

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

September 25, 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 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, and Clerk; Joseph Ayala, Member. Joseph W. Martinez, Member, was absent.

Administrators present: 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; Rhea McIver Gibbs, Lead Personnel Agent and Rhonda Kramer, Lead Personnel Agent. Also present was Martha Degortari, Executive Administrative Agent. Cuauhtémoc Avila, Ed.D., Superintendent, was absent.

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 Clerk Walker, seconded by Vice President O'Kelley, 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:

- High School Assistant Principal
- Middle School Assistant Principal

(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)
 2506120 v. Rialto Unified School District
 (San Bernardino Superior Court Case No. CIVDS1810761)
5. **CONFERENCE WITH LABOR NEGOTIATOR** (Government Code section 54957.6)
 Designated Representative: Board President, Edgar Montes
 Unrepresented Employee: Superintendent
6. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION** (Government Code section 54957)
 Title: Superintendent

ADJOURNMENT OF CLOSED SESSION

Upon a motion by Vice President O’Kelley seconded by Clerk Walker, and passed by a unanimous 4-0 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; and Joseph Ayala, Member. Joseph W. Martinez, Member was absent.

Administrators present: 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. Also present was Martha Degortari, Executive Administrative Agent. Cuauhtémoc Avila, Ed.D., Superintendent, was absent.

PLEDGE OF ALLEGIANCE

Daniel Vega, Frisbie Middle School student, led the Pledge of Allegiance.

PRESENTATION BY FRISBIE MIDDLE SCHOOL

Student musicians from Frisbie Middle School, led by Music Director, Ms. Henderson, performed a medley of "That's the Way I like it", "Eye of the Tiger", and "Lady Marmalade".

REPORT OUT OF CLOSED SESSION

Lead Strategic Agent, McDuffie reported that in closed session the Board of Education, by a unanimous 4-0 vote, took the following action:

- Accepted the administrative appointment of Dawn Nighswonger-Bownman, High School Assistant Principal
- Accepted the administrative appointment of Cynthia Pool, Middle School Assistant Principal

ADOPTION OF AGENDA

Item H-5 was pulled from the agenda.

Upon a motion by Vice President O'Kelley , seconded by Clerk Walker , the Agenda was adopted as amended, by a unanimous 4-0 vote as 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 schools:

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

Jennifer Bailey, Teacher, voiced her concerns regarding Rialto USD librarians who either retired or passed away at the end of last school year

and were not replaced. As a citizen of this community, she is extremely concerned and feels it is a disservice to the students not to fill those positions. She indicated that literacy is extremely important and although the library clerks do a great job, it is unfair to ask them to take the role of a librarian. She is requesting that this be looked into this.

Nora Mendoza, parent of 9th grade English Learner student at Carter High School, indicated that she is concerned with the lack of communication at the school sites, particularly with teachers who do not respond to messages and emails when they are in Spanish. She indicated that we have many staff members in our district who are bilingual and can easily assist with the translations. It is important for her to be able to communicate with her son's teachers and said language should not be a barrier. She will continue to advocate for her son, who is seeking to be reclassified from the EL program. She reminds parents that they have rights and encourages them to advocate for all those students who need to be reclassified. She also expressed her appreciation for making the Board agenda now available in Spanish. She thanked the District and Leonor Harrison for her work on the translation. She indicated that Spanish speaking parents will now be better informed.

Celia Saravia, representing Amigos Unidos, a parent support group for children with special needs emphasized all the work being done by Ms. Bridgette Ealy for special education students. She thanked her for the art classes being offered to special education students and thanked the Board, Dr. Avila and the great teachers of our district for their support. She congratulated Sergio Olmos for representing the district in China as part of the Peace Cup Soccer League and congratulated him on winning the championship.

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

Jennifer Bailey, Teacher, explained that she understands there needs to be boundary changes, but is concerned with how boundary changes were presented. She received information that changes were made based on populations and not declining enrollment. She feels parents should be given the option to keep their students at their current schools without disrupting student's education, and moved once they promote.

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)

Miesha Calloway, REA Vice President, speaking on behalf of Lisa Lindberg, REA President, shared with the community that 16 and 17 year olds can now pre-register to vote by logging onto the registertovote.ca.gov website. Once those young men and women turn 18 they will be ready to vote. She also was excited to share that REA will be sending 50 new teachers hired by Rialto USD to the "New Teachers Conference". In the past they have only been able sent 30 new teachers, but this year they will be able to send 50 of them. The New Educators weekend will be in December and will offer many useful topics. She indicated that REA is there to support new teachers and provide them with the tools they need to be successful.

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

D. PUBLIC HEARING

Public Hearing: Pursuant to the requirements of Governmental Code and Board Policy, the Form for Public Disclosure of Proposed Collective Bargaining Agreement [AB1200 (Statutes of 1991, Chapter 1213) As Revised by AB2756 (Statutes of 2004, Chapter 25), Government Code 3547.5] between the Communication Workers of America (CWA), and the Rialto Unified School District Board of Education, is hereby posted in compliance with the legislative requirements for public notice.

CONSENT CALENDAR ITEMS

Upon a motion by Vice President O'Kelley, seconded by Clerk Walker, Items E – H4, and H6-J-5 were approved by Student Board Member Avionc' Douglas's preferential vote and a 4-0 vote by the Board of Education.

E. MINUTES

1. Approve the minutes of the Regular Board of Education meeting held September 11, 2019.

F. GENERAL FUNCTIONS CONSENT ITEMS

1. First Reading of revised Board Policy 5132 (a-d); Dress and Grooming
2. Second Reading of revised Board Policy 5131.2(a-f); Students: Bullying
3. Second Reading of revised Board Policy 6142.1(a-c); Instruction: Sexual Health and HIV/AIDS Prevention Instruction

G. INSTRUCTION CONSENT ITEMS

1. Approve student 895351 to be exempt from all physical activities for the 2018-2019 school year, and student 0381231 for the 2019-2020 school year, at no cost to the District.
2. Approve seven (7) male team members of the Wilmer Amina Carter High School Boys Cross Country Team, and two (2) male advisors to attend the Clovis Cross Country Invitational in Clovis, California from October 11, 2019 through October 12, 2019, at cost of \$1,000.00 to be paid \$250.00 from the General Fund (site) and \$750.00 from ASB Funds.
3. Approve thirty six (36) students (24 female, 12 male) of the Eisenhower High School Ivy League and five (5) chaperones (3 female, 2 male) to attend a college tour on November 6, 2019 through November 8, 2019, at the following colleges: Cal Poly San Luis Obispo, UC Berkeley, Stanford University and UC Santa Barbara, at a cost of \$12,000.00 to be paid from the General Fund (Site) - Title I.

H. BUSINESS AND FINANCIAL CONSENT ITEMS

1. Approve Warrant Listing Register and Purchase Order Listing for all funds from August 24, 2019 through September 6, 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 United Food and Commercial Workers Union Local 1167 and DonorsChoose.org. It is requested that a letter of appreciation be sent to these donors.
3. Approve the Carter High Football Booster Club and Lion Pride Music Booster (Carter High School) school-connected organizations of Parent Teacher Organizations (PTO) and Booster Organizations for the 2019-2020 and 2020-2021 school year, at no cost to the District.
4. Approve establishing the Building Fund Sub-Fund 21-9203, at no cost to the District.
- Item H-5 was pulled from the agenda**
5. ~~Approve an agreement with Pathfinder Ranch Science and Outdoor Education School to provide Science Camp for sixty (60) Preston Elementary School 5th-grade students, ten (10) parents/adults, and two (2) teachers from April 13, 2020 through April 15, 2020, at a cost of \$14,628.00, to be paid from ASB Funds.~~

6. Approve an agreement with the Parent Institute for Quality Education (PIQE) for parents to participate in the PIQE training held at Jehue Middle School, effective October 1, 2019 through December 7, 2019, at a cost of \$9,000.00, to be paid from the General Fund – Title I.
7. Approve agreement with WM Music Lessons, Independent Music Instructor, to provide compensatory education services in the area of music effective September 26, 2019 through June 30, 2019, at a cost of \$5,600.00, to be paid from the General Fund – Special Education.

I. FACILITIES PLANNING CONSENT ITEM - None

J. PERSONNEL SERVICES CONSENT ITEMS

- 1-3. Approve Personnel Report No. 1222 for classified and certificated employees.
4. Adopt Resolution No. 19-20-14 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.
5. Adopt Resolution No. 19-20-14 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 President Montes item K1 was approved by a 4-0 vote by the Board of Education.

1. Approve the attendance boundary adjustments for the elementary schools to be implemented in the 2020-2021 school year, at no cost to the District.

Upon a motion by Clerk Walker seconded by Vice President O'Kelley item K2 was approved by a 4-0 vote by the Board of Education.

2. Approve an agreement with HMC Architects for Architectural Conceptual plans for the redesign of four (4) buildings at the Kazalunas Education Center for a total cost not to exceed \$20,000.00, and to be paid from Fund 40, Special Reserve Fund.

Upon a motion by Clerk Walker, seconded by President Montes Item K3 was approved by a 4-0 vote by the Board of Education.

3. Ratify the Tentative Settlement Agreement between the Rialto Unified School District and the Communication Workers of America Local 9588 ("CWA").

Upon a motion by Vice President O'Kelley, seconded by Clerk Walker, Item K4 was approved by a 4-0 vote by the Board of Education.

4. Approve the recommendations for the Administrative Hearing Panel (AHP).

ADMINISTRATIVE HEARING

Case Number:

19-20-1

STIPULATED EXPULSION

Case Numbers:

19-20-10

19-20-8

19-20-7

19-20-5

Upon a motion by Clerk Walker, seconded by Vice President O'Kelley, Item K5 was approved by a 4-0 vote by the Board of Education.

Prior to the vote, President Montes made the following statement:

We now come to item K-5 on the agenda. Government Code section 54953 requires the Governing Board, prior to taking final action on an employment agreement, to orally report a summary of a recommendation for the salaries, salary schedules, or compensation paid in the form of fringe benefits for "local agency executives." The Superintendent is a local agency executive and a restated and amended contract for employment is before us this evening.

The contract has a term through June 30, 2023. It specifies that the Superintendent's base salary will be two hundred seventy-eight thousand dollars and zero cents (\$278,000) annually and he will receive a 5% doctoral stipend.

The contract further specifies that the Superintendent is entitled to 30 days of annual vacation with pay; the same health and welfare benefits as provided to other certificated management employees of the District; reimbursement for required co-pays; a right to post-separation health benefit coverage or in-lieu compensation dependent on his length of service; a \$600 monthly automobile allowance; a contribution of \$1,792.00 tenthly toward life insurance premiums;

payment of dues in professional organizations; and statutory employer contributions toward the California State Teachers Retirement System.

5. Approve a restated and amended contract of employment with Dr. Cuauhtémoc Avila for service as District Superintendent. Prior to a vote on this item, consistent with Government Code section 54953, the Board President will orally report a summary of the salary and compensation paid in the form of fringe benefits under the contract.

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, October 9, 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 Student Board Member Douglas, seconded by Clerk Walker, and approved by Student Board Member Douglas's preferential vote and a 4-0 vote by the Board of Education, the meeting adjourned at 8:47 p.m., with a moment of silence in honor of a former RUSD Teacher, Mrs. LouAnne Biggerstaff who passed away on September 15, 2019, and the student who passed away today in Moreno Valley because of bullying.



Clerk, Board of Education



Secretary, Board of Education