



RIALTO

Unified School District

BOARD OF EDUCATION

Agenda, April 10, 2019



***“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

RUSD Board of Education

Mr. Edgar Montes, President

Mrs. Nancy G. O'Kelley, Vice President

Ms. Dina Walker, Clerk

Mr. Joseph Ayala, Member

Mr. Joseph W. Martinez, Member

Jazmin Hernandez, Student Member

RUSD Superintendent

Dr. Cuauhtémoc Avila



Cover Picture

Carter High School Principal, **Dr. Patricia Chavez** (center), stands with CHS Valedictorian, **Chelsea Guzman**, who holds a 4.83 GPA (left), and Salutatorian, **Jacqueline Luis**, who holds a 4.67 GPA (right). Guzman will be attending UCLA and Luis will be heading to UC Irvine. Go Lions!

RIALTO UNIFIED SCHOOL DISTRICT
Regular Meeting of the Board of Education
Dr. John R. Kazalunas Education Center
182 East Walnut Avenue
Rialto, California

EDGAR MONTES
President

DINA WALKER
Clerk

JOSEPH AYALA
Member



NANCY G. O'KELLEY
Vice President

JOSEPH W. MARTINEZ
Member

JAZMIN HERNANDEZ
Student Board Member

CUAUHTÉMOC AVILA, ED.D.
Superintendent

April 10, 2019

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.

AGENDA

A. OPENING
Call to Order – 6:00 P.M.

OPEN SESSION

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

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:

1. Public Employee Employment/Discipline/Dismissal/Release/ Reassignment of Employees (Government Code section 54957)
2. Student Expulsions/Reinstatements/Expulsion Enrollments

3. CONFERENCE WITH LABOR NEGOTIATORS

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

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

Vote by Board Members: Ayes:_____ Noes:_____ Abstain:_____ Time:_____

ADJOURNMENT OF CLOSED SESSION

Moved_____ Seconded_____

Vote by Board Members: Ayes:_____ Noes:_____ Abstain:_____ Time:_____

OPEN SESSION RECONVENED – 7:00 P.M.

AT THE DIRECTION OF THE BOARD OF EDUCATION, BOARD MEETINGS ARE RECORDED, BROADCASTED, AND STREAMED LIVE, AND MAY CAPTURE IMAGES AND SOUNDS OF THOSE ATTENDING THE MEETING.

PLEDGE OF ALLEGIANCE

PRESENTATION BY JEHUE MIDDLE SCHOOL

REPORT OUT OF CLOSED SESSION

ADOPTION OF AGENDA

Moved_____ Seconded_____

Preferential Vote by Student Board Member: Aye:_____ No:_____ Abstain:_____

Vote by Board Members: Ayes:_____ Noes:_____ Abstain:_____

B. PRESENTATIONS

1. Middle School – District Student Advisory Committee (DSAC)
2. California School Boards Association (CSBA) 2017-2018 State Golden Bell Award DSAC Team
3. California Green Schools (CGS) Silver Level Recognition – Milor High School/Morris Elementary School, CGS RUSD - Gold Level Recognition

C. COMMENTS

1. Public Comments from the Floor: At this time, any person wishing to speak on any item not on the Agenda will be granted three minutes.
2. Public Comments on Agenda Items: Any person wishing to speak on any item on the Agenda will be granted three minutes.
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).
4. Comments from the Superintendent
5. Comments from Members of the Board of Education

D. PUBLIC HEARING

OPEN PUBLIC HEARING

Moved_____ **Seconded**_____
Vote by Board Members: Ayes:_____ Noes:_____ Abstain:_____ Time:_____

1. Public Hearing: Pursuant to the requirements of Government Code and Board Policy, the attached initial 2019-2020 proposal submitted by California School Employees Association (CSEA), Chapter 203, for an agreement between California School Employees Association (CSEA) Chapter 203, Rialto Unified School District and the Board of Education is hereby posted in compliance with the legislative requirements for public notice.
(Ref. D 1.1-3)

CLOSE PUBLIC HEARING

Moved_____ **Seconded**_____
Vote by Board Members: Ayes:_____ Noes:_____ Abstain:_____ Time:_____

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.

Approve Consent Calendar Items (Ref. E – J)

Moved_____ **Seconded**_____

E. MINUTES

1. Approve the minutes of the Regular Board of Education meeting held March 26, 2019. (Ref. E 1.1-15)

F. GENERAL FUNCTIONS CONSENT ITEMS

1. First reading of revised Board Policy 4030(a-e); All Personnel: Nondiscrimination in Employment. (Ref. F 1.1-5)

G. INSTRUCTION CONSENT ITEMS - None

H. BUSINESS AND FINANCIAL CONSENT ITEMS

1. Approve Warrant Listing Register and Purchase Order Listing for all funds from March 9, 2019 through March 25, 2019, (sent under separate cover to Board Members). A copy for public review will be available at the Board Meeting.
2. Accept the listed donation from Gold Star Foods, Santa Claus, Inc., Office Solutions, and School Specialty, and request that a letter of appreciation be sent to the donors. (Ref. H 2.1)
3. 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. (Ref. H 3.1-2)
4. Declare the specified Nutrition Services 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. (Ref. H 4.1)
5. Approve CMAS No. 3-18-70-0793J, CMAS No. 3-18-70-2486H, Los Angeles County Office of Education Bid No. 18/19-1620, Los Rios Community College Bid No. 14018 for the purchase of Information Technology Goods/Services and furniture and systems, at a cost to be determined at time of purchase(s), to be paid from the General Fund. (Ref. H 5.1-2)
6. Approve affiliation/service learning agreement with California State University, San Bernardino (CSUSB) to provide CSUSB students as facilitators for art education and enrichment at Bemis Elementary School, effective April 22, 2019 through May 24, 2019, at a cost of \$500.00 (for art supplies), to be paid from the General Fund. (Ref. H 6.1)

7. Approve a Memorandum of Understanding (MOU) with James Woods dba Dat Yoga Dude to provide health and wellness classes once a week for a six (6) week session at Carter High School, Eisenhower High School, and Milor High School, effective April 11, 2019 through May 30, 2019, at a cost of \$2,700.00, to be paid from the General Fund. (Ref. H 7.1)
8. Ratify the Memorandum of Understanding (MOU) with Riverside County Superintendent of Schools and Key Data Systems to participate in the Mathematical Reasoning with Connections (MRWC) project, a one-year agreement from July 1, 2018 through June 30, 2019, to provide 4th year mathematics students with a course that will prepare students for college-level mathematics, including pre-calculus, calculus, and other quantitative reasoning courses, at no cost to the District. (Ref. H 8.1-2)
9. Approve a Memorandum of Understanding (MOU) with THINK Together, Inc. a non-profit corporation, to provide Kids Code Grant services for coding instruction to a minimum of 40 (forty) students attending the After School Education and Safety (ASES) program at Casey Elementary School, effective April 11, 2019 through June 30, 2021, for a total cost not-to-exceed 100% of the awarded Kids Code Grant of \$65,000.00 to be awarded at 40 percent (\$26,000.00) for the 2018-2019 school year, 40 percent (\$26,000.00) for the 2019-2020 school year, and 20 percent (\$13,000.00) for the 2020-2021 school year. (Ref. H 9.1)
10. Approve the affiliation/service agreement with Franklin Covey to provide the "Launching Leadership" workshop at Bemis Elementary, effective April 11, 2019 through June 3, 2019, at a cost of \$5,373.70, to be paid from the General Fund. (Ref. H 10.1)

I. FACILITIES PLANNING CONSENT ITEMS

1. Accept the work completed before December 31, 2018, by FEC Electric, Inc. for all work required in connection with the Eisenhower High School Stadium Renovation Project, Category 19 – Electrical, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder. (Ref. I 1.1)
2. Accept the work completed as of December 31, 2018, by IVL Contractors, Inc. for all work required in connection with UPCCAP #18-008 Boundary Grading at Future Transportation Yard, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder. (Ref. I 2.1)

3. Accept the work completed as of March 1, 2019, by Regan Paving for all work required in connection with UPCCAP #18-013 Morgan Elementary School Parking Lot Expansion, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.
(Ref. I 3.1)

4. Accept the work completed as of December 31, 2017, by Cal Empire Engineering, Inc. for all work required in connection with UPCCAP #17-002 CNG Power Connection Project at Future Transportation Yard, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.
(Ref. I 4.1)

J. PERSONNEL SERVICES CONSENT ITEMS

- 1-3. Approve Personnel Report No. 1212 for classified and certificated employees.
(Ref. J 1.1-3.1-1)

Preferential Vote by Student Board Member: Aye:_____ No:_____ Abstain:_____
Vote by Board Members: Ayes:_____ Noes:_____ Abstain:_____

K. DISCUSSION/ACTION ITEMS

Moved_____ Seconded_____

1. Authorize Mohammad Z. Islam, Associate Superintendent, Business Services, to sign the SchoolsFirst 403(b) plan adoption agreement in order to comply with IRS 403(b) regulations that require the District's SchoolsFirst 403(b) plan to be under the governance of an IRS pre-approved plan document.
(Ref. K 1.1)

Vote by Board Members: Ayes:_____ Noes:_____ Abstain:_____

Moved_____ Seconded_____

2. Approve agreement with Frontline Technologies from April 11, 2019 through June 30, 2019, and July 1, 2019 through June 30, 2020, for the purchase of Time & Attendance license, at a cost of \$18,230.00 for FY 2018-19, and \$33,387.00 for FY 2019-20, to be paid from the General Fund.
(Ref. K 2.1)

Vote by Board Members: Ayes:_____ Noes:_____ Abstain:_____

Moved _____ Seconded _____

3. Adopt Resolution No. 18-19-27 authorizing temporary interfund borrowing between all funds and accounts, with the exception of Fund 21 - Building Fund for the 2019-2020 fiscal year. (Ref. K 3.1-2)

Vote by Board Members: Ayes: _____ Noes: _____ Abstain: _____

Moved _____ Seconded _____

4. Adopt Resolution No. 18-19-28 excusing the absence of Board Clerk Dina Walker from the Tuesday, March 26, 2019, Regular Meeting of the Board of Education. (Ref. K 4.1)

Vote by Board Members: Ayes: _____ Noes: _____ Abstain: _____

Moved _____ Seconded _____

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

STIPULATED EXPULSIONS:

Case Numbers:

18-19-50

18-19-51

REINSTATEMENT OF EXPULSION:

Case Number:

18-19-29

Vote by Board Members: Ayes: _____ Noes: _____ Abstain: _____

The next regular meeting of the Board of Education of the Rialto Unified School District will be held on Wednesday, April 24, 2019, at 7:00 p.m., at the Dr. John R. Kazalunas Education Center, 182 East Walnut Avenue, Rialto, California.

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

L. ADJOURNMENT

Moved _____ Seconded _____

Preferential Vote by Student Board Member: Aye: _____ No: _____ Abstain: _____

Vote by Board Members: Ayes: _____ Noes: _____ Abstain: _____

Time _____

D PUBLIC HEARING

PLEASE POST

PLEASE POST

PUBLIC NOTICE

PURSUANT TO THE REQUIREMENTS OF GOVERNMENT CODE AND BOARD POLICY, THE ATTACHED INITIAL 2019-2020 PROPOSAL SUBMITTED BY CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION (CSEA), CHAPTER 203, FOR AN AGREEMENT BETWEEN CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION (CSEA), CHAPTER 203, RIALTO UNIFIED SCHOOL DISTRICT AND THE BOARD OF EDUCATION IS HEREBY POSTED IN COMPLIANCE WITH THE LEGISLATIVE REQUIREMENTS FOR PUBLIC NOTICE.



Rhonda Kramer,
Lead Personnel Agent
Personnel Services

March 28, 2019



California School Employees Association and its Rialto Chapter #203
Successor Agreement Negotiations Sunshine Proposal

The California School Employees Association and its Chapter #203 (CSEA) present our initial proposal to negotiate a successor contract. CSEA desires to alter and/or amend the following articles as indicated, and presents our proposal for public discussion in accordance with Government Code 3547, as follows:

Article I: Agreement

CSEA will propose to modify Article 1 to reflect a three-year agreement.

Article VII: Fair Share Agreement

CSEA will propose language to ensure this Article meets the requirements of law.

Article IX: Grievance Procedure

CSEA will propose language to:

- Modify the time periods in each step of the grievance process.
- Enhance the ability of classified bargaining unit members to dispute violations of articles negotiated within the contract.

Article X: Disciplinary Procedures

CSEA will propose changes to Article X that will protect the rights of classified bargaining unit members in matters concerning the disciplinary process.

Article XI: Replacement or Repair of Employees Personal Property

CSEA will propose language to limit the out-of-pocket cost(s) of classified bargaining unit members when their personal property is damaged in the line of duty.

Article XII: Leaves

CSEA will propose language to:

- Ensure that classified bargaining unit members are provided with all leave options established by law.
- Enhance the number of days currently set in support of leave(s).
- Ensure that classified bargaining unit members' rights are protected when faced with medical restriction(s).

Article XIII: Procedures for Evaluation of Employees

CSEA will propose language in Article XIII to modify the current probationary period.

Article XV: Transfers and Vacancies

CSEA will propose language to:

- Improve the transfer/reassignment/promotion process.
- Modify the current probationary period(s) listed in Article XV.

Article XVI: Reclassification

CSEA will propose language to provide transparency to classified bargaining unit members during the reclassification process.

Article XVII: Released Time

CSEA will make proposals to enhance release time for CSEA representatives/designees.

Article XVIII: Vacations

CSEA will propose language to increase the amount of vacation days currently negotiated for classified bargaining unit members.

Article XIX: Holidays

CSEA will propose language to acknowledge the additional state-recognized holidays labeled in the Education Code.

Article XXI - Duty Hours

CSEA will make proposals to:

- Augment the daily hours and work year of classified bargaining unit members directly supporting and serving at-risk students as defined by LCFF guidelines.
- Enhance the requirements for overtime distribution to classified bargaining unit members.

Article XXII: Pay and Allowances

CSEA will propose language to:

- Provide COLA to all bargaining unit members based on the 2019-2020 California State Budget and other funds available to the District.
- Attract and retain the best-qualified professional classified staff by improving the existing salary structure.
- Offer an incentive for continued and long-term employment with the Rialto Unified School District.
- Address inclement weather needs for classified bargaining unit members that work outside.
- Ensure that District-issued uniforms are maintained and replaced regularly.

Article XXIII: Professional Growth

CSEA will propose language to provide additional funding for professional development growth.

Article XXV: Term of Agreement

CSEA will propose language to reflect the updated date of the Agreement and specify the dates of reopeners.

APPENDIXES

CSEA would like to update and amend each of the current appendixes included in the 2016-2019 contract.

CSEA reserves the right to open additional articles during the course of these successor agreement negotiations, subject to the appropriate notice requirements under the law and CSEA policies.

Please place this Proposal on the next Board of Education agenda in compliance with California's Brown Act and Government Code.

Submitted by:


Chris Cordasco
CSEA Chapter #203 President

3-26-19
Date

E MINUTES

**MINUTES
RIALTO UNIFIED SCHOOL DISTRICT
DR. JOHN R. KAZALUNAS EDUCATION CENTER
182 EAST WALNUT AVENUE, RIALTO, CA 92376**

March 26, 2019

A. OPENING

CALL TO ORDER AND ROLL CALL

The regular meeting of the Board of Education of the Rialto Unified School District was called to order at 5:01 p.m. by President Montes at the Dr. John R. Kazalunas Education Center, 182 East Walnut Avenue, Rialto, CA 92376.

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

Administrators present: Cuauhtémoc Avila, Ed.D., Superintendent; Darren McDuffie, Ed.D., Lead Strategic Agent: Strategics, Congruence and Social Justice; Mohammad Z. Islam, Associate Superintendent, Business Services; Kelly Bruce, Lead Innovation Agent, Education Services; and Rhonda Kramer, Lead Personnel Agent. Also present was Rosie Williams, Executive Secretary.

OPEN SESSION

1. Comments on Closed Session Agenda Items. Any person wishing to speak on any item on the closed session agenda will be granted three minutes.

There were no comments.

CLOSED SESSION

Upon a motion by Member Ayala, seconded by Member Martinez, and approved by a 4-0 vote, the Board of Education entered into closed session at 5:03 p.m. to consider and discuss the following items:

1. Public Employee Employment/Discipline/Dismissal/Release/Reassignment of Employees (Government Code section 54957)
2. Student Expulsions/Reinstatements/Expulsion Enrollments

(Ref. E 1.1)

3. **CONFERENCE WITH LABOR NEGOTIATORS**
Agency designated representatives: Cuauhtémoc Avila, Ed.D., Superintendent; Rhea McIver Gibbs, Lead Personnel Agent, Personnel Services; and Rhonda Kramer, Lead Personnel Agent, Personnel Services.
Employee organizations: California School Employees Association, Chapter 203 (CSEA), Rialto Education Association (REA), Communications Workers of America (CWA)
4. **CONFERENCE WITH LEGAL COUNSEL – Existing Litigation** (Gov. Code § 54956.9(a)):
Rialto Unified School District v. Educational Consulting Services, Inc., et al. (Case No. CIVDS1518116)
5. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** (Gov. Code, 54956.8)
Property: Tract No. 20092 (Phase I)
Agency Negotiators: Michael Ogburn and Steven Gald, California Financial Services
Negotiating parties: Rialto Unified School District and Lytle Creek Ranch Development
Under negotiation: Price and terms for future acquisition of school sites.
6. **CONFERENCE WITH LEGAL COUNSEL**
Anticipated Administrative Proceedings Related to District Boundaries (Government Code section 54956.9.) (1 Case)
7. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Paragraph (1) of Subdivision (d) of Section 54956.9
1512127 v. Rialto Unified School District (San Bernardino Superior Court Case No. CIVDS1621534)

ADJOURNMENT OF CLOSED SESSION

Upon a motion by Vice President O'Kelley, seconded by Member Martinez, and passed by a 4-0 vote, closed session adjourned at 7:09 p.m.

OPEN SESSION RECONVENED – 7:09 P.M.

President Montes announced the following:

AT THE DIRECTION OF THE BOARD OF EDUCATION, BOARD MEETINGS ARE RECORDED, BROADCASTED, AND STREAMED LIVE, AND MAY CAPTURE IMAGES AND SOUNDS OF THOSE ATTENDING THE MEETING.

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

Administrators present: Cuauhtémoc Avila, Ed.D., Superintendent; Darren McDuffie, Ed.D., Lead Strategic Agent: Strategics, Congruence and Social Justice; Mohammad Z. Islam, Associate Superintendent, Business Services; Kelly Bruce, Lead Innovation Agent, Education Services; and Rhonda Kramer, Lead Personnel Agent. Also present was Rosie Williams, Executive Secretary, and Jose M. Reyes, Interpreter.

PLEDGE OF ALLEGIANCE

Vero Landin, Simpson Elementary School student, led the Pledge of Allegiance.

PRESENTATION BY SIMPSON ELEMENTARY SCHOOL

Under the direction of teachers Ms. Lisa Neely and Ms. Keri Brest, a group of Simpson Elementary School 2nd graders "*Simpson Singers*" performed two Disney songs.

REPORT OUT OF CLOSED SESSION

Superintendent Avila reported that in closed session the Board of Education, by a unanimous 5-0 vote, took the following action:

- Accepted the request for a leave of absence for classified employee #1183239, April 8, 2019 through June 30, 2019.
- Approved an agreement settling San Bernardino Superior Court Case #CIVDS1621534 in exchange for a release of all claims.

ADOPTION OF AGENDA

Upon a motion by Member Martinez, seconded by Vice President O'Kelley, the Agenda was adopted, as amended, by a 4-0 vote by the Board of Education. Item H8 was pulled from the Agenda, and on page (Ref. J 2.2) the PLACE ON THE 39-MONTH REEMPLOYMENT LIST section was also pulled from the Agenda.

B. PRESENTATIONS

1. High School – District Student Advisory Committee (DSAC)

The following DSAC students shared information and activities held at their schools:

Alan Palma, Rialto High School
Zara Ali, Carter High School

(Ref. E 1.3)

2. Science Fair Sweepstakes Student Winners

Member Martinez presented Certificates of Recognition to the following Science Fair Sweepstakes Winners:

- Mrs. Yesenia Willison's class, Boyd Elementary School
- Students Mia Carrillo and Jason Achakeng, Dollahan Elementary School
- Students Jasson Cota, Ruben Ceja and Emmauel Martinez, Simpson Elementary School
- Student Remijia Valero, Jehue Middle School
- Students Annastashia Ramsey, Alondra Ramirez and Alexma Valdez, Rialto High School

3. Key to the District from President Edgar Montes to Community Leader, Mrs. Hattie Inge

President Montes presented Mrs. Hattie Inge with a Key to the District for her outstanding service to the Rialto Unified School District and the community.

4. Key to the District from Member Joseph Ayala to Parent Leader, Mrs. Elsy De La Rosa

Member Ayala presented Mrs. Elsy De La Rosa with a Key to the District for her outstanding service to the Rialto Unified School District and the community.

C. COMMENTS

1. Public Comments from the Floor: At this time, any person wishing to speak on any item **not on** the Agenda will be granted three minutes.

Diana Marquez, Rialto Middle School parent, shared her concerns regarding problems in her student's special education class and the class not having a teacher since February 22, 2019. Personnel at Rialto Middle School nor the Special Education Department have notified parents of this occurrence. She asked the Board to allow their teacher to write, present and conduct their IEPs for the fairness and the future of the 14 students in the classroom. She stated that IEPs should not be written by personnel that do not know their children.

Russel Silva, Rialto resident, stated that he and his wife Linda have lived in Rialto for many years and have seen positive changes. He shared that he and his wife Linda are moving on to the next chapter. They have sold their home in Rialto, temporarily moving to Rancho Cucamonga, and then

(Ref. E 1.4)

to Valdosta, Georgia. He also shared that he has made many good friendships here at the RUSD, and is thankful for being able to “share a few words with you.”

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

There were not comments.

3. Comments from Association Executive Board Members: Rialto Education Association (REA), California School Employees Association (CSEA), Communications Workers of America (CWA), Rialto School Managers Association (RSMA)

Lisa Lindberg, REA President, congratulated the Key to the District recipients Mrs. Inge and Mrs. De La Rosa. She thanked the Board and District office staff members who participated in Read Across America at our schools this past month. She shared that many of the decorations seen in the classrooms during Read Across America were helped by REA's mini-grants given to teachers for groups such as Builders Club at Kolb.

Christine Acosta, CSEA Negotiations Chair, introduced Diana Silva, Chief Union Stewart, Todd Tapia, First Vice President, and Chris Cordasco, President. She presented CSEA's Initial Proposal to negotiate a successful contract for 2019-2020 school year.

Teresa Hunter, CWA Area Vice President, thanked Rhonda Kramer for helping them get organized enough to get their reopener on the agenda.

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

D. PUBLIC HEARING

OPEN PUBLIC HEARING

Upon a motion by Vice President O'Kelley, seconded by Member Martinez, Public Hearing was opened at 8:53 p.m.

1. Public Hearing: Pursuant to the requirements of Government Code and Board Policy, the attached initial contract proposal for the 2019-2020 school year submitted by the Communications Workers of America (CWA), for an agreement between the Communications Workers of America (CWA) and the Rialto Unified School District, Board of Education,

is hereby posted in compliance with the legislative requirements for public notice.

Upon a motion by Vice President O'Kelley, seconded by Member Martinez, Public Hearing was closed at 8:54 p.m. by a 4-0 vote by the Board of Education.

CONSENT CALENDAR ITEMS

Upon a motion by Vice President O'Kelley, seconded by Member Martinez, Items E – H7, H9 – J were approved by a 4-0 vote by the Board of Education. Item H8 was pulled from the Agenda. Also on page (Ref. J 2.2) the PLACE ON THE 39-MONTH REEMPLOYMENT LIST section was pulled from the Agenda.

E. MINUTES

1. Approve the minutes of the Regular Board of Education meeting held March 13, 2019.

F. GENERAL FUNCTIONS CONSENT ITEMS

1. Second reading of revised Board Policy 0420(a-c); Philosophy, Goals, Objectives and Comprehensive Plans: School Plans/Site Councils.
2. Second reading of revised Board Policy 0460(a-h); Philosophy, Goals, Objectives and Comprehensive Plans: Local Control and Accountability Plan.
3. Second reading of revised Board Policy 4200(a-c); Personnel: Classified Personnel.

G. INSTRUCTION CONSENT ITEMS

1. Approve thirty-four (34) students (22 girls and 12 boys) of the Wilmer Amina Carter High School ALPHA Scholars program, two (2) male advisors, and three (3) female chaperones to tour colleges in the San Diego area from April 4, 2019 through April 5, 2019, at a cost of \$12,000.00, to be paid from the College Readiness Block Grant.
2. Approve expenses for two (2) Western Association of Schools and Colleges (WASC) Visiting Committee members to conduct the Visiting of Focus on Learning Joint WASC/CDE process at Zupanic High School from April 29, 2019 through May 1, 2019, at a cost of \$4,000.00, to be paid from the General Fund.

3. Approve travel expenses for one (1) Hughbanks Elementary School parent to attend the School Climate Conference in Temecula, California, from April 7, 2019 through April 9, 2019, at a cost of \$800.00, to be paid from site Title I Fund.
4. Approve twenty-two (22) Peer Counselors (8 boys and 14 girls) and three (3) chaperones (1 male and 2 female) from Eisenhower High School to attend Pali Retreat for peer counseling training from April 26, 2019 through April 28, 2019, in Running Springs, California, at a cost of \$6,000.00, to be paid from the General Fund and site Title I Fund.

H. BUSINESS AND FINANCIAL CONSENT ITEMS

1. Approve Warrant Listing Register and Purchase Order Listing for all funds from February 23, 2019 through March 11, 2019, (sent under separate cover to Board Members). A copy for public review will be available at the Board Meeting.
2. Accept the listed donation from YourCause, LLC Trustee for Wells Fargo Community Support Campaign, Ontario Christian Fellowship, Paul and Sally Snyder, Tina Lingenfelter, and Innovateed, LLC, and request that a letter of appreciation be sent to the donor.
3. Approve Cooperative Agreement with The University of Iowa to assist current and future educators in completing state requirements for credentialing, effective July 1, 2019 through June 30, 2022, at no cost to the District.
4. Award the Request for Proposal (RFP) No. T18-19-002, Students with Qualified Services School Bus Transportation, to Student Transportation of America (STA), effective July 1, 2019 through June 30, 2022, with an option for two (2) additional one (1) year extensions, up to a total not-to-exceed five (5) years, to be paid from the General Fund.
5. Approve an agreement with LANGUAGE! Live to increase literacy skills for students in special education study skills classes as well as 6th grade intervention classes at Jehue Middle School, effective March 27, 2019 through May 30, 2020, at a cost of \$24,860.00, to be paid from site Title I Fund.
6. Approve Amendment No. 1 to the agreement with Sigma Beta Xi for weekly mentoring and restorative practices including social-emotional and academic counseling from ten (10) to twenty (20) students for a total of forty (40) African American male students at Jehue Middle School through May 30, 2019, with an increase in cost of \$11,000.00 to the original

(Ref. E 1.7)

agreement of \$11,500.00 for a combined total cost not-to-exceed \$22,500.00, to be paid from site Title I Fund.

7. Approve an agreement with The Counseling Team International (TCTI) to conduct up to eight (8) four-hour classes with no more than 30 participants per class, effective March 27, 2019 through January 31, 2020, at a cost of \$800.00 for each class, not-to-exceed \$6,400.00, to be paid from the General Fund.

Item (Ref. H 8.1) was pulled from the Agenda.

- ~~8. Approve an agreement with Boss Graphics to repaint and apply a protective fade proof top coat to the existing "Rialto High School" with the Knight image, on the exterior C building wall, effective March 14, 2019 through June 30, 2019, at a cost of \$11,150.00, to be paid from the General Fund.~~
9. Approve an agreement with St. Catherine of Siena Private School for Salve Banzon to provide extended day services during non-school hours three (3) to five (5) times per week to students identified as English Learners at St. Catherine of Siena Private School, effective March 27, 2019 through May 31, 2019, at a cost not-to-exceed \$1,600.00, to be paid from Title III Fund.
10. Approve an agreement with St. Catherine of Siena Private School for Angelica Regalado and Anna Corlew to provide extended day services to students identified as at-risk students during non-school hours three (3) to five (5) times per week, effective March 27, 2019 through May 31, 2019, at a cost not-to-exceed \$1,320.00, to be paid from Title I Fund.
11. Approve an agreement with Horizon Education for a SAT preparation program at Carter High School, effective April 1, 2019 through June 30, 2019, at a cost of \$6,580.00, to be paid from the College Readiness Block Grant.
12. Approve an annual subscription license with Biddle Consulting Group, Inc. for the use of Office Proficiency Assessment Certification (OPAC), an online testing software, for a 12-month period from the start date, for a total cost of \$7,500.00, which may be renewed at the same cost for subsequent 12-month periods and allow Personnel Services to administer an unlimited number of online tests, to be paid from the General Fund.

I. FACILITIES PLANNING CONSENT ITEM - None

(Ref. E 1.8)

J. PERSONNEL SERVICES CONSENT ITEMS

On page (Ref. J 2.2) the PLACE ON THE 39-MONTH REEMPLOYMENT LIST was pulled from the Agenda.

- 1-3. Approve Personnel Report No. 1211 for classified and certificated employees.

K. DISCUSSION/ACTION ITEMS

Upon a motion by Vice President O'Kelley, seconded by Member Ayala, Item K1 was approved by a 4-0 vote by the Board of Education.

1. Accept the After School Education and Safety (ASES) Kids Code Grant Pilot Program from the Expanded Learning Division (EXLD) of the California Department of Education (CDE) to provide a one-time grant fund of \$65,000.00 to Casey Elementary School that will be disbursed over a three (3) year period.

Prior to the vote on item K2, Mr. Christopher Keeler, Attorney, with Fagen Friedman & Fulfroost LLP, shared the following information germane to this item:

"Item K2 calls for the Board to determine whether to approve a Memorandum of Understanding with BLU Educational Foundation, at no cost to the District, which includes a data sharing agreement and would allow BLU Educational Foundation to document student outcomes and measure the effectiveness of what's called the College Success Initiative program.

By way of background, BLU Educational Foundation received a 2018 award from Growing Inland Achievement, which is a collective impact collaborative focused on improving the long-term economic outlook of the region through improving the educational attainment rates of the Inland Empire. BLU's winning proposal was the College Success Initiative, which is designed to increase college access and completion among traditionally disadvantaged students of color. Through this award, BLU intends to provide services to District students and parents to help students gain admission to and access financial resources necessary to attend college. As part of this program, BLU seeks to enter into a data sharing agreement with the District to help measure student outcomes. This MOU is not a financial agreement. No money will change hands. Nevertheless, Ms. Dina Walker has informed the District that she must abstain from all participation in this matter.

Ms. Walker is the President and CEO of BLU Educational Foundation. Ms. Walker and District administration jointly requested advice from the Fair Political Practices Commission, which I may refer to as the FPPC, and they are the people who make rules about political activity and potential conflicts of interest. The FPPC looked at this

issue and issued an opinion that even though BLU Educational Foundation will not receive any money directly through the MOU it will have some value to BLU Educational Foundation, especially if BLU Educational Foundation seeks to secure other grants to provide similar services in the future – for example, to other educational institutions. Thus, the FPPC determined that Ms. Walker has what we call a 'remote interest' in the agreement. This means the District can enter into the agreement only if Ms. Walker: 1) discloses her financial interests in the agreement to the District; 2) her interest is noted in the minutes, the District's official records; and 3) she abstains from any participation in the making of this agreement.

Ms. Walker has disclosed her financial interest. We've obtained an opinion from the FPPC as well. I would request that this financial interest be reflected in the minutes of tonight's meeting as required by law.

I understand that Ms. Walker is not present tonight due to personal reasons. If she were here, Ms. Walker would leave the room while this matter was considered by the Board. Obviously she is not here, so she doesn't have to leave the room, but that is what would happen if she were here tonight. So she would have nothing to do with the Board's decision tonight. However, again, this interest will be noted in the official minutes. So according to the FPPC, this is an action that this Board is free to take, but it cannot involve Ms. Walker, either informally or formally. Are there any question?"

Vice President O'Kelley: "For sharing data, is that something that we would have to find some way to get parent permission on?"

Mr. Keeler: "It depends on the kind of data. The data sharing agreement is written with the state and federal laws that protects student privacy in mind. So the agreement itself is very strict in the requirements that BLU Foundation treat the information the same way the school district treats the information. They have a duty to keep it confidential. The plan is to provide disaggregated data. It's going to not include student names. In the course of some services provided, they may have records related to student's names. What the agreement says about, is they would essentially be treated, again, like they are an arm of the District for that purpose and have all the same obligations to keep student information private the same way District employees and officials have to keep it private. It is a very strict agreement that requires them to maintain confidentiality consistent with FERPA and similar state law."

President Montes: "The FPPC for the State of California has recently taken responsibility from the State Attorney General in matters such as this. It is my understanding the FPPC sent a copy or written request to both the State Attorney General and the District Attorney in regards to matters of public integrity or conflicts of interest, and it is my understanding neither agency bothered to respond?"

Mr. Keeler: "To our knowledge, there has been no response. The FPPC use to just handle conflict of interest questions related to Political Reform Act and campaigns and

things like that. The Attorney General handled the matters related to Government Code section 1090. So you had two agencies that were both dealing with what we generally referred to as conflict of interest issues. They changed the law a few years ago to allow the FPPC to handle both Government Code 1090 issues and the Political Reform Act conflict issues. Part of that change in the law required them, when there was a 1090 issue, to also notify the Attorney General, just like you said, and to also notify local District Attorneys so that if there were any concerns or interest by that local enforcement agency, they would have notice. To our knowledge, neither agency expressed concern about this. We believe that the FPPC opinion was very comprehensive and it addressed the relevant law appropriately."

Vice President O'Kelley: *"But in a way, even though Ms. Walker is recusing herself from having any involvement in it, the grant was assigned to her organization and her salary is going to be paid out of that, does that not show that she's benefiting financially from this agreement?"*

Mr. Keeler: *"According to Government Code section 2090 and the exceptions relating to that, if you are an employee or an officer of a nonprofit then that's what allows for the contract to go through, as long as she abstains from involvement of it. So, let's say she were a contractor and her firm applied for a job modernizing a school with a for-profit entity. That is just banned. There is no way she would be allowed to do that. But what the law says, is if her financial interests arises because she is an officer or employee of a nonprofit, then that contract can go through as long as she is not personally involved. So if, let's say, and again, no money is changing hands between the District and BLU, that should be clear, the District is not paying any money to BLU. BLU got a grant from an outside agency, this collaborative. This District is not authorizing an agreement to pay any money to BLU, and no proceeds from this will trickle down to Dina Walker from District money, so that should be clear. There are no District funds involved. No in-kind transactions. You are not providing materials, or anything like that. It is supposed to be a no cost issue for this District. The money is coming from this outside organization, and she applied for a grant to benefit this District. That being said, what the FPPC said was that the fact that they are able to do this in this District might increase the likelihood that they do it in some other District or some other entity. So there is some value to that. So ultimately, yes, she could personally benefit from this but it is allowed under the rules as long as she does not take any action here whether it is informally or formally through this meeting tonight."*

Vice President O'Kelley: *"I didn't hear when we read the item, did we modify it as we discussed previously?"*

Member Martinez: *"I don't believe we did."*

Vice President O'Kelley: *"I don't think we did either, about the Union."*

President Montes: *"I would just like to make a comment. Thank you for your clarification, and for those who might not have caught it completely, the State of California FPPC took a look at this matter, the Board requested, the District requested, for them to weigh in on this issue and they issued an opinion that they believe that as long as Ms. Walker is not involved with the decision of this agreement, that it is perfectly legal, from a legal stand point, and from your firm, your legal opinion supports that opinion from the FPPC, correct?"*

Mr. Keeler: *"Absolutely. We wrote an opinion first saying we thought it would be legal under these circumstances."*

President Montes: *"I appreciate that, but I really like the FPPC's word just a little bit more."*

Mr. Keeler: *"I don't blame you."*

President Montes: *"The other thing I would like to clarify, the grant for this work that would benefit students is not District monies and it's a completely independent grant that was awarded to BLU Foundation to help our students, and I think that's a great thing. I do just want to say, not only as a Board President, but as a Board Member, that I would personally as an individual Board Member prefer that these types of agenda items or these types of situations, I would personally rather not be in these types of situations. Only because although it's legal and although it's a great thing for our students, I would hate for anyone to believe that it's kind of risky or questionable. I wouldn't want anyone to think of this as definitely any kind of impropriety. I would rather not be in these types of situations, but since this reputable educational foundation already was awarded the grant, and since it would benefit our students, I think it is great, but I would rather not be put in this type of situation moving forward in the future. Particularly because of all of the things that this District has been through in the past and we know that our fellow Clerk was not here during those rough years, but most of us here were. We definitely would not want anyone in the community to think that, hey, are you guys going back to you know the past where questionable things were done in the past by people who are no longer here. With that said, I just want to make sure that the community, the people here in attendance tonight, and the people watching at home, know that we want this process to be as transparent as possible. I'd like to make a recommendation to the Board... I'd like to make a motion to amend this item to be subject to any possible contractual obligations we may have with our employees."*

Mr. Keeler: *"So any bargaining obligations you may have with the employee organizations?"*

President Montes: *"Correct."*

President Montes motioned that item K2 be amended to be approved subject to any contractual bargaining obligations. It was seconded by Vice President O'Kelley.

President Montes: *"Any further discussion, questions, or comments?"*

Member Martinez: *"I just want to let the public know, this has all been asked, but this is for public's sake. There is no jeopardy that the District would be put in?"*

Mr. Keeler: *"No, when dealing with Government Code section 1090 for a Political Reform Act issue, it's the individual member who has the financial interest who faces peril. So in this case, the District approached this very, very cautiously. That is why we provided an opinion, we got an FPPC opinion, we've been very careful about this because you don't want to do anything wrong. The laws, if they were to be enforced, they could invalidate the agreement, but the real punishments come against an employee or officer who, for example, has an undisclosed interest and takes action on it. I don't see substantial risk for the District. I'm a lawyer so I rarely will say you don't have any risk, but it's minimal on its face. What is also very helpful is that it has a very short termination clause. If there were anything of concern to the District, you can cancel the agreement in 30 days."*

Vice President O'Kelley: *"I would just like to piggyback on what Mr. Montes said earlier, that I have been very uncomfortable with this whole situation since it came up. This is nothing at all against Ms. Walker or her company, no statement about her company, it is just the fact that she is a Board Member and that is her company that we are making this agreement with, and I understand all the legalities. My concern is the perception out there of some people may be that we're doing something shady. I think we pride ourselves in being a very honest and transparent Board and I do not want that reputation to affect any of us."*

President Montes: *"And again, I believe Mrs. O'Kelley's and my comments or concerns are not in any way negative towards the Educational Foundation or any of its employees or officers, simply just the fact that this Board will prefer to enter agreements with companies or foundations that are not associated with the Board. We understand that it is totally legal, and we understand that it is something that is good for kids, but at the same time it pushes the envelope a little bit and we just would rather not be in this type of situation. With that if there is no more questions or concerns, I will call for the vote."*

Member Martinez: *"Just that I am also uncomfortable, or was uncomfortable with it. Since having legal look through it, hearing somewhere in this past month or two months, I seen something in writing saying that BLU Education Foundation had rewritten their budget to where Ms. Walker is no longer receiving compensation from this specifically. So that takes care of part of my concerns. The other part of the concerns is, I know the Board wants what's best for our students, and if it is not going to come to our students, it's going to go elsewhere. Since it is legal, I want it for our students. That's part one."*

(Ref. E 1.13)

Another part of the comments is the concern would be sharing, which has been addressed. Any concerns from our Associations, I spoke with President Cordasco, so if at any time any of our Associations have any problems with this or anything else, please feel free to come to any Board member individually, or to the podium. We want to build a relationship, not tear it down."

Member Ayala: "It doesn't matter what kind of organization offers up their bid to make a difference for kids, we are all humans. We can make mistakes. I would just bring it up that in case one of our kids gets the wrong information. As long as the organization, in this case it would be, the BLU Educational Foundation, owns up to it and says I'm sorry I gave the wrong information, the wrong child, we're going to make it right, we're going to correct it, I don't have any problem. We're here to help these kids and guide them. And sometimes, even our best staff, might have a bad day or something and give out wrong information. We don't need to crucify people. We need to give them a chance to breathe and find success. This is going to be, I think, a good thing for our kids because people are watching it and it doesn't always have to be like that. I just have a good feeling that things will work out. We are thinking a little bit out of the box. We're being a little risky, but it is legal and we've gone through the steps to make sure that we're covering our bases. I hope our community appreciates that the bottom line is that we are doing what's best for our kids."

Item K2 was approved by a 4-0 vote by the Board of Education.

2. Approve the Memorandum of Understanding (MOU) with BLU Educational Foundation, at no cost to the District, which includes a data sharing agreement that would allow BLU Educational Foundation to document student outcomes and measure the effectiveness of College Success Initiative programs, effective March 27, 2019 through June 30, 2020.

Upon a motion by Vice President O'Kelley, seconded by Member Ayala, Item K3 was approved by a 4-0 vote by the Board of Education for all case numbers except 18-19-46.

The vote for case number 18-19-46 was as follows:

President Montes – Aye
Vice President O'Kelley – Aye
Clerk Walker – Absent
Member Martinez – No
Member Ayala - Aye

3. **ADMINISTRATIVE HEARING**
Case Numbers:
18-19-46
18-19-42

STIPULATED EXPULSIONS

Case Numbers:

18-19-49

18-19-47

President Montes announced the following:

The next regular meeting of the Board of Education of the Rialto Unified School District will be held on Wednesday, April 10, 2019, at 7:00 p.m., at the Dr. John R. Kazalunas Education Center, 182 East Walnut Avenue, Rialto, California.

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

L. ADJOURNMENT

Upon a motion by Vice President O'Kelley, seconded by Member Ayala, and approved by a 4-0 vote by the Board of Education, the meeting was adjourned at 9:19 p.m.

Clerk, Board of Education

Secretary, Board of Education

F GENERAL FUNCTIONS CONSENT



RIALTO UNIFIED SCHOOL DISTRICT

All Personnel

BP 4030(a)

NONDISCRIMINATION IN EMPLOYMENT

The Board of Education is determined to provide ~~district employees, interns, volunteers, and job applicants~~ a safe, positive environment where ~~they~~ **all district employees** are assured of full and equal employment access and opportunities, protection from harassment ~~or~~ and intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. **For purposes of this policy, employees include** ~~This policy shall apply to all district employees and, to the extent required by law, to job applicants, interns, volunteers, and job applicants and persons who contracted with the district to provide services, as applicable.~~

(cf. 1240 - Volunteer Assistance)

(cf. 3312 - Contracts)

(cf. 3600 - Consultants)

(cf. 4111/4211/4311 - Recruitment and Selection)

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race, ~~religious creed,~~ color, **ancestry**, national origin, ~~ancestry,~~ age, **religious creed**, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, **sex, sexual orientation**, gender, gender identity, gender expression, ~~sex, or sexual orientation~~ or ~~his/her~~ association with a person or group with one or more of these actual or perceived characteristics.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

The district shall not inquire into any employee's immigration status nor discriminate against an employee on the basis of immigration status, unless there is clear and convincing evidence that it is necessary to comply with federal immigration law. (2 CCR 11028)

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Discrimination in hiring, compensation, terms, conditions, and other privileges of employment.

(cf. 4151/4251/4351 - Employee Compensation)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

(Ref. F 1.1)

NONDISCRIMINATION IN EMPLOYMENT (continued)

2. Taking of an adverse employment action, such as termination or the denial of employment, promotion, job assignment, or training.

~~(cf. 4151/4251/4351 – Employee Compensation)~~

~~(cf. 4154/4254/4354 – Health and Welfare Benefits)~~

3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities, or that has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment.

4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:

- a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status

~~(cf. 4033 - Lactation Accommodation)~~

~~(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)~~

- b. Religious creed discrimination based on an employee's religious belief or observance, including ~~his/her~~ religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement

~~(cf. 4119.22/4219.22/4319.22 – Dress and Grooming)~~

- c. ~~Disability discrimination based on a district r~~Requirement for a medical or psychological examination of a job applicant, or an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity

~~(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)~~

- d. Disability discrimination based on the district's ~~f~~Failure to make reasonable accommodation for the known physical or mental disability of an employee, or to engage in a timely, good faith, interactive process with an employee, **who has requested such accommodations in order to determine the effective**

NONDISCRIMINATION IN EMPLOYMENT (continued)

~~reasonable accommodations, if any, to be provided to the employee for the employee, when he/she has requested reasonable accommodation for a known physical or mental disability or medical condition.~~

(cf. 4032 - Reasonable Accommodation)

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940; 2 CCR 11028)

No employee shall, in exchange for a raise or bonus or as a condition of employment or continued employment, be required to sign any document that releases the employee's right to file a claim against the district or to disclose information about harassment or other unlawful employment practices. (Government Code 12964.5)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment, **including harassment of an employee by a nonemployee**, shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately. The district shall protect any employee who reports such incidents from retaliation.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy. ~~He/she shall provide,~~ **providing** training and information to employees about how to recognize harassment, discrimination, or other related conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

~~In addition, the Superintendent or designee shall post, in a conspicuous place on district premises, the California Department of Fair Employment and Housing publication on workplace discrimination and harassment issued pursuant to 2 CCR 11013.~~

NONDISCRIMINATION IN EMPLOYMENT (continued)

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act, especially:

12940-12952 Unlawful employment practices

12960-12976 Unlawful employment practices; complaints

PENAL CODE

422.56 Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

11006-11086 Discrimination in employment, especially:

11013 Recordkeeping

11019 Terms, conditions and privileges of employment

11023 Harassment and discrimination prevention and correction

11024 Sexual harassment training and education

11027-11028 National origin and ancestry discrimination

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 29

621-634 Age Discrimination in Employment Act

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended

2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended

2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age discrimination in federally assisted programs

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

Legal Reference continued: (see next page)

NONDISCRIMINATION IN EMPLOYMENT (continued)

Legal Reference continued:

CODE OF FEDERAL REGULATIONS, TITLE 34

100.6 Compliance information

104.7 Designation of responsible employee for Section 504

104.8 Notice

106.8 Designation of responsible employee and adoption of grievance procedures

106.9 Dissemination of policy

110.1-110.39 Nondiscrimination on the basis of age

COURT DECISIONS

Thompson v. North American Stainless LP, (2011) 131 S.Ct. 863

Shephard v. Loyola Marymount, (2002) 102 Cal.App.4th 837

Management Resources:

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS

California Law Prohibits Workplace Discrimination and Harassment, December 2014

Transgender Rights in the Workplace

Workplace Harassment Guide for California Employers

Your Rights and Obligations as a Pregnant Employee

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Notice of Non-Discrimination, August 2010

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Questions and Answers: Religious Discrimination in the Workplace, 2008

New Compliance Manual Section 15: Race and Color Discrimination, April 2006

EEOC Compliance Manual

Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

Policy
adopted: July 14, 1999
revised: October 5, 2016
revised: February 8, 2017
revised:

RIALTO UNIFIED SCHOOL DISTRICT
Rialto, California

G INSTRUCTION CONSENT

G. INSTRUCTION CONSENT ITEMS

NONE



Rialto Unified School District

Board Date: April 10, 2019

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

<u>Name of Donors</u>	<u>Location/Description</u>	<u>Amount</u>
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MONETARY DONATIONS

Gold Star Foods	Trapp Elementary/ Rube Goldberg Competition	\$ 250.00
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NON-MONETARY DONATIONS

Santa Claus, Inc.	Child Welfare & Attendance/ 60 new jackets, 7,838 pairs of socks 342 shirts, 72 new girl's pajamas, 99 dresses 177 scarfs, 36 hats, and 40 purses For all students through the Clothing Tree
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Office Solutions	Fiscal Services/ Supplies for Backpack Drive 72 Manual Pencil Sharpeners, 52 Pencil Boxes, 52 Boxes of Crayons, 52 Washable Markers, 52 Twistable Color Pencils, 120 Glue Sticks, 104 Spiral notebooks, 100 2-Pocket Folders, 72 Big Pink Erasers, 288 Pencil Cap Erasers, 624 #2 Pencils, 52 12" Rulers, and 60 Kid Scissors
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School Specialty	Fiscal Services Supplies for Backpack Drive 15 Child Craft pre-assembled Backpacks
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It is recommended that the Board of Education accept the listed donation from Gold Star Foods, Santa Claus, Inc., Office Solutions, and School Specialty, and request that a letter of appreciation be sent to the donor.

District Summary	
Monetary Donations – April 10, 2019	\$ 250.00
Donations – Fiscal Year-To-Date	\$ 32,693.14

Submitted and Reviewed by: Mohammad Z. Islam
(Ref. H 2.1)



Rialto Unified School District

Board Date: April 10, 2019

TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **SURPLUS EQUIPMENT AND MISCELLANEOUS ITEMS**

Quantity	Description	Quantity	Description
37	CPUs	2	Microphone Mixers
35	Monitors	8	Switch Boards
154	Laptops	1	CD Player
5	Televisions	10	Scanners
1	Refrigerator	1	Equalizer
4	Alphasmart computers	1	CD Writer
5	Tables	6	DVD Writers
1	Chair Rack	1	Tablet
2	Teacher Desks	3	VCR
21	Cassette Recorders	14	Print Servers
16	Printers	1	Video Transfer System
46	Projectors	2	Ethernet Hubs
6	Document Camera	2	Boom box Radios
2	Laptop Carts	2	Interwrite workspace (s)
1	Rolling Cart	3	Push Mowers
17	Switches	1	Air Jack Hammer
33	Wireless AP	1	Hydraulic Pole Saw
24	File Cabinets	2	Generators
1	Table Saw	2	Concrete Saws
50	Student Desks	2	Portable Pipe Vice (s)
15	T.V. Mounts	1	Post Hole Digger

(Ref. H 3.1)

2	Bar Brush Mowers	1	Floor Scrubber
2	Hand Pumps	1	Asphalt Tamper
1	Billy Goat Vacuum	1	Tow Spray Rig

It is recommended that the Board of Education 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.

Submitted by: Daniel Distrola
Reviewed by: Mohammad Z. Islam

(Ref. H 3.2)



Rialto Unified School District

Board Date: April 10, 2019

TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **SURPLUS EQUIPMENT AND MISCELLANEOUS ITEMS
NUTRITION SERVICES**

Quantity	Description	Quantity	Description
3	Refrigerators		
3	Freezers		
1	Air Compressor		
1	Stainless Prep Table		
2	Traffic Rails		

It is recommended that the Board of Education 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.

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

(Ref. H 4.1)



Rialto Unified School District

Board Date: April 10, 2019

TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D. Superintendent

ITEM: **APPROVAL TO USE PUBLIC BIDS AND CONTRACTS FOR INFORMATION TECHNOLOGY GOODS/SERVICES AND FURNITURE AND SYSTEMS**

Background: Pursuant to Public Contract Code 20118, authorization of the Board of Education is required to purchase from the bids of other governmental agencies for services and/or equipment.

Reasoning: Utilizing such public bids and contracts will allow the District to take advantage of the same terms and conditions without going out to bid. Staff has determined that utilizing the following California Multiple Award Schedules (CMAS) bids and public entity bids for the purchase of Information Technology Goods/Services and furniture and systems will be in the best interest of the District.

CMAS:	CMAS No. 3-18-70-0793J
Base Schedule Holder:	Synnex Corporation
Product:	Technology goods/services
Expires:	November 28, 2019

CMAS:	CMAS No. 3-18-70-2486H
Base Schedule Holder:	Synnex Corporation
Product:	Technology goods/services
Expires:	November 28, 2019

Los Angeles COE:	Bid No. 18/19-1620
Product:	Computers, laptops, tablets, projectors & Computer related equipment
Expires:	December 31, 2019

Los Rios Community College:	Bid No. 14018
Product:	Furniture and Systems
Expires:	August 24, 2019

Recommendation: Approve CMAS No. 3-18-70-0793J, CMAS No. 3-18-70-2486H, Los Angeles County Office of Education Bid No. 18/19-1620, Los Rios Community College Bid No.14018 for the purchase of Information Technology Goods/Services and furniture and systems.

Fiscal Impact: To be determined at time of purchase(s) – General Fund

Submitted by: Daniel Distrola
Reviewed by: Mohammad Z. Islam

(Ref. H 5.2)



Rialto Unified School District

Board Date: April 10, 2019

TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **AFFILIATION AGREEMENT WITH CALIFORNIA STATE UNIVERSITY, SAN BERNARDINO FOR ART CLASSES AT BEMIS ELEMENTARY**

Background: Bemis Elementary School requests the Board of Education approve an affiliation/service learning agreement with California State University, San Bernardino (CSUSB) to provide CSUSB students as instructors to facilitate art classes for the Bemis Art Enrichment program. The partnership with Bemis Elementary School will support the focus on STEAM with college and career readiness while building our students' creativity, willingness to demonstrate their knowledge through art and have art education bridge our community.

Reasoning: The community-based art program at CSUSB is eager to continue its successful collaboration with Bemis Elementary School. The student interns from the visual studies area of the Art Department will offer multidisciplinary art classes for students at Bemis on Mondays, Wednesdays, and Saturdays this spring. This collaboration began in spring 2018, when students from the Art and Community Service Learning course developed and taught a series of art classes for students at Bemis and a second group of student interns initiated the Saturday classes. We look forward to continuing this partnership to benefit the community and the CSUSB intern students in their art program. Fifty (50) students from grades 2nd - 4th will be provided this opportunity. It is understood that community-based art of Cal State University, San Bernardino providers will comply with and follow all Rialto Unified School District volunteer procedures.

Recommendation: Approve the affiliation/service learning agreement with California State University, San Bernardino (CSUSB) to provide CSUSB students as facilitators for art education and enrichment at Bemis Elementary School, effective April 22, 2019 through May 24, 2019.

Fiscal Impact: \$500.00 – General Fund (for art supplies)

Submitted by: Danielle Osonduagwuike
Reviewed by: Kelly Bruce

(Ref. H 6.1)



Rialto Unified School District

Board Date: April 10, 2019

TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **MEMORANDUM OF UNDERSTANDING (MOU) WITH
JAMES WOODS, DBA DAT YOGA DUDE**

Background: James Woods, dba Dat Yoga Dude, is providing tools for participants to develop and practice a lifestyle of health and wellness through interactive and engaging activities, skills training and yoga practice.

Reasoning: In an effort to develop whole child supports for Rialto's students, teaching health and wellness techniques helps to prevent stress and encourage self-regulation. Practices such as yoga, mindfulness, and meditation are evidence-based tools for managing anxiety, depression and negative behaviors. Teaching students these strategies helps to develop their own capabilities to decrease stress and find a more balanced and successful life.

Dat Yoga Dude will provide health and wellness class sessions at Carter High School, Eisenhower High School, and Milor High School. Sessions will be one (1) hour long, once a week for six (6) weeks. Rialto students will develop the tools to increase focus and concentration, learn coping and stress reduction skills, and develop healthy habits. Skills through the workshops offers an opportunity for participants to heal past traumas through a variety of creative art forms, discover their inner creativity and power, and connect with their peers and ancestors.

Recommendation: Approve a Memorandum of Understanding (MOU) with James Woods dba Dat Yoga Dude to provide health and wellness classes once a week for a six (6) week session at Carter High School, Eisenhower High School, and Milor High School, effective April 11, 2019 through May 30, 2019.

Fiscal Impact: \$2,700.00 – General Fund

Submitted by: Angela Brantley
Reviewed by: Kelly Bruce

(Ref. H 7.1)



Rialto Unified School District

Board Date: April 10, 2019

TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **MEMORANDUM OF UNDERSTANDING (MOU) WITH
RIVERSIDE COUNTY SUPERINTENDENT OF SCHOOLS
AND KEY DATA SYSTEMS**

Background: Education Services request the Board of Education ratify the Memorandum of Understanding with Riverside County Superintendent of Schools and Key Data Systems to participate in the Mathematical Reasoning with Connections (MRWC) project, a one-year agreement from July 1, 2018 through June 30, 2019.

Reasoning: The MRWC project allows up to seventy-two (72) Carter High School students to take the MRWC course, designed as a 4th year mathematics course, that will prepare students for college-level mathematics, including pre-calculus, calculus, and other quantitative reasoning courses. The MRWC course was approved by the University of California as an A-G approved course on September 12, 2017.

Riverside County Superintendent of Schools will provide the District \$500.00 per teacher for classroom supplies once all data and assessments have been completed. The external evaluator, Key Data Systems will collect the following assessments and instruments:

- Senior year mathematics assessment administered to students enrolled in senior-year mathematics course (once a year, end-of-year)
- Administered to students enrolled in grade 12 mathematics course that is beyond Algebra II or Integrated Math III (e.g., statistics, pre-calculus, calculus, etc.)
- MRWC student advanced mathematics perception surveys (online, once a year)
- Administered to students enrolled in grade 12 mathematics course that is beyond Algebra II or Integrated Math III (e.g., statistics, pre-calculus, calculus, etc.)
- MRWC teacher survey (online, once a year)
- Completed by comparison teachers teaching an advanced mathematics course beyond Algebra II or Integrated Math III

Recommendation: Ratify the Memorandum of Understanding (MOU) with Riverside County Superintendent of Schools and Key Data Systems to participate in the Mathematical Reasoning with Connections (MRWC) project, a one-year agreement from July 1, 2018 through June 30, 2019, to provide 4th year mathematics students with a course that will prepare students for college-level mathematics, including pre-calculus, calculus, and other quantitative reasoning courses.

Fiscal Impact: No fiscal impact.

Submitted by: Edward D'Souza, Ph.D.
Reviewed by: Kelly Bruce

(Ref. H 8.2)



Rialto Unified School District

Board Date: April 10, 2019

TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **MEMORANDUM OF UNDERSTANDING WITH THINK TOGETHER, INC.**

Background: On March 26, 2019, the Board of Education accepted a one-time Kids Code grant from the Expanded Learning Division (EXLD) of the California Department of Education (CDE) in the amount of \$65,000.00 to Casey Elementary After School Education and Safety (ASES) program. The Kids Code grant will focus on computer coding as part of their after school curriculum. The grant will be awarded within a three year span utilizing 40 percent of the grant for the 2018-2019 school year, 40 percent for the 2019-2020 school year and 20 percent for the 2020-2021 school year.

Reasoning: The After School Education and Safety (ASES) Kids Code grant pilot program at Casey Elementary School will expand access to coding for students participating in the existing After School Education and Safety (ASES) program, offering high-quality coding curriculum. Students will discover the joy of coding by completing challenging projects with the goal of increasing the number of students, male and female, who pursue degrees and careers in Science, Technology, Engineering and Math (STEM) fields.

Recommendation: Approve a Memorandum of Understanding (MOU) with THINK Together, Inc. a non-profit corporation, to provide Kids Code Grant services for coding instruction to a minimum of 40 (forty) students attending the After School Education and Safety (ASES) program at Casey Elementary School, effective April 11, 2019 through June 30, 2021, for a total cost not-to-exceed 100% of the awarded Kids Code Grant of \$65,000.00 to be awarded at 40 percent (\$26,000.00) for the 2018-2019 school year, 40 percent (\$26,000.00) for the 2019-2020 school year, and 20 percent (\$13,000.00) for the 2020-2021 school year.

Fiscal Impact: Total funds of \$65,000.00 from Kids Code Grant to be paid over three (3) fiscal years:
\$26,000.00 (2018-2019)
\$26,000.00 (2019-2020)
\$13,000.00 (2020-2021)

Submitted by: Angela Brantley
Reviewed by: Kelly Bruce

(Ref. H 9.1)



Rialto Unified School District

Board Date: April 10, 2019

TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **AFFILIATION/ CONTRACT AGREEMENT WITH FRANKLIN COVEY EDUCATION**

Background: Bemis Elementary School requests the Board of Education approve an affiliation/service agreement with Franklin Covey Education to provide the second workshop in the Level 1 Leader In Me Implementation Process at the school site. The partnership with Bemis Elementary School will support the focus on leadership, life, and college-career readiness skills. This will align with our District vision and mission by providing positive school climate, social-emotional learning education, engaging the school community, establishing school identity, and building leadership capacity.

Reasoning: As part of strategic planning (Tactic III: We will create clear timely and open communication among all members of our Bemis Community building a culture of Learning, Leading, and Environmental Literacy) and the Leader In Me Implementation Process, Bemis Elementary School teachers and staff will participate in a one (1) day training session entitled Launching Leadership on June 3, 2019. Two (2) administrators, thirty-two (32) teachers and twenty-three (23) classified staff members will be participants. The Launching Leadership workshop introduces school staff to the leadership context of the 7 Habits and equips them to teach leadership principles to students. During the workshop, participants will be introduced to the origin of Leader in Me, 5 Core Paradigms, best practice of focusing on leadership first, and the positive influence on school culture and academics. All adults in the school are encouraged to see themselves as "facilitators of greatness" in themselves, each other, and students to enliven our school motto of "Transforming Dreams into Reality." Participants will learn about three methods to teach students leadership principles: direct instruction, integrated approaches, and modeling.

Recommendation: Approve the affiliation/service agreement with Franklin Covey to provide the "Launching Leadership" workshop at Bemis Elementary, effective April 11, 2019 through June 3, 2019.

Fiscal Impact \$5,373.70 - General Fund

Submitted by: Danielle Osonduagwuike
Reviewed by: Kelly Bruce

(Ref. H 10.1)



Rialto Unified School District

Board Date: April 10, 2019

TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **NOTICE OF COMPLETION FOR FEC ELECTRIC, INC.
CATEGORY 19 – ELECTRICAL FOR
EISENHOWER HIGH SCHOOL STADIUM RENOVATION PROJECT**

Background: Representatives from the Construction Manager Neff Construction, Inc., Dougherty + Dougherty Architects, LLP, Facilities Planning and Maintenance & Operations Departments completed the final walk-through of the work completed by FEC Electric, Inc. for all work required in connection with the Eisenhower High School Stadium Renovation Project, Category 19 - Electrical.

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

Recommendation: Accept the work completed as December 31, 2018, by FEC Electric, Inc. for all work required in connection with the Eisenhower High School Stadium Renovation Project, Category 19 – Electrical, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.

Fiscal Impact: No fiscal impact.

Submitted by: Iris Chu
Reviewed by: Mohammad Z. Islam

(Ref. I 1.1)



Rialto Unified School District

Board Date: April 10, 2019

TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **NOTICE OF COMPLETION FOR IVL CONTRACTORS, INC.**

Background: Representatives from the Architect, Facilities Planning and Maintenance & Operations Departments completed the final walk-through of the work completed by IVL Contractors, Inc. for all work required in connection with UPCCAP #18-008 Boundary Grading at Future Transportation Yard.

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

Recommendation: Accept the work completed as of December 31, 2018, by IVL Contractors, Inc. for all work required in connection with UPCCAP #18-008 Boundary Grading at Future Transportation Yard, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.

Fiscal Impact: No fiscal impact.

Submitted by: Iris Chu
Reviewed by: Mohammad Z. Islam

(Ref. I 2.1)



Rialto Unified School District

Board Date: April 10, 2019

TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **NOTICE OF COMPLETION FOR REGAN PAVING.**

Background: Representatives from the Architect, Facilities Planning and Maintenance & Operations Departments completed the final walk-through of the work completed by Regan Paving for all work required in connection with UPCCAP #18-013 Morgan Elementary School Parking Lot Expansion.

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

Recommendation: Accept the work completed as of March 1, 2019, by Regan Paving for all work required in connection with UPCCAP #18-013 Morgan Elementary School Parking Lot Expansion, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.

Fiscal Impact: No fiscal impact.

Submitted by: Iris Chu
Reviewed by: Mohammad Z. Islam

(Ref. I 3.1)



Rialto Unified School District

Board Date: April 10, 2019

TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **NOTICE OF COMPLETION FOR CAL EMPIRE ENGINEERING, INC.**

Background: Representatives from the Architect, Facilities Planning and Maintenance & Operations Departments completed the final walk-through of the work completed by Cal Empire Engineering, Inc. for all work required in connection with UPCCAP #17-002 CNG Power Connection Project at Future Transportation Yard.

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

Recommendation: Accept the work completed as of December 31, 2017, by Cal Empire Engineering, Inc. for all work required in connection with UPCCAP #17-002 CNG Power Connection Project at Future Transportation Yard, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.

Fiscal Impact: No fiscal impact.

Submitted by: Iris Chu
Reviewed by: Mohammad Z. Islam

(Ref. I 4.1)

J PERSONNEL SERVICES CONSENT



Rialto Unified School District

Board Date: April 10, 2019

TO: Board of Education
FROM: Cuauhtémoc Avila, Ed.D., Superintendent
ITEM: **CLASSIFIED EXEMPT – PERSONNEL REPORT #1212**

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

WORKABILITY

Escobedo, Jacob	Walmart/Rialto	03/28/2019	\$10.20 per hour
Gonzalez, Sergio	Warehouse Shoe Sale	04/08/2019	\$10.20 per hour
Ontiveros, Angel	Walmart/Rialto	03/28/2019	\$10.20 per hour
Palos, Alena	Petco/Fontana	04/03/2019	\$10.20 per hour
Parra Medina, Jose	Warehouse Shoe Sale	03/28/2019	\$10.20 per hour
Pena, Patrice	Rainbow Shops/Rialto	03/28/2019	\$10.20 per hour
Quiroz, Samantha	Walgreens/Rialto	04/03/2019	\$10.20 per hour
Radillo, Andres	Walgreens/Rialto	03/28/2019	\$10.20 per hour
Rosales, Adrianna	Walmart/Rialto	03/28/2019	\$10.20 per hour

WORKABILITY – Returning Students

Benitez-Vergara, Angel	Warehouse Shoe Sale	04/03/2019	\$12.00 per hour
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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:

Rialto High School

Cross, Aaron	Varsity Assistant, Boys' Baseball	2018/2019	\$3,072.00
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Submitted and Reviewed by: Rhea McIver Gibbs and Rhonda Kramer

(Ref. J 1.1)



Rialto Unified School District

Board Date: April 10, 2019

TO: Board of Education
FROM: Cuauhtémoc Avila, Ed.D., Superintendent
ITEM: **CLASSIFIED EMPLOYEES – PERSONNEL REPORT #1212**

PROMOTIONS

Boggs, Donovan (Repl. C. Ramirez)	To: Maintenance Worker I	04/11/2019	To: 36-3	\$23.11 per hour (8 hours, 12 months)
	From: Grounds Maintenance Worker I		From: 32-4	\$21.97 per hour (8 hours, 12 months)
Gonzalez, Patrick (Repl. R. Lee)	To: Grounds Maintenance Worker II	04/11/2019	To: 34-5	\$24.27 per hour (8 hours, 12 months)
	From: Grounds Maintenance Worker I		From: 32-5	\$23.08 per hour (8 hours, 12 months)

EMPLOYMENT

Brown, Zamyah	Instructional Assistant II – SE (RSP/SDC) Henry Elementary School	03/25/2019	26-1	\$16.29 per hour (3 hours, 203 days)
Fulmer, Justin (Repl. C. Floriano)	Instructional Assistant II – SE (RSP/SDC) Bemis Elementary School	03/25/2019	26-1	\$16.29 per hour (3 hours, 203 days)
Hernandez, Laura (Repl. F. Flaherty)	Instructional Assistant II – SE (RSP/SDC) Kelley Elementary School	03/25/2019	26-1	\$16.29 per hour (3 hours, 203 days)
Rodriguez, Nancy (Repl. S. Flores)	Payroll Technician Fiscal Services	04/15/2019	42-1	\$24.34 per hour (8 hours, 12 months)
Vasquez, Anthony	Nutrition Service Warehouse/Delivery Worker Nutrition Services	04/15/2019	36-1	\$20.95 per hour (8 hours, 203 days)
Velasco, Wilhelma A. (Repl. L. Chavez)	Account Clerk II Nutrition Services	04/11/2019	36-1	\$20.95 per hour (8 hours, 237days)

(Ref. J 2.1)

RESIGNATIONS

Chen, YiPing	Accountant Nutrition Services	04/05/2019
Gonzalez Pacheco, Vanessa	Instructional Assistant II/B.B. Boyd Elementary School	03/29/2019
Keehmer, Jane	Instructional Technology Assistant Kolb Middle School	03/28/2019
Ruiz Rosales, Emeline A.	Clerk Typist II Werner Elementary School	03/29/2019

SHORT TERM ASSIGNMENTS

Library Support	Jehue Middle School (Not to exceed 40 hours)	05/01/2019 - 05/31/2019	31-1	\$18.48 per hour
Warehouse Support	Warehouse (Not to exceed 160 hours)	06/01/2019 - 06/28/2019	32-1	\$18.95 per hour

SUBSTITUTES

Alducin-Medina, Vianey	Health Aide	03/29/2019	\$15.89 per hour
Hernandez, Caleb A.	Library Media Technician I	03/29/2019	\$18.48 per hour
McFarland-Armenta, Alexis	Health Aide	03/26/2019	\$15.89 per hour
Ortega Jr., Alex	Custodian I	04/08/2019	\$18.95 per hour
Ruiz, Diana	Health Aide	04/03/2019	\$15.89 per hour
Soliman, Ashley	Health Aide	03/28/2019	\$15.89 per hour
Saucedo, Jakob	Custodian I	04/08/2019	\$18.95 per hour
Villareal, Roberto	Custodian I	04/08/2019	\$18.95 per hour

ADDITION OF BILINGUAL STIPEND (2.75% of base salary)

Gomez, Cinthia	Clerk Typist II Child Welfare and Attendance	03/20/2019
Ramirez, Martha	Categorical Project Clerk Hughbanks Elementary School	03/20/2019

PLACE ON THE 39-MONTH REEMPLOYMENT LIST

Espinoza, Senaida	Categorical Project Clerk Casey Elementary School	04/12/2019
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CERTIFICATION OF ELIGIBILITY LIST – Central Kitchen Supervisor

Eligible: 04/11/2019

Expires: 10/11/2019

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

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

Submitted and Reviewed by: Rhea McIver Gibbs and Rhonda Kramer

(Ref. J 2.3)



Rialto Unified School District

Board Date: April 10, 2019

TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **CERTIFICATED EMPLOYEES – PERSONNEL REPORT # 1212**

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

SUBSTITUTES (To be used as needed at the appropriate rate per day, effective April 11, 2019, unless earlier date is indicated)

Arrendondo, Manuel	03/21/2019
Ayala, Carlos	03/21/2019
Bradshaw, Venecia	03/21/2019
Carrillo, Rebecca	03/21/2019
Gonzalez Pacheco, Vanessa	03/30/2019
Luna, Ramses	03/21/2019
Vialovos, Christopher	03/26/2019
Zamudio, Lorena	03/25/2019

INTERIM ADMINISTRATIVE ASSIGNMENT

Villalobos, Paulina	Interim Coordinator Educational Services	03/25/2019 – Until further notice	Rge. I \$112,532.00
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Submitted and Reviewed by: Rhea McIver Gibbs and Rhonda Kramer

(Ref. J 3.1)

K DISCUSSION/ACTION ITEMS



Rialto Unified School District

Board Date: April 10, 2019

TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **SCHOOLSFIRST 403(B) PLAN DOCUMENT ADOPTION AGREEMENT**

Background: In 2007, the Internal Revenue Service (IRS) published 403(b) regulations requiring that all 403(b) plans have a written plan document in place by December 31, 2009. However, as of December 31, 2009, there was not an IRS 403(b) pre-approved plan document program, so plan sponsors were required to create a good faith attempt to document their plan provisions with sample documents available from plan document providers.

SchoolsFirst Plan Administration has been informed that the IRS has finally approved documents previously submitted by plan document providers for pre-approved status. This means that employers sponsoring a 403(b) plan must sign new adoption agreements, to get their 403(b) plans under the governance of one of the IRS pre-approved documents and ensure that their plan document complies with regulations. As a result, SchoolsFirst Plan Administration is requiring all districts to sign new 403(b) adoption agreements that comply with IRS pre-approved 403(b) plan document regulations.

Reasoning: The District is required to adopt the plan documents in order to be in compliance with the IRS regulations for 403(b) plans. Board approval is necessary to authorize Mohammad Z. Islam, Associate Superintendent of Business Services to sign the SchoolsFirst 403(b) plan adoption agreement.

Recommendation: Authorize Mohammad Z. Islam, Associate Superintendent, Business Services, to sign the SchoolsFirst 403(b) plan adoption agreement in order to comply with IRS 403(b) regulations that require the District's SchoolsFirst 403(b) plan to be under the governance of an IRS pre-approved plan document.

Fiscal Impact: No fiscal impact.

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

(Ref. K 1.1)



Rialto Unified School District

Board Date: April 10, 2019

TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **AGREEMENT WITH FRONTLINE EDUCATION FOR TIME AND ATTENDANCE SYSTEM**

Background: Employee extra duty, overtime, and substitute time is currently paid using paper timecards. The District manually fills out, approves, and processes over 24,500 timecards a year to compensate employees for their extra time.

Frontline Education provides employee management systems that specialize in school districts. The District currently uses the AESOP substitute employee calling system and the My Learning Plan employee professional development system. Frontline Education also offers Time & Attendance, a program that captures employee time to generate an electronic timecard. Employees would scan a barcode to log time in and out. This data would then be used to import into the payroll system and process payments.

The District would use this system to capture the extra duty, overtime, and substitute time of hourly/daily employees and certificated contract employees.

Reasoning: Strategy 8 of the District Strategic plan charges the District with streamlining and simplifying the dynamics of our organization. This system would integrate the authorization from Personnel to take assignments, with the timecard to pay for assignments. The current manual process cannot provide any data to ensure timecards are submitted in an accurate and timely manner. However, the Time & Attendance system would allow each school or department to review and approve their timecards efficiently.

Recommendation: Approve agreement with Frontline Education, effective April 11, 2019 through June 30, 2019, and July 1, 2019 through June 30, 2020, for the purchase of Time & Attendance system license.

Fiscal Impact: \$18,230.00 for FY 2018-19 – General Fund
\$33,387.00 for FY 2019-20 – General Fund

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

(Ref. K 2.1)



Rialto Unified School District

Board Date: April 10, 2019

TO: Board of Education

FROM: Cuauhtémoc Avila, Ed. D., Superintendent

ITEM: **ADOPT RESOLUTION NO. 18-19-27 TO AUTHORIZE TEMPORARY BORROWING BETWEEN FUNDS OF THE SCHOOL DISTRICT**

Background: California Education Code Section 42603 states, "The Governing Board of any school district may direct that monies held in any fund or account may be temporarily transferred to another fund or account of the district for payment of obligations."

Reasoning: The transfer shall be accounted for as temporary borrowing between funds or accounts and shall not be available for appropriation or be considered income to the borrowing fund or account. Amounts transferred shall be repaid either in the same fiscal year or in the following fiscal year if the transfer takes place within the final 120 calendar days of a fiscal year. Borrowing shall occur only when the fund or account receiving the money will earn sufficient income, during the current fiscal year, to repay the amount transferred. No more than 75 percent of the maximum of monies held in any fund or account during a current fiscal year may be transferred.

Recommendation: Adopt Resolution No. 18-19-27 authorizing temporary interfund borrowing between all funds and accounts, with the exception of Fund 21 - Building Fund for the 2019-2020 fiscal year.

Fiscal Impact: No fiscal impact

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

(Ref. K 3.1)

**RESOLUTION NO. 18-19-27
RESOLUTION OF THE BOARD OF EDUCATION OF
THE RIALTO UNIFIED SCHOOL DISTRICT**

April 10, 2019

WHEREAS, the San Bernardino County Treasurer does not have authority to honor warrants drawn on school district funds with insufficient cash balances in the absence of an approved borrowing arrangement with the district; and

WHEREAS, the governing board of any school district may direct that monies held in any fund or account may be temporarily transferred to another fund or account of the district for payment of obligations as authorized by Education Code Section 42603; and

WHEREAS, actual interfund transfers shall be accounted for as temporary loans between funds and shall not be available for appropriation or be considered income to the borrowing fund or account; and

WHEREAS, amounts transferred shall be repaid either in the same fiscal year, or in the following fiscal year if the transfer takes place within the final 120 calendar days of a fiscal year;

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. The Board of Education of the Rialto Unified School District, hereby authorizes, for fiscal year 2019-2020, temporary transfers between all funds and accounts, with the exception of Fund 21 - Building Fund, and authorizes the San Bernardino County Treasurer to honor warrants drawn on those funds, regardless of their cash balances, provided the aggregate cash balance of all funds is positive;
2. The Board of Education of the Rialto Unified School District hereby authorizes the Superintendent or designee to approve any actual interfund transfers processed between the above-mentioned funds.

APPROVED, PASSED AND ADOPTED this 10th day of April, 2019, by the Board of Education of the Rialto Unified School District of San Bernardino County by the following vote:

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

I certify under penalty of perjury, the foregoing statements to be true and correct.

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

Edgar Montes
President, Board of Education



Rialto Unified School District

Board Date: April 10, 2019

TO: Board of Education
FROM: Cuauhtémoc Avila, Ed.D., Superintendent
ITEM: **RESOLUTION NO. 18-19-28**

**RESOLUTION NO. 18-19-28
RESOLUTION OF THE BOARD OF EDUCATION OF
THE RIALTO UNIFIED SCHOOL DISTRICT**

REMUNERATION

April 10, 2019

WHEREAS, The Governing Board of the Rialto Unified School District acknowledges that Board Clerk Dina Walker was excused from the Tuesday, March 26, 2019, 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 excuses the absence of Board Clerk Dina Walker from the Tuesday, March 26, 2019, Regular Meeting of the Board of Education.

Edgar Montes, President

Date

Cuauhtémoc Avila, Ed.D., Board Secretary

Date

Submitted and Reviewed by: Cuauhtémoc Avila, Ed.D.

(Ref. K 4.1)

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) Henry Elementary School's father daughter dance was a big success! (L-R) Proud father, **Alexander Alvarado**, smiles with his fourth grade daughter, **Alyssa Alvarado**, during the inaugural event.

(Bottom) Rialto High School's award-winning MESA and robotics teacher took some of his students to compete and they didn't return empty-handed! A big congratulations to RHS teacher, **Mr. Mikal Thompson**, and his students, who took Second Place at the Seaperch Competition at the Tom Sawyer Pool, in Rialto. The Science Experience & UCR MESA hosted the event. Congrats to (from left to right) **Gerardo Cortez, Ambar Flores, Marcella Pedroza & George Arevalo**.

