

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

**August 14, 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 6:04 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; Dina Walker, Clerk; Joseph Ayala, Member; and Joseph W. Martinez, Member.

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 Martha Degortari, Personnel Specialist.

**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 Martinez, seconded by Vice President O'Kelley, and approved by a unanimous 5-0 vote, the Board of Education entered into closed session at 6:04 p.m. to consider and discuss the following items:

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

**Administrative Appointments:**

- High School Principal
- Agent: Academic Technology
- Coordinator: English Language Programs
- Therapeutic Behavioral Strategist

(Ref. E 1.1)

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)
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. Review Liability Claim No. 19-20-01
6. **CONFERENCE WITH LABOR NEGOTIATOR** (Government Code section 54957.6)  
Designated Representative: Board President, Edgar Montes  
Unrepresented Employee: Superintendent
7. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION** (Government Code section 54957)  
Title: Superintendent

#### **ADJOURNMENT OF CLOSED SESSION**

Upon a motion by Vice President O'Kelley seconded by Member Martinez, and passed by a unanimous 5-0 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; Dina Walker, Clerk; Joseph Ayala, Member; and Joseph W. Martinez, Member.

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 Martha Degortari, Personnel Specialist, and Jose Reyes, Interpreter.

## **PLEDGE OF ALLEGIANCE**

Makayla Thomas, 3rd grade Boyd Elementary School student, led the Pledge of Allegiance.

## **PRESENTATION BY BOYD ELEMENTARY SCHOOL**

Selected students from Ms. Cortes's 3<sup>rd</sup> grade Dual Language Immersion class, performed the Spanish song, "*Sol Solesito, Luna Lunera*" (translates to "*Sun, Sunshine, Moon and Lunar*").

## **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:

- Denied request for a Leave of Absence for classified employee #1148339, August 16, 2019 through June 30, 2020.
- Took action to impose a 10 day unpaid suspension on Certificated Employee #1705319.
- Accepted the Statement of Charges for employee #1659329, Secondary Teacher and placed her on unpaid leave of absence.
- Accepted the administrative appointment of Gelcie Hitchman-Gomez, Therapeutic Behavioral Strategist.
- Accepted the administrative appointment of Maria Pusateri, Nutrition Services Supervisor.
- Accepted the administrative appointment of Mary Byrnes, Instructional Specialist, Special Education.
- Accepted the administrative appointment of Paulina Villalobos, Agent: Academic Technology.
- Accepted the administrative appointment of Alberto Gutierrez, Coordinator, English Learners.
- Accepted the administrative appointment of Caroline Sweeney, High School Principal, Rialto High School.

Superintendent Avila reported that in closed session the Board of Education, by a 4-1 vote took the following action:

- On March 26, 2019, the Board approved an agreement to resolve litigation on terms acceptable to the District in the case of Rialto Unified School District v. Educational Consulting Services, Inc., et al (Case No. CIVDS1518116). This report is made now, because the agreement was only recently approved by the other parties.

The vote was as follows:

President Montes – Aye  
Vice President O’Kelley – Aye  
Clerk Walker – Abstain  
Member Ayala – Aye  
Member Martinez - Aye

## **ADOPTION OF AGENDA**

Upon a motion by Member Martinez, seconded by Vice President O’Kelley, the Agenda was adopted, as amended, by a unanimous 5-0 vote by the Board of Education. Item (Ref. B 2) was pulled from the Agenda.

## **B. PRESENTATIONS**

1. President Montes will administer Oath of Office to Student Board Member

President Montes introduced and administered the Oath of Office to new Student Board Member Avionc’ Douglas.

**Item B2 was pulled from the Agenda.**

- ~~2. Courage – Rialto Unified School District Bullying Prevention – Adam Waggener, Agent: Child Welfare and Attendance~~

## **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.

Lupe Camacho, U.S. Census Bureau Partnership Specialist for San Bernardino County introduced herself and indicated that as a long-time resident of the City of Rialto, she is very happy to have been assigned to do all recruitment and outreach of information dissemination for the 2020 Census. It has been her desire to give back to this community and she shared her interest in building a cooperative partnership with Rialto Unified School Districts. He wants to work with the District and the residents of the Rialto to make sure all of our students are accounted for, and appropriate funding is brought back to the community.

(Ref. E 1.4)

Mirna Ruiz, Rialto PTA President, welcomed everyone back to the new school year. She thanked Dr. Avila, Mohammad Islam, Diane Romo and Kelly Bruce for their support in PTA. She is very proud that Rialto Unified School District will be hosting the regional training, thanks to the assistance of Mr. Kelly Bruce. She congratulated the new Student Board Member and wished him success in his new role. She shared her concerns in regards to some parents who are on the waiting list for the GED course, and although she is happy with the high interest in the program, she asked the Board to please consider looking into this to help more parents better their education.

Celia Saravia, representing Amigos Unidos, a parent support group for children with special needs, wished all students a successful year and asked parents to work united to help achieve success for all students. She thanked Superintendent Avila for inviting them to the Management Leadership Conference in July. She truly enjoyed sharing with the staff and learning new strategies to help improve the relationships with each other. She acknowledged various staff members for all their positive efforts and said she will continue to acknowledge employees at future Board meetings.

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

There were no comments.

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

Lisa Lindberg, REA President, congratulated Student Board Member Douglas. She reminded the Board of the information shared regarding the Oregon Teacher Association training and asked that this be made a priority for our teachers and for the success of our students.

Chris Cordasco, CSEA Chapter President, welcomed everyone to the new school year and shared that he embraces the positive changes taking place throughout the District. He thanked Eisenhower High School Principal Camacho, Assistant Principal Jennifer Cuevas, and Lead Special Services Agent, Bridgette Ealy for working collaboratively to resolve a recent matter involving some instructional aides. At the end, it was a win, win situation for everyone. He also shared that he attended the CSEA 93<sup>rd</sup> Annual Conference July 28 – August 2, 2019, and action was taken by CSEA delegates to reach a resolution on Senate Bill 443, which would provide ADA funding for transitional kindergarten students who are (four) 4

years old. Up to now, the District has been fronting the funding for this program.

Heather Estruich, CWA Representative, said it was good to be back to class and wished everyone a great year.

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

**D. PUBLIC HEARING**

**OPEN PUBLIC HEARING**

1. 2019 Series "D" General Obligation (G.O.) Bonds  
(Attachment for review includes Resolution, primary legal documents, and preliminary financing estimates)

**CONSENT CALENDAR ITEMS**

Upon a motion by Clerk Walker, seconded by Member Martinez, Items E -- H5, and H7 -- J4 were approved by a unanimous 5-0 vote by the Board of Education. Item H6 was voted on separately.

**E. MINUTES**

1. Approve the minutes of the Regular Board of Education meeting held July 10, 2019.

**F. GENERAL FUNCTIONS CONSENT ITEMS**

1. Second Reading of revised Board Policy 6142.6(a-c); Instruction: Visual and Performing Arts Education.
2. First Reading of revised Board Policy 6163.2(a-c); Instruction: Animals at School.

**G. INSTRUCTION CONSENT ITEMS - None**

**H. BUSINESS AND FINANCIAL CONSENT ITEMS**

1. Approve Warrant Listing Register and Purchase Order Listing for all funds from June 22, 2019 through August 2, 2019, (sent under separate cover to Board Members). A copy for public review will be available at the Board Meeting.

2. 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.
3. Accept the listed donations from Your Cause, LLC Trustee for Wells Fargo Foundation, Education Matching Gifts Program; Westat; Studio 1 Distinctive Portraiture; Kroger; Lifetouch National School Studios; Motorsports Charities, Inc. San Bernardino Community College District; and Keenan & Associates; and request that a letter of appreciation be sent to each donor.
4. Approve CMAS Addendum No.7-17-70-40-05 and Torrance USD Bid No. 10-04.09.19 for the purchase of Information Technology Goods/Services and Classroom & Office Furniture, at a cost to be determined at the time of purchase and to be paid from the General Fund.
5. Award Bid # 18-19-010 for Custodial Supplies to Office Solutions; Complete Office; Waxie; Southwest School & Office; Pioneer Chemical; Maintex; and Gorm, for an initial period of two years, at a cost to be determined at the time of purchase(s) and to be paid from the General Fund.

Upon a motion by Member Martinez, seconded by Vice President O'Kelley, item H 6.1 was approved by a unanimous 5-0 vote by the Board of Education.

6. Approve a Memorandum of Understanding (MOU) with Marlene Schwartz/Somatherapy to provide Rialto Unified School District students, teachers, and parents with two (2) hour sessions at each of the five (5) middle schools and four (4) high schools, at a rate of \$300 per two (2) hour session for a maximum of 26 sessions, effective August 15, 2019 through June 30, 2020, at a cost of \$7,800.00, to be paid from the General Fund.
7. Approve an agreement with the Girl Scouts of San Geronimo to provide transportation for fifty (50) Frisbie Middle School female students for monthly workplace tours through the Classroom to Career program, effective August 15, 2019 through June 30, 2020, at no cost to the District.
8. Approve registration costs for six (6) administrative team leaders to participate in the Executive Innovative District Leadership Academy through the Education Innovation Alliance (EIA), in partnership with the San Bernardino County Superintendent of Schools (SBCSS) System of Support. The registration fee for each Rialto Unified School District (RUSD) participant will be \$5,000.00 for a total of \$30,000.00. SBCSS will pay half of the costs for our team of six participants and RUSD will pay the

remaining half totaling \$15,000.00. The cohorts will run August 2019 through May 2020., to be paid from the General Fund.

9. Ratify the agreement with Painting with Jesse, Independent Art Instructor, to provide Art services per student Individualized Education Program (IEP), effective August 1, 2019 through June 30, 2020, at a cost of \$7,200.00, to be paid from the General Fund.
10. Approve an agreement with SYNAPSE to complete Audiological Assessments and Individual Education Evaluations (IEE's) in the area of Audiology to current students effective, August 15, 2019 through June 30, 2020, at a cost of \$10,000.00, to be paid from the General Fund.
11. Approve an agreement with Ehecatl Wind Philosophies to provide fourteen (14) full days of professional development to high school teachers in the facilitation of the creation and support of ethnic studies courses prior to June 30, 2021, at a cost of \$45,396.00, to be paid from the General Fund.
12. Approve an agreement with Yanira Carrillo-Zaldaña to provide "The Children's Project" parent workshop series on Emotionally Healthy Children at the Curtis T. Winton Parent Institute, effective September 3, 2019 through March 29, 2020, at a cost of \$5,500.00, to be paid from the General Fund.
13. Approve an agreement with Sigma Beta Xi for mentoring and restorative practice to include social-emotional and academic counseling to thirty (30) African American male students weekly at Jehue Middle School effective August 15, 2019 through May 29, 2020, at a cost of \$22,500.00, to be paid from the General Fund.
14. Approve an agreement with California State University, San Bernardino (CSUSB) Federal Work-Study Program to provide college student tutors for Kelley Elementary School, effective August 15, 2019 through June 30, 2020, at a cost of \$4,500.00, to be paid from the General Fund.
15. Approve the purchase of two (2) heavy duty, wide area lawn mowers without an active bid in place, cost to be determined at the time of purchase(s), to be paid from the General Fund.
16. Ratify Teaching Internship Agreement with California State University, Fullerton to assist current and future educators in completing state requirements for credentialing from August 1, 2019 through June 30, 2024, at no cost to the District.
17. Ratify Teaching Internship Agreement with Brandman University to assist current and future educators in completing state requirements for



- credentialing from August 1, 2019 through June 30, 2022, at no cost to the District.
18. Ratify Teaching Internship Agreement with Hope International University to assist current and future educators in completing state requirements for credentialing from July 1, 2019 through June 30, 2022, at no cost to the District.
  19. Ratify Teaching Internship Agreement with Chapman University to assist current and future educators in completing state requirements for credentialing from July 1, 2019 through June 30, 2022, at no cost to the District.
  20. Ratify Teaching Internship Agreement with Grand Canyon University to assist current and future educators in completing state requirements for credentialing from June 4, 2019 through June 30, 2022, at no cost to the District.
  21. Ratify Teaching Internship Agreement with National University to assist current and future educators in completing state requirements for credentialing from August 1, 2019 through June 30, 2022, at no cost to the District.
  22. Ratify Clinical Fieldwork Agreement with St. Catherine University to assist current and future educators in completing state requirements for credentialing from August 1, 2019 through June 30, 2022, at no cost to the District.
  23. Ratify Teaching Internship Agreement with Western Governors University to assist current and future educators in completing state requirements for credentialing from July 1, 2019 through June 30, 2022, at no cost to the District.
  24. Ratify Teaching Internship Agreement with University of California, Riverside to assist current and future educators in completing state requirements for credentialing from July 1, 2019 through June 30, 2021, at no cost to the District.
  25. Approve an agreement with Cal Poly Foundation, Jodye Selco, Ph.D., to work with Rialto Unified School District's K-12 science program for the 2019-20 school year, at a cost of \$33,953.00, to be paid from the General Fund.
  26. Approve an agreement with ED21 to provide professional development at Kelley Elementary School, effective August 15, 2019 through June 30, 2020, at a cost of \$13,000.00, to be paid from the General Fund.

27. Approve a Memorandum of Understanding with James Woods Dat Yoga Dude to provide up to six (6) class sessions at Carter High School, Eisenhower High School, Rialto High School, Milor/Zupanic High School and up to four (4) parent sessions, at a rate of \$150.00 per session; not-to-exceed twenty eight (28) sessions, at a cost of \$4,200.00, to be paid from the General Fund.
28. Approve an agreement with 806 Technologies to assist with the collection and monitoring of documents that are required by law for Titles I, II, III and IV programs, effective August 15, 2019 through June 30, 2020, at a cost of \$14,500.00, to be paid from the General Fund.

**I. FACILITIES PLANNING CONSENT ITEM - None**

**J. PERSONNEL SERVICES CONSENT ITEMS**

- 1-3. Approve Personnel Report No. 1219 for classified and certificated employees.
4. Approve Resolution No. 19-20-03 authorizing the Lead Personnel Agent, Personnel Services, to assign various teachers who are enrolled in a credential program, but have not yet completed the requirements to enter an internship program.

**K. DISCUSSION/ACTION ITEMS**

Upon a motion by Clerk Walker, seconded by Member Martinez item K1 was approved by a 5-0 vote by the Board of Education.

1. Deny Liability Claim No. 19-20-01

Upon a motion by Vice President O'Kelley, seconded by Member Martinez item K2 was approved by a 5-0 vote by the Board of Education.

2. Approve an addendum to the agreement with InnovateEd to reduce the previous total cost of \$336,000.00 to a new total cost of \$246,000.00 to be paid from the General Fund and all other terms and conditions will remain the same.

Upon a motion by Clerk Walker, seconded by Member Ayala, Item K3 was approved by a 5-0 vote by the Board of Education.

3. Adopt Resolution No. 19-20-04 excusing the absence of Board Vice President Nancy G. O'Kelley from the Wednesday, July 10, 2019, Regular Meeting of the Board of Education.

Upon a motion by Clerk Walker, seconded by Vice President O'Kelley, Item K4 was approved by a 5-0 vote by the Board of Education.

4. Ratify the agreement with SoftChoice Corporation for the annual Microsoft product installation and upgrades for Microsoft products, effective August 1, 2019 through July 30, 2020, at a cost of \$341,695.13, to be paid from the General Fund.

Upon a motion by Clerk Walker, seconded by Member Martinez, Item K5 was approved by a 5-0 vote by the Board of Education.

5. Ratify the renewal of the agreement of the Professional Learning Management system and approve the agreement of the Learning and Collaboration Resource System with *Frontline Education of Frontline Technologies Group, LLC*, to support district-wide monitoring of professional development for all staff, effective July 1, 2019 through June 30, 2020, at a cost of \$91,261.84, to be paid from the General Fund.

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, August 28, 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 Student Board Member Douglas, seconded by Vice President O'Kelley, and approved by Student Board Member Douglas's preferential vote and a unanimous 5-0 vote by the Board of Education, the meeting was adjourned at 8:31 p.m., with a moment of silence in honor of Mrs. Myriam Capella, EL Strategist who recently passed away:

Member Ayala motioned to return to closed session. It was seconded by Vice President O'Kelley and approved by a unanimous 5-0 vote by the Board of Education, at 8:31 p.m.

#### **ADJOURNMENT OF CLOSED SESSION**

Upon a motion by Vice President O'Kelley, seconded by Member Martinez, and passed by a unanimous 5-0 vote, closed session adjourned at 9:13 p.m.

Superintendent Avila stated that no action was taken in closed session.

  
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Clerk, Board of Education

  
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Secretary, Board of Education