

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

**November 13, 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 6:00 p.m., by Vice President O'Kelley 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; and Joseph W. Martinez, Member. Joseph Ayala, Member arrived at 6:28 p.m.

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; Rhonda Kramer, 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.

There were no comments.

**CLOSED SESSION**

Upon a motion by Member Martinez, seconded by Member Ayala, and approved by a unanimous 4-0 vote, the Board of Education entered into closed session at 6:03 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:**

- Nutrition Services Supervisor
- Personnel Specialist

(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**  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
**1334740 v. Rialto Unified School District**  
(San Bernardino Superior Court Case No. CIVDS1814585)
5. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
**1318369 v. Rialto Unified School District**  
(San Bernardino Superior Court Case No. CIVDS1908665)

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

Upon a motion by Member Martinez seconded by Clerk Walker, and passed by a unanimous 5-0 vote, closed session adjourned at 7:17 p.m.

#### **OPEN SESSION RECONVENED – 7:17 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, Personnel Services. Also present was Martha Degortari, Executive Administrative Agent and Jose M. Reyes, Interpreter.

## PLEDGE OF ALLEGIANCE

Rialto High School student, Genesis Avila led the Pledge of Allegiance.

## PRESENTATION BY RIALTO HIGH SCHOOL

Rialto High School students Diana Salazar, Mya Smith, Christian Flores, and Genesis Avila performed, *"A Day in the Life of a Rialto Knight"*.

## 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 administrative appointment of Ricardo Carranza, Personnel Specialist, Personnel Services
- Approved the release of all claims settlement agreement for California Superior Court Case No. CIVDS1908665 (1318369 v. Rialto Unified School District)
- Approved the release of all claims settlement agreement for California Superior Court Case No. CIVDS1814585 (1334740 v. Rialto Unified School District)

## ADOPTION OF AGENDA

Upon a motion by Clerk Walker, seconded by Member Martinez, the Agenda was adopted as amended, by a unanimous 5-0 vote as 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 school:

Justin Bailey – Milor High School  
Cynthia Grano – Carter High School  
Diana Salazar-Ramirez – Rialto High School  
Steve Paez – Eisenhower High School

### 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.

Michael Montano, Secondary Teacher, Rialto High School and union representative, shared information about the Schools and Communities First initiative which he explained would correct loop holes in Proposition

13 which will help provide funding to our schools and the community, and asked for the Board's support. He also talked about his concern with the use of cell phones by students and the link to social media. He shared some statistics and requested that stakeholders come together to address this issue.

Mr. Montano also shared that they are hearing of more attacks or assaults on staff members by students that are not being reported which is mandated by Ed Code. He gave kudos to Dr. Sweeney for letting their staff know that this is unacceptable at their site. She was also complemented by School Site Council attendees who have praised her for her transparency on how Title I funds will be spent.

Maria Sandoval, parent, thanked all those who worked so hard to make the Dia de Los Muertos event a huge success. Particularly, Ms. Rebecca Gonzales, Ms. Idolina, Mr & Mrs. Gutierrez, Ms. Leonor, Ms. Mirna and Ms. Luvia Nava. They worked many weeks prior to the event and until 9:30 p.m. the night prior to the event and those who attended saw the beauty of the outcome. She indicated that the reason for the huge turnout was that people felt welcomed and connected. She thanked Mr. Montes for the spectacular Aztec dance and the message delivered. She thanked the principals, Ms. Lara and her daughter for their participation and their hard work.

Ms. Sandoval presented the Board with a formal complaint. She attended the grand opening of the Wellness Center at Carter High School. When they went in for refreshments, she noticed a counselor who was present and surrounded by all of her supervisors, refused to allow a couple of students to come in and told them this event was not for them. Ms. Sandoval shared her concern with the behavior of this staff member and her disappointment with administrators who were present and did not do anything to correct the situation. Ms. Sandoval told the students to come in as this event and Wellness Garden was for them. She feels that what is being preached by Dr. McDuffie as to equity and congruence is not being represented.

Mirna Ruiz, PTA President, thanked Ms. Sandoval for the hard work she provided for the event of Dia de Los Muertos. She thanked those who were able to attend the County Superintendent's PTA Roundtable, where once again Rialto had the most representation. She thanked Dr. McDuffie and all the principals who were present. She also thanked Nutrition Services for inviting her to attend the California School Nutrition Association conference. She was able to meet a lot of wonderful workers throughout the state. She indicated that they are true professionals. She looks forward to working with the staff on some ideas they have.

Ms. Ruiz also talked about having accountability with Special Education. She is concerned that kids are being left behind and that IEP's are not being complied with. She is requesting that something be done about this as soon as possible.

Paula Bailey, parent, thanked Dr. Avila for meeting with her and letting her know that he will be looking into working with our younger students, especially the most challenged to make sure they have equal opportunities. She also discussed the concern with recent challenges at Kucera Middle School. She feels they need activities when they have unstructured time. She knows the staff is trying but requested everyone's help with this.

LaRicka Daniel, parent, shared her concern for her daughter's safety at Kucera Middle School and her daughter being bullied. She indicated that she has spoken with Ms. Ennis and nothing has been done. They continue taking her daughter's backpack, dumping it, tearing her jacket and stealing her stuff. Her daughter is scared to go to school. She wants to know what can be done about this. Her daughter was invited to come to the podium and she shared that she does not like being bullied and said she has spoken to Ms. Ennis and said she is disappointed that nothing is being done.

Celia Saravia, representing Amigos Unidos, a parent support group for children with special needs, invited everyone to their annual Christmas party for children with special needs on Friday, December 6, 2019, from 4:30 p.m. to 8:00 p.m. at the hall of St. Catherine of Siena Church, located at 339 N. Sycamore Avenue, in Rialto. She also congratulated the District for celebrating the Day of the Dead and sharing traditions of other countries. She thanked Mr. Montes for sharing his Aztec dance, and said that everyone in the community comments about the great things happening in our District.

Ms. Saravia expressed her concern regarding the parent and the student who spoke prior and it broke her heart to hear what they are going through. She understands how parents worry for their children and knows the District will work on this but she indicated that unfortunately the problem of bullying starts at home and we also don't know what problems some of these students are dealing with. She indicated that we don't know the circumstances and problems that some of these students face at home. She asked for the parents to unite and come together. She wished everyone a Happy Thanksgiving.

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, expressed her disappointment with the lack of action taking place at Rialto USD. Last spring she shared a report from Oregon Education Association, *A Crisis of Disruption*, which she understands was shared at the Summer Leadership institute. She is upset that Dr. Avila indicated he would take the lead on getting District teachers trained on dealing with aggressive student behavior and says nothing has been done. She talked about several recent incidents that have been reported to her of aggressive student behavior which resulted in staff getting injured. She says she recognizes this crisis and has been asking for action for over a year and a half. Ms. Lindberg said she will not stand by to see this happen when the resources needed at the sites are not provided. She further stated that sites are not being provided with the necessary staff, while the District continued to hire administrators at the District level. She says this needs to change now before something truly tragic occurs.

Chris Cordasco, CSEA President, shared that at the last meeting he discussed some concerns with safety issues and he is happy to report that he met with Chief Leary and Rhea McIver Gibbs and they completed their negotiations on these concerns. They were sensitive issues and they appreciate the fact that the District was willing to listen to the officers. The issues were resolved in the best interest of everyone. He thanked them for their support. He also congratulated Brian Montez, Les Alexander and the M & O staff for the work done at the Carter High School Wellness Garden. It is great to see the awesome resources available for the students and the staff. He was grateful to see the opportunity given to District staff to complete this project.

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

**D. PUBLIC HEARING**

**OPEN PUBLIC HEARING**

Upon a motion by Member Martinez, seconded by Clerk Walker, Public Hearing was opened at 9:00 p.m. by a 5-0 vote by the Board of Education.

1. Public Hearing on Naming of the Administration Building at Eisenhower High School.

Upon a motion by Clerk Walker, seconded by Member Martinez, Public Hearing was closed at 9:02 p.m. by a 5-0 vote by the Board of Education

### **CONSENT CALENDAR ITEMS**

Upon a motion by Vice President O'Kelley, seconded by Member Martinez, items E – H21 and I1 – J5 were approved by a 5-0 vote by the Board of Education. Item H22 was voted on separately.

#### **E. MINUTES**

1. Approve the minutes of the Regular Board of Education meeting held October 23, 2019.

#### **F. GENERAL FUNCTIONS CONSENT ITEMS**

1. Second reading of Board Policy 1313 (a): Civility
2. First reading of Board Policy 4362 (a-c); Administrative and Supervisory Personnel: Vacation/Holidays

#### **G. INSTRUCTION CONSENT ITEMS**

1. Approve student 277131 to be exempt from all physical activities for the 2019-2020 school year.
2. Approve two (2) Rialto Unified School District parents to serve on the Community Advisory Committee (CAC) for the East Valley Special Education Local Plan Area (SELPA) for the 2019-2020 school year, at a cost of \$300.00 to be paid from the General Fund - Special Education Budget.
3. Ratify the attendance of three (3) Rialto Unified School District administrators to observe the *CABE Binational Project GLAD* in Tijuana, Baja California, México, on November 5, 2019, at a cost of \$675.00, to be paid from the General Fund – District Title III.
4. Approve fifteen (15) students (3 girls, 12 boys) of the Eisenhower High School MCJROTC and three (3) chaperons (1 female, 2 male) to visit historical military sites in Honolulu, Hawaii from November 18, 2019 through November 20, 2019, at no cost to the District.

## **H. BUSINESS AND FINANCIAL CONSENT ITEMS**

1. Approve Warrant Listing Register and Purchase Order Listing for all funds from October 5, 2019 through October 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 donations from the Central Labor Council, AFL-CIO; Lifetouch National School Studies; SPL Communications; Frontstream; Rialto Police Benefit Association; Carter High School Teachers; Rialto Rotary Club and Environmental Office Solutions of Colorado, LLC. and it is requested that a letter of appreciation be sent to each of these donors.
3. Approve an agreement with Gunn Psychological Services, Inc. to provide Independent Education Evaluations (IEEs) effective November 14, 2019 through June 30, 2020, at a cost of \$15,000.00 to be paid from the General Fund - Special Education Budget.
4. Approve an agreement with Newport Beach Developmental Optometry Group to provide Independent Education Evaluations (IEEs) effective November 14, 2019 through June 30, 2020, at a cost of \$15,000.00 to be paid from the General Fund – Special Education Budget.
5. Approve an agreement with Dr. Derek Greenfield to provide one day of professional development on December 7, 2019, in the area of culturally and linguistically responsive instruction training with opportunities for school teams to collaborate on how to best meet the needs of underserved students. at a cost of \$6,800.00 to include speaking fee and cost of travel – General Fund (Title II).
6. Approve an agreement with UK International to provide a Character Education Program at Boyd Elementary, effective November 14, 2019 through May 31, 2020, at a cost of \$4,860.00, to be paid from the General Fund - Site Title I Fund.
7. Approve an agreement with Curls, Coils, and Crowns to provide an enrichment program for African American girls and provide parent workshops at Bemis Elementary, effective November 14, 2019 through May 29, 2020, at a cost of \$1,890.00, to be paid the General Fund – Site Title I Fund.
8. Approve the establishing of the County Schools Facilities Sub Fund 35-9716, at no cost to the District.
9. Approve CMAS contracts No. 4-19-78-0072B and No. 1-18-23-20 A through I for the purchase of Information Technology Goods/Services,

(Ref. E 1.8)



Non Information Technology Commodities, and Fleet Vehicles, cost to be determined at time of purchase(s).

10. Approve an agreement with Westberg & White, Inc. to provide construction DSA processing services for the Marquee Project at sixteen (16) school sites from November 14, 2019 through June 30, 2020, for a total cost not-to-exceed \$26,000.00, to be paid from Fund 21 – Building Fund - Measure Y, Series C – G.O. Bond Funds.
11. Ratify Clinical Fieldwork Agreement with Loma Linda University to assist current and future educators in completing state requirements for credentialing from October 1, 2019 through September 30, 2022, at no cost to the District.
12. Ratify Teaching Internship Agreement with Riverside County Office of Education 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.
13. Approve Amendment No. 2 to the agreement with Design West Engineering, Inc. to extend the term of the agreement from June 30, 2019 to November 30, 2019. All other terms and conditions of the agreement will remain the same, at no cost to the District.
14. Approve Amendment No. 1 to the agreement with Miller Architectural Corporation to extend the term of the agreement from June 30, 2019 to November 30, 2019. All other terms and conditions of the agreement will remain the same, at no cost to the District.
15. Approve Amendment No. 2 to the agreement with Miller Architectural Corporation to extend the term of the agreement from December 31, 2018 to November 30, 2019. All other terms and conditions of the agreement will remain the same, at no cost to the District.
16. Approve Bemis Elementary PTA, Dollahan Elementary PTO, Garcia Elementary PTA, Henry Elementary PTA, Kolb Middle PTSA, Preston Elementary PTA, as school-connected organizations for the 2019-2020 and 2020-2021 school years, at no cost to the District.
17. Ratify an agreement with Dat Yoga Dude to provide Werner Elementary School students strategies for relaxation, anger management, self-regulation, anxiety, and physical activity, effective October 10, 2019 through May 30, 2020, at a cost of \$3,500.00, to be paid from the General Fund – Site Title I.

18. Approve the piggyback purchase with Fullerton Joint Union High School District, Bid Pack 1819-11 with Shade Structures, Inc. for the 2019-2024 Fiscal Years, per Public Contract Code 20118, cost to be determined at time of purchase(s), and to be paid from Fund 21, Measure Y Series C, General Obligation (G.O.) Bond Fund.
19. Approve an agreement with Dr. Sharroky Hollie to provide one day of professional development on January 25, 2020, in the area of culturally and linguistically responsive instruction training with opportunities for school teams to collaborate on how to best meet the needs of underserved students, at a cost of \$5,750.00, to be paid from the General Fund – Title II.
20. Approve an agreement with The Howard Group to provide one day of professional development on March 28, 2020, in the area of culturally responsive instruction training with opportunities for school teams to collaborate on how to best meet the needs of underserved students, at a cost of \$5,000.00, to be paid from the General Fund – Title II.
21. Approve an agreement with Tao Rossini, A Professional Corporation, Attorney At Law, to update existing contracts and agreements and provide legal review for the Facilities Planning Department, effective November 14, 2019 through June 30, 2020, at a cost effective \$25,000.00, to be paid from Fund 01 – General Fund.

Upon a motion by Vice President O'Kelley, seconded by Member Martinez, Item H22 was approved by a 4-1 vote by the Board of Education.

The vote was as follows:

President Montes – Aye

Vice President O'Kelley – Aye

Clerk Walker – No

Member Ayala – Aye

Member Martinez – Aye

22. Approve an agreement with Interquest Detection Canines to provide contraband inspection services utilizing non-aggressive contraband detection canines, effective November 14, 2019 through June 30, 2020. Interquest will provide 35 full day random inspection visits for the 2019-2020 school year at \$520.00 per team, at a cost of \$18,200.00, to be paid from General Fund – Department Budget.

**I. FACILITIES PLANNING CONSENT ITEM**

1. Accept the work completed on January 29, 2019 by JR Clancy Inc., for the rigging work required in connection with the Eisenhower High School

(Ref. E 1.10)

Performing Arts 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 January 29, 2019 by Joe Picco and Associates Inc. dba EJ Enterprises for all door and hardware work required in connection with the Eisenhower Performing Arts Project, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder, at no cost to the District.
3. Accept the work completed August 16, 2019 by GBC Concrete & Masonry Construction, Inc., for all masonry work required in connection with the Eisenhower Performing Arts Project, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder, at no cost to the District.
4. Accept the work completed September 11, 2019 by Elite Modular Leasing & Sales Inc. for all work required in delivery and installation of three new relocatable classrooms required at Kelly Elementary School 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. 1225 for classified and certificated employees.
4. Adopt Resolution No. 19-20-25 authorizing the Lead Personnel Agent, Personnel Services, to employ or assign identified individuals additional time to complete the requirements for the credential that authorizes the service or to provide employing agencies time to fill the assignment with an individual who either holds an appropriate credential or qualifies under one of the available assignment options. This includes waivers to employ or assign identified individuals when the employing agency finds there is an insufficient number of certificated persons who meet the specified employment criteria for the position.
5. Adopt Resolution No. 19-20-30 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 O'Kelley, seconded by Member Martinez, item K1 was approved by a 5-0 vote by the Board of Education.

1. Award Bid No. 19-20-002 for the Addition of Three Relocatable Classroom Buildings at both Dollahan and Dunn Elementary Schools to Bogh Engineering, Inc. for a total cost not-to-exceed the amount of \$560,000.00, to be paid from Capital Facilities Fund – Fund 25.

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

2. Adopt Resolution No. 19-20-29 declaring November 11-15, 2019, as National School Psychology Awareness Week with the focus of helping students discover, share, and celebrate their strengths, and support locally developed educational programs and observances, at no cost to the District.

Upon a motion by Vice President O'Kelley, seconded by Member Martinez Item K3 was approved by a 5-0 vote by the Board of Education.

3. Adopt Resolution No. 19-20-31 approving Amendment 01 with the California Department of Education which increases the Maximum Reimbursable Amount (MRA) for Child Development Contract #CSPP-9427 by \$129,406.00 with no change to the Minimum Days of Operation (MDO) requirement of 176 days, all terms and conditions of the original agreement shall remain unchanged, at no cost to the District.

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

4. Approve an agreement with Neuhaus Education Center to provide Professional Learning in the area of literacy and reading disabilities to twenty (20) staff effective November 14, 2019 through June 30, 2020, at a cost of \$66,600.00 to be paid from the General Fund - Special Education Budget.

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. Approve the naming of the Administration Building at Dwight D. Eisenhower High School to be the Nancy G. O'Kelley Administration Building, at no cost to the District.

Upon a motion by Clerk Walker, seconded by Member Martinez, Item K6 was approved by a 5-0 vote by the Board of Education.

6. Approve the recommendations of the Administrative Hearing Panel (AHP):  
**ADMINISTRATIVE HEARING**

Case Number:  
19-20-26

**STIPULATED EXPULSION**

Case Numbers:

19-20-22

19-20-27

**REINSTATEMENT OF EXPULSION**

Case Number:

18-19-65

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, December 11, 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**

**ADJOURNMENT OF CLOSED SESSION**

Upon a motion by Vice President O'Kelley, seconded by Clerk Walker, and approved by a unanimous 5-0 vote by the Board of Education, the meeting adjourned at 9:40 p.m.

  
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Clerk, Board of Education

  
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Secretary, Board of Education