

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

April 11, 2018

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 6:00 p.m. by President Martinez at the Dr. John R. Kazalunas Education Center, 182 East Walnut Avenue, Rialto, CA 92376.

Members present: Joseph W. Martinez, President; Edgar Montes, Vice President; Nancy G. O'Kelley, Clerk; Joseph Ayala, Member; and Dina Walker, 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, Senior Director, Personnel Services. 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 Vice President Montes, seconded by Member O'Kelley, and approved by a 5-0 vote, the Board of Education entered into closed session at 6:02 p.m. to consider and discuss the following items:

1. Appeal: Student Case No. 17-18-42
2. Public Employee Employment/Discipline/Dismissal/Release/Reassignment of Employees (Government Code section 54957)

(Ref. E 1.1)

Administrative Appointment:

- Middle School Principal

3. Student Expulsions/Reinstatements/Expulsion Enrollments
4. **CONFERENCE WITH LABOR NEGOTIATORS**
Agency designated representatives: Cuauhtémoc Avila, Ed.D., Superintendent, Rhea McIver Gibbs, Lead Personnel Agent, Personnel Services, and Rhonda Kramer, Senior Director, Personnel Services.
Employee organizations: California School Employees Association, Chapter 203 (CSEA), Rialto Education Association (REA), Communications Workers of America (CWA)
5. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
(Paragraph (1) of subdivision (d) of Section 54956.9)

158968 v. Rialto Unified School District (San Bernardino Superior Court
Case No. CIVDS1710300)

ADJOURNMENT OF CLOSED SESSION

Upon a motion by Member Ayala, seconded by Vice President Montes, and passed by a 3-0 vote, closed session adjourned at 7:01 p.m.

Clerk O'Kelley and Member Walker were not present during the vote.

OPEN SESSION RECONVENED – 7:01 P.M.

Members present: Joseph W. Martinez, President; Edgar Montes, Vice President; Nancy G. O'Kelley, Clerk; Joseph Ayala, Member; and Dina Walker, 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, Senior Director, Personnel Services. Also present was Rosie Williams, Executive Secretary, and Jose M. Reyes, Interpreter.

PLEDGE OF ALLEGIANCE

Avah Rocha, 1st grade Hughbanks Elementary School student, led the Pledge of Allegiance.

PRESENTATION BY HUGHBANKS ELEMENTARY SCHOOL

First and 2nd grade students in the Think Together program, led by teacher Ms. Savana and Coordinator, Ms. A, performed "Rise Up," by Andra Day.

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:

- Imposed a 20 day unpaid suspension on classified employee #1297918.
- Approved an agreement settling San Bernardino Court case number CIVDS1710300 in exchange for a release of all claims.
- Accepted the administrative appointment of Robin McMillon as Middle School Principal, Rialto Middle School.

ADOPTION OF AGENDA

Upon a motion by Member Walker, seconded by Vice President Montes, the Agenda was adopted by Student Board Member Herrera's preferential vote and a unanimous 5-0 vote by the Board of Education.

B. PRESENTATIONS

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

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

Leslie Vargas – Milor High School
Kashmaila Ali – Carter High School

2. Key to the District from President Joseph W. Martinez to Dr. Patricia Chavez, Carter High School Principal

President Martinez presented Dr. Patricia Chavez, Carter High School Principal, with a Key to the District for her outstanding service to the Rialto Unified School District.

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.

Mirna Ruiz, parent, congratulated Dr. Chavez and thanked her for everything she is doing at Carter High School.

Maria Sandoval, parent, shared her concerns that the issues she brought forth to the Board at the last Board meeting regarding her student at Kucera Middle School have not been resolved. She spoke of problems she has with the staff at Kucera Middle School and with her concerns as a mother regarding her student's academic level.

Celia Saravia, parent, representing a support group for parents of children with special needs, invited everyone to their annual event on April 15, 2018, at 3:00 p.m. at Our Lady of the Rosary Cathedral. She congratulated Dr. Chavez for receiving the Key to the District, and she expressed her gratitude to the Board, the Superintendent, and the many dedicated staff members for the great work they are doing.

Tina Garcia, parent, expressed her concerns regarding her Fitzgerald Elementary School student being bullied at school for the last two and a half weeks.

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)

Stephen Gianni, CWA Vice President, requested a report of the number of substitutes working each day for the entire year. He also asked when his picture would be placed on the wall in the lobby.

Raquel Torres, CSEA President, congratulated Dr. Chavez for receiving the Key to the District. She thanked the Board, CSEA was able to present four articles for their initial proposal. She shared CSEA has a new Labor Representative, Myisha Kennedy, that they expect to work well with. She stated that she attended a roundtable meeting with Congresswoman Norma Torres who was amazed to hear that not one RUSD student left campus during the student walkouts. Congresswoman Norma Torres advised Raquel that she would be reporting out that the RUSD has a safe environment for our students.

4. Comments from the Superintendent

(Ref. E 1.4)

5. Comments from Members of the Board of Education

D. PUBLIC HEARING

Upon a motion by Clerk O'Kelley, seconded by Member Ayala, Public Hearing was opened at 8:17 p.m. by a 5-0 vote by the Board of Education.

1. Public Hearing: Pursuant to the requirements of Government Code and Board Policy, the attached initial 2018-2019 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.

Upon a motion by Member Walker, seconded by Vice President Montes, Public Hearing was closed at 8:18 p.m. by a 5-0 vote by the Board of Education.

CONSENT CALENDAR ITEMS

Upon a motion by Clerk O'Kelley, seconded by Member Walker, Items E – J were approved by Student Board Member Herrera's preferential vote and a unanimous 5-0 vote by the Board of Education.

E. MINUTES

1. Approve the minutes of the Regular Board of Education meeting held March 28, 2018.

F. GENERAL FUNCTIONS CONSENT ITEMS

1. Second reading of revised Board Policy 1312.3(a-h); Philosophy, Goals, Objectives and Comprehensive Plans: Uniform Complaint Procedures.
2. Second reading of revised Board Bylaw 9012(a-c); Board Meeting Electronic Communications.
3. Second reading of revised Board Bylaw 9240(a-c); Board Training.

G. INSTRUCTION CONSENT ITEMS

1. Approve the participation of four (4) high school teachers, four (4) District African American Parent Advisory Council (DAAPAC) members, and two (2) district administrators in the Footsteps to Freedom Educator Study

Tour along the Underground Railroad on June 17-24, 2018, at a total cost not-to-exceed \$42,000.00, to be paid from the General Fund.

2. Approve the attendance of seven (7) students in the MESA program and two (2) advisor/chaperones (one male and one female) from Rialto High School to participate in the 2018 National Rube Goldberg Competition in Chicago, Illinois, on April 19, 2018 through April 23, 2018, at an approximate cost of \$12,637.00, to be paid from the General Fund.
3. Approve twenty-five (25) ASB leadership students and three (3) chaperones from Rialto Middle School, to attend the Pali Institute Leadership Academy at Pali Institute in Running Springs, California, from April 27, 2018 through April 29, 2018, at an approximate cost of \$7,050.00, to be paid from ASB funds.
4. Approve twenty-four (24) Eisenhower High School Peer Counselors and six (6) advisors/chaperones, to attend the Pali Institute Leadership Academy at Pali Institute in Running Springs, California, from April 27, 2018 through April 29, 2018, at an approximate cost of \$5,822.16, to be paid from Title 1 funds.

H. BUSINESS AND FINANCIAL CONSENT ITEMS

1. Approve Warrant Listing Register and Purchase Order Listing for all funds from March 10, 2018 through March 23, 2018, (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 ConvergeOne and request that a letter of appreciation be sent to the donor.
3. Approve the use of the Bid #GD-16-0854-76, for the purchase of classroom supplies, equipment, and chemicals for the fiscal year 2017-2018, pursuant to Public Contract Code 20118, to be paid from the General Fund.
4. Approve an agreement with California State Polytechnic University, Pomona for mentoring opportunities for university students in their respective programs, effective May 1, 2018 through April 30, 2021, at no cost to the District.
5. Approve Amendment No. 1 to the Solar Photovoltaic Shade Structure Project Agreements C-17-0077 (Phase 1), C-17-0124 (Phase 2), C-17-0141 (Phase 3), C-17-0150 (Phase 4, 5, and 6), and C-17-0151 (Phase 7), and C-18-0057 (Phase 8) with Knowland Construction Services to

extend inspector services from the end dates of December 30 or 31, 2017, (Phases 1-7) and June 30, 2018, (Phase 8) to June 30, 2019, for various school sites, which are required by the Division of the State Architect (DSA) for additional corrections to existing site conditions relating to fire/life safety and accessibility. There are no additional costs, and all terms and conditions of the agreements remain the same.

6. Approve Amendment No. 1 to the agreements with Valdez Educational Services, LLC, to provide Alternative Support tutoring services under the Every Student Succeeds Act (ESSA) Title I, Part A, for identified students, extending the original end dates of the service periods as follows: Bemis Elementary (Agreement C-18-0104) from April 19, 2018 to May 8, 2018, Casey Elementary (Agreement C-18-0105) from April 13, 2018 to May 3, 2018, Fitzgerald Elementary (Agreement C-18-0085) from March 15, 2018 to April 2, 2018, and Kolb Middle School (Agreement C-18-0108) from March 21, 2018 to April 24, 2018. There are no additional costs, and all terms and conditions of the agreements remain the same.
7. Approve an agreement with 806 Technologies to assist with the collection and monitoring of documents that are required by law for Titles I, II, and III program, effective April 27, 2018 through April 27, 2019, at a total cost not-to-exceed \$15,500.00, to be paid from Title I funds.
8. Approve an agreement with the Department of General Services/Office of Administrative Hearings to furnish the services of Administrative Law Judges to the District, for the purpose of conducting hearings pursuant to Governmental Code section 27727 for a term of five (5) years from the date of approval and for a total cost to the District not-to-exceed \$48,000.00, to be paid from the General Fund.

I. FACILITIES PLANNING CONSENT ITEM

1. Accept the work completed before March 31, 2018, by TOMCO for all work required in connection with the Compressed Natural Gas (CNG) Fueling Station project, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.

J. PERSONNEL SERVICES CONSENT ITEMS

- 1-3. Approve Personnel Report No. 1191 for classified and certificated employees.

4. Adopt Resolution No. 17-18-46 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 Member Walker, seconded by Member Ayala, Item K1 was approved by a unanimous 5-0 vote by the Board of Education.

1. Adopt Resolution No. 17-18-45 authorizing temporary interfund borrowing between all funds and accounts, with the exception of Fund 21 - Building Fund for the 2018-2019 fiscal year.

Upon a motion by Member Walker, seconded by Vice President Montes, Item K2 was approved by a unanimous 5-0 vote by the Board of Education.

2. Approve Amendment No. 2 to the Agreement No. C-17-0091 with Twining Consulting, Inc. for additional services required to complete the Eisenhower High School Stadium Renovation for an additional amount not-to-exceed \$47,716.00 to the Amendment No. 1 amount of \$74,130.00 for a combined revised total not-to-exceed \$121,846.00, and additional services to complete the Eisenhower High School Performing Arts Theater Project additional amount not-to-exceed \$68,722.00 to the original agreement amount of \$157,244 for a combined revised total not-to-exceed \$225,966.00; thereby, the combined revised total cost of Agreement C-17-0091 for both projects is not-to-exceed \$347,812.00, to be paid from Fund 21 - Measure Y, Series "C", General Obligation funds with all other terms and conditions of the agreement remain the same.

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

3. Adopt Resolution No. 17-18-47 declaring that an emergency exists as a result of the lack of permanent water service to four (4) Dollahan Elementary School classrooms, and to avoid danger to students and staff, it is necessary to award a contract without advertising or inviting bids, pursuant to the Public Contract Code Section 20113, for the performance of labor for said repair service.

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

4. **ADMINISTRATIVE HEARING**

Case Numbers:

17-18-42

17-18-43

STIPULATED EXPULSION

Case Number:


17-18-53

President Martinez advised that the next regular meeting of the Board of Education of the Rialto Unified School District will be held on Wednesday, April 25, 2018, 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 Herrera, seconded by Vice President Montes, and approved by Student Board Member Herrera's preferential vote, and a unanimous 5-0 vote by the Board of Education, the meeting was adjourned at 8:43 p.m.


Clerk, Board of Education


Secretary, Board of Education