

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

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**NANCY G. O'KELLEY**  
President

**JOSEPH W. MARTINEZ**  
Clerk

**EDGAR MONTES**  
Member



**DINA WALKER**  
Vice President

**JOSEPH AYALA**  
Member

**AVIONC' DOUGLAS**  
Student Board Member

**CUAUHTÉMOC AVILA, ED.D.**  
Superintendent

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**March 16, 2020**

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 – 10:00 A.M.**

**B. PLEDGE OF ALLEGIANCE**

**C. PUBLIC COMMENTS**

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

**CLOSED SESSION**

**Moved** \_\_\_\_\_ **Seconded** \_\_\_\_\_

As provided by law, following is the item for discussion and consideration at the Closed Session of the Emergency Board Meeting:

1. THREAT TO PUBLIC SERVICES OR FACILITIES  
Consultation With: (1) District Counsel; (2) District Safety Intervention and Support Services; (3) District Health Services; (4) Risk Management; (5) District Personnel Services; (6) Superintendent

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**

**REPORT OUT OF CLOSED SESSION**

**ADOPTION OF AGENDA**

**Moved**\_\_\_\_\_ **Seconded**\_\_\_\_\_

Vote by Board Members: Ayes:\_\_\_\_\_ Noes:\_\_\_\_\_ Abstain:\_\_\_\_\_

**D. DISCUSSION/ACTION ITEM**

**Moved**\_\_\_\_\_ **Seconded**\_\_\_\_\_

1. Consider and adopt Emergency Resolution No. 19-20-48 responding to Coronavirus (COVID-19) pandemic (Ref. D 1.1-2)

Vote by Board Members: Ayes:\_\_\_\_\_ Noes:\_\_\_\_\_ Abstain:\_\_\_\_\_

**ADJOURNMENT**

**Moved**\_\_\_\_\_ **Seconded**\_\_\_\_\_

Vote by Board Members: Ayes:\_\_\_\_\_ Noes:\_\_\_\_\_ Abstain:\_\_\_\_\_

**Time**\_\_\_\_\_

**D DISCUSSION/ACTION ITEM**



**Rialto Unified School District**

**EMERGENCY BOARD MEETING: March 16, 2020**

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**TO:** Board of Education  
**FROM:** Cuauhtémoc Avila, Ed.D., Superintendent  
**ITEM:** **RESOLUTION NO. 19-20-48**

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**EMERGENCY RESOLUTION NO. 19-20-48  
RESOLUTION OF THE BOARD OF EDUCATION OF  
THE RIALTO UNIFIED SCHOOL DISTRICT**

**RESOLUTION DELEGATING AUTHORITY TO TAKE  
NECESSARY ACTION TO PROTECT STUDENTS AND STAFF  
FROM THE SPREAD OF CORONAVIRUS (COVID-19)**

March 16, 2020

**WHEREAS**, on March 4, 2020, California Governor Gavin Newsom declared a statewide emergency arising from the coronavirus (COVID-19).

**WHEREAS**, on March 12, 2020, Governor Newsom issued an executive order directing Californians to cancel large public gatherings (over 250 people) and to enforce social distancing.

**WHEREAS**, on March 13, 2020, President Donald Trump declared a national emergency arising from the coronavirus (COVID-19).

**WHEREAS**, Article I, Section 28, of the California Constitution declares that “[a]ll students and staff of public, primary, elementary, junior high, and senior high school . . . have the inalienable right to attend campuses which are safe, secure and peaceful.”

**WHEREAS**, as of March 15, 2020, there are 333 cases reported of COVID-19 in California; although there are no confirmed cases of coronavirus (COVID-19) in San Bernardino County, the extent to which members of the District community may have contracted coronavirus (COVID-19) is unclear.

**WHEREAS**, Education Code section 35161 permits the Board to delegate to an officer or employee of the District any of the Board’s powers and duties, and the Board desires to delegate to the District Superintendent certain powers and duties to address the coronavirus (COVID-19) pandemic.

**NOW, THEREFORE, BE IT RESOLVED:**

**NOW THEREFORE, BE IT RESOLVED AND ORDERED** that the Board hereby declares the existence of an ongoing public health emergency within the District arising from the coronavirus (COVID-19) pandemic.

**BE IT FURTHER RESOLVED AND ORDERED** the Superintendent is delegated authority to take all appropriate action to respond to the coronavirus (COVID-19) pandemic, including, but not limited to, any action:

- a. To ensure and protect the welfare, safety and educational wellbeing of all students;
- b. To ensure and protect the welfare and safety of persons working for the District which shall include its agents, employees, representatives, and all others acting for or on behalf of the District;
- c. To provide necessary staffing and instruction;
- d. To modify school and work schedules;
- e. To declare an emergency pursuant to Government Code § 3100 et seq., and to assign District employees (in their capacity as disaster service workers) to perform such disaster service activities as may be assigned to them;
- f. To cancel or modify any activities, programs, or courses, up to and including the temporary closure of the District.
- g. To protect District property.
- h. To make further declarations of emergency and to take emergency action as permitted by law.

**BE IT FURTHER RESOLVED AND ORDERED** that should any portion of this Resolution be held invalid, the invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provisions or application, and to this end the provisions of this Resolution are declared to be severable.

**BE IT FURTHER RESOLVED AND ORDERED** that this Resolution is an emergency measure within the mandate and jurisdiction of the Board and is necessary for the immediate welfare of the schools and pupils thereof. Therefore, this Resolution shall become effective immediately upon its adoption and shall remain in effect until repealed by formal Board action.

**PASSED AND ADOPTED** this 16th day of March, 2020, in the County of San Bernardino, California.

Nancy G. O'Kelley \_\_\_\_\_  
Dina Walker \_\_\_\_\_  
Joseph W. Martinez \_\_\_\_\_  
Joseph Ayala \_\_\_\_\_  
Edgar Montes \_\_\_\_\_

\_\_\_\_\_  
President  
Board of Education

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