

“AMENDED” MINUTES

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

December 11, 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 5:31 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 W. Martinez, Member and Joseph Ayala, Member. Dina Walker, Clerk, arrived at 5:41 p.m.

Administrators present: Cuauhtémoc Avila, Ed.D., Superintendent; Darren McDuffie, Ed.D., Lead Strategic Agent: Strategic, Congruence and Social Justice; Mohammad Z. Islam, Associate Superintendent, Business Services; Kelly Bruce, Lead Innovation Agent, Education Services; Rhea McIver Gibbs, Lead Personnel Agent, Personnel Services. Also present was Martha Degortari, Executive Administrative Agent.

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.

Lisa Lindberg, REA President, shared comments relative to negotiations under the closed session items. ~~They want more for their members and teachers,~~ **She indicated that they want more resources for their members and students,** including ~~more resources,~~ more counselors, lower class sizes, training on disruptions in the classroom. She stated that they demand change, not just what is written on a strategic plan.

CLOSED SESSION

Upon a motion by Vice President O’Kelley, seconded by Member Martinez, and approved by a unanimous 4-0 vote, the Board of Education entered into closed session at 5:39 p.m., to consider and discuss the following items:

1. Public Employee Employment/Discipline/Dismissal/Release/
Reassignment of Employees (Government Code section 54957)
(Ref. E 1.1)

Administrative Appointments:

- Elementary Assistant Principal
- High School Assistant Principal
- Continuation High School Assistant Principal

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**

(Paragraph (1) of subdivision (d) of Section 54956.9)

2506120 v. Rialto Unified School District (San Bernardino Superior Court Case No. CIVDS1810761)

ADJOURNMENT OF CLOSED SESSION

Upon a motion by Vice President O’Kelley seconded by Clerk Walker, and passed by a unanimous 5-0 vote, closed session adjourned at 7:07 p.m.

OPEN SESSION RECONVENED – 7:07 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 Rhea McIver Gibbs, Lead Personnel Agent, Personnel Services. Also present was Martha Degortari, Executive Administrative Agent and Jose M. Reyes, Interpreter.

PLEDGE OF ALLEGIANCE

Taylor Ana led the Pledge of Allegiance.

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:

- Approved a settlement Agreement and Release of all Claims for 2506120 v. Rialto Unified School District (San Bernardino Superior Court Case No. CIVDS1810761)
- Denied the request for a leave of absence for classified employee #1733029, January 7, 2020 through May 28, 2020.
- Accepted the administrative appointment of Kathy Atencio, Elementary Assistant Principal, Bemis Elementary School.
- Accepted the administrative appointment of Elizabeth Alegre-Punchur, Elementary Assistant Principal, Morris Elementary School.
- Accepted the administrative appointment of Linda Merino, High School Assistant Principal, Rialto High School.
- Accepted the administrative appointment of David Yang, Continuation High School Assistant Principal, Milor/Zupanic High School.
- Accepted the administrative appointment of John Richmond, High School Assistant Principal, Eisenhower High School.
- Approved Resolution #19-20-34 regarding the Reassignment of Certificated Administrative employees for the 2019/2020 school year pursuant to BP 4314. Copies of the resolution were made available in the front lobby.

OATH OF OFFICE

REORGANIZATION OF THE BOARD OF EDUCATION

1. Clerk Walker motioned to nominate Nancy G. O'Kelley for President. It was seconded by Member Martinez, and passed by a 4-0 vote.

The vote was as follows:

President Montes – Aye

Vice President O'Kelley – Did not vote

Clerk Walker – Aye

Member Ayala – Aye

Member Martinez- Aye

2. President Montes motioned to nominate Dina Walker for Vice President. It was seconded by Member Martinez, and passed by a 4-0 vote.

The vote was as follows:

President Montes – Aye
Vice President O’Kelley – Aye
Clerk Walker – Did not vote
Member Ayala – Aye
Member Martinez – Aye

3. President Montes motioned to nominate Joseph Martinez for Clerk. It was seconded by Clerk Walker and passed by a 4-0 vote.

The vote was as follows:

President Montes – Aye
Vice President O’Kelley – Aye
Clerk Walker – Aye
Member Ayala – Aye
Member Martinez – Did not vote

4. Member Martinez motioned to nominate Edgar Montes for Voting Representative to County Committee. It was seconded by Clerk Walker, and passed by a 4-0 vote.

The vote was as follows:

President Montes – Did not vote
Vice President O’Kelley – Aye
Clerk Walker – Aye
Member Ayala – Aye
Member Martinez – Aye

5. Clerk Walker motioned to nominate Joseph Martinez for Alternate Voting Representative to County Committee. It was seconded by Member Ayala, and passed by a 4-0 vote.

The vote was as follows:

President Montes – Aye
Vice President O’Kelley – Aye
Clerk Walker – Aye
Member Ayala – Aye
Member Martinez – Did not vote

ADOPTION OF AGENDA

Upon a motion by Member Montes, seconded by Vice President Walker, the Agenda was adopted as amended, by a unanimous 5-0 vote by the Board of Education.

B. PRESENTATIONS

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

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

Shaniya Simes – Kolb Middle School
Emily Felix – Frisbie Middle School
Jessica Armenta-Rodriguez – Jehue Middle School
Erika Zamora – Kucera Middle School
Mikayla Lopez – Rialto Middle School

2. Honoring Rialto Unified School District Students for Perfect Math CAASPP (California Assessment of School Performance and Programs) Scores, 2019
3. Key to the District to Eisenhower High School, Nancy Sesah-Ibrahimi, from Board Vice President, Mrs. Nancy G. O’Kelley

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.

Tobin Brinker, Rialto High School Teacher, talked about the approximately 300 teachers who came out to rally and voice their concerns about student safety, teacher safety and discipline in the schools. He shared that one problem is the use of cell phones by students in the schools. He elaborated on the effects and problems associated with students who use cell phones based on data, and the need for a strong cell phone policy, which will need to be revisited and include parents in this process.

Michael Montano, Rialto High School Teacher, requested a meeting date per his comments at last Board meeting to discuss issues of cell phone use by students. He also talked about the teachers who came out tonight to voice their concerns about safety issues. He said they did not come out to request more money, instead they are asking for action to be taken to make the schools safe.

Veronica Plascencia, Boyd Elementary Parent, expressed her concerns about the Dual Language Immersion program at Boyd and the need for the program to have extra support in order for Bilingual students to succeed.

Myra Vera-Rizo, Parent of three students in Rialto Unified School District including two in Boyd Elementary who are enrolled in the Dual Language Immersion program. She tries to be engaged and active both in the schools and District level. She believes everyone should help find ways to improve the education system currently in place. She also shared concerns that they as parents have had for almost four years regarding the Dual Immersion Program. She is concerned that the students will soon be tested in English and they are not ready. She is asking that the Dual Language Immersion program at Boyd have the same support as the other classes.

Diana Trevino, Boyd Elementary Parent also expressed her concerns regarding the Dual Language Immersion program at Boyd. She feels frustrated because her child and the other students are not receiving the support they need. She feels that having an aide for two hours a week for 32 students is enough.

Maria Lopez, Grandparent of three students at Boyd Elementary, one being enrolled in the Dual Language Immersion program, came to support the other parents and agrees that the teacher in this classroom needs assistance and she cannot focus and give the students the attention they need with that many students.

Imelda Urias, Boyd Elementary Parent thanked everyone for allowing them to be heard and she is also supporting these parents with their concerns in the Dual Language Immersion program at Boyd. She has a daughter in the program who tells her that the teacher does not have time to help all the students. The teachers tries to do what she can for the students but there are too many students for her alone.

Marilyn Leighty, Boyd Elementary Parent who believes the Dual Language Immersion program is a great program where students can do so much better if they had the extra support.

Celia Saravia, representing Amigos Unidos, a parent support group for children with special needs shared about the traditional Christmas celebration that took place the week prior. She thanked everyone for their support for making the event possible and thanked those that were able to attend and provide a happy moment for those children. She expressed her condolences to Ms. Shelly Gates and the family for the loss of their father Mr. Campbell, who will never be forgotten, as he has impacted the lives of many people here at the District. The parents then provided a handmade gift made by them to the Board and many staff members to show their appreciation.

Scott Berghoefer of Teamsters Local 63 and representative from Goldstar foods thanked the Board for the partnership with the Rialto Unified School District. As community members and parents of children who attend the District, they are grateful and would like to continue this partnership. They wished everyone happy holidays.

Mirna Ruiz, PTA President, shared that the PTA Council along with Nutrition Services and Kolb Middle School will be holding a "Stuff the Bus" event on Thursday, December 12, 2019, from noon to 5:00 p.m, in the front District parking lot. They will be collecting toys, school supplies and non-perishable food items. Rialto Council will also have food items for sale.

Ms. Mirna Ruiz also shared a poem which touched her heart regarding children who suffer in silence. She asked everyone to please remember to listen to our children and those around us who may be suffering.

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

None

3. Comments from 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 Mrs. O'Kelley for the recognition on the naming of the administration office at Eisenhower High School. She also talked about the 300 plus teachers who came tonight to share their concerns. This was not about them not getting the COLA, or benefits. It had to do with classroom concerns. Even though they are out there protesting, they are concerned about the students. They brought in bags of clothing for the Clothing Tree. Ms. Lindberg shared that this will not be the last time teachers come out to protest. They will continue to come out until they see change. She also talked about recent incidents, including a teacher who was pepper sprayed by a student, another teacher who was assaulted by a student jumping on her back and pulling her hair, and another TK student punched his pregnant teacher. These are three recent incidents that were reported to her but knows that there are other incidents which are not being reported. She is demanding change.

Chris Cordasco, CSEA President, shared that classified staff are unified with REA on their concerns. There are staff members who are getting injured on the job and they are asking for staff to be trained. They want to

be able to handle situations to protect themselves and protect the students. He said that all staff has a responsibility for student safety and should know how to handle difficult situations when they arise.

Mr. Cordasco also congratulated Mrs. Nancy O'Kelley for her recognition and said that as a former student, he is very proud of her. He also gave his condolences to the family of Mr. Rod Campbell who was a person that truly cared. It is a huge loss to all of us.

Heather Estruch, CWA President, shared that they also stand by REA and said that students and staff should not be afraid to come to class

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 Walker, seconded by Member Montes, Public Hearing was opened at 9:34 p.m. by a 5-0 vote by the Board of Education.

1. Public Hearing: Williams Settlement Annual Report for fiscal year 2018-2019.

Upon a motion by Member Montes, seconded by Vice President Walker, Public Hearing was closed at 9:34 p.m. by a 5-0 vote by the Board of Education

PUBLIC INFORMATION

2. Williams Inspections Report – First Quarter Report 2019-2020
3. Williams Settlement – Fiscal Year 2018-2019 – First Quarter Report Correction
4. Costs of Issuance – General Obligation Bonds, Election of 2010, Series 2019-D

CONSENT CALENDAR ITEMS

Upon a motion by Clerk Martinez, seconded by Member Montes, items E – H.11 and H.13 – J-4 were approved by a 5-0 vote by the Board of Education. Item H.12 was voted on separately.

E. MINUTES

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

F. GENERAL FUNCTIONS CONSENT ITEMS

1. Second reading of Board Policy 4362 (a-c); Administrative and Supervisory Personnel: Vacation/Holidays

G. INSTRUCTION CONSENT ITEMS

1. Approve twenty-eight (28) female students of the Jehue Middle School Cheer team, accompanied by at least one of their parents (transportation and lodging will be provided by parents), two (2) female coaches, and one (1) certificated employee to attend the JAMZ National Championship Tournament in Las Vegas, Nevada, on February 20-23, 2020, at a cost of \$4,000.00, to be paid from ASB Funds (Cheer Club Account).
2. Approve thirty (30) students (19 girls and 11 boys) of the Wilmer Amina Carter High School ALPHA Scholars program, and four (4) chaperons (2 female and 2 male) to tour colleges in the San Diego area from April 2, 2020 through April 3, 2020, at a cost of \$8,000.00, to be paid from the General Fund- Site Budget.
3. Approve student 327431 to be exempt from all physical activities for the 2019-2020 school year.
4. Approve thirty (30) high school students and four (4) chaperones to attend the HBCU College Tour at the following colleges and universities: Howard (April 13), Hampton and Norfolk State (April 14), Virginia State and North Carolina Agricultural and Technical (April 15), Dillard and Xavier (April 16) and Southern University from April 12, 2020 through April 17, 2020. The tour will be coordinated through "On a Mission Inc." Transportation to LAX will be provided by the District. The costs will \$54,250.00 to be paid from the General Fund – Title IV.
5. Approve four (4) Rialto High School students from the wrestling team (2 female, 2 male) and two (2) chaperones (1 female coach, 1 male coach) to participate in a state wrestling tournament at Rabobank Arena in Bakersfield, California on February 27, 2020 through February 29, 2020, at a cost of \$1,000.00, to be paid from the ASB fund and General Fund – Site Athletics Fund.
6. Approve twenty (20) Rialto High School female students on the Girls' Basketball team and four (4) chaperones (2 male coaches, 2 female

chaperones) to participate in the So Cal Run n Gun against Cancer in San Diego, California, January 3, 2020 through January 4, 2020, at a cost of \$4,485.00, to be paid from the ASB Fund and General Fund – Site Athletics Fund.

7. Ratify the approval of seventy (70) students (33 female, 37 male) of the Eisenhower High School Band and Color Guard and eight (8) chaperons (4 female, 4 male) to attend the Western Band Association (WBA) Championships on November 22, 2019 through November 24, 2019, at a cost of \$5,120.00, to be paid from the ASB Fund.

H. BUSINESS AND FINANCIAL CONSENT ITEMS

1. Approve Warrant Listing Register and Purchase Order Listing for all funds from October 26, 2019 through November 15, 2019, (sent under separate cover to Board Members). A copy for public review will be available at the Board Meeting.
2. Accept the listed donations from Market Track; Sempra Energy Foundation; Southern California Edison; ConvergeOne, Inc. Cuca's Mexican Food, Kordyak Family, Herff Jones and request that a letter of appreciation be sent to these donors.
3. Approve an agreement with Ebmeyer Charter and Tour effective December 12, 2019 through June 30, 2020, to provide transportation services for extra-curricular events, as needed, at a cost not-to-exceed \$40,000.00, to be paid from the General Fund and/or Associated Student Body (ASB) and/or Parent Organizations and/or other donation account.
4. Approve the piggyback Contract No.01/17 (Waterford Unified School District) to purchase school buses for fiscal year 2019-2020, cost to be determined at time of purchase(s), and to be paid from the General Fund.
5. Approve an agreement with Pali Institute Outdoor Education to provide science camp for 115 fifth grade students (54 girls, 61 boys), from Dollahan Elementary School, and 15 staff and camp chaperones (8 female and 7 male) from March 2, 2020 through March 4, 2020, at a cost of \$29,970.00, to be paid from the ASB Fund and General Fund.
6. Ratify University of La Verne's Partnership for Access to College Education (PACE) Program to assist Rialto Unified School District high school seniors with college acceptance and financial support, at no cost to the District.
7. Approve an agreement with Pathfinder Ranch Science and Outdoor Education School to provide science camp for 120 fifth grade students (65

girls and 62 boys) from Werner Elementary School, and 14 staff and camp chaperones (7 female and 7 male) from March 9, 2020 through March 11, 2020, at a cost of \$27,468.00, to be paid from ASB funds.

8. Approve: CMAS No.3-17-70-0876AP for the purchase of Information Technology Goods & Services, cost to be determined at time of purchase(s) – General Fund.
9. Approve an agreement with Young Women’s Empowerment Foundation to provide weekly counseling sessions with 25 at-risk female Kucera students from January 7, 2020 through March 31, 2020, at a cost of \$5,625.00, to be paid from the General Fund – Supplemental Counseling.
10. Approve fifty (50) Rialto High School Students (30 female, 20 male) and five (5) chaperones (3 female AVID teachers, 2 male AVID teachers) to attend college tours March 9, 2020 through March 13, 2020. Approve to use and pay IST Campus Tours, Inc., at a cost of \$29,950.00, to be paid from the General Fund – Title I.
11. Approve the reimbursement for six (6) Western Association of Schools and Colleges (WASC) Visiting Committee members for expenses, such as hotel, mileage, and meals, to conduct the Visiting of Focus on Learning Joint WASC/CDE process at Carter High School from February 23, 2020 through February 26, 2020, at a cost of \$7,200.00, to be paid from the General Fund.

Upon a motion by Member Montes, seconded by Clerk Martinez, items H.12 was approved by a 4-0 vote by the Board of Education.

The vote was as follows:

President O’Kelley – Aye
Vice President Walker – Did not vote
Clerk Martinez – Aye
Member Ayala – Aye
Member Montes – Aye

12. Approve an agreement with Dr. Daniel Walker to have him as the keynote speaker at Rialto Unified School District’s Black History Celebration on Saturday, February 22, 2020, from 10 a.m. – 1 p.m. at Eisenhower High School, at a cost of \$5,000.00, to be paid from the General Fund.
13. Approve the AB212 Agreement with the San Bernardino County Superintendent of Schools from July 1, 2019 through June 30, 2020, at no cost to the District.

14. Approve an agreement with Siembra Mobile Inc. to assist the District in increasing college going rates for students, at no cost to the District.
15. Approve an agreement with teachers: Angelica Regalado, Salve Banzon, and Miranda Martinez to provide extended day services to Rialto Unified School District students who are enrolled St. Catherine of Siena, private school, at a cost of \$9,900.00, to be paid from the General Fund – Title I.
16. Approve an agreement with Luz Maria Ochoa, to offer a weekly Aztec Culture class from December 12, 2019 to June 30, 2019, at a cost of \$400.00 per class, not to exceed \$10,800.00, to be paid from the General Fund.

I. FACILITIES PLANNING CONSENT ITEM

1. Accept the work completed January 29, 2019 by Simmons & Wood, Inc. for all painting work required in connection with the Eisenhower Performing Arts Center Project, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder, at no cost to the District.
2. Accept the work completed as January 29, 2019 by KCB Towers, Inc. for all work required in connection with the Eisenhower High School Performing Art Center Project, Category 5 – Structural Steel, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder, at no cost to the District.

J. PERSONNEL SERVICES CONSENT ITEMS

- 1-3. Approve Personnel Report No. 1226 for classified and certificated employees.
4. Adopt Resolution No. 19-20-32 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 Vice President Walker, seconded by Member Montes, item K1 was approved by a 5-0 vote by the Board of Education.

1. Adopt Resolution No. 19-20-23 approving the submission of the application to replace 6 of the District's oldest school buses with 6 electric school buses, with the latest safety features for student transport. This is an effort to continue the District's Commitment to reducing our Carbon

footprint in our community. The amount of funding request from the VW Environmental Mitigation Trust is \$2,483,651.00, which includes a District funding match of \$203,651.10.

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

2. Approve the FY 2019-2020 First Interim Financial Report as presented, at no cost to the District.

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

3. Ratify the agreement with CSM Consulting, Inc., for annual E-Rate program services for Federal E-Rate applications for three (3) years, from October 1, 2019 – June 30, 2022. The fee is all inclusive for base services that will cover three (3) years at a cost not-to-exceed \$44,500.00 per year, with a total cost of \$133,500.00, to be paid from the General Fund.

Upon a motion by Member Montes, seconded by Vice President Walker, Item K4 was approved by a 5-0 vote by the Board of Education.

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

STIPULATED EXPULSION

Case Numbers:

19-20-32

19-20-31

19-20-29

President O'Kelley announced the following:

The next regular meeting of the Board of Education of the Rialto Unified School District will be held on Wednesday, January 8, 2020, 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

ADJOURNMENT OF CLOSED SESSION

Upon a motion by Member Edgar Montes, seconded by Vice President Walker, and approved by a unanimous 5-0 vote by the Board of Education, the meeting

adjourned at 9:46 p.m. with a moment of silence in memory of Mr. Rod Campbell,
ASB Director of Rialto Middle School who passed away on September 27, 2019.



Clerk, Board of Education



Secretary, Board of Education