Superintendent or designee shall make the SARC's available in paper copy and on the internet. (Education Code 35256)~~

Annually, on or before February 1 of each year, the Superintendent or designee shall publicize the issuance of the SARC's, make the SARC's available on the district's website, and notify parents/guardians that a hard copy shall be provided upon request. (Education Code 33126, 35256, 35258)

Additionally, when 15 percent or more of a school's students speak a single primary language other than English, the SARC shall be translated into that other language. (Education Code 48985)

School Accountability Report Card

In addition, the SARC shall be provided in an understandable and uniform format and, to the extent practicable, provided in a language that parents/guardians can understand. (Education Code 33126, 35256; 20 USC 6311)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
CA Constitution Article 16, Section 8.5(e)	Allocations to State School Fund
Ed. Code 1240	County superintendent of schools; duties
Ed. Code 17002	State School Building Lease-Purchase Law, including definition of good repair
Ed. Code 17014	Plan for building maintenance
Ed. Code 17032.5	Portable classroom maintenance
Ed. Code 17070.15	School Facilities Act; definitions
Ed. Code 17089	Portable classroom maintenance
Ed. Code 33126	School accountability report card
Ed. Code 33126.1	School Accountability Report Card model template
Ed. Code 33126.15	School Accountability Report Card template
Ed. Code 33126.2	Secretary of Education school accountability report card study
Ed. Code 35256	School Accountability Report Card
Ed. Code 35256.1	Information required in the School Accountability Report Card
Ed. Code 35258	Internet access to the School Accountability Report Card
Ed. Code 41409	Calculation of statewide averages
Ed. Code 41409.3	Salary information required in the School Accountability Report Card
Ed. Code 46112	Minimum school day for grades 1 through 3
Ed. Code 46113	Minimum school day for grades 4 through 8

School Accountability Report Card

State	Description
Ed. Code 46141	Minimum school day (high school)
Ed. Code 51225.3	High school graduation requirements
Ed. Code 52052	Accountability; numerically significant student subgroups
Ed. Code 60119	Textbook sufficiency
Ed. Code 60600-60618	General provisions
Ed. Code 60640-60648.5	California Assessment of Student Performance and Progress
Ed. Code 60800	Physical fitness testing
Federal	Description
20 USC 6311	State plan
Management Resources	Description
California Department of Education Publication	Adjusted Cohort Graduation Rate Federal Program Monitoring Instrument
California Department of Education Publication	SARC Preparation Guide for Public Schools
California Department of Education Publication	Frequently Asked Questions about the School Accountability Report Card
U.S. DOE Guidance	Opportunities and Responsibilities for State and Local Report Cards under the Elementary and Secondary Education Act of 1965, as Amended by the Every Student Succeeds Act, September 2019
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education, School Accountability Report Card
Website	U.S. Department of Education
Cross References	
Code	Description
0420	School Plans/Site Councils
0420	School Plans/Site Councils

School Accountability Report Card

Code	Description
0420.4	Charter School Authorization
0420.4	Charter School Authorization
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
0500	Accountability
1000	Concepts And Roles
1100	Communication With The Public
1100-E PDF(1)	Communication With The Public
1112	Media Relations
1113	District And School Websites
1113	District And School Websites
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media
3517	Facilities Inspection
3517	Facilities Inspection
3517-E(1)	Facilities Inspection
5145.6	Parent/Guardian Notifications
5145.6-E PDF(1)	Parent/Guardian Notifications
6000	Concepts And Roles
6117	Year-Round Schedules
6117	Year-Round Schedules
6142.7	Physical Education And Activity
6142.7	Physical Education And Activity
6162.5	Student Assessment
6190	Evaluation Of The Instructional Program
9000	Role Of The Board

School Accountability Report Card

Policy
adopted: May 26, 1999
revised: July 27, 2005
revised: September 10, 2008
revised:

RIALTO UNIFIED SCHOOL DISTRICT
Rialto, CA



RIALTO UNIFIED SCHOOL DISTRICT

Administration

BP 2210(a)

ADMINISTRATION DISCRETION REGARDING BOARD POLICY

The Board of Education desires to be proactive in communicating its philosophy, priorities, and expectations for the District; clarifying the roles and responsibilities of the Board, Superintendent, and other senior administrators; and setting direction for the District through written policies. However, the Board recognizes that, in the course of operating District schools or implementing District programs, situations may arise ~~which~~ **that** may not be addressed in written policies. In such situations, or when immediate action is necessary to avoid any risk to the safety and security of students, staff, or District property or to prevent disruption of school operations, the Superintendent or designee shall have the authority to act on behalf of the District in a manner that is consistent with law and Board policies.

~~(cf. 0000—Vision)~~

~~(cf. 0100—Philosophy)~~

~~(cf. 0200—Goals for the School District)~~

~~(cf. 0450—Comprehensive Safety Plan)~~

~~(cf. 0460—Local Control and Accountability Plan)~~

~~(cf. 2110—Superintendent Responsibility and Duties)~~

~~(cf. 2121—Superintendent's Contract)~~

~~(cf. 3516.5—Emergency Schedules)~~

~~(cf. 9000—Role of the Board)~~

~~(cf. 9310—Board Policies)~~

As necessary, the Superintendent or designee shall consult with other District staff, including legal counsel and/or the chief business official, regarding the exercise of this authority.

Any exercise of administrative authority shall be nondiscriminatory and demonstrate the District's commitment to equity in District programs and activities.

~~(cf. 0410—Nondiscrimination in District Programs and Activities)~~

~~(cf. 0415—Equity)~~

The Superintendent shall be accountable to the Board for all areas of operation under his/her authority. As appropriate, the Superintendent or designee shall notify the Board as soon as practicable after he/she exercises the authority granted under this policy. The Board President and the Superintendent shall schedule a review of the action at the next regular Board meeting. If the action indicates the need for additions or revisions to Board policies, the Superintendent or designee shall make the necessary recommendations to the Board.

ADMINISTRATION DISCRETION REGARDING BOARD POLICY

(cf. 9320 – Meetings and Notices)
(cf. 9322 – Agenda/Meeting Materials)

Legal Reference:~~EDUCATION CODE~~~~35010 Control of district, prescription and enforcement of rules~~~~35035 Powers and duties of superintendent~~~~35160 Authority of governing boards~~~~35161 Powers and duties; authority to delegate~~~~35163 Official actions, minutes and journal~~*Management Resources:*~~WEB SITES~~CSBA: <http://www.csba.org>**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

Ed. Code 35010

Ed. Code 35035

Ed. Code 35160

Ed. Code 35161

Ed. Code 35163

Management Resources

Website

Website

Cross References**Code**

0000

Description[Control of district; prescription and enforcement of rules](#)[Powers and duties of the superintendent; transfer authority](#)[Authority of governing boards](#)[Board delegation of any powers or duties](#)[Official actions, minutes and journal](#)**Description**[CSBA District and County Office of Education Legal Services](#)[CSBA](#)**Description**[Vision](#)

ADMINISTRATION DISCRETION REGARDING BOARD POLICY

Code	Description
0100	Philosophy
0200	Goals For The School District
0415	Equity
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
2000	Concepts And Roles
2110	Superintendent Responsibilities And Duties
2121	Superintendent's Contract
3100	Budget
3100	Budget
3516.5	Emergency Schedules
9000	Role Of The Board
9310	Board Policies
9320	Meetings And Notices
9322	Agenda/Meeting Materials

Policy
 adopted: May 26, 1999
 revised: January 23, 2002
 revised: March 24, 2010
 revised: October 12, 2011
 revised: September 26, 2018
 revised:

RIALTO UNIFIED SCHOOL DISTRICT
 Rialto, California



RIALTO UNIFIED SCHOOL DISTRICT

Administration

BP 2230(a)

REPRESENTATIVE AND DELIBERATIVE GROUPS

~~The Superintendent or designee may establish a leadership team, administrative councils, task forces, cabinets, or committees as needed to properly administer Board of Education policies, improve the educational program and assist in district communication. The leadership, composition, and responsibilities of these advisory groups shall be defined by the Superintendent or designee and may be changed at his/her discretion. Advisory groups shall channel their advice and recommendations through the Superintendent to the Board.~~

~~Leadership Team~~

~~A "leadership position" is defined as any position having significant responsibilities for administering district programs.~~

~~The leadership team includes all positions designated as management, confidential or supervisory.~~

~~The team is responsible to the Superintendent who, in turn, is responsible to the Board.~~

~~The Superintendent shall designate the members of the district team who will serve as representatives of the Board in negotiations with other employee groups.~~

~~Administrative Councils, Cabinets and/or Committees~~

~~The Superintendent may appoint councils, cabinets and/or committees to advise and assist in the performance of his/her duties and the efficient operation of the district.~~

~~Councils, cabinets and/or committees so appointed shall be advisory only.~~

~~The Superintendent may change the structure, membership and the meeting schedule of the group at his/her discretion in order to facilitate the work of the council, cabinet and/or committee.~~

~~The Superintendent shall be an ex officio member of each council, cabinet and/or committee.~~

Policy RIALTO UNIFIED SCHOOL DISTRICT

adopted: May 26, 1999 Rialto, California

REPRESENTATIVE AND DELIBERATIVE GROUPS

The Governing Board believes that broad input on district operations and policy from staff, parents/guardians, students, and members of the public can provide the district with a diversity of viewpoints and expertise, help build a sense of ownership of the schools, enhance district efficiency, and assist district communications. As desired, the Superintendent or designee may establish a management team, administrative councils, task forces, cabinets, or committees in accordance with law.

The membership, composition, and responsibilities of these groups shall be defined by the Superintendent or designee. The Superintendent or designee may establish, change or dissolve these groups at his/her discretion.

Groups established by the Superintendent or designee shall act in an advisory capacity unless specifically authorized to act on behalf of the Superintendent or designee. Advisory groups shall submit their recommendations to the Superintendent or designee, who may report the recommendations to the Board as appropriate.

Expenses incurred for consulting services, materials, travel, or other related operations shall be approved by the Superintendent or designee in advance.

Policy Reference Disclaimer:

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State	Description
Ed. Code 35160.1	<u>Broad authority of school districts</u>
Ed. Code 45100.5	<u>Senior classified management positions</u>
Ed. Code 45256.5	<u>Designation of certain senior classified management positions</u>
Gov. Code 3540.1	<u>Public employment; definitions</u>
Gov. Code 54952	<u>Legislative body; definition</u>

Management Resources	Description
Website	<u>CSBA District and County Office of Education Legal Services</u>
Cross References	

Code	Description
0000	<u>Vision</u>
0000	<u>Vision</u>

REPRESENTATIVE AND DELIBERATIVE GROUPS

0400	<u>Comprehensive Plans</u>
0420.4	<u>Charter School Authorization</u>
0420.4	<u>Charter School Authorization</u>
1220	<u>Citizen Advisory Committees</u>
1220	<u>Citizen Advisory Committees</u>
2000	<u>Concepts And Roles</u>
3100	<u>Budget</u>
3100	<u>Budget</u>
3350	<u>Travel Expenses</u>
3350	<u>Travel Expenses</u>
3350-E PDF(1)	<u>Travel Expenses</u>
4111	<u>Recruitment And Selection</u>
4211	<u>Recruitment And Selection</u>
4301	<u>Administrative Staff Organization</u>
4311	<u>Recruitment And Selection</u>
4311	<u>Recruitment And Selection</u>
6020	<u>Parent Involvement</u>
6020	<u>Parent Involvement</u>
9130	<u>Board Committees</u>

Policy
adopted: May 26, 1999
revised:

RIALTO UNIFIED SCHOOL DISTRICT
Rialto, California



RIALTO UNIFIED SCHOOL DISTRICT

Personnel

BP4118(a)

Dismissal/Suspension/Disciplinary Action

The Board of Education expects all employees to perform their jobs satisfactorily, exhibit professional and appropriate conduct, and serve as positive role models both at school and in the community. A certificated employee may be disciplined for ~~unprofessional or inappropriate~~ conduct or performance in accordance with law, the applicable collective bargaining agreement, Board policy, and administrative regulation.

~~(cf. 4000—Concepts and Roles)
(cf. 4112.5/4312.5—Criminal Record Check)
(cf. 4119.21/4219.21/4319.21—Professional Standards)
(cf. 4141/4241—Collective Bargaining Agreement)~~

Disciplinary action shall be based on the particular facts and circumstances involved and the severity of the conduct or performance.

The Superintendent or designee shall ensure that disciplinary actions are appropriately documented and taken in a consistent, nondiscriminatory manner. In addition, an employee shall not be suspended, disciplined, reassigned, transferred, dismissed, or otherwise retaliated against solely for engaging in protected activities, or for acting to protect a student engaged in exercising any free speech or press right authorized by, or for refusing to infringe upon a student's conduct protected pursuant to, Education Code 48907 or 48950.

Disciplinary actions may include, but not be limited to, verbal warnings, reassignment, **written warnings, written reprimands**, suspensions, ~~freezing or reduction of wages, compulsory leave,~~ **leaves without pay**, or dismissals.

~~(cf. 4114—Transfers)~~

~~The Superintendent or designee shall ensure that disciplinary actions are taken in a consistent, nondiscriminatory manner and are appropriately documented.~~

~~(cf. 1312.1—Complaints Concerning District Employees)
(cf. 4030—Nondiscrimination in Employment)
(cf. 4031—Complaints Concerning Discrimination in Employment)
(cf. 4112.6/4212.6/4312.6—Personnel Files)
(cf. 4119.1/4219.1/4319.1—Civil and Legal Rights)
(cf. 4119.11/4219.11/4319.11—Sexual Harassment)~~

Suspension/Dismissal Procedures

The Superintendent shall notify the Board whenever ~~he/she~~ believes that there is cause to suspend or dismiss an employee pursuant to Education Code 44932 or 44933.

Dismissal/Suspension/Disciplinary Action

When the Board finds that there is cause to suspend or dismiss an employee pursuant to Education Code 44932 or 44933, it may formulate a written statement of charges specifying instances of behavior and the acts or omissions constituting the charge, the statutes and rules that the employee is alleged to have violated when applicable, and the facts relevant to each charge. The Board shall also review any duty signed and verified written statement of charges filed by any other person. (Education Code 44934, 44934.1)

Based on the written statement of charges, the Board may, upon majority vote, give notice to the employee of ~~its~~ **the Board's** intention to suspend or dismiss ~~him/her~~ **the employee** at the expiration of 30 days from the date the notice is served. (Education Code 44934, 44934.1)

~~(cf. 4112.9/4212.9/4312.9—Employee Notifications)~~

Prior to serving a suspension or dismissal notice that includes a charge of unsatisfactory performance, the District shall give the employee written notice of the unsatisfactory performance that specifies the nature of the unsatisfactory performance with such specific instances of behavior and with such particularity as to furnish the employee an opportunity to correct ~~his/her~~ **the** faults and overcome the grounds for any unsatisfactory performance charges and, if applicable, that includes the evaluation made pursuant to Education Code 44660-44665. The written notice of the unsatisfactory performance shall be provided at least 90 days prior to the filing of the suspension or dismissal notice or prior to the last one-fourth of the school days in the year. (Education Code 44938)

~~(cf. 4115—Evaluation/Supervision)~~

Prior to serving a suspension or dismissal notice that includes a charge of unprofessional conduct, the District shall give the employee written notice that describes the nature of the unprofessional conduct with such specific instances of behavior and with such particularity as to furnish the employee an opportunity to correct ~~his/her~~ **the** faults and overcome the grounds for any unprofessional conduct charges and, if applicable, that includes the evaluation made pursuant to Education Code 44660-44665. The written notice of the unprofessional conduct shall be provided at least 45 days prior to the filing of the suspension or dismissal notice. (Education Code 44938)

Except for notices that only include charges of unsatisfactory performance, the written suspension or dismissal notice may be served at any time of year. Such notice shall be served upon the employee personally if given outside of the instructional year or, if given during the instructional year, may be served personally or by registered mail to the employee's last known address. Notices with a charge of unsatisfactory performance shall be given only during the instructional year of the school site where the employee **is** physically employed; and may be served

personally or by registered mail to the employee's last known address. (Education Code 44936)

BP4118(c)

Dismissal/Suspension/Disciplinary Action

If an employee has been served notice and demands a hearing pursuant to Government Codes 11505 and 11506, the Board shall either rescind its action or schedule a hearing on the matter. (Education Code 44941, 44941.1, 44943, 44944)

Pending suspension or dismissal proceedings for an employee who is charged with egregious misconduct, immoral conduct, conviction of a felony or of any crime involving moral turpitude, incompetency due to mental disability, or willful refusal to perform regular assignments without reasonable cause as prescribed by District rules and regulations, the Board may, if it deems it necessary, immediately suspend the employee from ~~his/her~~ **assigned** duties. If the employee files a motion with the Office of Administrative Hearings for immediate reversal of the suspension based on a cause other than egregious misconduct, the Board may file a written response before or at the time of the hearing. (Education Code 44939, 44939.1, ~~44940~~)

When a suspension or dismissal hearing is to be conducted by a Commission on Professional Competence, the Board shall, no later than 45 days before the date set for the hearing, select one person with a currently valid credential to serve on the Commission. The appointee shall not be an employee of the District and shall have at least three years' experience within the past 10 years at the same grade span or assignment as the employee, as defined in Education Code 44944. (Education Code 44944)

Compulsory Leave of Absence

Upon being informed that a certificated employee has been charged with a mandatory leave of absence offense, the Superintendent or designee shall immediately place the employee on a compulsory leave of absence. (Education Code 44940, 44940.5)

Policy Reference Disclaimer:

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State	Description
5 CCR 80303	Reports of change in employment status; alleged misconduct
5 CCR 80304	Notice of sexual misconduct
CA Constitution Article 1, Section 1	<u>Inalienable rights</u>

Dismissal/Suspension/Disciplinary Action

Ed. Code 44008	<u>Effect of termination of probation</u>
Ed. Code 44009	<u>Conviction of specified crimes</u>
Ed. Code 44010	<u>Sex offense; definitions</u>
Ed. Code 44011	<u>Controlled substance offense</u>
Ed. Code 44242.5	<u>Reports and review of alleged misconduct</u>
Ed. Code 44425	<u>Conviction of a sex or narcotic offense</u>
Ed. Code 44660-44665	<u>Evaluation and assessment of performance of certificated employees</u>
Ed. Code 44830.1	<u>Criminal record summary; certificated employees</u>
Ed. Code 44929.21	<u>Notice of reelection decision; districts with 250 ADA or more</u>
Ed. Code 44929.23	<u>Districts with less than 250 ADA</u>
Ed. Code 44930-44988	<u>Resignations, dismissals and leaves of absence</u>
Ed. Code 45055	<u>Drawing of warrants for teachers</u>
Ed. Code 48907	<u>Exercise of free expression; time, place, and manner rules and regulations</u>
Ed. Code 48950	<u>Speech and other communication</u>
Ed. Code 51530	<u>Advocacy or teaching of communism</u>
Gov. Code 1028	<u>Advocacy of communism</u>
Gov. Code 11505-11506	<u>Hearing</u>

Dismissal/Suspension/Disciplinary Action

Gov. Code 12954	Employment discrimination; cannabis use
Gov. Code 3543.2	<u>Scope of representation</u>
H&S Code 11054	<u>Schedule I; substances included</u>
H&S Code 11055	<u>Schedule II; substances included</u>
H&S Code 11056	<u>Schedule III; substances included</u>
H&S Code 11357-11361	<u>Marijuana</u>
H&S Code 11363	<u>Peyote</u>
H&S Code 11364	<u>Opium</u>
H&S Code 11370.1	<u>Possession of controlled substances with a firearm</u>
Pen. Code 11165.2-11165.6	<u>Child abuse or neglect; definitions</u>
Pen. Code 1192.7	<u>Plea bargaining limitation</u>
Pen. Code 187	<u>Murder</u>
Pen. Code 291	<u>School employees arrest for sex offense</u>
Pen. Code 667.5	<u>Prior prison terms; enhancement of prison terms</u>

Federal

U.S. Constitution, First Amendment

Description

Free exercise, free speech, and
establishment clauses

Management Resources

Commission on Teacher Credentialing
Publication

Court Decision

Description

California's Laws and Rules
Pertaining to the Discipline of
Professional Certificated
Personnel, 2007

Visalia Unified School District v.
Public Employment Relations
Board (2024) 98 Cal.App.5th 844

Dismissal/Suspension/Disciplinary Action

Court Decision	Kennedy v. Bremerton (2022) 142 S.Ct. 2407
Court Decision	Crowl v. Commission on Professional Competence (1990) 225 Cal. App. 3d 334
Court Decision	Morrison v. State Board of Education (1969) 1 Cal.3d 214
U.S. Department of Education Publication	<u>Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023</u>
Website	<u>Office of the Attorney General</u>
Website	<u>Office of Administrative Hearings</u>
Website	<u>Department of General Services, About Teacher Dismissal Case Type</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>Commission on Teacher Credentialing</u>
Website	<u>CSBA</u>
Website	<u>U.S. Department of Education</u>
Cross References	

	Code	Description
	1114	<u>District-Sponsored Social Media</u>
	1114	<u>District-Sponsored Social Media</u>
	1312.1	<u>Complaints Concerning District Employees</u>
	1312.1	<u>Complaints Concerning District Employees</u>

Dismissal/Suspension/Disciplinary Action

1312.1-E PDF(1)	<u>Complaints Concerning District Employees</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u>
3230	<u>Federal Grant Funds</u>
3230	<u>Federal Grant Funds</u>
3512	<u>Equipment</u>
3512	<u>Equipment</u>
3512-E PDF(1)	<u>Equipment - Equipment</u>
3513.3	<u>Tobacco-Free Schools</u>
3513.3	<u>Tobacco-Free Schools</u>
3515.2	<u>Disruptions</u>
3515.2	<u>Disruptions</u>
3515.21	<u>Unmanned Aircraft Systems (Drones)</u>
3516.2	<u>Bomb Threats</u>
4000	<u>Concepts And Roles</u>
4020	<u>Drug And Alcohol-Free Workplace</u>
4020-E PDF(1)	<u>Drug And Alcohol-Free Workplace</u>
4030	<u>Nondiscrimination In Employment</u>
4030	<u>Nondiscrimination In Employment</u>
4040	<u>Employee Use Of Technology</u>
4112.1	<u>Contracts</u>

Dismissal/Suspension/Disciplinary Action

4112.4	<u>Health Examinations</u>
4112.4	<u>Health Examinations</u>
4112.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4112.5	<u>Criminal Record Check</u>
4112.5-E PDF(1)	<u>Criminal Record Check</u>
4112.9	<u>Employee Notifications</u>
4112.9-E PDF(1)	<u>Employee Notifications</u>
4113.5	<u>Working Remotely</u>
4114	<u>Transfers</u>
4115	<u>Evaluation/Supervision</u>
4115	<u>Evaluation/Supervision</u>
4117.7	<u>Employment Status Reports</u>
4119.1	<u>Civil And Legal Rights</u>
4119.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4119.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4119.21	<u>Professional Standards</u>
4119.21-E PDF(1)	<u>Professional Standards</u>
4119.22	<u>Dress And Grooming</u>
4119.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4119.25	<u>Political Activities Of Employees</u>
4127	<u>Temporary Athletic Team Coaches</u>

Dismissal/Suspension/Disciplinary Action

4127	<u>Temporary Athletic Team Coaches</u>
4131.1	<u>Teacher Support And Guidance</u>
4136	<u>Nonschool Employment</u>
4141	<u>Collective Bargaining Agreement</u>
4154	<u>Health And Welfare Benefits</u>
4154	<u>Health And Welfare Benefits</u>
4157	<u>Employee Safety</u>
4157	<u>Employee Safety</u>
4158	<u>Employee Security</u>
4158	<u>Employee Security</u>
4161	<u>Leaves</u>
4161	<u>Leaves</u>
4212.4	<u>Health Examinations</u>
4212.4	<u>Health Examinations</u>
4212.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4212.5	<u>Criminal Record Check</u>
4212.5-E PDF(1)	<u>Criminal Record Check</u>
4212.9	<u>Employee Notifications</u>
4212.9-E PDF(1)	<u>Employee Notifications</u>
4213.5	<u>Working Remotely</u>
4219.1	<u>Civil And Legal Rights</u>
4219.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4219.11	<u>Sex Discrimination and Sex-Based Harassment</u>

Dismissal/Suspension/Disciplinary Action

4219.21	<u>Professional Standards</u>
4219.22	<u>Dress And Grooming</u>
4219.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4219.25	<u>Political Activities Of Employees</u>
4227	<u>Temporary Athletic Team Coaches</u>
4227	<u>Temporary Athletic Team Coaches</u>
4236	<u>Nonschool Employment</u>
4241	<u>Collective Bargaining Agreement</u>
4254	<u>Health And Welfare Benefits</u>
4254	<u>Health And Welfare Benefits</u>
4257	<u>Employee Safety</u>
4257	<u>Employee Safety</u>
4258	<u>Employee Security</u>
4258	<u>Employee Security</u>
4261	<u>Leaves</u>
4261	<u>Leaves</u>
4312.4	<u>Health Examinations</u>
4312.4	<u>Health Examinations</u>
4312.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4312.5	<u>Criminal Record Check</u>
4312.5-E PDF(1)	<u>Criminal Record Check</u>
4312.9	<u>Employee Notifications</u>
4312.9-E PDF(1)	<u>Employee Notifications</u>

Dismissal/Suspension/Disciplinary Action

4313.5	<u>Working Remotely</u>
4317.7	<u>Employment Status Reports</u>
4319.1	<u>Civil And Legal Rights</u>
4319.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4319.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4319.21	<u>Professional Standards</u>
4319.21	<u>Professional Standards</u>
4319.21-E PDF(1)	<u>Professional Standards</u>
4319.22	<u>Dress And Grooming</u>
4319.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4319.25	<u>Political Activities Of Employees</u>
4327	<u>Temporary Athletic Team Coaches</u>
4327	<u>Temporary Athletic Team Coaches</u>
4336	<u>Nonschool Employment</u>
4354	<u>Health And Welfare Benefits</u>
4354	<u>Health And Welfare Benefits</u>
4357	<u>Employee Safety</u>
4357	<u>Employee Safety</u>
4358	<u>Employee Security</u>
4358	<u>Employee Security</u>
4361	<u>Leaves</u>
5145.2	<u>Freedom Of Speech/Expression</u>
5145.2	<u>Freedom Of Speech/Expression</u>

Dismissal/Suspension/Disciplinary Action

5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u>
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u>
5145.71	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
5145.71-E PDF(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
5145.9	<u>Hate-Motivated Behavior</u>
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6145.2	<u>Athletic Competition</u>
6162.54	<u>Test Integrity/Test Preparation</u>
9000	<u>Role Of The Board</u>

Policy
adopted: December 15, 2010
revised: December 7, 2016
revised:

RIALTO UNIFIED SCHOOL DISTRICT
Rialto, California



RIALTO UNIFIED SCHOOL DISTRICT

Personnel

BP4218(a)

Dismissal/Suspension/Disciplinary Action

The Board of Education expects all employees to perform their jobs satisfactorily, to exhibit professional and appropriate conduct, and serve as positive role models both at school and in the community. A classified employee may be disciplined for unprofessional conduct or unsatisfactory performance in accordance with law or any applicable collective bargaining agreement, Board policy, or administrative regulation.

Disciplinary actions shall be based on the particular facts and circumstances involved and the severity of the employee's conduct or performance.

The Superintendent or designee shall ensure that disciplinary actions are taken in a consistent, nondiscriminatory manner. In addition, an employee shall not be suspended, disciplined, reassigned, transferred, dismissed, or otherwise retaliated against solely for engaging in protected activities, or for acting to protect a student engaged in exercising any free speech or press right authorized by, or for refusing to infringe upon a student's conduct protected pursuant to, Education Code 48907 or 48950.

Disciplinary actions may include, but are not limited to, verbal and written warnings, involuntary reassignment, demotion, suspension or leave without pay, reduction of wages, or dismissal.

Termination of Probationary Employment

At any time prior to the expiration of the probationary period, the Superintendent or designee may, at ~~his/her~~ **their** discretion, dismiss **without cause** a probationary classified employee from District employment. A probationary employee shall not be entitled to a hearing.

Involuntary Suspension Without Pay, Demotion, Reduction of Pay Step in Class, or Dismissal of Permanent Classified Employees

Permanent classified employees shall be subject to personnel action (suspension without pay, demotion, reduction of pay step in class, dismissal) only for cause **as specified in the accompanying administrative regulation**. The Board's determination of the sufficiency of the cause for disciplinary action shall be conclusive.

Dismissal/Suspension/Disciplinary Action

~~1. Causes~~

~~In addition to any disqualifying or actionable causes otherwise provided for by statute or by policy or regulation of this District, each of the following constitutes cause for personnel action against a permanent classified employee:~~

- ~~a. Falsifying any information supplied to the school district, including, but not limited to, information supplied on application forms, employment records, or any other school district records~~
- ~~b. Incompetency~~
- ~~c. Inefficiency~~
- ~~d. Neglect of duty~~
- ~~e. Insubordination~~
- ~~f. Dishonesty~~
- ~~g. Drinking alcoholic beverages while on duty or in such close time proximity hereto as to cause any detrimental effect upon the employee or upon employees associated with him/her.~~

~~(cf. 4020—Drug and Alcohol Free Workplace)~~

- ~~h. Possessing or being under the influence of a controlled substance at work or away from work, or furnishing a controlled substance to a minor~~
- ~~i. Conviction of a felony, conviction of any sex offense made relevant by provisions of law, or conviction of a misdemeanor which is of such a nature as to adversely affect the employee's ability to perform the duties and responsibilities of his/her position. A plea or verdict of guilty, or a conviction following a plea of nolo contendere, is deemed to be a conviction for this purpose.~~
- ~~j. Absence without leave~~
- ~~k. Immoral conduct~~
- ~~l. Discourteous treatment of the public, students, or other employees~~
- ~~m. Improper political activity~~
- ~~n. Willful disobedience~~
- ~~o. Misuse of District property~~
- ~~p. Violation of District, Board or departmental rule, policy, or procedure~~
- ~~q. Failure to possess or keep in effect any license, certificate, or other similar requirement specified in the employee's class specification or otherwise necessary for the employee to perform the duties of the position~~
- ~~r. Refusal to take and subscribe any oath or affirmation which is required by law in connection with his/her employment~~

Dismissal/Suspension/Disciplinary Action

- s. ~~A physical or mental disability which precludes the employee from the proper performance of his/her duties and responsibilities as determined by competent medical authority, except as otherwise provided by a contract or by law regulating the retirement of employees~~
- t. ~~Unlawful discrimination, including harassment, on the basis of race, religious creed, color, national origin, ancestry, physical handicap, marital status, sex, or age against the public or other employees while acting in the capacity of a District employee~~
- u. ~~Unlawful retaliation against any other District officer or employee or member of the public who, in good faith, reports, discloses, divulges, or otherwise brings to the attention of any appropriate authority any information relative to an actual or suspected violation of state or federal law occurring on the job or directly related thereto~~
- v. ~~Any other failure of good behavior either during or outside of duty hours which is of such nature that it causes discredit to the District or his/her employment~~

~~Except as defined in item "s" above, no personnel action shall be taken for any cause which arose before the employee became permanent, nor for any cause which arose more than two years before the date of the filing of the notice of cause unless this cause was concealed or not disclosed by the employee when it could be reasonably assumed that the employee would have disclosed the facts to the District.~~

2-Initiation and Notification of Charges

The Superintendent or designee may initiate a personnel action as defined herein against a permanent classified employee.

In all cases involving a personnel action, the person initiating the action shall file a written recommendation of personnel action with the Board. A copy of the recommendation shall be served upon the employee either personally or by registered or certified mail, return receipt requested, at the employee's last known address. The recommendation shall include:

- a. ~~A statement of the nature of the personnel action (suspension without pay, demotion, reduction of pay step in class, or dismissal)~~
- b. ~~A statement of the cause or causes for the personnel action, as set forth above~~
- c. ~~A statement of the specific acts or omissions upon which the causes are based. If a violation of rule, policy, or regulation of the District is alleged, the rule, policy, or regulation violated shall be stated in the recommendation.~~

Dismissal/Suspension/Disciplinary Action

- ~~d. A statement of the employee's right to appeal the recommendation and the manner and time within which the appeal must be filed~~
- ~~e. A card or paper, the signing and filing of which shall constitute a demand for hearing and a denial of all charges.~~
- a. A statement of the specific acts and omissions upon which the proposed disciplinary action is based;**
- b. A statement of the cause(s) for the proposed disciplinary action;**
- c. If it is claimed that the employee has violated a rule or regulation of the District, a statement of the rule or regulation;**
- d. A statement of the action proposed to the Board;**
- e. The employee shall have seven (7) business days to request a Skelly hearing.**

If an employee requests a Skelly hearing, the District will schedule the Skelly hearing within fifteen (15) business days of receiving the request for hearing.

- f. A form provided by the District, the signing and filing of which with the Board shall constitute a demand for hearing and denial of some or all charges;**
- g. Copies of materials, if any, which support the charges and a copy of this policy;**
- h. A statement that the employee has a right to be represented by an attorney or other representative at the hearing.**

~~3. Employment Status Pending Appeal or Waiver~~

~~Except as provided herein, any employee against whom a recommendation of personnel action has been issued shall remain on active duty status and responsible for fulfilling the duties of the position pending his/her appeal or waiver thereof.~~

~~If the Superintendent or designee determines that a permanent classified employee should be dismissed and that his/her continuing in active duty status would present an unreasonable risk of harm to students, staff, or property while proceedings are pending, the Superintendent or designee may order the employee immediately suspended from duty without pay in conjunction with the recommendation of personnel action. This suspension order shall be in writing and shall state the reasons that the suspension is deemed necessary. The suspension order shall be served upon the employee either personally or by registered or certified mail, return receipt requested, immediately after issuance.~~

Dismissal/Suspension/Disciplinary Action

~~Except in cases of emergency when the employee must be removed from the premises immediately, the Superintendent or designee shall give the employee written notice of the proposed recommendation of dismissal at least five calendar days before the effective date of any order of suspension issued in conjunction with a recommendation involving dismissal. This notice shall state that immediate suspension without pay is being considered, the reasons for the proposed dismissal and proposed immediate suspension without pay, materials upon which the proposed action is based, and the employee's right to respond to the Superintendent or designee orally or in writing before the final recommendation and order are issued.~~

4. Time Limit of Suspension

~~Except for a suspension imposed under #3 above, any suspension invoked under these rules against any one person for one or more periods shall not aggregate more than 90 calendar days in any 12-month period; however, this time limitation shall not apply to cases in which a personnel action of dismissal is modified by the Board to a suspension.~~

5. Right to Appeal

~~Within five calendar days after receiving the recommendation of personnel action described above, the employee may appeal by signing and filing the card or paper included with the recommendation. Any other written document signed and appropriately filed within the specified time limit by the employee shall constitute a sufficient notice of appeal. A notice of appeal is filed only by delivering the notice of appeal to the office of the Superintendent or designee during normal work hours of that office. A notice of appeal may be mailed to the office of the Superintendent or designee but must be received or postmarked no later than the time limit stated herein. In cases where an order of suspension without pay has been issued in conjunction with a recommendation of dismissal, any appeal of the recommendation of dismissal shall also constitute an appeal of the suspension order, and the necessity of the order shall be an issue in the appeal hearing.~~

~~If the employee fails to file a notice of appeal within the time specified in these rules, he/she shall be deemed to have waived his/her right to appeal, and the Board may order the recommended personnel action into effect immediately.~~

6. Amended/Supplemental Charges

Dismissal/Suspension/Disciplinary Action

~~At any time before an employee's appeal is finally submitted to the Board or to a hearing officer for decision, the complainant may, with the consent of the Board or hearing officer, serve on the employee and file with the Board an amended or supplemental recommendation of personnel action.~~

~~If the amended or supplemental recommendation presents new causes or allegations, the employee shall be afforded a reasonable opportunity to prepare his/her defense. Any new causes or allegations shall be deemed controverted and any objections to the amended or supplemental causes or allegation may be made orally at the hearing and shall be noted on the record.~~

7. Hearing Procedures

- ~~a. The hearing shall be held at the earliest convenient date, taking into consideration the established schedule of the Board or hearing officer and the availability of counsel and witnesses. The parties shall be notified of the time and place of the hearing. The employee shall be entitled to appear personally, produce evidence, and have counsel. The employee shall be entitled to a public hearing if he/she demands it when the Board is hearing the appeal. The complainant may also be represented by counsel. The procedure entitled "Administrative Adjudication" commencing with Government Code 11500 shall not apply to any such hearing before the Board or a hearing officer. Neither the Board nor a hearing officer shall be bound by rules of evidence used in California courts. Informality in any such hearing shall not invalidate any order or decision made or approved by the hearing officer or the Board.~~
- ~~b. All hearings shall be heard by a hearing officer (who shall be an attorney licensed in the State of California) except in those cases where the Board determines to hear the appeal itself. In any case in which the Board hears the appeal, the Board may use the services of its counsel or a hearing officer in ruling upon procedural questions, objections to evidence, and issues of law. If the appeal is heard by the Board, the Board shall affirm, modify or revoke the recommended personnel action.~~
- ~~c. If the appeal is heard by a hearing officer, he/she shall prepare a proposed decision in a form that may be adopted by the Board as the decision in the case. A copy of the proposed decision shall be received and filed by the Board and furnished to each party within ten days after the proposed decision is filed by the Board. The Board may:

 - ~~1) Adopt the proposed decision in its entirety~~
 - ~~2) Reduce the personnel action set forth in the proposed decision and adopt the balance of the proposed decision~~~~

Dismissal/Suspension/Disciplinary Action

- 3) ~~Reject a proposed reduction in personnel action, approve the personnel action sought by the complainant or any lesser penalty, and adopt the balance of the proposed decision~~
 - 4) ~~Reject the proposed decision in its entirety~~
- d. ~~If the Board rejects the proposed decision in its entirety, each party shall be notified of such action and the Board may decide the case upon the record including the transcript, with or without the taking of additional evidence, or may refer the case to the same or another hearing officer to take additional evidence. If the case is so assigned to a hearing officer, he/she shall prepare a proposed decision, as provided in item "c" above, upon the additional evidence and the transcript and other papers which are part of the record of the prior hearing. A copy of this proposed decision shall be furnished to each party within 10 days after the proposed decision is filed by the Board.~~
 - e. ~~In arriving at a decision or a proposed decision on the propriety of the proposed personnel action, the Board or the hearing officer may consider the records of any prior personnel action proceedings against the employee in which a personnel action was ultimately sustained and any records that were contained in the employee's personnel files and introduced into evidence at the hearing.~~

8. Hearing Decision

~~The decision of the Board shall be in writing and shall contain findings of fact and the personnel action approved, if any. The findings may reiterate the language of the pleadings or simply refer to them.~~

~~The decision of the Board shall be certified to the Superintendent or designee who recommended the personnel action, and he/she shall enforce and follow this decision. A copy of the decision shall be delivered to the appellant or his/her designated representative personally or by registered mail. The decision of the Board shall be final.~~

Hearing on Suspension, Demotion or Dismissal of Permanent Employee

When a timely request for a hearing has been served upon the Board in accordance with Sections 4(e) and (f), the Board or its designee shall, within fourteen (14) business days after receiving the request, schedule a hearing. The hearing will be scheduled within fifty (50) business days from the date the request for hearing is received. The employee shall be given at least five (5) days written notice of the time and place of the hearing and such hearing shall be closed unless the employee submits a written request for a public hearing.

Dismissal/Suspension/Disciplinary Action

- a. The president of the Board or designee shall preside over the hearing and rule on questions of procedure and evidence. The Board may, in its discretion, select a hearing officer to conduct the hearing in lieu of the Board. The hearing officer shall submit written findings and a proposed decision to the Board.**
- b. Oral evidence shall be taken only on oath or affirmation. Each party shall have the right to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness regardless of which party first called the witness to testify; and to rebut the evidence against the witness. If the accused employee does not testify in his/her own behalf, the employee may be called and examined as if under cross-examination.**
- c. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing and examining other evidence but shall not be sufficient standing by itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the extent that they are otherwise required by statute to be recognized at the hearing. Irrelevant and unduly repetitious evidence shall be excluded.**
- d. If the hearing is conducted before the Board, it shall prepare written findings and a decision. If the hearing is conducted before a hearing officer, the Board shall review the record, including the findings, and the Board may accept, reject or modify the proposed decision. In acting upon the hearing officer's recommendation, the Board may take supplemental evidence, as it deems necessary, in order to make a final decision. The Board shall render its written decision within twenty-five (25) business days of receiving the hearing officer's decision, and its determination of the sufficiency of the cause for disciplinary action shall be conclusive. Notwithstanding further legal action in the courts of law, the decision of the Board of Education shall be binding on all parties.**

Dismissal/Suspension/Disciplinary Action

Immediate Demotion or Suspension Without Pay or Benefits of Permanent Employee

Notwithstanding the requirements of paragraph 4 above, if the Superintendent or designee determines that pending a Board hearing on the suspension or dismissal of a permanent employee, the continued presence of such employee is detrimental to the District or the employees of the District, the District may immediately suspend the employee without pay in accordance with the following procedures:

- a. The administration shall meet with the employee, advising the employee of the charges and the proposed action, and give the employee an opportunity to respond to the charges.**
- b. Whenever practicable, the conference between the employee and the administration shall be conducted prior to completion of the suspension, but in any event the District shall schedule the conference within five (5) working days from the time that the suspension is implemented.**
- c. The administration shall give the employee a copy of the written charges and any written materials upon which the charges are based within five (5) working days from the time the suspension is implemented.**

9. Compulsory Dismissal

The District shall not employ or retain in employment any person who has been convicted of any sex offense as defined in Education Code 44010 or any controlled substance offense as defined in Education Code 44011. However, the District may employ a person convicted of a controlled substance offense if the Board determines from the evidence it requires that the person has been rehabilitated for at least five years. If any such conviction is reversed and the person acquitted or charges dismissed except as otherwise provided below, the employee may be reemployed by the District, although reemployment is not a guarantee. (Education Code 45123)

The District reserves the right to dismiss an employee for any acts upon which the original criminal charges were based, despite the disposition by the courts. If dismissal is recommended and upheld, an employee will not be reemployed or compensated for the time he/she was suspended unless otherwise required by law. An employee shall be given notice of the possibility of not being reimbursed during mandatory suspension if he/she is ultimately dismissed for the acts upon which the original charges were based.

Dismissal/Suspension/Disciplinary Action

~~10~~ Extension of Compulsory Leave

The Board may extend an employee's compulsory leave of absence by giving him/her notice, within ten days after the entry of judgment in the proceedings, that he/she will be dismissed in 30 days unless he/she demands a hearing. Employee compensation during the period of compulsory leave shall be made in accordance with law. (Education Code 44940.5)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
CA Constitution Article 1, Section 1	<u>Inalienable rights</u>
Ed. Code 35161	<u>Board delegation of any powers or duties</u>
Ed. Code 44009	<u>Conviction of specified crimes</u>
Ed. Code 44010	<u>Sex offense; definitions</u>
Ed. Code 44011	<u>Controlled substance offense</u>
Ed. Code 44940	<u>Compulsory leave of absence for certificated persons</u>
Ed. Code 44940.5	<u>Procedures when employees are placed on compulsory leave of absence</u>
Ed. Code 45101	<u>Definitions; disciplinary action and cause</u>
Ed. Code 45109	<u>Fixing of duties</u>
Ed. Code 45113	<u>Notification of charges; classified employees</u>
Ed. Code 45116	Notice of disciplinary action
Ed. Code 45123	<u>Employment after conviction of controlled substance offense</u>
Ed. Code 45302	<u>Demotion and removal from permanent classified service</u>

Dismissal/Suspension/Disciplinary Action

State	Description
Ed. Code 45303	<u>Additional cause for suspension or dismissal of employee charged with mandatory or optional leave of absence offense</u>
Ed. Code 45304	<u>Compulsory leave of absence for classified persons</u>
Gov. Code 12954	Employment discrimination; cannabis use
Veh. Code 1808.8	School bus drivers; dismissal for safety-related cause
Federal	Description
42 USC 12101-12213	Americans with Disabilities Act
U.S. Constitution, First Amendment	<u>Free exercise, free speech, and establishment clauses</u>
Management Resources	Description
Court Decision	Visalia Unified School District v. Public Employment Relations Board (2024) 98 Cal.App.5th 844
Court Decision	Kennedy v. Bremerton (2022) 142 S.Ct. 2407
Court Decision	California School Employees v. Livingston Union School District (2007) 149 Cal. App. 4th 391
Court Decision	CSEA v. Foothill Community College District (1975) 52 Cal. App. 3rd 150
Court Decision	Skelly v. California Personnel Board (1975) 15 Cal.3d 194
U.S. Department of Education Publication	<u>Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023</u>
Website	<u>Office of the Attorney General</u>
Website	<u>Office of Administrative Hearings</u>

**Dismissal/Suspension/Disciplinary Action
Management Resources**

	Description
Website	<u>Department of General Services, About Teacher Dismissal Case Type</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>U.S. Department of Education</u>
Website	<u>CSBA</u>
Cross References	

Code	Description
1114	<u>District-Sponsored Social Media</u>
1114	<u>District-Sponsored Social Media</u>
1312.1	<u>Complaints Concerning District Employees</u>
1312.1	<u>Complaints Concerning District Employees</u>
1312.1-E PDF(1)	<u>Complaints Concerning District Employees</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u>
3230	<u>Federal Grant Funds</u>
3230	<u>Federal Grant Funds</u>
3512	<u>Equipment</u>
3512	<u>Equipment</u>
3512-E PDF(1)	<u>Equipment - Epuipment</u>
3513.3	<u>Tobacco-Free Schools</u>
3513.3	<u>Tobacco-Free Schools</u>
3515.2	<u>Disruptions</u>
3515.2	<u>Disruptions</u>
3515.21	<u>Unmanned Aircraft Systems (Drones)</u>
3516.2	<u>Bomb Threats</u>
3542	<u>School Bus Drivers</u>

Dismissal/Suspension/Disciplinary Action

Code	Description
4000	<u>Concepts And Roles</u>
4020	<u>Drug And Alcohol-Free Workplace</u>
4020-E PDF(1)	<u>Drug And Alcohol-Free Workplace</u>
4030	<u>Nondiscrimination In Employment</u>
4030	<u>Nondiscrimination In Employment</u>
4040	<u>Employee Use Of Technology</u>
4112.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4112.5	<u>Criminal Record Check</u>
4112.5-E PDF(1)	<u>Criminal Record Check</u>
4113.5	<u>Working Remotely</u>
4119.1	<u>Civil And Legal Rights</u>
4119.21	<u>Professional Standards</u>
4119.21-E PDF(1)	<u>Professional Standards</u>
4119.22	<u>Dress And Grooming</u>
4119.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4119.25	<u>Political Activities Of Employees</u>
4127	<u>Temporary Athletic Team Coaches</u>
4127	<u>Temporary Athletic Team Coaches</u>
4136	<u>Nonschool Employment</u>
4154	<u>Health And Welfare Benefits</u>
4154	<u>Health And Welfare Benefits</u>
4157	<u>Employee Safety</u>
4157	<u>Employee Safety</u>
4158	<u>Employee Security</u>
4158	<u>Employee Security</u>
4161	<u>Leaves</u>
4161	<u>Leaves</u>

Dismissal/Suspension/Disciplinary Action

Code	Description
4161.11	<u>Industrial Accident/Illness Leave</u>
4200	<u>Classified Personnel</u>
4200	<u>Classified Personnel</u>
4212	<u>Appointment And Conditions Of Employment</u>
4212.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4212.5	<u>Criminal Record Check</u>
4212.5-E PDF(1)	<u>Criminal Record Check</u>
4213.5	<u>Working Remotely</u>
4216	<u>Probationary/Permanent Status</u>
4219.1	<u>Civil And Legal Rights</u>
4219.21	<u>Professional Standards</u>
4219.22	<u>Dress And Grooming</u>
4219.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4219.25	<u>Political Activities Of Employees</u>
4227	<u>Temporary Athletic Team Coaches</u>
4227	<u>Temporary Athletic Team Coaches</u>
4236	<u>Nonschool Employment</u>
4254	<u>Health And Welfare Benefits</u>
4254	<u>Health And Welfare Benefits</u>
4257	<u>Employee Safety</u>
4257	<u>Employee Safety</u>
4258	<u>Employee Security</u>
4258	<u>Employee Security</u>
4261	<u>Leaves</u>
4261	<u>Leaves</u>
4261.11	<u>Industrial Accident/Illness Leave</u>

Dismissal/Suspension/Disciplinary Action

Code	Description
4312.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4312.5	<u>Criminal Record Check</u>
4312.5-E PDF(1)	<u>Criminal Record Check</u>
4313.5	<u>Working Remotely</u>
4319.1	<u>Civil And Legal Rights</u>
4319.21	<u>Professional Standards</u>
4319.21	<u>Professional Standards</u>
4319.21-E PDF(1)	<u>Professional Standards</u>
4319.22	<u>Dress And Grooming</u>
4319.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4319.25	<u>Political Activities Of Employees</u>
4327	<u>Temporary Athletic Team Coaches</u>
4327	<u>Temporary Athletic Team Coaches</u>
4336	<u>Nonschool Employment</u>
4354	<u>Health And Welfare Benefits</u>
4354	<u>Health And Welfare Benefits</u>
4357	<u>Employee Safety</u>
4357	<u>Employee Safety</u>
4358	<u>Employee Security</u>
4358	<u>Employee Security</u>
4361	<u>Leaves</u>
4361.11	<u>Industrial Accident/Illness Leave</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>

Dismissal/Suspension/Disciplinary Action

Code	Description
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u>
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u>
5145.71	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
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5145.9	<u>Hate-Motivated Behavior</u>
6145.2	<u>Athletic Competition</u>
6145.2	<u>Athletic Competition</u>
6162.54	<u>Test Integrity/Test Preparation</u>
9000	<u>Role Of The Board</u>

Policy
 adopted: November 10, 2010
 revised:

RIALTO UNIFIED SCHOOL DISTRICT
 Rialto, California



RIALTO UNIFIED SCHOOL DISTRICT

Students

BP 5148.2(a)

Before/After School Programs

The Board desires to provide learning opportunities for students beyond the regular school day that support the regular education program in a supervised environment. In order to increase academic achievement of participating students, the content of such programs shall be coordinated with the District's vision and goals for student learning, local control and accountability plan, curriculum, and academic standards.

Each program offered by the District shall be planned through a collaborative process as required by law. (Education Code 8422, 8482.5, 8484.75, 46120)

~~The Board of Education desires to provide after-school enrichment programs that support the regular education program and provide safe alternatives for students. In order to increase academic achievement of participating students, the content of such programs shall be coordinated with the District's vision and goals for student learning, its curriculum, and District and State academic.~~

- ~~(cf. 0000—Vision)~~
- ~~(cf. 0200—Goals for the School District)~~
- ~~(cf. 5147—Dropout Prevention)~~
- ~~(cf. 5148—Child Care and Development)~~
- ~~(cf. 6011—Academic Standards)~~
- ~~(cf. 6176—Weekend/Saturday Classes)~~
- ~~(cf. 6177—Summer School)~~
- ~~(cf. 6179—Supplemental Instruction)~~

~~The District's program shall be planned through a collaborative process that includes parent/guardians, students, and representatives of participating schools, community organization, and, if appropriate, the private sector. (Education Code 8422, 8482.5)~~

- ~~(cf. 1020—Youth Services)~~
- ~~(cf. 1400—Relations Between Other Governmental Agencies and the Schools)~~
- ~~(cf. 1700—Relations Between Private Industry and the Schools)~~
- ~~(cf. 6020—Parent Involvement)~~

~~The establishment of any program at a District school shall be approved by the Board and the principal of each participating school. (Education Code 8421, 8482.3)~~

~~The Superintendent or designee shall ensure that all staff who directly supervise students in the District's after-school program possess appropriate knowledge and experience. As needed, staff and volunteers shall receive ongoing training related to their job responsibilities. (Education Code 8483.4)~~

Before/After School Programs

~~(cf. 1240—Volunteer Assistance)
 (cf. 4131—Staff Development)
 (cf. 4222—Teacher Aides/Paraprofessional)
 (cf. 4231—Staff Development)
 (cf. 4331—Staff Development)~~

~~The program shall include academic and enrichment elements in accordance with law and administrative regulation. In addition, the program may include support services that reinforce the educational component and promote student health and well-being~~

~~(cf. 0450—Comprehensive Safety Plan)
 (cf. 3550—Food Service/Child Nutrition Program)
 (cf. 5030—Student Wellness)
 (cf. 5131.6—Alcohol and Other Drugs)
 (cf. 6142.7—Physical Education and Activity)~~

~~No fee shall be charged for participation in the program.~~

~~The Board and the Superintendent or designee shall monitor student participation rates and shall identify multiple measures that shall be used to evaluate program effectiveness. Such measures may include, but are not limited to, student outcome data; program self-assessments; feedback from staff, participating students, and parents/guardians; and observation of program activities.~~

To the extent feasible, the district shall give priority to establishing expanded learning opportunities beyond the regular school day in low-performing schools and/or programs that serve low-income and other at-risk students.

Any expanded learning opportunities, including but not limited to After School Education and Safety Program (ASES), 21st Century Community Learning Center Program (21st CCLC), 21st Century High School After School Safety and Enrichment for Teens Program (ASSETs), Expanded Learning Opportunities Program (ELO) or any other program to be established pursuant to Education Code 8421, 8482.3, 8484.75, or 46120, shall be approved by the Board.

The Superintendent or designee shall ensure that all staff who directly supervise students in the District's expanded learning opportunity programs possess appropriate knowledge and experience. As needed, staff and volunteers shall receive ongoing training related to their job responsibilities.

Each before-school, after-school, summer, vacation, or intersessional expanded learning opportunity program shall include academic and enrichment elements in accordance with law and administrative regulation. In addition, each program may include support services that reinforce the educational component and promote student health and well-being.

No fee shall be charged for participation in the program.

Before/After School Programs

The Superintendent or designee shall monitor student participation rates and shall identify multiple measures that shall be used to evaluate program effectiveness. Such measures may include, but are not limited to, student outcome data; program self-assessments; feedback from staff, participating students, and parents/guardians; and observations of program activities.

Every three years, the Superintendent or designee shall review the after-school program plan, including, but not limited to, program goals, program content, and outcome measures. Documentation of the program plan shall be maintained for a minimum of five years.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
Ed. Code 17260-17268	<u>Plans and specifications for school facilities</u>
Ed. Code 17264	<u>New construction; accommodation of before- and after-school programs</u>
Ed. Code 35021.3	<u>After-school physical recreation instructors</u>
Ed. Code 45125	<u>Criminal record check</u>
Ed. Code 45330	<u>Paraprofessionals; instructional aides</u>
Ed. Code 45340-45349	<u>Paraprofessionals; instructional aides</u>
Ed. Code 46120	<u>Expanded learning opportunities</u>
Ed. Code 49024	<u>Activity Supervisor Clearance Certificate</u>
Ed. Code 49430-49434	<u>Nutrition standards</u>
Ed. Code 49540-49546	<u>Child care food program</u>
Ed. Code 49553	<u>Free or reduced-price meals</u>
Ed. Code 69430-69460	<u>Cal Grant program</u>

Before/After School Programs

State	Description
Ed. Code 8263	<u>Eligibility and priorities for subsidized child development services</u>
Ed. Code 8273.1	Family fees; exemptions
Ed. Code 8281.5	California Prekindergarten Planning and Implementation Grant Program
Ed. Code 8295-8305	<u>Child development program; personnel qualifications</u>
Ed. Code 8350-8359.1	Programs for CalWORKS recipients
Ed. Code 8360-8370	Personnel qualifications
Ed. Code 8420-8428	<u>21st Century High School After School Safety and Enrichment Program for Teens</u>
Ed. Code 8482-8484.65	<u>After School Education and Safety Program</u>
Ed. Code 8484.7-8484.9	<u>21st Century Community Learning Centers</u>
Ed. Code 8490-8490.7	Distinguished After School Health Recognition Program
W&I Code 10207-10492.2	<u>Child Care and Development Services Act</u>
W&I Code 10273	<u>Preferred placement for otherwise eligible children ages 11 or 12</u>
Federal	Description
20 USC 6311	State plan
20 USC 6314	Title I schoolwide program
20 USC 7171-7176	21st Century Community Learning Centers
42 USC 11434a	Education for homeless children and youths
42 USC 1766-1766a	Child and Adult Care Food Program
7 CFR 226.17	Child care center nutrition standards

Before/After School Programs

Management Resources

Description

California Department of Education Publication	Early Release and Late Arrival Guidance, December 2021
California Department of Education Publication	Quality Program Improvement Plan Instructions: Instructions for Completing a Quality Program Improvement Plan for Expanded Learning Programs in California, January 2022
California Department of Education Publication	21st CCLC and ASSETs FAQs, October 2022
California Department of Education Publication	Request for Applications: 21st Century Community Learning Centers and After School Safety and Enrichment for Teens, September 2022
California Department of Education Publication	Expanded Learning Opportunities Program FAQs, July 2022
California Department of Education Publication	Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality, 2014
California Department of Education Publication	A Crosswalk Between the Quality Standards for Expanded Learning and Program Quality Assessment Tools, 2014
California Department of Education Publication	California After School Physical Activity Guidelines, 2009
U.S. Department of Education Publication	21st Century Community Learning Centers, Nonregulatory Guidance, February 2003
Website	<u>California Afterschool Network</u>
Website	<u>California Child and Adult Care Food Program</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>

Before/After School Programs

Management Resources	Description
Website	<u>California Department of Education, Expanded Learning</u>
Website	<u>U.S. Department of Agriculture</u>
Website	<u>California School-Age Consortium</u>
Website	<u>Partnership for Children and Youth</u>
Website	<u>California Healthy Kids Survey</u>
Website	<u>Commission on Teacher Credentialing</u>
Website	<u>CSBA</u>
Website	<u>U.S. Department of Education</u>

Cross References

Code	Description
0000	<u>Vision</u>
0000	<u>Vision</u>
0200	<u>Goals For The School District</u>
0410	<u>Nondiscrimination In District Programs And Activities</u>
0450	<u>Comprehensive Safety Plan</u>
0450	<u>Comprehensive Safety Plan</u>
0460	<u>Local Control And Accountability Plan</u>
0460	<u>Local Control And Accountability Plan</u>
0500	<u>Accountability</u>
1240	<u>Volunteer Assistance</u>
1240	<u>Volunteer Assistance</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u>
1330	<u>Use Of School Facilities</u>
1330	<u>Use Of School Facilities</u>

Before/After School Programs

Code	Description
1330.1	<u>Joint Use Agreements</u>
1400	<u>Relations Between Other Governmental Agencies And The Schools</u>
1700	<u>Relations Between Private Industry And The Schools</u>
3260	<u>Fees And Charges</u>
3260	<u>Fees And Charges</u>
3280	<u>Sale Or Lease Of District-Owned Real Property</u>
3540	<u>Transportation</u>
3540	<u>Transportation</u>
3550	<u>Food Service/Child Nutrition Program</u>
3550	<u>Food Service/Child Nutrition Program</u>
3552	<u>Summer Meal Program</u>
3553	<u>Free And Reduced Price Meals</u>
3553	<u>Free And Reduced Price Meals</u>
3554	<u>Other Food Sales</u>
3554	<u>Other Food Sales</u>
3554-E PDF(1)	<u>Other Food Sales</u>
3580	<u>District Records</u>
3580	<u>District Records</u>
4112.4	<u>Health Examinations</u>
4112.4	<u>Health Examinations</u>
4112.5	<u>Criminal Record Check</u>
4112.5-E PDF(1)	<u>Criminal Record Check</u>
4131	<u>Staff Development</u>
4131	<u>Staff Development</u>

Before/After School Programs

Code	Description
4212.4	<u>Health Examinations</u>
4212.4	<u>Health Examinations</u>
4212.5	<u>Criminal Record Check</u>
4212.5-E PDF(1)	<u>Criminal Record Check</u>
4222	<u>Teacher Aides/Paraprofessionals</u>
4222	<u>Teacher Aides/Paraprofessionals</u>
4231	<u>Staff Development</u>
4231	<u>Staff Development</u>
4312.4	<u>Health Examinations</u>
4312.4	<u>Health Examinations</u>
4312.5	<u>Criminal Record Check</u>
4312.5-E PDF(1)	<u>Criminal Record Check</u>
4331	<u>Staff Development</u>
4331	<u>Staff Development</u>
5030	<u>Student Wellness</u>
5030	<u>Student Wellness</u>
5131.6	<u>Alcohol And Other Drugs</u>
5131.6	<u>Alcohol And Other Drugs</u>
5131.62	<u>Tobacco</u>
5131.62	<u>Tobacco</u>
5137	<u>Positive School Climate</u>
5141.21	<u>Administering Medication And Monitoring Health Conditions</u>
5141.21	<u>Administering Medication And Monitoring Health Conditions</u>
5141.21-E PDF(1)	<u>Administering Medication And Monitoring Health Conditions</u>
5141.21-E PDF(2)	<u>Administering Medication And Monitoring Health Conditions</u>

Before/After School Programs

Code	Description
5141.23	<u>Asthma Management</u>
5141.23	<u>Asthma Management</u>
5141.27	<u>Food Allergies/Special Dietary Needs</u>
5141.27	<u>Food Allergies/Special Dietary Needs</u>
5141.52	<u>Suicide Prevention</u>
5141.52	<u>Suicide Prevention</u>
5141.52-E PDF(1)	<u>Suicide Prevention</u>
5144	<u>Discipline</u>
5144	<u>Discipline</u>
5145.6	<u>Parent/Guardian Notifications</u>
5145.6-E PDF(1)	<u>Parent/Guardian Notifications</u>
5145.9	<u>Hate-Motivated Behavior</u>
5147	<u>Dropout Prevention</u>
5147	<u>Dropout Prevention</u>
5148	<u>Child Care And Development</u>
5148	<u>Child Care And Development</u>
6011	<u>Academic Standards</u>
6020	<u>Parent Involvement</u>
6020	<u>Parent Involvement</u>
6142.4	<u>Service Learning/Community Service Classes</u>
6142.6	<u>Visual And Performing Arts Education</u>
6142.7	<u>Physical Education And Activity</u>
6142.7	<u>Physical Education And Activity</u>
6142.91	<u>Reading/Language Arts Instruction</u>
6142.91	<u>Reading/Language Arts Instruction</u>

Before/After School Programs

Code	Description
6142.92	<u>Mathematics Instruction</u>
6142.92	<u>Mathematics Instruction</u>
6142.93	<u>Science Instruction</u>
6145	<u>Extracurricular And Cocurricular Activities</u>
6145	<u>Extracurricular And Cocurricular Activities</u>
6154	<u>Homework/Makeup Work</u>
6154	<u>Homework/Makeup Work</u>
6159	<u>Individualized Education Program</u>
6159	<u>Individualized Education Program</u>
6163.4	<u>Student Use Of Technology</u>
6170.1	<u>Transitional Kindergarten</u>
6171	<u>Title I Programs</u>
6171	<u>Title I Programs</u>
6173	<u>Education For Homeless Children</u>
6173	<u>Education For Homeless Children</u>
6173-E PDF(1)	<u>Education For Homeless Children</u>
6173.1	<u>Education For Foster Youth</u>
6173.1	<u>Education For Foster Youth</u>
6173.4	<u>Education For American Indian Students</u>
6175	<u>Migrant Education Program</u>
6175	<u>Migrant Education Program</u>
6176	<u>Weekend/Saturday Classes</u>
6177	<u>Summer Learning Programs</u>
6177	<u>Summer Learning Programs</u>
6178	<u>Career Technical Education</u>

Before/After School Programs

Code	Description
6178	<u>Career Technical Education</u>
6179	<u>Supplemental Instruction</u>
6179	<u>Supplemental Instruction</u>

Policy
approved: July 12, 2006
revised: May 9, 2007
revised: December 7, 2016
revised:

RIALTO UNIFIED SCHOOL DISTRICT
Rialto, California



RIALTO UNIFIED SCHOOL DISTRICT

Instruction

BP 6177(a)

Summer Learning Programs

The Board of Education recognizes that an extended break from the instructional program may result in significant learning loss, especially among disadvantaged and low-achieving students, and desires to provide opportunities during the summer for students to practice essential skills and make academic progress, **and focus on developing social, emotional, and physical needs and interests through hands-on engaging learning experiences.**

Pursuant to Education Code 46120, on non-school days, intersessional programs of specified lengths of time must include in-person before or after-school programs.

Districts are required to provide an ELO program to specified students. However, student participation in an ELO program is optional. For more information regarding ELO program requirements, see BP/AR 5148.2 - Before/After School Programs.

Pursuant to Education Code 46120, as amended by SB 141 (Ch. 194, Statutes of 2023), a District that is temporarily prevented from operating its ELO program because of a school site closure due to emergency conditions specified in Education Code 41422 or Education Code 8482.8(d), will not be subject to penalties as a result of the emergency if the Governing Board adopts a resolution and provides documentation substantiating the need for closure.

Summer programs offered by the District shall be aligned with the District's local control and accountability plan (LCAP), other applicable District and school plans, and the educational program provided during the school year. When feasible, summer programs shall blend high-quality academic instruction in core curricular and/or elective subjects with recreation, nutrition programs, social and emotional development, and support services that encourage attendance, student engagement in learning, and student wellness.

~~(cf. 0200—Goals for the School District)~~
~~(cf. 0460—Local Control and Accountability Plan)~~
~~(cf. 3552—Summer Meal Program)~~
~~(cf. 5030—Student Wellness)~~
~~(cf. 5141.6—School Health Services)~~
~~(cf. 5148—Child Care and Development Program)~~
~~(cf. 6011—Academic Standards)~~
~~(cf. 6142.7—Physical Education and Activity)~~
~~(cf. 6143—Courses of Study)~~

Summer Learning Programs

Summer School

~~The Superintendent or designee, with Board approval, may establish summer school day and/or evening classes.~~

The Superintendent or designee shall establish summer school classes pursuant to Education Code 46120.

Pursuant to Education Code 46120, ELO programs must include at least nine hours of in-person expanded learning opportunities per day for at least 30 non-school days, inclusive of extended school year days provided pursuant to Education Code 56345.

~~(cf. 5148.2—Before/After School Program)~~

~~(cf. 6171—Title I Programs)~~

~~(cf. 6175—Migrant Education Program)~~

The District's summer learning program may be used to provide supplemental instruction to students needing remediation and/or enrichment in core academic subjects.

~~(cf. 6176—Weekend/Saturday Classes)~~

~~(cf. 6179—Supplemental Instruction)~~

As appropriate, priority for enrollment in summer learning programs shall be given to District students who:

1. Need course credits in order to graduate from high school before the beginning of the next school year

~~(cf. 5147—Dropout Prevention)~~

~~(cf. 6146.1—High School Graduation Requirements)~~

2. Have been retained or are at risk of being retained at their grade level

~~(cf. 5123—Promotion/Acceleration/Retention)~~

3. Demonstrate academic deficiencies in core curriculum areas

~~(cf. 0460—Local Control and Accountability Plan)~~

4. Are in ~~targeted~~ student groups identified in the District's LCAP as needing increased or improved services to succeed in the educational program.

Sites for summer learning programs may be rotated in an effort to make summer learning programs more accessible to all students, regardless of residence or regular attendance area, and to accommodate the maintenance needs of District schools.

Summer Learning Programs

The remaining openings shall be offered to other District students on a first-come, first-served basis.

Because summer courses cover extensive instructional content in a relatively short time period, students who have more than three excused absences or one unexcused absences may not receive credit for summer session class(es) unless they make-up missed work in accordance with law, Board policy, and administrative regulation.

~~(cf. 5113—Absences and Excuses)~~

~~(cf. 6154—Homework/Make-Up Work)~~

5. Are foster youth and/or are students experiencing homelessness

If during an intersession period the student will be moving, the student's educational rights holder or, in the case of an American Indian child, Indian custodian, shall determine which school the student attends for the intersession period, if applicable. (Education Code 48850, 48853.5)

6. Are transitional kindergarten or kindergarten children, or in any of grades 1-6 and are required to be offered or provided access to Expanded Learning Opportunities (ELO) Programs pursuant to Education Code 46120 and BP/AR 5184.2 - Before/After School Programs

The remaining openings shall be offered to other District students on a first-come first-served basis.

Because summer courses cover extensive instructional content in a relatively short time period, students who have more than two excused absences or one unexcused absence may not receive credit for summer session class(es) in accordance with law, Board policy, and administrative regulation.

Sites for summer school programs may be rotated in an effort to make summer school programs more accessible to all students, regardless of residence or regular attendance area, and to accommodate the maintenance needs of District schools.

Additional Summer Learning Opportunities

The Superintendent or designee may collaborate with parents/guardians, city and county agencies, community organizations, child care providers, and/or other interested persons to develop, implement, and build awareness of organized activities that support summer learning.

~~(cf. 1020—Youth Services)~~

~~(cf. 1400—Relations Between Other Governmental Agencies and the Schools)~~

~~(cf. 1700—Relations Between Private Industry and the Schools)~~

Summer Learning Programs

Strategies to support summer learning may include, but are not limited to:

1. Providing information to students and parents/guardians about summer reading programs scheduled to be conducted by public libraries or community organizations
2. Collaborating with local parks and recreation agency and/or community organizations to provide day camps, sports programs, or other opportunities for physical education and activity

~~(cf. 1330.1 Joint Use Agreements)~~

3. Collaborating with workforce development agencies, businesses, and community organizations to provide summer job training opportunities that include an academic component

~~(cf. 3260 Fees and Charges)~~

~~(cf. 5113.2 Work Permits)~~

~~(cf. 6178.1 Work Based Learning)~~

4. Encouraging reading in the home, such as providing lists of recommended reading to students and parents/guardians, establishing a target number of books or pages, and providing prizes for achievement of reading goals

~~(cf. 6020 Parent Involvement)~~

5. Assigning summer vacation homework in core curricular subject(s) for extra credit
6. Conducting occasional, interactive "fun days" during the summer to provide activities related to art, music, science, technology, mathematics, environmental science, multicultural education, debate, or other subjects
7. Arranging opportunities for community service

~~(cf. 6142.4 Service Learning/Community Service Classes)~~

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 11470-11472	<u>Summer school</u>
5 CCR 3043	<u>Extended school year; special education students</u>

Summer Learning Programs

State	Description
Ed. Code 37252-37254.1	<u>Supplemental instruction</u>
Ed. Code 39837	<u>Transportation to summer employment program</u>
Ed. Code 41422	<u>Conditions Disqualifying School Districts from Apportionments</u>
Ed. Code 41505-41508	<u>Pupil Retention Block Grant</u>
Ed. Code 41976.5	<u>Summer school programs; substantially disabled persons or graduating high school seniors</u>
Ed. Code 42238.01-42238.07	<u>Local control funding formula</u>
Ed. Code 43520-43525	<u>In-Person Instruction and Expanded Learning Opportunities Grants</u>
Ed. Code 46120	<u>Expanded Learning Opportunities Program</u>
Ed. Code 48070-48070.5	<u>Promotion and retention</u>
Ed. Code 48850-48859	<u>Students in foster care and students experiencing homelessness</u>
Ed. Code 51210	<u>Course of study for grades 1-6</u>
Ed. Code 51220	<u>Course of study for grades 7-12</u>
Ed. Code 51730-51732	<u>Powers of governing boards (authorization for elementary summer school classes); admissions of adults and minors</u>
Ed. Code 52052	<u>Accountability; numerically significant student subgroups</u>
Ed. Code 52059.5-52077	<u>Local control and accountability plan</u>
Ed. Code 54444.3	<u>Summer program for migrant students</u>
Ed. Code 56345	<u>Individualized education program contents</u>

Summer Learning Programs

State	Description
Ed. Code 58700-58702	Credit towards summer school apportionments for tutoring and homework assistance
Ed. Code 58806	Summer school apportionments
Ed. Code 8482-8484.6	After School Education and Safety Program
Ed. Code 8484.7-8484.9	21st Century Community Learning Centers

Federal	Description
20 USC 6311-6322	Improving basic programs for disadvantaged students
20 USC 7171-7176	21st Century Community Learning Centers

Management Resources	Description
CSBA Publication	Supporting the Summer Learning Strategy to Boost Student Achievement, Fact Sheet, December 2015
CSBA Publication	Summer and STEAM Make an Ideal Match, Governance Brief, November 2016
CSBA Publication	Summer Learning: As Easy as 1, 2, 3, January 2016
CSBA Publication	Putting STEAM into Your District's Summer: A Guide to Regional Partners and Resources in California, February 2018
CSBA Publication	Putting STEAM into Your District's Summer: A Planning Guide for School District Governance Teams, January 2018
CSBA Publication	School's Out, Now What? How Summer Programs Are Improving Student Learning and Wellness, Policy Brief, April 2013

Summer Learning Programs

Management Resources	Description
National Summer Learning Association Publication	<u>Every Summer Counts: A Longitudinal Analysis of Outcomes from the National Summer Learning Project, December 2020</u>
National Summer Learning Association Publication	<u>2021 California Summer Learning Guide: Investing in Resilience and Relationships, March 2021</u>
Partnership for Children & Youth Publication	<u>Summer 2022: How California schools are making the most of new increased state investments, January 2023</u>
Rand Corporation Publication	<u>Making Summer Count: How Summer Programs Can Boost Children's Learning, 2011</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>National Summer Learning Association</u>
Website	<u>RAND Corporation</u>
Website	<u>Summer Matters</u>
Website	<u>Partnership for Children and Youth</u>
Website	<u>California Department of Education</u>
Website	<u>CSBA</u>
Cross References	

Code	Description
0200	<u>Goals For The School District</u>
0460	<u>Local Control And Accountability Plan</u>
0460	<u>Local Control And Accountability Plan</u>
1330.1	<u>Joint Use Agreements</u>
1400	<u>Relations Between Other Governmental Agencies And The Schools</u>

Summer Learning Programs

Code	Description
1700	<u>Relations Between Private Industry And The Schools</u>
3260	<u>Fees And Charges</u>
3260	<u>Fees And Charges</u>
3552	<u>Summer Meal Program</u>
3553	<u>Free And Reduced Price Meals</u>
3553	<u>Free And Reduced Price Meals</u>
5030	<u>Student Wellness</u>
5030	<u>Student Wellness</u>
5113	<u>Absences And Excuses</u>
5113	<u>Absences And Excuses</u>
5113.2	<u>Work Permits</u>
5113.2	<u>Work Permits</u>
5123	<u>Promotion/Acceleration/Retention</u>
5123	<u>Promotion/Acceleration/Retention</u>
5141.6	<u>School Health Services</u>
5141.6	<u>School Health Services</u>
5147	<u>Dropout Prevention</u>
5147	<u>Dropout Prevention</u>
5148.2	<u>Before/After School Programs</u>
5148.2	<u>Before/After School Programs</u>
6000	<u>Concepts And Roles</u>
6011	<u>Academic Standards</u>
6020	<u>Parent Involvement</u>
6020	<u>Parent Involvement</u>
6111	<u>School Calendar</u>
6142.4	<u>Service Learning/Community Service Classes</u>

Summer Learning Programs

Code	Description
6142.7	<u>Physical Education And Activity</u>
6142.7	<u>Physical Education And Activity</u>
6142.91	<u>Reading/Language Arts Instruction</u>
6142.91	<u>Reading/Language Arts Instruction</u>
6143	<u>Courses Of Study</u>
6143	<u>Courses Of Study</u>
6146.1	<u>High School Graduation Requirements</u>
6146.1	<u>High School Graduation Requirements</u>
6154	<u>Homework/Makeup Work</u>
6154	<u>Homework/Makeup Work</u>
6159	<u>Individualized Education Program</u>
6159	<u>Individualized Education Program</u>
6164.5	<u>Student Success Teams</u>
6171	<u>Title I Programs</u>
6171	<u>Title I Programs</u>
6173	<u>Education For Homeless Children</u>
6173	<u>Education For Homeless Children</u>
6173-E PDF(1)	<u>Education For Homeless Children</u>
6173.1	<u>Education For Foster Youth</u>
6173.1	<u>Education For Foster Youth</u>
6173.4	<u>Education For American Indian Students</u>
6175	<u>Migrant Education Program</u>
6175	<u>Migrant Education Program</u>
6176	<u>Weekend/Saturday Classes</u>
6178.1	<u>Work-Based Learning</u>

Summer Learning Programs

	Code	Description
	6179	<u>Supplemental Instruction</u>
	6179	<u>Supplemental Instruction</u>

Policy
approved: September 22, 1999
revised: December 6, 2006
revised: February 22, 2017
revised:

RIALTO UNIFIED SCHOOL DISTRICT
Rialto, California



RIALTO UNIFIED SCHOOL DISTRICT

Bylaws of the Board

BB 9270(a)

Conflict of Interest

The Board of Education desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the District and the public. In accordance with law, Board members and designated employees shall disclose any conflict of interest and, as necessary, shall abstain from participating in the decision.

The Board shall adopt a resolution that specifies the terms of the District's conflict of interest code, the District's designated positions, and the disclosure categories required for each position.

Upon direction by the code reviewing body, the Board shall review the District's conflict of interest code and submit any changes to the code reviewing body. (Education Code 87306.5)

When a change in the District's conflict of interest code is necessitated due to changed circumstances, such as the creation of new designated positions, changes to the duties assigned to existing positions, amendments, or revisions, the amended code shall be submitted to the code reviewing body within 90 days. (Government Code 87306)

When reviewing and preparing the District's conflict of interest codes, the Superintendent or designee shall provide officers, employees, consultants, and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

Board members and designated employees shall annually file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories specified in the District's conflict of interest code. A Board member who leaves office or a designated employee who leaves District employment shall, within 30 days, file a revised statement covering the period of time between the closing date of the last statement and the date of leaving office or District employment. (Government Code 87302, 87500)

A Board member or designated employee shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has a disqualifying conflict of interest. A conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect" on one or more of the Board member's or designated employee's "economic interests," unless the effect is indistinguishable from the effect on the public generally or the Board member's or designated employee's participation is legally required. (Government Code 87100, 87101, 87103; 2 CCR 18700-18709)

Conflict of Interest

A Board member or designated employee makes a governmental decision when, acting within the authority of his/her office or position, he/she votes on a matter, appoints a person, obligates or commits the District to any course of action, or enters into any contractual agreement on behalf of the District. (2 CCR 18702.1)

A Board member who has a disqualifying conflict of interest on an agenda item that will be heard in an open meeting of the Board shall abstain from voting on the matter. He/she may remain on the dais, but his/her presence shall not be counted towards achieving a quorum for that matter. A Board member with a disqualifying conflict of interest shall not be present during a closed session meeting of the Board when the decision is considered and shall not obtain or review a recording or any other nonpublic information regarding the issue. (2 CCR 18702.1)

No District employee or Board member shall participate in the selection, award, or administration of a contract if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the District employee has a financial or other interest in or a tangible personal benefit for a firm considered for a contract. Any District employee in violation of this policy shall be subject to disciplinary action consistent with 2 CFR 200.318(c)(1). The Superintendent or designee may take disciplinary action as he/she deems appropriate in light of the particular facts and circumstances involved.

Additional Requirements for Boards that Manage Public Investments

A Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following: (Government Code 87105; 2 CCR 18702.5)

1. Publicly identify each financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required
2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code 87100. The Board member shall not be counted toward achieving a quorum while the item is discussed

However, the Board member may speak on the issue during the time that the general public speaks on it and may leave the dais to speak from the same area as members of the public. He/she may listen to the public discussion of the matter with members of the public.

3. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters

If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during consideration of the consent calendar.

Conflict of Interest

4. If the Board's decision is made during closed session, disclose his/her interest orally during the open session preceding the closed session. This disclosure shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. He/she shall not be present when the item is considered in closed session and shall not knowingly obtain or review a recording or any other nonpublic information regarding the Board's decision.

Board members, employees, or District consultants shall not be financially interested in any contract made by the Board on behalf of the District, including in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids. If a Board member has such a financial interest, the District is barred from entering into the contract. (Government Code 1090; *Klistoff v. Superior Court*, (2007) 157 Cal. App. 4th 469)

A Board member shall not be considered to be financially interested in a contract if his/her interest is a "noninterest" as defined in Government Code 1091.5. One such noninterest is when a Board member's spouse/registered domestic partner has been a District employee for at least one year prior to the Board member's election or appointment. (Government Code 1091.5)

A Board member shall not be considered to be financially interested in a contract if he/she has only a "remote interest" in the contract as specified in Government Code 1091 and if the remote interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract. (Government Code 1091)

Even if there is not a prohibited conflict of interest, a Board member shall abstain from voting on personnel matters that uniquely affect his/her relatives. However, a Board member may vote on collective bargaining agreements and personnel matters that affect a class of employees to which his/her relative belongs. Relative means an adult who is related to the Board member by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

Common Law Doctrine against Conflict of Interest

A Board member shall abstain from any official action in which his/her private or personal interest may conflict with his/her official duties.

1. That of an officer who is being reimbursed for his/her actual and necessary expenses incurred in the performance of an official duty

Conflict of Interest

2. That of a recipient of public services generally provided by the public body or board of which he/she is a member, on the same terms and conditions as if he or she were not a member of the Board
3. That of a landlord or tenant of the contracting party if such contracting party is the federal government or any federal department or agency, this state or an adjoining state, any department or agency of this state or an adjoining state, any county or city of this state or an adjoining state, or any public corporation or special, judicial or other public district of this state or an adjoining state unless the subject matter of such contract is the property in which such officer or employee has such interest as landlord or tenant in which even his/her interest shall be deemed a remote interest within the meaning of, and subject to, the provisions of Government Code 1091
4. That of a spouse of an officer or employee of the District if his/her spouse's employment or office holding has existed for at least one year prior to his/her election or appointment
5. That of a nonsalaried member of a nonprofit corporation, provided that such interest is disclosed to the Board at the time of the first consideration of the contract, and provided further that such interest is noted in its official records
6. That of a noncompensated officer of a nonprofit, tax-exempt corporation which, as one of its primary purposes, supports the functions of the nonprofit board or to which the Board has a legal obligation to give particular consideration, and provided further that such interest is noted in its official records
7. That of a person receiving salary, per diem, or reimbursement for expenses from a governmental entity, unless the contract directly involves the department of the government entity that employs the officer or employee, provided that such interest is disclosed to the Board at the time of consideration of the contract, and provided further that such interest is noted in its official records
8. That of an attorney of the contracting party or that of an owner, officer, employee, or agent of a firm which renders, or has rendered service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker, if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest of less than 10 percent in the law practice or firm, stockbrokerage firm, insurance firm, or real estate firm

In addition, a Board member or employee shall not be deemed to be interested in a contract made pursuant to competitive bidding under a procedure established by law if his/her sole interest is that of an officer, director, or employee of a bank or savings and loan association with which a party to the contract has the relationship of borrower or depositor, debtor, or creditor. (Government Code 1091.5)

Conflict of Interest

A Board member shall not be deemed to be financially interested in a contract if he/she has only a remote interest in the contract and if the remote interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter in the contract. Remote interests are specified in Government Code 1091(b); they include, but are not limited to, the interest of a parent in the earnings of his/her minor child. (Government Code 1091)

On a case-by-case basis and upon advice of legal counsel, a Board member with a financial interest in a contract may participate in the making of the contract if the rule of necessity or legally required participation applies pursuant to Government Code 87101 and 2 CCR 18708.

Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or inimical to the Board member's duties as an officer of the District. (Government Code 1099, 1126)

Even if there is no prohibited or remote interest, a Board member shall abstain from voting on personnel matters that uniquely affect a relative of the Board member. A Board member may vote, however, on collective bargaining agreements and personnel matters that affect a class of employees to which the relative belongs. "Relative" means an adult who is related to the person by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes the individual's parents, grandparents and great-grandparents, children, grandchildren and great-grandchildren, brothers, sisters, aunts and uncles, nieces and nephews, and the similar family of the individual's spouse/registered partner unless the individual is widowed or divorced.

Disqualification for Board Members Who Manage Public Investments

A Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following:

1. Publicly identify the financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required. (Government Code 87105)
2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code 87100. This Board member shall not be counted toward achieving a quorum while the item is discussed. (Government Code 87105; 2 CCR 18702.5)

Conflict of Interest

3. Leave the room until after the discussion, vote and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters. (Government Code 87105)

If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during the consent calendar. (2 CCR 18702.5)

~~(cf. 3430—Investing)~~

The Board member may speak on the issue during the time that the general public speaks on the issue. The Board member shall recuse himself/herself from voting on the matter and leave the dais to speak from the same area as members of the public. He/she may listen to the public discussion of the matter with members of the public. (Government Code 87105; 2 CCR 18702.5)

If the Board's decision is made during closed session, the public identification may be made orally during the open session before the Board goes into closed session and shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. The Board member shall not be present when the decision is considered in closed session or knowingly obtain or review a recording or any other non-public information regarding the Board's action. (2 CCR 18702.5)

Gifts

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitation on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

Gifts of travel and related lodging and sustenance shall be subject to the current gift limitation except as described in Government Code 89506.

A gift of travel does not include travel provided by the District for Board members and designated employees. (Government Code 89506)

Honoraria

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, in accordance with law. (Government Code 89501, 89502)

Conflict of Interest

The term honorarium does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession unless the sole or predominant activity of the business, trade, or profession is making speeches
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the District for donation into the general fund without being claimed as a deduction from income for tax purposes

Appendix A: Defines Disclosure Categories

Appendix B: Identifies Designated Positions in the District

Appendix A - Disclosure Categories

Category 1 - Designated positions must report:

1. Interests in real property that are located in whole or in part (1) within the boundaries of the District, (2) within two miles of the boundaries of the District, or (3) within two miles of any land owned by the District, including leasehold, beneficial or ownership interest or option to acquire such interest in real property
2. Investments and business positions (i.e., director, officer, partner, trustee, employee, or holds any position of management) in business entities or income from sources which engage in the acquisition or disposal of real property within the District
3. Investments and business positions (i.e., director, officer, partner, trustee, employee, or holds any position of management) in business entities or income from sources which: (1) are contractors or subcontractors engaged in the performance of work or services of the type utilized by the District, or (2) which manufacture, sell, or provide supplies, materials, books, machinery, services, or equipment of the type used by the District

Category 2 - Designated position must report investments and business positions in business entities and income from sources that manufacture, sell, or provide supplies, materials, books, machinery, services, or equipment of the type used by the employee's department or the District. For the purposes of this category, a principal's department is his/her entire school.

Appendix B - Designated Positions

The persons holding positions, **including Acting or Interim positions**, listed in this Appendix are designated employees. It has been determined that the persons occupying the positions listed below make or participate in the making of decisions that may foreseeably have a material effect on financial interests of the District. Designated positions must disclose investments, business positions, and interests in real property held on, and income received during the previous 12 months as defined in Appendix A categories 1-2, and will file the Form 700, Statement of Economic Interests.

Conflict of Interest

Position Title, Categories:

Member, Board of Education 1, 2
 Superintendent 1, 2
 Agent: Child Welfare and Attendance 1, 2
 Assistant Principal 1, 2
 Autism Specialist, Special Education 1, 2
 Behavior Program Manager 1, 2
 Behavior Specialist 1, 2
 Central Kitchen Production Manager 1, 2
 Central Kitchen Supervisor 1, 2
 Agent: Communications/Media Services 1, 2
 Consultant* 1, 2
 Coordinator, English Learners 1, 2
 Custodial Supervisor 1, 2
 Agent: Early Education 1, 2
 Education Specialist BTSA Induction Support 1, 2
 Agent: English Learners 1, 2
 Agent: Facilities Planning
 Fiscal Services Supervisor 1, 2
 Grounds Supervisor 1, 2
 Coordinator: Health Services 1, 2
 Instructional Specialist 1, 2
 Lead Custodian (Nights) 1, 2
 Lead Fiscal Services Agent 1, 2
 Lead Innovation Agent 1, 2
 Lead Personnel Agent 1, 2
 Lead Risk Management and Transportation Agent
 Lead Special Services Agent 1, 2
 Lead Strategic Agent: Strategies, Congruence & Social Justice 1, 2
 Lead Student Services Agent 1, 2
 Maintenance Foreman 1, 2
 Agent: Maintenance and Operations 1, 2
 Maintenance Supervisor 1, 2
 Network Services Manager 1, 2
 Assistant Agent: Nutrition Services
 Nutrition Services Production Manager 1, 2
 Nutrition Services Supervisor 1, 2
 Occupational Therapist 1, 2
 Principal 1, 2
 Program Specialist, Special Education 1, 2
 Agent: Purchasing Services 1, 2
 Psychologist 1, 2
 Registration Center Supervisor 1, 2
 Special Education Coordinator 1, 2
 Supervisor 1, 2

Conflict of Interest

Transportation/Garage Manager 1,2
 Transportation Supervisor 1,2
 Therapeutic Behavioral Strategist 1,2
 Warehouse Supervisor 1,2

Academic Agent: Special Programs
 Academic Agent: Special Services
 Accountant: Nutrition Service
 Agent: Academic Technology
 Agent: Science and Career Programs
 Agent: Technology Services
 Applied Behavior Analysis Specialist
 Chief, Safety & Security
 Child Development Administrator
 Child Nutrition Program Innovation
 Continuation High School Principal
 Contract Analyst
 Elementary Assistant Principal
 Elementary Principal
 Emotional Health Therapist
 Energy Manager
 High School Assistant Principal
 High School Principal
 Information Systems Agent
 Lead Academic Agent: Elementary Innovation
 Lead Academic Agent: Math and Early College Programs
 Lead Academic Agent: Secondary Innovation
 Lead Business Services Agent
 Lead Grounds Maintenance Worker
 Lead Nutrition Services Agent
 Lead Professional Development Agent
 Middle School Assistant Principal
 Middle School Principal
 Multi-Media Marketing Innovator
 Personnel Specialist
 Physical Therapist
 Physical Therapist
 Principal, Adult Education
 Risk Management/Compliance Officer
 Safety Operations Supervisor

Conflict of Interest

All positions listed on the Management, Confidential, and Supervisory Salary Schedule 1, 2

*Consultant shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code when it is determined that the temporary consultant will have significant influence on District financial matters. When notified by the Filing Officer, the consultant will have 30 calendar days to provide a completed Form 700, Statement of Economic Interests to the District.

A consultant is an individual who, pursuant to a contract with the District, makes a governmental decision whether to: (2 CCR 18701)

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend or revoke a permit, license, application, certificate, approval, order, or similar authorization or entitlement
4. Authorize the District to enter into, modify, or renew a contract that requires District approval
5. Grant District approval to a contract or contract specifications which require District approval and in which the District is a party
6. Grant District approval to a plan, design, report, study, or similar item
7. Adopt or grant District approval of District Policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the District, serves in a staff capacity with the District and in that capacity participates in making a governmental decision as defined in 2 CCR 18702.2, or performs the same or substantially all the same duties for the District that would otherwise be performed by an individual holding a position specified in the District's Conflict of Interest Code. (2 CCR 18701)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
2 CCR 18110-18997	Regulations of the Fair Political Practices Commission
2 CCR 18438.1-18438.8	Campaign contribution-based conflicts of interest
2 CCR 18700-18760	Conflicts of Interest

Conflict of Interest

State	Description
2 CCR 18722-18740	Disclosure of interests
2 CCR 18753-18756	Conflict of interest codes
Ed. Code 1006	<u>Prohibition against school district employees serving on county board of education</u>
Ed. Code 35107	<u>School district employees</u>
Ed. Code 35230-35240	<u>Corrupt practices</u>
Ed. Code 35233	<u>Prohibitions applicable to members of governing boards</u>
Ed. Code 41000-41003	<u>Moneys received by school districts</u>
Ed. Code 41015	<u>Investments</u>
Fam. Code 297.5	<u>Rights, protections, and benefits of registered domestic partners</u>
Gov. Code 1090-1099	<u>Prohibitions applicable to specified officers</u>
Gov. Code 1125-1129	<u>Incompatible activities</u>
Gov. Code 53234-53235.2	<u>Ethics training</u>
Gov. Code 81000-91014	<u>Political Reform Act</u>
Gov. Code 82011	<u>Code reviewing body</u>
Gov. Code 82019	<u>Definition; designated employee</u>
Gov. Code 82028	<u>Definition; gift</u>
Gov. Code 82030	<u>Definition; income</u>
Gov. Code 82033	<u>Definition; interest in real property</u>
Gov. Code 82034	<u>Definition; investment</u>
Gov. Code 84308	<u>Campaign Disclosure</u>
Gov. Code 87100-87103.6	<u>General prohibitions</u>
Gov. Code 87200-87210	<u>Disclosure</u>
Gov. Code 87300-87313	<u>Conflict of interest code</u>

Conflict of Interest

State	Description
Gov. Code 87500	<u>Statement of economic interests</u>
Gov. Code 89501-89503	<u>Honoraria and gifts</u>
Gov. Code 89506	<u>Ethics; travel</u>
Gov. Code 91000-91014	<u>Enforcement</u>
Pen. Code 85-88	<u>Bribes</u>
Pub. Cont. Code 6102	<u>Bribery of public official; voidable contract</u>
Rev. & Tax Code 203	<u>Taxable and exempt property - colleges</u>

Management Resources**Description**

Attorney General Opinion	105 Ops.Cal.Atty.Gen.69 (2022)
Attorney General Opinion	63 Ops.Cal.Atty.Gen. 868 (1980)
Attorney General Opinion	65 Ops.Cal.Atty.Gen. 606 (1982)
Attorney General Opinion	68 Ops.Cal.Atty.Gen. 171 (1985)
Attorney General Opinion	69 Ops.Cal.Atty.Gen. 255 (1986)
Attorney General Opinion	80 Ops.Cal.Atty.Gen. 320 (1997)
Attorney General Opinion	81 Ops.Cal.Atty.Gen. 327 (1998)
Attorney General Opinion	82 Ops.Cal.Atty.Gen. 83 (1999)
Attorney General Opinion	85 Ops.Cal.Atty.Gen. 60 (2002)
Attorney General Opinion	86 Ops.Cal.Atty.Gen. 138(2003)
Attorney General Opinion	89 Ops.Cal.Atty.Gen. 217 (2006)
Attorney General Opinion	92 Ops.Cal.Atty.Gen. 19 (2009)
Attorney General Opinion	92 Ops.Cal.Atty.Gen. 26 (2009)
Court Decision	Davis v. Fresno Unified School District (2015) 237 Cal.App.4th 261

Conflict of Interest

Management Resources	Description
Court Decision	Klistoff v. Superior Court (2007) 157 Cal.App.4th 469
Court Decision	Kunec v. Brea Redevelopment Agency (1997) 55 Cal.App.4th 511
Court Decision	McGee v. Balfour Beatty Construction, LLC, et al. (2016) 247 Cal. App. 4th 235
Court Decision	Thorpe v. Long Beach Community College District (2000) 83 Cal.App.4th 655
CSBA Publication	Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010
Fair Political Practices Commission Publication	Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict-of-Interest Rules, 2005
Institute For Local Government Publication	Understanding the Basics of Public Service Ethics: Personal Financial Gain Laws, 2009
Institute for Local Government Publication	Understanding the Basics of Public Service Ethics: Transparency Laws, 2009
Website	CSBA District and County Office of Education Legal Services
Website	Institute for Local Government
Website	Fair Political Practices Commission
Website	CSBA

Cross References

Code	Description
1340	Access To District Records
1340	Access To District Records
1700	Relations Between Private Industry And The Schools
3230	Federal Grant Funds
3230	Federal Grant Funds

Conflict of Interest

Code	Description
3300	<u>Expenditures And Purchases</u>
3311	<u>Bids</u>
3311	<u>Bids</u>
3400	<u>Management Of District Assets/Accounts</u>
3400	<u>Management Of District Assets/Accounts</u>
3430	<u>Investing</u>
3430	<u>Investing</u>
3470	<u>Debt Issuance And Management</u>
3600	<u>Consultants</u>
4112.8	<u>Employment Of Relatives</u>
4117.2	<u>Resignation</u>
4136	<u>Nonschool Employment</u>
4212.8	<u>Employment Of Relatives</u>
4217.2	<u>Resignation</u>
4236	<u>Nonschool Employment</u>
4312.8	<u>Employment Of Relatives</u>
4317.2	<u>Resignation</u>
4336	<u>Nonschool Employment</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1-E PDF(1)	<u>Selection And Evaluation Of Instructional Materials</u>
7140	<u>Architectural And Engineering Services</u>
7140	<u>Architectural And Engineering Services</u>

Conflict of Interest

Code	Description
7214	<u>General Obligation Bonds</u>
7214	<u>General Obligation Bonds</u>
9000	<u>Role Of The Board</u>
9005	<u>Governance Standards</u>
9140	<u>Board Representatives</u>
9200	<u>Limits Of Board Member Authority</u>
9220	<u>Governing Board Elections</u>
9222	<u>Resignation</u>
9230	<u>Orientation</u>
9320	<u>Meetings And Notices</u>
9323	<u>Meeting Conduct</u>

Policy
 approved: May 12, 1999
 revised: August 22, 2018
 revised: October 20, 2021
 revised:

RIALTO UNIFIED SCHOOL DISTRICT
 Rialto, California



**Board of Education Agenda
October 16, 2024**

APPROVE AN OVERNIGHT TRIP TO SAN DIEGO - MILOR HIGH SCHOOL

BACKGROUND:

Milor High School hosts the district's only developing Career and Technical Education (CTE) water science program. This Science Technology Engineering and Mathematics (STEM) focused trip provides students with the opportunities to engage in practical applications of classroom knowledge. Through diverse experiences, from conversation efforts at the Wild Animal Park to the microbiological studies at San Diego State University (SDSU) to marine science at SeaWorld, students will gain hands-on insights into real-world STEM careers. These experiences are essential in building not only content knowledge but also interest and skills needed for careers in STEM.

REASONING:

The Wild Animal Park is a STEM-focused trip with a conservation science theme STEM Study trip to tour multiple locations within San Diego, California including the San Diego Wild Animal Park, SeaWorld San Diego, San Diego State University, and the Cabrillo National Monument Tidepools. Students will engage in hands-on activities, including real-world case studies and sample research, aligned with curriculum standards. San Diego State University's Safe Water Lab offers a microbiology lab experience focused on water quality testing and waterborne pathogens. A visit to the Rock Intertidal area at Cabrillo provides insights into coastal ecosystems, while a trip to Seaworld includes interactive STEM activities connecting technology, engineering, and marine biology.

RECOMMENDATION:

To approve 30 students (15 boys, 15 girls) of the Milor High School, CTE, Water Science pathway and 4 chaperones (2 male, 2 female) to attend the multi-day, overnight STEM Study trip to tour multiple locations within San Diego, California, effective November 12, 2024 through November 14, 2024, at a cost not-to-exceed \$35,000.00, and to be paid from the General Fund (Equity Multiplier).

SUBMITTED/REVIEWED BY: Kyla Griffin, Ed.D./Patricia Chavez, Ed.D.



**Board of Education Agenda
October 16, 2024**

APPROVE AN OVERNIGHT TRIP TO THE CALIFORNIA SCHOOL NUTRITION ASSOCIATION CONFERENCE

BACKGROUND:

On November 15-16, 2024 the 2024 California School Nutrition Association (CSNA) Conference, "Hitting a Home Run for Child Nutrition" will take place at SAFE Credit Union Convention Center in Sacramento, California. The mission of the CSNA is to educate and empower its members to provide healthy meals to foster an environment where children achieve overall wellness and lifelong success. This year a session application was submitted to highlight the hard work of our California Department of Food and Agriculture (CDFA) Grant holders, Rialto Middle School and Nutrition Services. The application was selected and students will have the opportunity to share what they have learned with other Nutrition Services leaders across the state.

REASONING:

This workshop will highlight the Rialto Middle School (RMS) STEM CARES garden and hydroponics project specifically created for students in the STEM CARES club and the RMS Environmental Sustainability class for the 2024-2025 academic year. The garden and hydroponics project offers a distinctive opportunity to learn skills associated with climate action and strategies that support community food security but also participate in a leadership opportunity for the students. It is also congruent with Strategy I and VI of our District's Strategic Plan, "We will provide rigorous and relevant learning experience to ensure each student's holistic development," and "We will bridge school and community learning opportunities." To ensure strong learning outcomes, students will participate in a short interview about their experience after the summit.

RECOMMENDATION:

To approve two (2) female students and (1) female chaperone to attend the 72nd Annual California School Nutrition Association Conference at SAFE Credit Union Convention Center in Sacramento, California, effective November 14, 2024 through November 16, 2024, at a cost not-to-exceed \$3,000.00, and to be paid from the General Fund.

SUBMITTED/REVIEWED BY: Juanita Chan-Roden/Patricia Chavez, Ed.D.



**Board of Education Agenda
October 16, 2024**

APPROVE AN OVERNIGHT TRIP TO THE FALL 2024 HEALTHY MEALS SUMMIT

BACKGROUND:

On October 21-23, 2024 the US Department of Agriculture (USDA) Food and Nutrition Service (FNS) along with Action for Healthy Kids will host the 2024 Healthy Meals Summit for Healthy Meals Incentives grantees. USDA Recognition Award recipients and School Food Systems Transformation grantees have been invited to receive awards and share best practices and strategies for sustaining their achievements. Rialto USD has been awarded the Recognition Award and in partnership with nutrition services two (2) students from the STEM CARES club have been asked to facilitate the Rialto USD workshop. Rialto Middle School is now seeking approval from the Board of Education for a group of two (2) students and one (1) chaperone to attend the summit located in Las Vegas, Nevada.

REASONING:

This workshop will highlight the RMS STEM CARES garden and hydroponics project specifically created for students in the STEM CARES club and the RMS Environmental Sustainability class for the 2024-2025 academic year. The garden and hydroponics project offers a distinctive opportunity to learn skills associated with climate action and strategies that support community food security but also participate in a leadership opportunity for the students. It is also congruent with Strategy I and VI of our District's Strategic Plan, "We will provide rigorous and relevant learning experience to ensure each student's holistic development," and "We will bridge school and community learning opportunities." To ensure strong learning outcomes, students will participate in a short interview about their experience after the summit.

RECOMMENDATION:

To approve two (2) female students and (1) female chaperone to attend the 2024 Healthy Meals Summit at Caesar's Palace, Las Vegas, Nevada, effective October 21, 2024 through October 23, 2024, at a cost not-to-exceed \$6,000.00, and to be paid from the General Fund.

SUBMITTED/REVIEWED BY: Juanita Chan-Roden/Patricia Chavez, Ed.D.



**Board of Education Agenda
October 16, 2024**

**APPROVE PARENT/COMMUNITY MEMBER TO ATTEND REGIONAL
EDUCATIONAL LEADERSHIP ACADEMY (RELA)**

BACKGROUND:

The San Bernardino County Superintendent of Schools is offering an in-person Regional Leadership Academy for educators and parents/guardians of the community. This program is designed to give parents and educators an inside view of our vibrant community. Attendees will participate in immersive sessions in key regional locations, meet educational partners, and develop leadership skills while learning more about where they live and the services offered to students and families in San Bernardino County.

REASONING:

Rialto Unified School District (RUSD) can send a parent to participate in a series of six (6) sessions of the Regional Educational Leadership Academy offered by the San Bernardino County Superintendent of Schools. These sessions are meant to transform the lives of our parents and community through education. This opportunity will help to develop the leadership capacity of our parents and educators while learning about their community.

RECOMMENDATION:

Approve one (1) parent to attend six (6) sessions of the Regional Educational Leadership Academy offered by the San Bernardino County Superintendent of Schools from November 8, 2024, through April 11, 2025, at a cost not to exceed \$750.00, and to be paid from the General Fund (Title I Parent Involvement).

SUBMITTED/REVIEWED BY: Rhea McIver Gibbs, Ed.D.



**Board of Education Agenda
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DONATIONS

Monetary Donation(s)

None

Non-Monetary Donation(s)

Location: Fiscal Services

Donor: Amazon

Items: 18 Pallets of various items

Location: Dollahan Elementary School

Donor: The Echohero Show

Items: 2 books - The Litter Bug

RECOMMENDATION:

Accept the donation(s) and send a letter of appreciation to the donor(s): Amazon; and The Echohero Show.

Monetary Donations - October 16, 2024	\$	0.00
Donations - Fiscal Year-to-Date	\$	6,800.00

SUBMITTED/REVIEWED BY: Diane Romo



**Board of Education Agenda
October 16, 2024**

**APPROVE A RENEWAL AGREEMENT WITH LEXIA LEARNING SYSTEMS, LLC -
FRISBIE MIDDLE SCHOOL**

BACKGROUND:

Lexia Learning emphasizes the importance of strong leadership teams in successfully implementing initiatives. Built on Structured Literacy, Lexia PowerUp aims to provide equitable learning opportunities for all students and transform student learning for success and well-being. This research-proven program enables educators to deliver differentiated literacy instruction for students of all abilities, significantly reducing the risk of students not meeting grade-level standards while also providing accelerated and on-track students with the instruction they need to thrive.

REASONING:

The agreement with Lexia Learning Systems LLC allows Frisbie Middle School to continue to provide an online reading intervention program with performance data tracking growth and needs and includes the Lexia PowerUp Literacy Unlimited School Subscription from November 1, 2024 through October 31, 2025. Data shows for the 2023-2024 school year, there was significant growth in the areas of Word Study, Grammar, and Comprehension. 146 students advanced zones from the foundational zone to intermediate and advanced zones. Lexia Learning Systems is congruent with RUSD's Strategic Plan through Strategy 1, Action Plan 1.

RECOMMENDATION:

To approve the purchase of the annual membership for Frisbie Middle School, effective November 1, 2024 through October 31, 2025, at a cost not-to-exceed \$9,450.00 and to be paid from the General Fund (CSI).

SUBMITTED/REVIEWED BY: Alejandro Vara/Patricia Chavez, Ed.D.



**Board of Education Agenda
October 16, 2024**

APPROVE A RENEWAL AGREEMENT WITH ST. CATHERINE OF SIENA PRIVATE SCHOOL

BACKGROUND:

The Rialto Unified School District has received a notification from St. Catherine of Siena, a private school within the district's geographic jurisdiction, regarding their request to take part in the English Learner (EL) student program funded under the Elementary and Secondary Education Act, as amended by Every Student Succeeds Act, Title III, Part A. St. Catherine of Siena School is eligible to participate in the Title III Federal program through our District.

REASONING:

Title III services provided to children in private schools must be equitable and timely and address their educational needs. After consulting with St. Catherine of Siena School, the services will be provided by three St. Catherine of Siena teachers, Salve Banzon, Michelle Oatman, and Catalina Terrazas, who will be employed as consultants to provide extended day intervention for identified EL students. The focus areas of intervention will be reading comprehension, sentence structure, and vocabulary. Services will be held at St. Catherine of Siena School during non-school hours, 3 to 5 times per week from October 17, 2024, through May 30, 2025.

RECOMMENDATION:

To provide extended day services to students identified as English Learners at St. Catherine of Siena Private School, effective October 17, 2024 through May 30, 2025, at a cost not-to-exceed \$6,833.96, and to be paid from the General Fund (Title III).

SUBMITTED/REVIEWED BY: Marina Madrid, Ed.D./Patricia Chavez, Ed.D.



**Board of Education Agenda
October 16, 2024**

RATIFY AGREEMENTS WITH IN-HOME ABA COMPANIES

BACKGROUND:

In-home and community-based Applied Behavioral Analysis (ABA) Therapists work closely with Rialto Unified School District teachers and service providers to ensure a coordinated approach to each student's success.

A&H Behavioral Therapy
ABA Enhancement
ABS Kids
Alora Behavioral Health
Ample Joy ABA
Autism Related Services
Autism Related Therapies
Autism Spectrum Intervention
Behavior Developmental Strategies
Behavior Frontiers
Behavior Genius
Behavioral Autism Therapies
Creative Solutions for Hope
First Step Children's Network
Kiddo Educational Services
Kids Connection
Mass ABA Services
Maxim Health Care
Pacific Clinics
Playful Beginning Inc.
Spring Health
Spring Health Behavior Health & integrated Health
The Behavior Lab
United Therapy Center

REASONING:

The partnership will promote consistency between therapeutic interventions and classroom instruction, aligning behavioral strategies with academic goals. Educators and therapists can better support students' unique needs by collaborating and facilitating a seamless integration of services that enhance student engagement,

progress, and well-being.

RECOMMENDATION:

To enable in-home Applied Behavioral Analysis (ABA) therapists to provide additional support and services to Rialto Unified School District students within the school setting, effective August 5, 2024 through June 30, 2026, at no cost to the District.

SUBMITTED/REVIEWED BY: Sonya Scott, Ed.D./Patricia Chavez, Ed.D.



**Board of Education Agenda
October 16, 2024**

APPROVE AN AGREEMENT WITH BY ANY MEANS VISIONARY, LLC

BACKGROUND:

By Any Means Visionary, LLC has been providing in-person, virtual, and social media-based STEAM presentations to students since 2016. Their mission is to inform, inspire, and activate underserved youth to pursue in-demand career paths. They believe that "if you can see it, you can be it" so they produce and curate content that features stories of members of the Black, Indigenous, and People of Color (BIPOC) community in STEAM careers. Through a long-term partnership from 2016-2020 with Carney Academy in New Bedford, Massachusetts their programming helped double the number of 5th grade students who scored proficient on the Massachusetts Science assessment from 30% to 60%.

REASONING:

"This Can Be You" is a multimedia assembly to help students see themselves in a broad range of STEAM careers. This show makes relevant connections to reach youth where they're at and gets them excited about what's possible. They energize and uplift students. A total of six, forty-minute, assemblies will take place over the course of 3 days during the 8th grade Career Cruisin' Career Technical Education (CTE) recruitment event. Career Cruisin' is congruent with our District's Strategic Plan, "We will provide rigorous and relevant learning experience to ensure each student's holistic development" and has been proven to be an effective recruitment tool based on survey results of CTE students over the last 3 years, where more than 67% of the students surveyed responded that they learned about CTE programs through the Career Cruisin' event.

RECOMMENDATION:

To provide six (6) 40-minute assemblies for all eighth graders participating in the Career Cruisin' Career Technical Education recruitment event at the Chavez Huerta Center for Education, effective October 17, 2024 through June 30, 2025, at a cost not-to-exceed \$17,000.00, and to be paid from the General Fund (Perkins Grant).

SUBMITTED/REVIEWED BY: Juanita Chan-Roden/Patricia Chavez, Ed.D.



**Board of Education Agenda
October 16, 2024**

APPROVE AN AGREEMENT WITH ANN SIMUN, PSY.D., SIMUN PSYCHOLOGICAL ASSESSMENT GROUP

BACKGROUND:

Simun Psychological Assessment Group (SPA Group) has performed neuropsychological or psychoeducational assessments, including Independent Educational Evaluation, forensic evaluations, educational consultation, and expert witness services since 1989 in many contexts (public schools, private schools, hospitals, clinics, and universities). Dr. Simun is uniquely positioned to provide comprehensive recommendations for youth in all types of situations. Dr. Simun has served as an expert witness in numerous jurisdictions including Due Process, Fair Hearings, Federal Court, and District Court.

REASONING:

To ensure the District complies with Federal and State mandates, Special Education Regulations 34 CFR § 300.502 allows parents to request an Independent Education Evaluation (IEE) at public expense. SPA Group offers services for Independent Education Evaluations (IEEs) when parents disagree with the assessment or per the settlement agreement.

RECOMMENDATION:

To provide Independent Education Evaluations during the 2024-2025 school year, effective October 17, 2024 through June 30, 2025, at a cost not-to-exceed \$12,000.00, and to be paid from the General Fund.

SUBMITTED/REVIEWED BY: Sonya Scott, Ed.D./Patricia Chavez, Ed.D.



**Board of Education Agenda
October 16, 2024**

APPROVE AN AGREEMENT WITH GREEN SCHOOLYARDS AMERICA

BACKGROUND:

The Green Schoolyards America project is sponsored by the Earth Island Institute (GSA), a California nonprofit public benefit corporation for participation in the 2024-2025 Southern California Regional Leadership Institute for School Districts, part of the California Schoolyard Forest System. Green Schoolyards America Forest System Regional Leadership Institute is designed to support administrative teams from school districts to become champions of vibrant, high-quality outdoor environments that protect Pre K-12 students from extreme heat. GSA will provide a stipend of \$10,000 to Rialto USD to assist with its ability to participate in the Institute for one year. The funding can be spent on staffing costs, expenses, and/or costs that are associated with the District's participation in the Institute.

REASONING:

The Rialto USD role is to assign three staff members (The Agent, STEM and Career Programs; the Assistant Agent, Maintenance and Operations; and the Grounds Lead), and grant them the time, accommodations, and resources necessary to actively participate in the Institute. The District team will participate in four (4) one-day in-person workshops with other districts at Cal Poly Pomona, and monthly team calls. In addition, available members of the District Team will participate in two (2) optional one-day schoolyard tours in the region, and other professional learning sessions offered by GSA and its partners. The District Team will develop an action plan aimed at strategically shifting district policies, systems, and practices that support the Environmental Sustainability Board Resolution 19-20-28, enacted on October 23, 2019. Additionally, participation is also congruent with Strategy VI, "We will bridge school and community learning opportunities."

RECOMMENDATION:

To approve an agreement that would allow three (3) staff members to participate in the Green Schoolyards America project at California State Polytechnic University, Pomona, effective October 17, 2024 through June 30, 2025, at no cost to the District.

SUBMITTED/REVIEWED BY: Juanita Chan-Roden/Patricia Chavez, Ed.D.



**Board of Education Agenda
October 16, 2024**

APPROVE AN AGREEMENT WITH SOLUTION TREE - KUCERA MIDDLE SCHOOL

BACKGROUND:

Solution Tree has been transforming education since 1998 by empowering educators and hosting professional learning events. They offer a wide range of resources, including books, videos, and online courses. Additionally, Solution Tree conducts School Culture Audits to assess the impact of existing policies on student learning. They also organize customized workshops focusing on school culture and its impact on student achievement. Rialto Unified School District's educators have actively participated in Solution Tree workshops over the years.

REASONING:

Solution Tree's Professional Development services align with Strategy III of our District's Strategic Plan, "We will ensure we have exemplary staff who meet the holistic needs and nurture the aspirations of each student." They will conduct a School Culture Audit of Kucera Middle School, reviewing three years' performance, attendance, and disciplinary data. A full audit report will be provided to Kucera Middle School within 30 days, including a formal rating on a four-point rubric of school culture based on six critical indicators and specific actionable recommendations. Approximately two months later, Solution Tree will offer a full-day customized Transforming School Culture workshop to Kucera Middle School's teachers and administration, addressing their findings and its impact on school performance and student achievement.

RECOMMENDATION:

To provide professional development services, beginning with a complete School Culture Audit followed by a customized Transforming School Culture Workshop for Kucera Middle School teachers and Administrators, effective October 17, 2024 through June 30, 2025, at a cost not-to-exceed \$15,890.00, and to be paid with the General Fund (CSI).

SUBMITTED/REVIEWED BY: Jennifer Cuevas/Patricia Chavez, Ed.D.



**Board of Education Agenda
October 16, 2024**

APPROVE AN AGREEMENT WITH NUCLEUS ROBOTICS, LLC

BACKGROUND:

Nucleus Robotics, LLC provides a learning platform that allows for flexible courses and workshops. This platform was created by dedicated researchers, former educators, and entrepreneurs committed to collaborative and interactive learning. The dynamic activities and real-world simulations cultivate skills essential for success beyond the classroom. The full-length financial literacy course helps students learn essential skills to manage finances and build long-term wealth. The course covers fundamentals like saving, banking, and budgeting; and advanced topics like economics, taxes, retirement accounts, and making smart investments in stocks and real estate.

REASONING:

Discussion during the 2023-2024 Advisory Meetings, as well as data collected during Career Technical Education (CTE) student surveys, the majority of students believed that better financial literacy would lead to a greater "need to know" and increased engagement in career-focused classes. Offering access to the Nucleus Financial Literacy and Entrepreneurship courses for all Career Technical Education classes is also congruent with Strategy I of our District's Strategic Plan, "We will provide rigorous and relevant learning experience to ensure each student's holistic development." The Career Technical Education (CTE) service area would like to provide access to this curriculum to increase our Work Based Learning opportunities. The 2024-2025 Advisory Meeting interviews and End of Year CTE Student Survey data will be utilized to compare engagement from various student subgroups from the 2023-2024 to 2024-2025 school years.

RECOMMENDATION:

To provide access to the Nucleus Financial Literacy & Entrepreneurship curriculum to all Career Technical Education participants, effective October 17, 2024 through June 30, 2025, at a cost not-to-exceed \$45,000.00, and to be paid from the General Fund (CTEIG).

SUBMITTED/REVIEWED BY: Juanita Chan-Roden/Patricia Chavez, Ed.D.



**Board of Education Agenda
October 16, 2024**

**APPROVE AN AGREEMENT WITH STEP-BY-STEP FOLKLORICO LLC - WERNER
ELEMENTARY SCHOOL**

BACKGROUND:

Step-by-Step Folklorico LLC is a team of former educators and professional dancers with a mission to bring cultural arts to students, increasing cultural awareness and acceptance. They currently serve Rialto Unified School District students through the Extended Learning Opportunity Program (ELOP). Werner Elementary, a Dual Language Immersion school, aims to deepen students' understanding of Mexican culture and the arts through after-school programs. Students will learn about Mexican culture and dance, participate in dance activities, and culminate with a dance performance for students and parents.

REASONING:

Werner Elementary is offering Step-by-Step Folklorico to 40 students after school. The program includes one 90-minute lesson, twice a week for 8 weeks, with a final performance. Up to 20 students from primary and upper grades will participate each week, engaging in cultural arts activities and hands-on learning experiences. This initiative is congruent with Strategy I of our District's Strategic Plan, focusing on rigorous and relevant learning experiences for holistic student development.

RECOMMENDATION:

To provide 16 lessons in Ballet Folklorico, one (1) student performance, costume rentals, art and craft activities, and one (1) learning presentation to 40 students at Werner Elementary School, effective October 17, 2024 through June 30, 2025, at a cost not-to-exceed \$17,100.00, and to be paid from the General Fund (PROP 28 AMS).

SUBMITTED/REVIEWED BY: Tami Butler/Patricia Chavez, Ed.D.



**Board of Education Agenda
October 16, 2024**

APPROVE AN AGREEMENT WITH TRUBEL&CO

BACKGROUND:

As a nonprofit organization, trubel&co is dedicated to empowering underserved youth to address intricate societal challenges through the application of fair data analytics, responsible technology, and inclusive design. The organization aims to support underserved youth in tackling intricate societal issues using equitable data analytics, responsible technology, and inclusive design. The mission of trubel&co is to build youth power in the digital age by integrated experiential learning and liberatory design. Their flagship program, "Mapping Justice", teaches high school students how to design geospatial tools for social change. In addition, trubel&co facilitates workshops to improve participants' skills across three competencies: technical awareness, critical consciousness, and self-efficacy to fix the problems that students care about the most.

REASONING:

Rialto USD and trubel&co are collaborating to support student and staff understanding of Geographic Information Systems (GIS) for earning the State Seal of Civic Engagement. The project includes a series of 5 monthly workshops covering topics such as geospatial analytics, community data collection, and environmental justice. The success of the project will be measured by the number of students reporting awareness of GIS.

RECOMMENDATION:

To provide trubel&co virtual student workshops for any students in grades 9 through 12 interested in learning about Geographic Information Systems (GIS) at any Rialto Unified School District high school, effective October 17, 2024 through June 30, 2025, at a cost not-to-exceed \$20,000.00, and to be paid from the General Fund (California Serves Grant).

SUBMITTED/REVIEWED BY: Juanita Chan-Roden/Patricia Chavez, Ed.D.



**Board of Education Agenda
October 16, 2024**

APPROVE A STUDENT TEACHER AGREEMENT WITH TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY & SAN DIEGO STATE UNIVERSITY

BACKGROUND:

The California Commission on Teacher Credentialing requires teacher that are enrolled in a college/university program to complete student teaching/apprentice teaching before the university student can receive their preliminary credential.

REASONING:

University students enrolled in the Teacher Education Program at San Diego State University will gain experience with mentors from Rialto Unified School District in their specialized fields in the process of completing their credential requirements.

RECOMMENDATION:

Approve the Student Teacher Agreement, with the Trustees of the California State University on behalf of San Diego State University to assist current and future educators in completing state requirements for credentialing from October 17, 2024, through October 16, 2029, at no cost to the District.

SUBMITTED/REVIEWED BY: Ricardo Carranza/Rhonda Kramer, Roxanne Dominguez & Armando Urteaga



**Board of Education Agenda
October 16, 2024**

APPROVE AN AGREEMENT WITH JAMEY CLARK, INC.

BACKGROUND:

Jamey Clark, founder of Jamey Clark, Inc. (JCI), has built a highly respected maintenance and inspection company with decades of experience in the industry. In 1999, after earning his Certified Playground Safety Inspector (CPSI) credentials, Jamey launched SafePark, a division of JCI, dedicated to proactive inspection, maintenance, and repair of parks and playgrounds to meet California's safety standards. Today, JCI Property Maintenance and SafePark Services provide a wide range of maintenance, inspection, and repair services to homeowner associations, schools, cities, and communities throughout California and other states, driven by a commitment to quality, integrity, and professionalism. Jamey is also a respected instructor for the National Recreation and Park Association (NRPA), sharing his expertise in playground safety and maintenance.

REASONING:

Jamey Clark, Inc., will assist Rialto USD, Maintenance & Operations meet safety regulations by conducting comprehensive audits of existing playground structures at multiple district sites and provide professional recommendations for recommendations for any corrections.

RECOMMENDATION:

Approve an agreement with Jamey Clark Inc., to audit and provide comprehensive reports of existing playground structures at multiple sites, effective October 17, 2024, through June 30, 2025, at the cost not-to-exceed \$28,000.00, and to be paid from the General Fund (Routine Repair Maintenance Account).

SUBMITTED/REVIEWED BY: Matt Carter/Diane Romo



**Board of Education Agenda
October 16, 2024**

CLASSIFIED EXEMPT – PERSONNEL REPORT NO. 1326

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

WORKABILITY – Returning Students

Acosta, Aniseto	Central Kitchen	09/19/2024	\$16.50 per hour
Castro, Camila	Think Together	09/30/2024	\$16.50 per hour
Diaz, Abraham	Walmart	09/09/2024	\$16.50 per hour
Diaz-Garcia, Luis	Central Kitchen	09/19/2024	\$16.50 per hour
Galleros, Victor	Walmart	09/09/2024	\$16.50 per hour
Hernandez, Lucero	Central Kitchen	09/30/2024	\$16.50 per hour
Jones, Keyon	Central Kitchen	09/26/2024	\$16.50 per hour
Lara, Fabian	Central Kitchen	09/19/2024	\$16.50 per hour
Linares, Angel	Grocery Outlet	09/26/2024	\$16.50 per hour
Luera, Monique	Walgreens	09/18/2024	\$16.50 per hour
Merlos, Xavier	Walmart	09/09/2024	\$16.50 per hour
Portugal Robledo, Brisa	Rainbow	09/23/2024	\$16.50 per hour
Sakamoto, Orchid	Grocery Outlet	09/26/2024	\$16.50 per hour
Siordia, Johnathen	Old Navy	09/06/2024	\$16.50 per hour
Tafolla-Cervantes, Juan	Walmart	09/09/2024	\$16.50 per hour
Vazquez Gomez, Abel	Walmart	09/09/2024	\$16.50 per hour
Williams, Joseph	Central Kitchen	09/26/2024	\$16.50 per hour

WORKABILITY

De Leon, Audie	Walgreens	09/23/2024	\$14.03 per hour
Ervin, Jordan	Walgreens	09/23/2024	\$14.03 per hour
Frausto, Derik	Central Kitchen	09/19/2024	\$14.03 per hour
Gallardo, George	Walgreens	09/23/2024	\$14.03 per hour
Garzon, Audrey	Walgreens	10/07/2024	\$14.03 per hour
Gates, Shauna	Walgreens	09/23/2024	\$14.03 per hour
Holliman, Tamia	Old Navy	10/03/2024	\$14.03 per hour
Lizarraga, Isiak	Walgreens	09/27/2024	\$14.03 per hour
Lopez, Angelina	Old Navy	09/26/2024	\$14.03 per hour
Lopez, Jade	Old Navy	10/09/2024	\$14.03 per hour
Lozano Garcia, Gisselle	Walmart	09/26/2024	\$14.03 per hour
Macias Martinez, Diana	Walmart	09/26/2024	\$14.03 per hour
Menendez, Alexa	Walgreens	09/23/2024	\$14.03 per hour
Nunez, Jose	Walgreens	09/23/2024	\$14.03 per hour
Osuiwu, Bright	Central Kitchen	09/19/2024	\$14.03 per hour
Palmore, Torrian	Walmart	09/30/2024	\$14.03 per hour
Pelayo, Jake	Walgreens	09/23/2024	\$14.03 per hour
Perez, Salome	Walgreens	09/23/2024	\$14.03 per hour

WORKABILITY (Continued)

Price, Devin	Walmart	09/26/2024	\$14.03 per hour
Sims, Reginald	Central Kitchen	09/23/2024	\$14.03 per hour

NON-CERTIFICATED COACHES

A search of the certificated staff of the Rialto Unified School District has failed to fulfill the District's coaching needs. Pursuant to the Title 5 California Code of Regulations, Section 5531, this is to certify that the following non-certificated coaches employed by the Rialto Unified School District are competent in first aid and emergency procedures as related to coaching techniques in the sports to which they are assigned:

Kolb Middle School

Caldwell, Torrey	Girls' Flag Football	2024/2025	\$1,434.00
Hennison, Paul	Boys' Flag Football	2024/2025	\$1,434.00

Kucera Middle School

Miller, Rickey	Boys' Flag Football	2024/2025	\$1,434.00
Rudd, Ronald	Girls' Flag Football	2024/2025	\$1,434.00

Rialto Middle School

Goodloe, Imani	Co-Boys' Flag Football	2024/2025	\$ 717.00
Jefferson, Gabreail	Cheer	2024/2025	\$2,180.00
Sandoval, Ivan	Girls' Flag Football	2024/2025	\$1,434.00

Carter High School

Machuca, Charlene	Frosh Head, Girls' Basketball	2024/2025	\$5,047.00
Navarro Torres, Helio	Varsity Asst., Boys' Soccer	2024/2025	\$4,187.00
Peters, Ty	Frosh Asst., Basketball	2024/2025	\$4,072.00

Eisenhower High School

Minjarez, Daniel	JV Head, Girls' Volleyball	2024/2025	\$4,244.00
Flores, David	JV Head, Girls' Basketball	2024/2025	\$5,047.00

Rialto High School

Barraza, Steven	Varsity Head, Girls' Wrestling	2024/2025	\$6,137.00
Bernal, Marco	JV Head, Boys' Soccer	2024/2025	\$4,589.00
DeLaTorre, Andrea	Frosh Asst., Girls' Basketball	2024/2025	\$4,072.00
Galindo, Noelle	Varsity Head, Girls' Soccer	2024/2025	\$5,506.00
Guerrero, Matthew	Frosh Head, Boys' Soccer	2024/2025	\$4,589.00
McNeal, Donell	Varsity Asst., Girls' Basketball	2024/2025	\$4,474.00
Mitchell, Robert	Varsity Head, Boys' Wrestling	2024/2025	\$6,137.00
Murray, John	JV Asst., Football	2024/2025	\$5,162.00
Parks, Tyrell	Frosh Head, Girls' Basketball	2024/2025	\$5,047.00
Vasquez, Diana	Varsity Asst., Boys' Cross Country	2024/2025	\$4,244.00

SUBMITTED/REVIEWED BY: Roxanne Dominguez, Rhonda Kramer, and Armando Urteaga



**Board of Education Agenda
October 16, 2024**

CLASSIFIED EMPLOYEES – PERSONNEL REPORT NO. 1326

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

PROMOTIONS

Castillo, Arlin (Repl. A. Zamora-Erickson)	To:	Career Center Technician Carter High School	09/30/2024	34-6	\$32.36 per hour (8 hours, 217 days)
	From:	Office Assistant Enrollment Services		31-6	\$30.02 per hour (8 hours, 237 days)
De la Cruz, Angel (Repl. A. Torres)	To:	Custodian II Frisbie Middle School	09/30/2024	34-3	\$27.96 per hour (8 hours, 12 months)
	From:	Custodian I** Rialto Middle School		33-3	\$27.27 per hour (8 hours, 12 months)
Osuna Torres, Johanna (Repl. M. Velazquez)	To:	Behavioral Support Assistant Special Services/Preston Elementary	10/07/2024	31-1	\$23.50 per hour (8 hours, 203 days)
	From:	Health Aide Casey Elementary School		25-3	\$22.32 per hour (8 hours, 203 days)
Rubio, Imelda (Repl. M. Constantino)	To:	Administrative Assistant III Rialto High School	09/23/2024	41-5	\$36.73 per hour (8 hours, 12 months)
	From:	Administrative Assistant II Rialto High School		36-6	\$34.02 per hour (8 hours, 12 months)

EMPLOYMENT

Abilez, Annette (Repl. B. Luna)	Behavioral Support Assistant Preston Elementary School	10/07/2024	31-1	\$23.50 per hour (7 hours, 203 days)
Castrejon Jr., Sal (Repl. M. Nunez)	Custodian I** Maintenance & Operations	10/04/2024	34-1	\$25.34 per hour (8 hours, 12 months)
Cordero, Damaris (Repl. V. Hernandez)	Nutrition Service Worker I Central Kitchen	09/26/2024	25-1	\$20.20 per hour (2.5 hours, 203 days)
Delgado, Jamie (Repl. L. Bueno)	Nutrition Service Worker I Eisenhower High School	09/25/2024	25-1	\$20.20 per hour (2 hours, 203 days)
Gilson, Briana (Repl. A. Williams)	Paraprofessional - Mild/Moderate Simpson Elementary School	10/07/2024	27-1	\$21.26 per hour (6 hours, 203 days)

EMPLOYMENT (Continued)

Huour, Randy (Repl. I. Ruvalcaba-Perez)	Instructional Technology Assistant Frisbie Middle School	10/07/2024	32-1	\$24.10 per hour (6 hours, 212 days)
Martinez Trejo, Cristian (Repl. O. Loza)	Grounds Maintenance Worker I Maintenance & Operations	09/25/2024	32-1	\$24.10 per hour (8 hours, 12 months)
Ortiz, Joshua (Repl. C. Gonzalez)	Instructional Technology Assistant Henry Elementary School	10/07/2024	32-1	\$24.10 per hour (6 hours, 212 days)
Viveros-Alejandro, Oscar (Repl. L. Vega)	Attendance/Records Clerk Rialto Middle School	09/24/2024	32-1	\$24.10 per hour (8 hours, 217 days)

RESIGNATIONS

Enriquez, Mayra	Paraprofessional - Early Education Dunn Preschool	09/27/2024
Garcia, Rocio	Paraprofessional - Moderate/Severe Dunn Preschool	10/18/2024
Oliver, Christine	Categorical Program Assistant Kordyak Elementary School	10/24/2024
Rojas, Florida	Nutrition Service Worker I Kucera Middle School	09/18/2024
Taite, Janet	Health Aide Rialto Middle School	09/04/2024
Williams, Atianna	Paraprofessional - Mild/Moderate Simpson Elementary School	10/09/2024

RETIREMENT

Elias, Alfred	Irrigation Technician Maintenance & Operations	06/30/2025
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ADMINISTRATIVE APPOINTMENT

Medina, Jasmin	Applied Behavior Analysis Specialist Special Services	09/30/2024	1-1	\$59.23 per hour (8 hours, 205 days)
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PLACED ON THE 39-MONTH REEMPLOYMENT LIST

Secor, Ann	Accounting Assistant I Rialto High School	10/03/2024
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Williams, Devatia	Custodian I Morris Elementary School	11/02/2024
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SUBSTITUTES

Avina Lopez, Guillermo	Custodian I	10/21/2024	\$24.10 per hour
Cullins, Tracie	Nutrition Service Worker I	10/01/2024	\$20.20 per hour
Gonzalez, Lorena	Office Assistant	10/01/2024	\$23.50 per hour
Lee, Peggy	Nutrition Service Worker I	09/25/2024	\$20.20 per hour
Rhoads, Daniel	Custodian I	09/18/2024	\$24.10 per hour
Torres, Joseph	Bus Driver	10/07/2024	\$26.64 per hour
Valdez Carrera, Monica	Nutrition Service Worker I	10/04/2024	\$20.20 per hour

SHORT TERM ASSIGNMENT

Clerical Support	Bemis Elementary School (not to exceed 960 hours)	10/17/2024- 04/17/2025	\$23.50 per hour
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Clerical Support	Curtis Elementary School (not to exceed 120 hours)	10/17/2024- 12/12/2024	\$23.50 per hour
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Warehouse Worker	Warehouse (not to exceed 400 hours)	10/17/2024- 03/31/2025	\$32.40 per hour
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ADDITION OF BILINGUAL STIPEND (2.75% of base salary)

Viveros-Alejandre, Oscar	Attendance/Records Clerk	09/24/2024
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LATERAL TRANSFER WITH INCREASE IN WORK HOURS

Taite, Janet	To:	Health Aide Rialto Middle School	08/02/2024	25-3	\$22.32 per hour (7 hours, 203 days)
	From:	Health Aide Kelley Elementary School		25-3	\$22.32 per hour (6 hours, 203 days)

TERMINATION OF PROBATIONARY CLASSIFIED EMPLOYEES

Employee No. #2434634	Paraprofessional Mod/Sev	09/20/2024
Employee #2383634	Licensed Vocational Nurse	09/17/2024

CERTIFICATION OF ELIGIBILITY LIST – District Parent Center Assistant

Eligible: 10/17/2024
Expires: 04/17/2025

CERTIFICATION OF ELIGIBILITY LIST – Grounds Maintenance Worker III

Eligible: 10/17/2024
Expires: 04/17/2025

CERTIFICATION OF ELIGIBILITY LIST – Health Aide

Eligible: 10/17/2024
Expires: 04/17/2025

EXTENSION OF CERTIFICATION OF ELIGIBILITY LIST – Custodian II

To: **Eligible:** 11/10/2024
Expires: 05/10/2025
From: **Eligible:** 05/09/2024
Expires: 11/09/2024

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

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

SUBMITTED/REVIEWED BY: Roxanne Dominguez, Rhonda Kramer, and Armando Urteaga



**Board of Education Agenda
October 16, 2024**

CERTIFICATED EMPLOYEES – PERSONNEL REPORT NO. 1326

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

GUEST TEACHERS (To be used as needed at the appropriate rate per day, effective October 17, 2024 unless earlier date is indicated)

Davis, Josiah	10/07/2024
Garcia, Fredhel	10/08/2024
Hanki, Sharon	09/23/2024
Lee, Kaelie	10/10/2024
Pernillo, Aileen	09/24/2024
Watkins, Tracy	10/04/2024

EMPLOYMENT

Brizuela, Carly	Special Education Teacher Milor High School	09/30/2024	II-1	\$70,334.00	(184 days)
Cortez, Vivian	Elementary Teacher Curtis Elementary School	09/27/2024	I-1	\$66,984.00	(184 days)
Kawahara, Mikaela	Elementary Counselor Student Services	10/17/2024	IV-I	\$79,650.00	(189 days)
Padilla, Jeannette	Special Education Teacher Fitzgerald Elementary School	09/30/2024	III-1	\$73,850.00	(184 days)
Perez, Sierrah	Secondary Teacher Frisbie Middle School	09/23/2024	I-1	\$66,984.00	(184 days)
Vara, Briana	Elementary Teacher Casey Elementary School	10/02/2024	II-1	\$70,334.00	(184 days)

RE-EMPLOYMENT

Berrios, Edward	Special Education Teacher Frisbie Middle School	09/27/2024	II-4	\$77,261.00	(184 days)
Rodriguez, Eliot	Special Education Teacher Werner Elementary School	09/23/2024	IV-7	\$93,575.00	(184 days)

RESIGNATION

Stubblefield, Tiffany Elementary Teacher 09/24/2024
Dollahan Elementary School

APPROVED LEAVE OF ABSENCE WITHOUT PAY

Conerly, Dominique Elementary Teacher 10/28/2024 - 06/30/2025
Kelley Elementary School

TEMPORARY ADMINISTRATIVE APPOINTMENT

Hernandez, Marnice Program Specialist 10/21/2024
Special Services

Rosas, Kimberly Interim Elementary Principal 10/14/2024
Fitzgerald Elementary School

SUPPLEMENTAL SERVICES (Retired teacher to provide a 10 week intervention program at Dollahan Elementary School for English Language Arts and mathematics, at an hourly rate of \$55.52 per hour, not to exceed 120 hours, from October 1, 2024 through December 30, 2024, to be charged to Title I Funds)

Franco, Rose

EXTRA DUTY COMPENSATION (Ratify Frisbie Middle School teacher to organize music, plan rehearsals and performances for the Mariachi program, from September 1, 2024 through September 30, 2024, at the hourly rate of \$55.52, not to exceed 25 hours, to be charged to General Funds)

Aguayo, Emmanuel

EXTRA DUTY COMPENSATION (Ratify Frisbie Middle School teacher to attend the eSports monthly collaboration meetings, from September 24, 2024 through May 29, 2025, at the hourly rate of \$55.52, not to exceed 15 hours, to be charged to General Funds)

Marroquin, Christina

EXTRA DUTY COMPENSATION (Ratify certificated teachers to assist with instrument distribution at various schools, from August 26, 2024 through September 5, 2024, at the hourly rate of \$55.52, not to exceed 14.5 hours, to be charged to General Funds)

Aarflot, Jostein
Ruvalcaba, Amado

Gattuso, Paul

Henderson, Francesca

CERTIFICATED COACHES

Frisbie Middle School

Campbell, Edward	Boys' Flag Football	2024/2025	\$1,434.00
Campbell, Edward	Girls' Flag Football	2024/2025	\$1,434.00
McKee, Erendida	Cross Country	2024/2025	\$1,434.00

Jehue Middle School

Quiros, Kenya	Boys' Soccer	2024/2025	\$1,434.00
Rodriguez, Eric	Middle School Sports Advisor	2024/2025	\$6,000.00
Torres, Albert	Asst. Middle School Sports Advisor	2024/2025	\$2,750.00

Kolb Middle School

Christenson, Judith	Volleyball	2024/2025	\$1,434.34
Meza, Raylene	Cheer	2024/2025	\$2,180.00
Soriano, Jose	Girls' Soccer	2024/2025	\$1,434.00

Kucera Middle School

Garcia, Perla	Girls' Volleyball	2024/2025	\$1,434.00
Garcia, Perla	Girls' Basketball	2024/2025	\$1,434.00
Melara, Steven	Wrestling	2024/2025	\$1,434.00
Rembis, Stephen	Girls' Soccer	2024/2025	\$1,434.00
Sullinger, Melissa	Cross Country	2024/2025	\$1,434.00
Sullinger, Melissa	Track & Field	2024/2025	\$1,434.00

Rialto Middle School

Cooper, Kaitlyn	Girls' Cross Country	2024/2025	\$1,434.00
Lewis, Abina	Co-Boys' Flag Football	2024/2025	\$ 717.00
Rivas, Agnim	Cross Country	2024/2025	\$1,434.00
Vasquez Serrano, Yesenia	Volleyball	2024/2025	\$1,434.00

SUBMITTED/REVIEWED BY: Roxanne Dominguez, Rhonda Kramer, and Armando Urteaga



**RESOLUTION NO. 24-25-23
BILINGUAL AUTHORIZATION WAIVER
RESOLUTION OF THE BOARD OF EDUCATION
2024-2025**

Pursuant to Title V Section 80120(b), for the 2024/2025 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>
Cortez, Vivian	Cutis Elementary School	Bilingual Authorization	3 rd Grade/DLI

I, Edward D'Souza, Ph.D., Acting Superintendent of Rialto Unified School District of San Bernardino County, California, do hereby certify that the foregoing is a full, true and correct copy of a Resolution adopted by the District's Board of Education at a duly scheduled meeting thereof.

Dated: October 16, 2024

Edward D'Souza, Ph.D.
Acting Superintendent



**RESOLUTION NO. 24-25-25
PROVISIONAL INTERNSHIP PERMIT
RESOLUTION OF THE BOARD OF EDUCATION
2024-2025**

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>
Lira, Crystal	Simpson Elementary	Provisional Internship Permit – Mild to Moderate Support Needs	TK/SEED

I, Edward D’Souza, PH.D., Acting Superintendent of Rialto Unified School District of San Bernardino County, California, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the District’s Board of Education at a duly scheduled meeting thereof.

Dated: October 16, 2024

Edward D’Souza, Ph.D.
Acting Superintendent

MINUTES

RIALTO UNIFIED SCHOOL DISTRICT

September 25, 2024

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

Board Members

Present: Joseph W. Martinez, President
Edgar Montes, Vice President
Evelyn P. Dominguez, LVN, Clerk
Dr. Stephanie E. Lewis, Member

Board Members

Absent: Nancy G. O'Kelley, Member

Administrators

Present: Edward D'Souza, Ph.D., Acting Superintendent
Rhea McIver Gibbs, Ed.D., Lead Strategic Agent
Patricia Chavez, Lead Innovation Agent
Diane Romo, Lead Business Services Agent
Rhonda Kramer, Lead Personnel Agent
Also present was Martha Degortari, Executive Administrative Agent, and Interpreter/Translator, Jose Reyes.

A. OPENING

A.1 CALL TO ORDER 6:00 p.m.

The meeting was called to order at 6:01 p.m.

A.2 OPEN SESSION

A.3 CLOSED SESSION

Moved By Vice President Montes

Seconded By Clerk Dominguez

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

- **PUBLIC EMPLOYEE EMPLOYMENT / DISCIPLINE / DISMISSAL / RELEASE / REASSIGNMENT OF EMPLOYEES (GOVERNMENT CODE SECTION 54957)**
- **STUDENT EXPULSIONS / REINSTATEMENTS / EXPULSION ENROLLMENTS**
- **CONFERENCE WITH LABOR NEGOTIATORS**

Agency designated representatives: Edward D'Souza, Ph.D., Acting Superintendent; Lead Personnel Agents: Rhonda Kramer, Roxanne Dominguez, and Armando Urteaga, Personnel Services.

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

- **PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d) and/or (d)(3). CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE LITIGATION - Number of Potential Claims: 1**

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9) 2179114 v. Rialto Unified School District (San Bernardino Superior Court Case No. CIVSB2101379)

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9) 2767514 v. Rialto Unified School District (San Bernardino Superior Court Case No. CIVSB2024096)

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.

Member O'Kelley was absent. Vote by Board Members to move into Closed Session:

Time: 6:03 p.m.

Approved by a Unanimous 4 to 0 Vote

A.4 ADJOURNMENT OF CLOSED SESSION

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

Member O'Kelley was absent. Vote by Board Members to adjourn Closed Session:

Time: 7:14 p.m.

Approved by a Unanimous 4 to 0 Vote

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

Open session reconvened at 7:14 p.m.

A.6 PLEDGE OF ALLEGIANCE

Trapp Elementary School second grade student, Daphne Vance, led the Pledge of Allegiance.

A.7 PRESENTATION BY TRAPP ELEMENTARY SCHOOL

In celebration of National Hispanic American Heritage Month, Miss Hitomi Sakakibara and her second grade class recited a poem: *Make New Friends* and sang *You've Got a Friend in Me*, in English and in Spanish.

A.8 REPORT OUT OF CLOSED SESSION

Moved By Member Dr. Lewis

Seconded By Vice President Montes

The Board of Education took action to settle Superior Court of California, San Bernardino County Case No. CIV SB 2024096 in exchange for full release of any and all liability claims.

Member O'Kelley was absent. Vote by Board Members:

Approved by a Unanimous 4 to 0 Vote

Moved By Vice President Montes

Seconded By Member Dr. Lewis

The Board of Education accepted the administrative appointment of Ignacio Avila, Elementary School Principal, Dunn Elementary School.

Member O'Kelley was absent. Vote by Board Members:

Approved by a Unanimous 4 to 0 Vote

Moved By Member Dr. Lewis

Seconded By Vice President Montes

The Board of Education accepted the administrative appointment of Dr. Adam Bailey, High School Principal, Carter High School.

Member O'Kelley was absent. Vote by Board Members:

Approved by a Unanimous 4 to 0 Vote

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

The Board of Education accepted the request for an unpaid leave of absence for classified employee #2489534 from October 7, 2024 through February 7, 2024.

Member O'Kelley was absent. Vote by Board Members:

Approved by a Unanimous 4 to 0 Vote

A.9 ADOPTION OF AGENDA

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

Member O'Kelley was absent. Vote by Board Members to adopt the agenda:

Approved by a Unanimous 4 to 0 Vote

B. PRESENTATIONS

B.1 KUCERA MIDDLE SCHOOL'S COMPREHENSIVE COUNSELING PROGRAM: THE RAMP JOURNEY

Presentation by Annemarie Delgado-Brown, Counselor; Jessica Veit, Counselor; and Jennifer Cuevas, Principal

Annemarie Delgado-Brown, Counselor; Jessica Veit, Counselor; and Principal Jennifer Cuevas conducted a presentation on Kucera Middle School's Comprehensive Counseling Program: The Ramp Journey.

C. COMMENTS

C.1 PUBLIC COMMENTS NOT ON THE AGENDA

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

Rhonda Scott, General Manager for Think Together, shared a flyer/invitation with the Board and staff for an upcoming student presentation. She thanked the Board for their support of this program and encouraged everyone to attend.

Dallas Anderson, 17-year-old Eisenhower High School Senior, shared her experience with Think Together. She spoke about the benefits and how the program has helped better prepare her for the future. She indicated that the program has also helped her to understand young minds and discipline her in many ways. Think Together has helped build up her confidence and has provided her with resources that she can continue to use after high school.

Paula Bailey, Parent, and Community Member shared that she was happy to cheer the students from Trapp Elementary School for their presentation tonight. She also shared what a great experience it was to attend the SBCSS County Family Summit at Redlands University this past weekend. She spoke of the upcoming football between EHS vs. CHS. She also reminded everyone that October is suicide awareness month.

Michael Montano, Rialto High School Teacher, emphasized the need for more male counselors at Rialto High School. He also spoke of the recent law passed by Governor Newsom banning cell phone use in the classrooms. He said that Rialto USD is ahead of the game by implementing new cell phones rules. He also spoke of the safety concerns brought up by parents during the last Board Meeting. He is worried that we are getting

closer to a tragedy taking place. He shared the need for more safety precautions.

Randy Ochoa, Carter High School District Student, spoke of his concern with the SAT testing date being moved up. The test in the past has been offered during the second semester. He said students just learned of the change and had limited time to prepare. He shared that a petition was signed by over 100 students. He is requesting that the District cover the cost of the second test to compensate for the unexpected change. He shared how this change leaves students at a disadvantage.

Celia Saravia, Representative of Amigos Unidos, representing parents of children with needs, shared that she attended the first meeting of the Community Advisory Training. She shared that it was a very productive meeting and encouraged others to participate. She also shared a reminder that October 5, 2024, is the first class for the USC Literacy program. She urged families to take advantage of this great opportunity. She also gave kudos to the presentation and program at Kucera Middle School.

Gabriela Gonzales, DLI Parent, shared her appreciation and thanks to Rhonda Kramer, Roxanne Dominguez, and Dr. Marina Madrid for providing a permanent sub for the DLI program. They are very happy to have Ms. Cortez who is doing a great job at providing stability in the classroom.

Mirna Ruiz, a Community Member, shared that PTA is having a fundraiser at Shakey's Pizza this evening and invited everyone who can attend to please stop by and show their support. She thanked Dr. Burciaga, Norberto Perez, and Ofelia Fitzpatrick for their support of the after-school program. She also shared that the Community Citizen Training was very positive and encouraged more people to attend. She asked the Board to please listen to the student who spoke previously about the SAT change, and requested that this be looked into. She also spoke highly of the Young Women Conference which was offered at Carter High School when Dr. Chavez was Principal.

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)

Tobin Brinker, Rialto Education Association (REA) President, spoke of the student who previously addressed the Board regarding the SAT testing. He recommended that the Board invite the students to be part of the decision-making process before committing to any decision. He shared that this would be more beneficial to the students.

Mr. Brinker also spoke of the money received from Proposition 28 for the arts. He shared that there are concerns as to where the money is being spent and requested transparency. He shared that teachers are excited to see that funding go towards the arts program as intended.

Kristy Streff, Rialto School Management Association (RSMA) President, invited everyone to attend the Crosstown football game this coming Friday. RSMA will host their annual tailgate party to support Carter and Rialto High Schools. She also encouraged everyone to attend the City of Rialto Viva la Fiesta event, where many District students will be performing. She also gave a shoutout to the Kiwanis Students of the Month and assisted Board President Martinez in sharing their names.

C.4 COMMENTS FROM THE ACTING 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 minutes.

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

SUFFICIENCY OF INSTRUCTIONAL MATERIALS FOR THE 2024-2025 SCHOOL YEAR

Member O'Kelley was absent. Vote by Board Members to open Public Hearing:

Time:8:46 p.m.

Approved by a Unanimous 4 to 0 Vote

**D.1.1 SUFFICIENCY OF INSTRUCTIONAL MATERIALS FOR THE
2024-2025 SCHOOL YEAR**

D.2 CLOSE PUBLIC HEARING

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

SUFFICIENCY OF INSTRUCTIONAL MATERIALS FOR THE 2024-2025
SCHOOL YEAR

**Member O'Kelley was absent. Vote by Board Members to close
Public Hearing:**

Time: 8:46 p.m.

Approved by a Unanimous 4 to 0 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 Member Dr. Lewis

Seconded By Clerk Dominguez

**Member O'Kelley was absent. Vote by Board Members to approve Consent
Calendar Items:**

Approved by a Unanimous 4 to 0 Vote

E.1 GENERAL FUNCTIONS CONSENT ITEMS – None

E.2 INSTRUCTION CONSENT ITEMS

E.2.1 APPROVE COMMUNITY ADVISORY COMMITTEE

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

Approve two (2) parents and community members to participate and represent the Rialto Unified School District in the East Valley SELPA Community Advisory Committee (CAC) during the 2024-2025 school year, at no cost to the District.

Member O'Kelley was absent. Vote by Board Members:

Approved by a Unanimous 4 to 0 Vote

E.3 BUSINESS AND FINANCIAL CONSENT ITEMS

E.3.1 APPROVE THE WARRANT LISTING AND PURCHASE ORDER LISTING

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

All funds from August 22, 2024 through September 5, 2024, (Sent under separate cover to Board Members). A copy for public review will be available on the District's website.

Member O'Kelley was absent. Vote by Board Members:

Approved by a Unanimous 4 to 0 Vote

E.3.2 DONATIONS

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

Accept the listed donations from Amazon, and that a letter of appreciation be sent to the donor.

Member O'Kelley was absent. Vote by Board Members:

Approved by a Unanimous 4 to 0 Vote

E.3.3 APPROVE AN AFFILIATION AGREEMENT WITH YESHIVA UNIVERSITY

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

Assist current and future Speech Language Pathologists and Speech Language Pathology Assistants in completing state requirements for certification from September 26, 2024 through September 25, 2027, at no cost to the District.

Member O'Kelley was absent. Vote by Board Members:

Approved by a Unanimous 4 to 0 Vote

E.3.4 SURPLUS OF EQUIPMENT AND MISCELLANEOUS ITEMS

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

Declare the specified surplus equipment and miscellaneous items as obsolete and not serviceable for school use and authorize the Superintendent/designee to sell or dispose of these items as specified in the Education Code Sections 17545 and 17546.

Member O'Kelley was absent. Vote by Board Members:

Approved by a Unanimous 4 to 0 Vote

E.3.5 APPROVE AN AGREEMENT WITH FOX BANQUET & EVENTS, INC. - MILOR HIGH SCHOOL

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

Provide an event space for Milor High School's prom 2025 hosted by the Adult Transition Program, effective September 26, 2024 through June 30, 2025, at a cost not-to-exceed \$20,000.00, and to be paid from the General Fund.

Member O'Kelley was absent. Vote by Board Members:

Approved by a Unanimous 4 to 0 Vote

E.4 FACILITIES PLANNING CONSENT ITEMS - None

E.5 PERSONNEL SERVICES CONSENT ITEMS

E.5.1 APPROVE PERSONNEL REPORT NO. 1325 FOR CLASSIFIED AND CERTIFICATED EMPLOYEES

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

Member O'Kelley was absent. Vote by Board Members:

Approved by a Unanimous 4 to 0 Vote

E.5.2 ADOPT RESOLUTION NO. 24-25-16 - EC 44263 DEPARTMENTALIZED

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

Assign various teachers at the secondary level, with their consent, to teach any subject in departmentalized classes if the teachers has completed 18 semester units, or 9 upper semester units, in the subject to be taught.

Member O'Kelley was absent. Vote by Board Members:

Approved by a Unanimous 4 to 0 Vote

E.6 MINUTES

E.6.1 APPROVE THE MINUTES OF REGULAR BOARD OF EDUCATION MEETING HELD SEPTEMBER 18, 2024

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

Member O'Kelley was absent. Vote by Board Members:

Approved by a Unanimous 4 to 0 Vote

F. DISCUSSION/ACTION ITEMS

F.1 APPROVE AGREEMENT WITH FENAGH ENGINEERING AND TESTING TO PROVIDE GEOTECHNICAL, MATERIALS TESTING, AND SPECIAL INSPECTION SERVICES FOR THE CONSTRUCTION OF THE TWO (2) NEW TWO-STORY CLASSROOM BUILDINGS AT EISENHOWER HIGH SCHOOL

Moved By Member Dr. Lewis

Seconded By President Martinez

This item is effective September 26, 2024, through September 30, 2025, at a cost not-to-exceed \$134,680.90, and to be paid from Fund 21- General Obligation (G.O.) Bond and Fund 25 – Capital Facilities Fund.

Member O'Kelley was absent. Vote by Board Members:

Approved by a Unanimous 4 to 0 Vote

F.2 APPROVE A RENEWAL AGREEMENT WITH PANORAMA EDUCATION

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

Provide social-emotional learning measures and the student success platform at all school sites, effective October 1, 2024, through August 30, 2025, at a cost not-to-exceed \$56,000.00, and to be paid from the General Fund.

Member O'Kelley was absent. Vote by Board Members:

Approved by a Unanimous 4 to 0 Vote

F.3 APPROVE THE FAMILY LITERACY PROGRAM

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

Approve paying the fees for 150 family members to participate in the Family Literacy Program offered by the University of Southern California (USC) from September 26, 2024, through June 30, 2025, at a cost of \$450.00 per participant for registration; \$350.00 per participant for D2L (Desire2Learn)

license software management system used by USC for online classroom learning to access the materials, discussion questions, and videos in English and Spanish created by USC professors as well as tracking homework and grades; and \$75.00 for completion certificates and padfolios; for a total cost of \$875.00 per participant not-to-exceed \$131,250.00, and to be paid from Title I - Parent Involvement and SBCSS Systems of Support (SOS) funds.

Member O'Kelley was absent. Vote by Board Members:

Approved by a Unanimous 4 to 0 Vote

F.4 APPROVE THE GRANT AGREEMENT WITH KAISER PERMANENTE

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

Approve the Grant Agreement between Kaiser Permanente and Rialto Unified School District for the Rialto Family and Community Engagement Initiative, in the amount of \$90,000.00, effective October 1, 2024, through September 30, 2026.

Member O'Kelley was absent. Vote by Board Members:

Approved by a Unanimous 4 to 0 Vote

F.5 AUTHORIZATION TO REPRESENT THE BOARD OF EDUCATION

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

Authorize the District's Lead Risk Management and Transportation Agent, Derek K. Harris, to represent the Board of Education in existing litigation in case number CIVSB2101379 at a status conference and grant settlement authority, subject to Board approval, to settle litigation.

Member O'Kelley was absent. Vote by Board Members:

Approved by a Unanimous 4 to 0 Vote

F.6 ADOPT RESOLUTION NO. 24-25-15; SUFFICIENCY OF INSTRUCTIONAL MATERIALS

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

For the 2024-2025 school year, the Rialto Unified School District has provided each pupil with sufficient standards-aligned textbooks and instructional materials consistent with the law, adoption cycles, content of curriculum frameworks, and State advisories.

Member O'Kelley was absent. Vote by Board Members:

Approved by a Unanimous 4 to 0 Vote

F.7 ADOPT RESOLUTION NO. 24-25-17 - REMUNERATION

Moved By Clerk Dominguez

Seconded By Member Dr. Lewis

Excuse the absence of Board Member, Nancy G. O'Kelley, from the Wednesday, September 18, 2024, regular meeting of the Board of Education.

Member O'Kelley was absent. Vote by Board Members:

Approved by a Unanimous 4 to 0 Vote

F.8 STIPULATION FOR IMMEDIATE EXPULSION

Moved By Clerk Dominguez

Seconded By President Martinez

Case Number:
24-25-6

Member O'Kelley was absent. Vote by Board Members:

(Ayes) President Martinez

(Noes) Vice President Montes, Clerk Dominguez, Member Dr. Lewis

Motion Dies

G. ADJOURNMENT

The next regular meeting of the Board of Education of the Rialto Unified School District will be held on October 16, 2024, at 7:00 p.m. at the Dr. John Kazalunas Education Center, 182 East Walnut Ave, Rialto, California.

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

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

Member O'Kelley was absent. Vote by Board Members to adjourn:

Time: 8:56 p.m.

Approved by a Unanimous 4 to 0 Vote

Clerk, Board of Education

Secretary, Board of Education



**Board of Education Agenda
October 16, 2024**

AUTHORIZE THE PURCHASE, WARRANTY, INSTALLATION, AND MAINTENANCE OF TECHNOLOGY HARDWARE, SOFTWARE, AND SOLUTIONS FROM DATA IMPRESSIONS UTILIZING CALIFORNIA MULTIPLE AWARD SCHEDULE (CMAS) NUMBER 3-19-70-0697W AND 4-20-58-0080A

BACKGROUND:

The purpose of this agenda item is to seek Board approval to utilize four CMAS contracts awarded to Data Impressions. The District can, without going to bid, utilize such contracts pursuant to California Public Contract Code Sections 20118 and 10298. District staff have reviewed contracts available for use by the District through CMAS, National Association of State Procurement Officials (NASPO) and awarded public contracts from other Public Agencies and determined that the contract prices offered by Data Impressions under CMAS Agreement No. 3-19-70-0697W and 4-20-58-0080A to be fair, reasonable, and competitive. The CMAS contracts expire on the following dates:

<u>CMAS No.</u>	<u>Expiration Date</u>
3-19-70-0697W	September 26, 2029
4-20-58-0080A	August 31, 2029

REASONING:

The CMAS agreements with Data Impressions will enable the District to acquire essential equipment, software, and supplies that support both student learning and staff work environments. CMAS contracts ensure that only financially strong, responsive vendors, specifically trained and approved by the manufacturer, will be allowed to sell and install the materials purchased through the CMAS contract. The CMAS contracts are utilized statewide by both California state and local government agencies under delegated authority from the Department of General Services, Procurement Division, in accordance with Public Contract Code (PCC) Sections 10290, et. seq., and Section 12101.5. There is no administration fee as all costs are assessed to the supplier.

RECOMMENDATION:

Approve the use of California Multiple Award Schedule (CMAS) numbers 3-19-70-0697W and 4-20-58-0080A from Data Impressions at a cost to be determined at the time of purchase and to be paid using various funds.

SUBMITTED/REVIEWED BY: Ricardo G. Salazar/Diane Romo



**Board of Education Agenda
October 16, 2024**

AUTHORIZE THE PURCHASE AND WARRANTY OF TECHNOLOGY SOLUTIONS FROM J. SWEIGART INC. DOING BUSINESS AS BDJTECH UTILIZING CALIFORNIA MULTIPLE AWARD SCHEDULE (CMAS) NUMBER 3-24-05-1014

BACKGROUND:

The purpose of this agenda item is to seek Board approval to utilize a CMAS contract awarded to J. Sweigart Inc., doing business as BDJtech. The District can, without going to bid, utilize such contracts pursuant to California Public Contract Code Sections 20118 and 10298. District staff have reviewed contracts available for use by the District through CMAS, National Association of State Procurement Officials (NASPO) and awarded public contracts from other Public Agencies and determined that the contract prices offered by BDJtech under CMAS Agreement No. 3-24-05-1014 to be fair, reasonable, and competitive. The CMAS contracts expire on May 31, 2027.

REASONING:

The CMAS contracts will allow the District to purchase products and services needed to support both student learning and staff work environments. CMAS contracts ensure that only financially strong, responsive vendors, specifically trained and approved by the manufacturer, will be allowed to sell and install the materials purchased through the CMAS contract.

The CMAS contracts are utilized statewide by both California state and local government agencies under delegated authority from the Department of General Services, Procurement Division, in accordance with Public Contract Code (PCC) Sections 10290, et. seq., and Section 12101.5. There is no administration fee as all costs are assessed to the supplier.

RECOMMENDATION:

Approve the use of California Multiple Award Schedule (CMAS) Number 3-24-05-1014 from J. Sweigart Inc. doing business as BDJtech at a cost to be determined at the time of purchase and to be paid using various funds.

SUBMITTED/REVIEWED BY: Ricardo G. Salazar/Diane Romo



**Board of Education Agenda
October 16, 2024**

AUTHORIZE THE PURCHASE, WARRANTY, AND INSTALLATION OF FURNITURE FROM OFS BRANDS INC. UTILIZING CALIFORNIA MULTIPLE AWARD SCHEDULE (CMAS) NUMBER 4-24-01-1049

BACKGROUND:

The purpose of this agenda item is to seek Board approval to utilize a CMAS contract awarded to OFS Brands Inc. Without going to bid, the District can utilize such contracts pursuant to California Public Contract Code Sections 20118 and 10298. District staff have reviewed contracts available for use by the District through CMAS, National Association of State Procurement Officials (NASPO) and awarded public contracts from other Public Agencies and determined that the contract prices offered by OFS Brands Inc. under CMAS Agreement No. 4-24-01-1049 to be fair, reasonable, and competitive. The CMAS contracts expire on December 4, 2027.

REASONING:

The CMAS contract will allow the District to purchase classroom and office furniture needed to support both student learning and staff work environments. CMAS contracts ensure that only financially strong, responsive vendors, specifically trained and approved by the manufacturer will be allowed to sell and install the materials purchased through the CMAS contract.

The CMAS contract is utilized statewide by both California state and local government agencies under delegated authority from the Department of General Services, Procurement Division, in accordance with Public Contract Code (PCC) Sections 10290, et. seq., and Section 12101.5. There is no administration fee as all costs are assessed to the supplier.

RECOMMENDATION:

Approve the use of California Multiple Award Schedule (CMAS) Number 4-24-01-1049 from OFS Brands Inc. at a cost to be determined at the time of purchase and to be paid using various funds.

SUBMITTED/REVIEWED BY: Ricardo G. Salazar/Diane Romo



**Board of Education Agenda
October 16, 2024**

AUTHORIZATION TO EXTEND THE USE OF PREVIOUSLY APPROVED INTERGOVERNMENTAL CONTRACTS

BACKGROUND:

The District reviews and presents various intergovernmental contracts to the Board for purchasing items and services such as computers, custodial supplies, and furniture. These contracts, awarded by other government agencies, offer competitive pricing and a larger catalog of items, benefiting the District when making regular purchases. Items not available through intergovernmental contracts, or when the District can secure a better value, are purchased through a competitive process administered by the District. These awarded contracts often span several years, during which items may be discontinued or upgraded due to changes in technology, manufacturing, or material availability. This necessitates multiple amendments and contract changes to maintain the contract’s validity and allow other public agencies to continue using them.

REASONING:

The District has previously approved the listed contracts, which have either expired or been replaced by new agreements. To ensure continuity for the current school year, the District recommends accepting the extended agreements as follows:

Contract No.	Awarded Vendor	Contract Purpose	Expiration Date	Extension or New Contract No.
4-20-58-0080A	DI Technology Group Inc dba Data Impressions	Purchase and warranty of furniture products and accessories.	08/31/24	Extended through 8/31/2029
3-19-70-0793L	CDW Government LLC	Purchase, warranty, installation and maintenance of hardware, software, and software maintenance as a product.	09/26/24	Extended through 9/26/2029

3-19-70-2486R	ConvergeOne, Inc.	Purchase, warranty, and installation hardware and software, hardware maintenance and repair, software maintenance as a product, Infrastructure as a Service (IaaS), and Software as a Service.	09/26/24	Extended through 9/26/2029
3-19-70-0697W	DI Technology Group Inc. dba Data Impressions	Purchase, warranty, and installation of hardware and software, hardware maintenance and repair, software maintenance as a product, Infrastructure as a Service (IaaS), and Software as a Service.	09/26/24	Extended through 9/26/2029
3-19-70-0876AU	Vector Resources Inc.	Purchase, Warranty, Installation and Repair of Hardware Software and Software Maintenance as a Product.	09/26/24	Extended through 9/26/2029
Participating Addendum No. 7-20-70-47-01	Cisco Systems, Inc.	Purchase of Data Communications Products and Services.	09/30/24	Extended to 9/30/2026
Participating Addendum No. 7-19-70-46-02 Replaced by Participating Addendum No. 7-24-70-46-02	HP Inc. dba HP Computing and Printing Inc.	Printers, accessories, and related services.	07/31/24	New Expiration 7/31/2026
4-20-00-0085C replaced by 4-24-06-1007	Mohawk Commercial, Inc.	Flooring products.	10/11/24	Expires 8/09/2027
4-22-12-1015	Dave Bang Associates Incorporated of California	Purchase, warranty, design, demolition, site prep, installation, maintenance, and repair of playground solutions.	11/16/24	Extended to 11/16/2025

RECOMMENDATION:

Approve the extension and continued use of intergovernmental contracts during the 2024-2025 school year at a cost to be determined at the time of purchase and to be paid from various funds.

SUBMITTED/REVIEWED BY: Ricardo G. Salazar/Diane Romo



**Board of Education Agenda
October 16, 2024**

**RATIFY A RENEWAL AGREEMENT WITH IMAGINE LEARNING - ZUPANIC
VIRTUAL ACADEMY**

BACKGROUND:

Imagine Learning's Secondary curriculum was approved in 2023 - 2024, Edgenuity, for students enrolled at ZVA. Edgenuity provides a web-based curriculum that is congruent with California State Standards. Feedback from the school community: students, families, and classroom instructors rated Edgenuity as easy to navigate, highly interactive, and instructionally engaging for students.

REASONING:

For the 2023-2024 school year, teachers reported high student academic engagement that is attributed to Edgenuity lessons. Edgenuity provides an accessible online platform that allows teachers and students to utilize a suite of digital tools that allow students to access content, complete assignments for remediation and advancement while building essential skills. Lessons in Edgenuity are courses designed to be as academically rigorous and engaging as in person learning. The courses build core ideas and principles in the core content subject areas required for the attainment of a high school diploma. Additionally, families utilized student reports that are emailed from the teacher to monitor their student's progress. Rialto Unified Technology Services worked diligently with Edgenuity to ensure compatibility with the various platform integration factors. Contract will also include professional development, automatic upgrades and course integration costs.

RECOMMENDATION:

To provide a learning license and digital libraries, effective August 5, 2024 through June 30, 2025, at a cost not-to-exceed \$162,475.97, and to be paid from the General Fund.

SUBMITTED/REVIEWED BY: Kyla Griffin, Ed.D. /Patricia Chavez, Ed.D.



**Board of Education Agenda
October 16, 2024**

APPROVE A RENEWAL AGREEMENT WITH PEARSON CLINICAL ASSESSMENT GROUP

BACKGROUND:

Pearson's Clinical Assessment group has over 80 years of experience in the assessment field and offers innovative and comprehensive products and services to meet the diverse needs of its customers. They have played a leading role in assessment and have a continuous timeline of innovations. Their services focus on combining innovation with quality test design to develop increasingly effective tools for children and adults, educators, and clinicians. The large-scale assessments provided by Pearson help district and school leaders make informed decisions and assist learners in reaching their potential. Pearson partners with schools and educational professionals at all levels to help improve instruction and learning outcomes.

REASONING:

Special Services is committed to maintaining a comprehensive, multi-faceted approach to evaluating the needs of students with disabilities. We plan to continue offering a wide range of assessments through Pearson Clinical Assessments, ensuring that each student receives a thorough evaluation across various domains. This process enables the team to develop individualized education plans tailored to meet the needs of each student, fostering success and promoting equity while ensuring compliance with state and federal requirements.

RECOMMENDATION:

To approve a subscription renewal for one year with Pearson Clinical Assessment for assessment tools to determine students' eligibility for Special Education Supports and Services, effective October 17, 2024 through October 16, 2025, at a cost not-to-exceed \$56,113.25, and to be paid from the General Fund.

SUBMITTED/REVIEWED BY: Sonya Scott Ed.D./Patricia Chavez, Ed.D.



**Board of Education Agenda
October 16, 2024**

APPROVE AN AGREEMENT WITH SCOOT EDUCATION

BACKGROUND:

Scout Education is a Los Angeles-based staffing agency that partners with school districts to address daily absences and long-term vacancies. Each week, Scout Education fills over 12,000 unique educator requests from their partner schools. Locally, Scout is partnered with the Special Education departments at Redlands Unified School District, Colton Joint Unified School District, Yucaipa-Calimesa Joint Unified School District, and Hemet Unified School District to provide fully-trained paraprofessionals, behavior interventionists, registered behavior technicians, and Special Education substitute teachers. As a mission-led company staffed entirely by former educators, Scout Education prides itself on providing flexible, high-quality, and cost-effective staffing solutions.

REASONING:

The District is still looking to hire instructional aides and behavioral support aides to assist our students with academic instruction and behavior. However, we have been unable to fill all the necessary positions. It is essential for the District to comply with federal and state mandates by providing special education and related services as outlined in each student's Individualized Education Program (IEP).

RECOMMENDATION:

To provide instructional and behavior support aides during the 2024-2025 school year, effective October 17, 2024 through June 30, 2025, at a cost not-to-exceed \$200,000.00, and to be paid from the General Fund.

SUBMITTED/REVIEWED BY: Sonya Scott, Ed.D/Patricia Chavez, Ed.D.



**Board of Education Agenda
October 16, 2024**

APPROVE AN AGREEMENT WITH ART SPECIALTIES - EISENHOWER HIGH SCHOOL

BACKGROUND:

Art Specialties School Graphics is a graphic design company based out of Rancho Cucamonga that was started in 1998 by Tim Edmonson. They specialize in branding school sites through graphic art. Their services have been used numerous times over the last 7 years at Eisenhower High School alone, but have also provided their services to many school sites in the Rialto Unified School District. The mission of Art Specialties School Graphics is "to make your school come alive."

REASONING:

To continue the process of campus beautification, Eisenhower High School would like to continue to contract with Art Specialties to provide signage for the outside of the K-Wing and Gymnasium, the outside entrances to various offices, and the inside of the College and Career Center. This supports and strengthens our efforts to incorporate Rialto Unified School District's Mission in creating a "safe and engaging learning environment."

RECOMMENDATION:

To provide signage and installation at Eisenhower High School, effective October 17, 2024 through June 30, 2025, at a cost not-to-exceed \$50,000.00, and to be paid from the General Fund.

SUBMITTED/REVIEWED BY: Kristal Henriquez-Pulido/Patricia Chavez, Ed.D.



**Board of Education Agenda
October 16, 2024**

**APPROVE SETTLEMENT AGREEMENT WITH SJD&B, INC.
FOR THE SPECIAL ED DEPARTMENT RENOVATION PROJECT BID NO. 21-22-006
AND, THEREAFTER, ACCEPT THE PROJECT AS COMPLETE**

BACKGROUND:

On January 26, 2022, the Board of Education awarded Bid No. 21-22-006 for the Special Ed Department Renovation Project to SJD&B, Inc. (Contractor), for a total contract amount of \$3,037,000.00, which included a \$100,000.00 allowance for unforeseen conditions.

On September 13, 2023, the Board of Education approved Change Order No.1 to increase the contract amount by \$103,837.49, for a revised total contract amount of \$3,140,837.49.

On December 13, 2023, the Board of Education approved Change Order No. 2 to deduct \$21,407.40 from the contract amount, for a revised total contract amount of \$3,119,430.09.

The total amount paid to the Contractor in accordance with the Construction Contract, to date, is \$2,590,779.22, and the unpaid balance of the contract amount, inclusive of all retention, is \$528,650.78 (the Remaining Balance).

REASONING:

The Contractor has completed all work, commissioning, and close-out needed for the Project, and, therefore, the Board of Education may accept the project as having been fully completed. However, during the construction of the project, various disputes between the District and the Contractor arose. The District contends that several issues emerged, including significant water damage and a breach of obligations by the Contractor, leading to considerable project delays.

After extensive negotiations that included the involvement of each party's legal counsel, the District and the Contractor negotiated terms for settlement of all disputed matters arising from the project. The proposed settlement agreement is considered a fair and reasonable resolution that avoids the potential costs and uncertainties of prolonged litigation or arbitration. The proposed payment of \$200,000 to the Contractor is considered the final payment to settle all disputed matters, and will be in lieu of the District paying the full amount of the Remaining Balance to the Contractor.

RECOMMENDATION:

Staff recommends that the Board of Education: (1) approve the settlement agreement with SJD&B, Inc., to provide for a full and final settlement, and final payment to the Contractor \$200,000.00, to be paid from Fund 40 - Special Reserve for Capital Outlay Projects; and (2) thereafter, formally accept the project as complete.

SUBMITTED/REVIEWED BY: Angie Lopez/Diane Romo



**RESOLUTION NO. 24-25-18
NATIONAL SCHOOL LUNCH WEEK**

WHEREAS, the National School Lunch Program has served our nation admirably for 78 years through advanced practices and nutrition education; and

WHEREAS, the theme for National School Lunch Week 2024 is “School Lunch Pirates: Find Your Treasure!” to encourage students to see school lunch as more than just a meal, but as an exciting journey where they can discover nutritious treasures; 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 14-18, 2024, 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.

PASSED AND ADOPTED by the Governing Board of the Rialto Unified School District of San Bernardino County, at a regular meeting of the Board of Education held October 16, 2024, by the following vote:

AYES: _____
NOES: _____
ABSENT: _____
ABSTAIN: _____

RIALTO UNIFIED SCHOOL DISTRICT

By: _____
Joseph W. Martinez
President, Board of Education

By: _____
Edward D'Souza, Ph.D.
Acting Secretary, Board of Education

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed and adopted by the members of the Board of Education of the Rialto Unified School District, at a public meeting of said Board held on October 16, 2024.

Evelyn P. Dominiguez, LVN
Clerk, Board of Education
Rialto Unified School District

SUBMITTED/REVIEWED BY: Fausat Rahman-Davies/Diane Romo



RESOLUTION NO. 24-25-19

**CONTINUED FUNDING APPLICATION WITH THE STATE OF CALIFORNIA
DEPARTMENT OF EDUCATION CONTRACT FOR STATE PRESCHOOL PROGRAM
FOR THE 2024-2025 SCHOOL YEAR**

WHEREAS, this resolution must be adopted in order to certify the approval of the Board of Education of the Rialto Unified School District to accept the Continued Funding application with the California State Department of Education for the purpose of providing State Preschool services for the 2025-2026 school year.

WHEREAS, the minimum Child Days of Enrollment (CDE) requirement shall be 176 days.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of the Rialto Unified School District accept the Continued Funding Application with the California Department of Education for Child Development Contract with the Minimum Days of Operation (MDO) requirement of 176 days, all terms and conditions of the original agreement shall remain unchanged and in full force and effect, and authorizes Diane Romo, Business Services Agent, as the signer of said agreement.

PASSED AND ADOPTED by the Governing Board of the Rialto Unified School District of San Bernardino County, at a regular meeting of the Board of Education held October 16, 2024, by the following vote:

AYES: _____
NOES: _____
ABSENT: _____
ABSTAIN: _____

RIALTO UNIFIED SCHOOL DISTRICT

By: _____
Joseph W. Martinez
President, Board of Education

By: _____
Edward D'Souza, Ed.D.
Acting Secretary, Board of Education

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed and adopted by the members of the Board of Education of the Rialto Unified School District, at a public meeting of said Board held on October 16, 2024.

Evelyn P. Dominguez, LVN
Clerk, Board of Education
Rialto Unified School District

SUBMITTED/REVIEWED BY: Danya Sanders-Hester/Patricia Chavez, Ed.D.



RESOLUTION NO. 24-25-20
REMUNERATION

WHEREAS, The Governing Board of the Rialto Unified School District acknowledges that Board Member, Nancy G. O’Kelley, was excused from the Wednesday, September 25, 2024, regular meeting of the Board of Education;

AND WHEREAS, California Education Code §35120 and Rialto Unified School District Board Bylaw 9250 states that a school board member may be paid for any excused absence, by resolution duly adopted and included in its minutes;

THEREFORE, BE IT RESOLVED, that the Board of Education excuse the absence of Board Member, Nancy G. O’Kelley, from the Wednesday, September 25, 2024, regular meeting of the Board of Education.

Joseph W. Martinez, Board President

Date

Edward D’Souza, Ph.D., Acting Board Secretary

Date

SUBMITTED/REVIEWED BY: Edward D’Souza, Ph.D.



RESOLUTION NO. 24-25-21
SUPPLEMENTAL EARLY RETIREMENT PLAN (SERP)

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 a retirement plan for certain eligible employees of the District effective July 1, 2025.

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 Rialto Unified School District with a full-time equivalency (FTE) of at least 0.75 in a permanent position.
- Employee must be in a paid and active status with the District as of the last day of their assigned calendar.
- Employee must be at least 50 years of age with 5 years of consecutive service by June 30, 2025, or has obtained the age of 55, with a cumulative total of 10 years of service by June 30, 2025.
- Employee must retire from the District on or before July 1, 2025.
- Employee must submit to Risk Management Services a completed SERP Enrollment Package, a Letter of Resignation, and an Irrevocable Letter of SERP Participation no later than January 8, 2025.

RESOLVED FURTHER that the Board hereby adopts that certain plan known as the Rialto Unified School District Supplemental Employee Retirement Plan, effective July 1, 2025.

RESOLVED FURTHER that the employer contribution required to fund each participant's benefit shall equal 85% of the participant's annual base salary based on salary schedule, as of February 1, 2025.

RESOLVED FURTHER if the Rialto Unified School District determines that enrollment in the SERP does not meet the operational and financial goals of the District, Rialto Unified School District may rescind the plan. If the District chooses to rescind the SERP, employees may revoke their letters of retirement/resignation.

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 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 Lead Business Services Agent 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. 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.

D. 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.

E. Execute on behalf of the District the Form 2848, Power of Attorney and Declaration of Representative.

PASSED AND ADOPTED by the Governing Board of the Rialto Unified School District of San Bernardino County, at a regular meeting of the Board of Education held October 16, 2024, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

RIALTO UNIFIED SCHOOL DISTRICT

By: _____

Joseph W. Martinez
President, Board of Education

By: _____

Edward D'Souza, Ph.D.
Acting Secretary, Board of Education

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed and adopted by the members of the Board of Education of the Rialto Unified School District, at a public meeting of said Board held on October 16, 2024.

Evelyn P. Dominguez, LVN
Clerk, Board of Education
Rialto Unified School District

SUBMITTED/REVIEWED BY: Derek Harris/Diane Romo



**RESOLUTION NO. 24-25-22
SCHOOL CLOSURE DUE TO EMERGENCY CONDITIONS**

WHEREAS, Education Code Section 46392 provides for the crediting of Average Daily Attendance (ADA) "whenever the average daily attendance of any school district, county office of education, or regional occupational center or program...has been materially decreased...because of fire...flood...impassable roads [and other specified circumstances.]" School district and county offices are to be held harmless from revenue loss that might otherwise result from the loss of ADA or instructional time in emergencies; and

WHEREAS, on Tuesday, September 10, 2024, Rialto Unified School District closed down due to Hazardous Air Quality from the Local Wild Fires to ensure the safety of students and staff; and

WHEREAS, the District reopened on Monday, September 16, 2024; and

WHEREAS, in order to disregard the day(s) in the computation of Average Daily Attendance for which the District is paid by the California Department of Education and obtain credit for the students who were not permitted to attend, the Board of Education is required to certify by Affidavit that the Rialto Unified School District was closed due to Local Wild Fires.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Board of the Rialto Unified School District adopt Resolution No. 24-25-22 authorizing the filing of Form J-13A and requesting approval by the County Superintendent of Schools for the emergency closure and reduction of Average Daily Attendance for Tuesday, September 10, 2024, through Monday, September 16, 2024, for Rialto Unified School District.

PASSED AND ADOPTED by the Governing Board of the Rialto Unified School District of San Bernardino County, at a regular meeting of the Board of Education held October 16, 2024, by the following vote:

AYES: _____
NOES: _____
ABSENT: _____
ABSTAIN: _____

RIALTO UNIFIED SCHOOL DISTRICT

By: _____
Joseph W. Martinez
President, Board of Education

By: _____
Edward D'Souza, Ph.D.
Acting Secretary, Board of Education

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed and adopted by the members of the Board of Education of the Rialto Unified School District, at a public meeting of said Board held on October 16, 2024.

Evelyn P. Dominguez, LVN
Clerk, Board of Education
Rialto Unified School District

SUBMITTED/REVIEWED BY: Nicole Albiso /Diane Romo

SECTION A: REQUEST INFORMATION

- This form is used to obtain approval of attendance and instructional time credit pursuant to *Education Code (EC)* sections 41422, 46200, 46391, 46392 and *California Code of Regulations (CCR)*, Title 5, Section 428.
- Only schools that report Principal Apportionment average daily attendance (ADA) for the purpose of calculating a K-12 Local Control Funding Formula (LCFF) entitlement should submit this form.
- Refer to the instructions and frequently asked questions at <https://www.cde.ca.gov/fq/it/13a.asp> for information regarding the completion of this form.

PART I: LOCAL EDUCATIONAL AGENCY (LEA)

LEA NAME: Rialto Unified School District		COUNTY CODE: 36	DISTRICT CODE: 67850	CHARTER NUMBER (IF APPLICABLE):
LEA SUPERINTENDENT OR ADMINISTRATOR NAME: Dr. Edward D'Souza			FISCAL YEAR: 24-25	
ADDRESS: 182 East Walnut Ave			COUNTY NAME: San Bernardino	
CITY: Rialto		STATE: CA	ZIP CODE: 92376	
CONTACT NAME: Juan Camarena	TITLE: Attendance Accounting Tech	PHONE: 909-820-7700 x2244	E-MAIL: jcamaren@rialtousd.org	

PART II: LEA TYPE AND SCHOOL SITE INFORMATION APPLICABLE TO THIS REQUEST (Choose only one LEA type):

<input checked="" type="checkbox"/> SCHOOL DISTRICT Choose one of the following: <input checked="" type="checkbox"/> All district school sites <input type="checkbox"/> Select district school sites	<input type="checkbox"/> COUNTY OFFICE OF EDUCATION (COE) Choose one of the following: <input type="checkbox"/> All COE school sites <input type="checkbox"/> Select COE school sites	<input type="checkbox"/> CHARTER SCHOOL
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PART III: CONDITION(S) APPLICABLE TO THIS REQUEST:

SCHOOL CLOSURE: When one or more schools were closed because of conditions described in *EC* Section 41422. LCFF apportionments should be maintained and instructional time credited in Section B for the school(s) without regard to the fact that the school(s) were closed on the dates listed, due to the nature of the emergency. Approval of this request authorizes the LEA to disregard these days in the computation of ADA (per *EC* Section 41422) without applicable penalty and obtain credit for instructional time for the days and the instructional minutes that would have been regularly offered on those days pursuant to *EC* Section 46200, et seq.

There was a Declaration of a State of Emergency by the Governor of California during the dates associated with this request.

MATERIAL DECREASE: When one or more schools were kept open but experienced a material decrease in attendance pursuant to *EC* Section 46392 and *CCR*, Title 5, Section 428. Material decrease requests that include all school sites within the school district must demonstrate that the school district as a whole experienced a material decrease in attendance. Material decrease requests for one or more but not all sites within the school district must show that each site included in the request experienced a material decrease in attendance pursuant to *EC* Section 46392 and *CCR*, Title 5, Section 428. The request for substitution of estimated days of attendance for actual days of attendance is in accordance with the provisions of *EC* Section 46392. Approval of this request will authorize use of the estimated days of attendance in the computation of LCFF apportionments for the described school(s) and dates in Section C during which school attendance was materially decreased due to the nature of the emergency.

There was a Declaration of a State of Emergency by the Governor of California during the dates associated with this request.

LOST OR DESTROYED ATTENDANCE RECORDS: When attendance records have been lost or destroyed as described in *EC* Section 46391. Requesting the use of estimated attendance in lieu of attendance that cannot be verified due to the loss or destruction of attendance records. This request is made pursuant to *EC* Section 46391:

"Whenever any attendance records of any district have been lost or destroyed, making it impossible for an accurate report on average daily attendance for the district for any fiscal year to be rendered, which fact shall be shown to the satisfaction of the Superintendent of Public Instruction by the affidavits of the members of the governing board of the district and the county superintendent of schools, the Superintendent of Public Instruction shall estimate the average daily attendance of such district. The estimated average daily attendance shall be deemed to be the actual average daily attendance for that fiscal year for the making of apportionments to the school district from the State School Fund."

SECTION B: SCHOOL CLOSURE

Not Applicable (Proceed to Section C)

PART I: NATURE OF EMERGENCY (Describe in detail.)

Supplemental Page(s) Attached

Proclamation of a State of Emergency dated September 5, 2024, due to the Line Fire that began burning in San Bernardino County. The Line Fire prompted evacuation orders, road closures, and created unhealthy air quality for several days in the surrounding areas. Please see the attached copy of the Proclamation of a State of Emergency.

PART II: SCHOOL INFORMATION (Use the supplemental Excel form at <https://www.cde.ca.gov/fq/it/j13a.asp> if more than 10 lines are needed for this request. Attach a copy of a school calendar. If the request is for multiple school sites, and the sites have differing school calendars, attach a copy of each different school calendar to the request.)

A	B	C	D	E	F	G	H	I
School Name	School Code	Site Type	Days in School Calendar	Emergency Days Built In	Built In Emergency Days Used	Date(s) of Emergency Closure	Closure Dates Requested	Total Number of Days Requested
See supplemental form and Proclamation of State of								
Emergency								

PART III: CLOSURE HISTORY (List closure history for all schools in Part II. Refer to the instructions for an example.)

A	B	C	D	E	F
School Name	School Code	Fiscal Year	Closure Dates	Nature	Weather Related Yes/No

SECTION C: MATERIAL DECREASE

Not Applicable (Proceed to Section D)
 Supplemental Page(s) Attached

PART I: NATURE OF EMERGENCY (Describe in detail.)

PART II: MATERIAL DECREASE CALCULATION (Use the supplemental Excel file at <https://www.cde.ca.gov/fq/it/j13a.asp> if more than 10 lines are needed for this request. Refer to the instructions for information on completing the form including the definition of "normal" attendance.)

A	B	C	D	E	F	G*	H
School Name	School Code	"Normal" Attendance (October/May)	Dates Used for Determining "Normal" Attendance	Date of Emergency	Actual Attendance	Qualifier: 90% or Less (F/C)	Net Increase of Apportionment Days (C-F)
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
Total:		0.00			0		0.00

PART III: MATERIAL DECREASE CALCULATION FOR CONTINUATION HIGH SCHOOLS (Provide the attendance in hours. Use the supplemental Excel file at <https://www.cde.ca.gov/fq/it/j13a.asp> if more than 5 lines are needed for this request. Refer to the instructions for information on completing the form including the definition of "normal" attendance.)

A	B	C	D	E	F	G*	H
School Name	School Code	"Normal" Attendance Hours	Date Used for Determining "Normal" Attendance	Date of Emergency	Actual Attendance Hours	Qualifier: 90% or Less (F/C)	Net Increase of Hours (C-F)
						0.00%	0.00
						0.00%	0.00
						0.00%	0.00
						0.00%	0.00
						0.00%	0.00
Total:		0.00			0.00		0.00

*Qualifier should be 90% or less except when the governor declares a state of emergency or in the case of a Necessary Small School (NSS) site.

SECTION D: LOST OR DESTROYED ATTENDANCE RECORDS

Not Applicable (Proceed to Section E)

PART I: PERIOD OF REQUEST The entire period covered by the lost or destroyed records commences with _____ up to and including _____.

PART II: CIRCUMSTANCES (Describe below circumstances and extent of records lost or destroyed.)

PART III: PROPOSAL (Describe below the proposal to reconstruct attendance records or estimate attendance in the absence of records.)

SECTION E: AFFIDAVIT

PART I: AFFIDAVIT OF SCHOOL DISTRICT, COUNTY OFFICE OF EDUCATION, OR CHARTER SCHOOL GOVERNING BOARD MEMBERS – All applicable sections below must be completed to process this J-13A request.

We, members constituting a majority of the governing board of Rialto Unified School District, hereby swear (or affirm) that the foregoing statements are true and are based on official records.

Board Members Names

Board Members Signatures

Dr. Stephanie E. Lewis

Mrs. Nancy G. O'Kelley

Mr. Joseph W. Martinez

Mrs. Evelyn P. Dominguez

Mr. Edgar Montes

At least a majority of the members of the governing board shall execute this affidavit.

Subscribed and sworn (or affirmed) before me, this _____ day of _____, _____.

Witness: _____ Title: _____ of _____ County, California
(Name) (Signature)

PART II: APPROVAL BY SUPERINTENDENT OF CHARTER SCHOOL AUTHORIZER (Only applicable to charter school requests)

Superintendent (or designee): _____ Authorizing LEA Name: _____
(Name) (Signature)

PART III: AFFIDAVIT OF COUNTY SUPERINTENDENT OF SCHOOLS

The information and statements contained in the foregoing request are true and correct to the best of my knowledge and belief.

County Superintendent of Schools (or designee): _____
(Name) (Signature)

Subscribed and sworn (or affirmed) before me, this _____ day of _____, _____.

Witness: _____ Title: _____ of _____ County, California
(Name) (Signature)

COE contact/individual responsible for completing this section:

Name: _____ Title: _____ Phone: _____ E-mail: _____

**CALIFORNIA DEPARTMENT OF EDUCATION
REQUEST FOR ALLOWANCE OF ATTENDANCE DUE TO EMERGENCY CONDITIONS, FORM J-13A (REVISED DECEMBER 2017)
SUPPLEMENTAL FORM FOR SCHOOL CLOSURE
SECTION B - PART II: SCHOOL INFORMATION**

LEA NAME:

Rialto Unified School District

FISCAL YEAR: 2024-2025

Refer to the instructions and frequently asked questions at <https://www.cde.ca.gov/fq/it/j13a.asp> for information regarding the completion of this form. Before printing, select and hide all unused rows. Contact CDE if the request requires more than the allotted rows.

A	B	C	D	E	F	G	H	I
School Name	School Code	Site Type	Days in School Calendar	Emergency Days Built In	Built In Emergency Days Used	Date(s) of Emergency Closure	Closure Dates Requested	Total Number of Days Requested
Bemis Elementary	6036602	Elementary school	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Boyd Elementaty	6036610	Elementary school	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Casey Elementary	6036628	Elementary school	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Charlotte N. Werner Elementary	116483	Elementary school	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Dunn Elementary	6036636	Elementary school	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Edward Fitzgerald Elementary	6111728	Elementary school	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Elizabeth T. Hughnaks Elementary	6107155	Elementary school	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Ernest Garcia Elementary	6111736	Elementary school	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Georgia Morris Elementary	6108864	Elementary school	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Helen L. Dollahan Elementary	6105704	Elementary school	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Henry Elementaty	6036644	Elementary school	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Kelley Elementary	6036651	Elementary school	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Morgan Elementary	6036669	Elementary school	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Myers Elementary	6036677	Elementary school	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Nancy R. Kordyak Elementary	121160	Elementary school	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Preston Elementary	6036685	Elementary school	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Sam V. Cutis Elementary	6114938	Elementary school	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Samuel W. Simpson Elementary	6106538	Elementary school	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Trapp Elementary	6036693	Elementary school	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Ethel Kucera Middle	6111744	Middle School	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Frisbie Middle	6059448	Middle School	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Kolb Middle	6061899	Middle School	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Rialto Middle	6059455	Middle School	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
William G. Jehue Middle	6114920	Middle School	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Eisenhower Senior High	3633005	High School	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Rialto High	3630597	High School	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Wilmer Amina Carter High	102830	High School	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Milor Continuation High	3630159	Continuation High School	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4
Zupanic Virtual Academy	3630530	Alternative School of Choice	180	0	0	09/10/24-09/13/24	09/10/24-09/13/24	4

Certification Form for Independent Study Plan

Local Educational Agency: Rialto Unified School District	CDS Code: 67850
Fiscal Year: 2024-2025	County: San Bernardino

This form shall accompany Form J-13A submittals beginning with fiscal year 2022 23. Instructions on how to complete this form are provided on page 2.

Independent Study Plan Certification

Pursuant to *Education Code (EC)* Section 46393, for Form J-13A submissions due to a school closure and/or material decrease in attendance occurring after September 1, 2021, a school district, county office of education, or charter school that provides a Form J-13A affidavit to the Superintendent, pursuant to *EC* Section 41422 (school closure) or *EC* Section 46392 (material decrease), shall certify that it has a plan for which independent study will be offered to students, pursuant to Article 5.5 (commencing with *EC* Section 51745) of Chapter 5 of Part 28 of Division 4. The independent study plan shall comply with all of the following:

- (1) Independent study is offered to any student impacted by any of the conditions listed in *EC* Section 46392 within 10 days of the first day of a school closure or material decrease in attendance. Students who are individuals with exceptional needs shall receive the services identified in their individualized education programs pursuant to paragraph (9) of subdivision (a) of *EC* Section 56345 and may participate in an independent study program.
- (2) Require reopening for in-person instruction as soon as possible unless prohibited under the direction of the local or state health officer.
- (3) Notwithstanding subdivision (c) of *EC* Section 51745 or subparagraph (F) of paragraph (9) of subdivision (g) of Section 51747, include information regarding establishing independent study master agreements in a reasonable amount of time.

A copy of the independent study plan, and if applicable, the state or local public health or public safety order that required school closure shall accompany the Form J-13A submitted to the California Department of Education.

☑ I hereby certify that the independent study plan accompanying this Form J-13A submission meets the requirements described above and is true and correct to the best of my knowledge and belief.

School District Superintendent, Charter School Administrator, or County Superintendent (or designee):

Name: Dr. Edward D'Souza	Title: Acting Superintendent
Wet Signature:	Date:



**Board of Education Agenda
October 16, 2024**

**RESOLUTION NO. 24-25-24
NATIONAL SCHOOL BUS SAFETY WEEK**

WHEREAS, school bus drivers and all school transportation staff, including managers, monitors trainers, mechanics, and dispatchers, make substantial contributions to the future of America and to 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 school 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, students; and

WHEREAS, the third full week in October will be designated as National School Bus Safety Week to promote efforts to provide our Nation's schools with positive and safe learning climates.

NOW THEREFORE, BE IT RESOLVED THAT, the Board of Education of the Rialto Unified School District declares October 21-24, 2024, as National School Bus Safety Week and encourages all teachers, support staff, and students to participate in appropriate programs and activities.

PASSED AND ADOPTED by the Governing Board of the Rialto Unified School District of San Bernardino County, at a regular meeting of the Board of Education held October 16, 2024, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

RIALTO UNIFIED SCHOOL DISTRICT

By: _____

Joseph W. Martinez
President, Board of Education

By: _____

Edward D'Souza, Ph.D.
Acting Secretary, Board of Education

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed and adopted by the members of the Board of Education of the Rialto Unified School District, at a public meeting of said Board held on October 16, 2024.

Evelyn P. Dominguez, LVN
Clerk, Board of Education
Rialto Unified School District

SUBMITTED/REVIEWED BY: Derek Harris/Diane Romo



**RESOLUTION NO. 24-25-26
RESOLUTION OF THE BOARD OF EDUCATION OF THE RIALTO UNIFIED SCHOOL
DISTRICT AUTHORIZING THE EMERGENCY REPAIR AND RESTORATION OF
RIALTO HIGH SCHOOL ROOM H109**

WHEREAS, on or about October 5, 2024, at approximately 12:42 a.m., the Patient Care Career Technical Education (“CTE”) classroom located in Room H109 (“Room H109”) at Rialto High School site sustained significant damage due to a fire in the classroom; and

WHEREAS, the fire affected the internal furnishings of the classroom, walls, and ventilation systems which deemed the room unusable and would pose a risk to the students and staff in the classroom; and

WHEREAS, the condition of Room H109 constitutes an emergency (“Emergency”) as defined in Public Contract Code 1102 and poses a clear and imminent danger, requiring immediate action to prevent the impairment or injury to life, health, property, and essential public services; and

WHEREAS, the District finds the Emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the Emergency without competitive bidding to resume classroom instruction; and

WHEREAS, restoring the classroom to its original condition promptly is essential for resuming learning of the Patient Care CTE program; and

WHEREAS, the District has adopted the California Uniform Public Construction Cost Accounting Act (Pub. Contract Code, § 22000, et seq., “CUPCCAA”), which would otherwise require formal competitive bidding for construction contracts over \$200,000, and informal bidding for construction contracts over \$60,000, except in cases of emergencies pursuant to Public Contract Code § 22050 which requires a four-fifths vote of the Board; and

WHEREAS, an exception to the applicable competitive bidding requirements exists in cases of emergency when repair and/or replacements are necessary, and the Board may proceed to immediately replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts (Public Contract Code §22035); and

NOW THEREFORE, the Board of Education hereby resolves, determines, and orders as follows:

Section 1. The Board of Education hereby finds and determines that all of the foregoing recitals are true and correct, and hereby adopts such recitals as findings of the Board of Education.

Section 2. The Board of Education hereby finds and determines that an emergency exists as a result of the lack of safe use of Room H109 and it is necessary to award contracts without advertising or inviting bids, pursuant to the Public Contract Code Section 22035, for the performance of labor for repair service.

Section 3. The Board of Education hereby expressly finds in order to address the potential health and safety impact on students and staff, the repair and restoration of Room H109 shall commence immediately without the advertisement for bids in response to the emergency.

Section 4. The Board of Education hereby authorizes and directs the District's Superintendent, its Lead Business Services Agent, its Agent: Purchasing Services, and/or their respective designees to issue contracts and Purchase Orders for the work necessary to restore Room H109 to its original condition, subject to price and other terms as District staff determines are reasonable.

Section 5. The Board of Education hereby directs District staff to present to the Board of Education for its ratification and approval, promptly following issuance, each contract and/or purchase orders issued pursuant to Section 4 of this Resolution.

Section 6. The Board of Education hereby authorizes and directs the District's Superintendent, its Lead Business Services Agent, its Agent: Purchasing Services, and/or their respective designees to take such other actions as reasonably necessary and/or convenient to accomplish the intent and purposes of this Resolution.

Section 7. This Resolution shall take effect immediately upon approval and adoption by the Board of Education.

APPROVED AND ADOPTED by the Board of Education of the Rialto Unified School District of San Bernardino County, at a regular meeting of the Board of Education held October 16, 2024, by the following vote:

AYES: _____
NOES: _____
ABSENT: _____
ABSTAIN: _____

RIALTO UNIFIED SCHOOL DISTRICT

By: _____
Joseph W. Martinez
President, Board of Education

By: _____
Edward D'Souza, Ph.D.
Acting Secretary, Board of Education

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed and adopted by the members of the Board of Education of the Rialto Unified School District, at a public meeting of said Board held on October 16, 2024.

Evelyn P. Dominguez, LVN
Clerk, Board of Education
Rialto Unified School District

SUBMITTED/REVIEWED BY: Matt Carter/Diane Romo

Beliefs

We believe that...

- Everyone has unique talent
- There is unlimited power in all of us
- All people have equal inherent worth
- Diversity is strength
- Each person deserves to be treated with respect
- High expectations lead to high achievement
- Risk is essential for success
- Common goals take priority over individual interest
- Integrity is critical to trust
- Honest conversation leads to understanding
- Music is the universal language
- A strong community serves all of its members
- Everyone has the ability to 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

Back Cover Pictures:

Top: The Trojans and Bruins of the Rialto Unified School District unite for a celebration of literacy and math excellence and lifelong learning! RUSD families gathered at Eisenhower High School for a spirited celebration of the UCLA Family Math Project kickoff and the return of the USC Family Literacy Program on October 5, 2024. With 90 families engaging in math education and 140 families participating in literacy sessions, the event not only celebrated the powerful partnership between Rialto USD and two prestigious universities but also highlighted the transformative impact these programs have on students and families, fostering a love for learning, critical thinking, and academic growth. The morning featured exciting performances by the Eisenhower and Rialto High School cheerleaders and band, and heartfelt parent stories.

Bottom: Jehue Middle School students **Marina Llamas** (pictured left) and **Adrian Lopez** (right) captivate the crowd with their performance of the traditional "Jarabe Tapatío" from the state of Jalisco, Mexico at the Viva la Fiesta event, held on Saturday, September 28, 2024, at Jerry Eaves Park. The event, hosted in partnership with the City of Rialto, was a vibrant celebration of Hispanic Heritage Month, featuring eight spectacular performances by students from Curtis Elementary, Jehue Middle, Garcia Elementary, and Rialto High Schools. Many from the community attended to support our talented students and celebrate the beauty of Hispanic culture. Thanks to the City of Rialto for helping bring this cultural celebration to life!

BACK TO SCHOOL *Kick-Off!*

