

MINUTES
RIALTO UNIFIED SCHOOL DISTRICT

July 10, 2024
Dr. John R. Kazalunas Education Center
182 East Walnut Avenue
Rialto, California

Board Members

Present:
Joseph W. Martinez, President
Edgar Montes, Vice President
Evelyn P. Dominguez, LVN, Clerk
Dr. Stephanie E. Lewis, Member
Nancy G. O'Kelley, Member

Administrators

Present:
Ed D'Souza, Ph.D., Acting Superintendent
Rhea McIver Gibbs, Ed.D., Lead Strategic Agent
Patricia Chavez, Lead Innovation Agent
Diane Romo, Lead Business Services Agent
Roxanne Dominguez, Lead Personnel Agent
Also present was Martha Degortari, Executive Administrative Agent and Interpreter/Translator Jose Reyes

A. OPENING

A.1 CALL TO ORDER 6:00 p.m.

The meeting was called to order at 6:00 p.m.

A.2 OPEN SESSION

A.3 CLOSED SESSION

Moved By Clerk Dominguez

Seconded By Vice President Montes

As provided by law, the following are the items for discussion and consideration at the Closed Session of the Board Meeting:

- **PUBLIC EMPLOYEE EMPLOYMENT / DISCIPLINE / DISMISSAL / RELEASE / REASSIGNMENT OF EMPLOYEES (GOVERNMENT CODE SECTION 54957)**
- **STUDENT EXPULSIONS / REINSTATEMENTS / EXPULSION ENROLLMENTS**
- **CONFERENCE WITH LABOR NEGOTIATORS**

Agency designated representatives: Edward D'Souza, Ph.D., Acting Superintendent; Lead Personnel Agents: Rhonda Kramer, Roxanne Dominguez, and Armando Urteaga, Personnel Services.

Employee organizations: California School Employees Association, Chapter 203 (CSEA), Rialto Education Association (REA), Communications Workers of America (CWA)

- **PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d) and/or (d)(3). CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE LITIGATION - Number of Potential Claims: 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.

None.

Vote by Board Members to move into Closed Session:

Time: 6:02 p.m.

Approved by a Unanimous Vote

A.4 ADJOURNMENT OF CLOSED SESSION

Moved By Member O'Kelley

Seconded By Clerk Dominguez

Vote by Board Members to adjourn Closed Session:

Time:7:02 p.m.

Approved by a Unanimous Vote

A.5 OPEN SESSION RECONVENED - 7:00 p.m.

Open session reconvened at 7:02 p.m.

A.6 PLEDGE OF ALLEGIANCE

Safety Intervention Officer, Fletcher Lang led the pledge of allegiance

A.7 REPORT OUT OF CLOSED SESSION

Moved By Vice President Montes

Seconded By Member Dr. Lewis

The Board of Education accepted the administrative appointment of Dr. Robin McMillon, Lead Student Services Agent, effective July 11, 2024.

Vote by Board Members:

Approved by a Unanimous Vote

Moved By Member Dr. Lewis

Seconded By Member O'Kelley

The Board of Education accepted the administrative appointment of Liliana Casarrubias, High School Assistant Principal, effective July 11, 2024.

Vote by Board Members:

Approved by a Unanimous Vote

A.8 ADOPTION OF AGENDA

Moved By Vice President Montes

Seconded By Member O'Kelley

Vote by Board Members to adopt the agenda:

Approved by a Unanimous Vote

B. PRESENTATIONS - None

C. COMMENTS

C.1 PUBLIC COMMENTS ON AGENDA ITEMS

Any person wishing to speak on any item on the Agenda will be granted three minutes.

None.

D. PUBLIC HEARING

D.1 OPEN PUBLIC HEARING

Any person wishing to speak on the item on the Public Hearing agenda will be granted three minutes.

D.1.1 FORM FOR PUBLIC DISCLOSURE OF PROPOSED COLLECTIVE BARGAINING AGREEMENT (AB1200) - RIALTO EDUCATION ASSOCIATION

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

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 Rialto Unified School District Board of Education, and the Rialto Education Association (REA), is hereby posted in compliance with the legislative requirements for public notice.

Vote by Board Members to open Public Hearing:

Time:7:07 p.m.

Approved by a Unanimous Vote

D.2 CLOSE PUBLIC HEARING

Moved By Vice President Montes

Seconded By Member O'Kelley

Vote by Board Members to close Public Hearing:

Time: 7:07 p.m.

Approved by a Unanimous Vote

E. CONSENT CALENDAR ITEMS

All items on the Consent Calendar will be acted upon in one motion unless pulled by Board of Education members or the Superintendent for individual action.

Moved By Member O'Kelley

Seconded By Member Dr. Lewis

Vote by Board Members to approve Consent Calendar Items:

Approved by a Unanimous Vote

E.1 GENERAL FUNCTIONS CONSENT ITEMS

E.1.1 APPROVE THE SECOND READING OF REVISED BOARD POLICY 4116.11; SENIORITY - TIE BREAKING CRITERIA

Moved By Member O'Kelley

Seconded By Member Dr. Lewis

Vote by Board Members:

Approved by a Unanimous Vote

E.2 INSTRUCTION CONSENT ITEMS - None

E.3 BUSINESS AND FINANCIAL CONSENT ITEMS

E.3.1 APPROVE THE WARRANT LISTING AND PURCHASE ORDER LISTING

Moved By Member O'Kelley

Seconded By Member Dr. Lewis

All funds from June 5, 2024 through June 17, 2024, (Sent under separate cover to Board Members). A copy for public review will be available on the District's website.

Vote by Board Members:

Approved by a Unanimous Vote

E.3.2 DONATIONS

Moved By Member O'Kelley

Seconded By Member Dr. Lewis

Accept the listed donations from The Blackbaud Giving Fund/Your Cause; and San Bernardino County/Joe Baca, Jr., and that a letter of appreciation be sent to the donor.

Vote by Board Members:

Approved by a Unanimous Vote

E.3.3 AUTHORIZE THE PURCHASE, WARRANTY, AND INSTALLATION OF JANITORIAL SUPPLIES AND EQUIPMENT FROM WAXIE'S ENTERPRISES, LLC UTILIZING CALIFORNIA MULTIPLE AWARD SCHEDULE (CMAS) NUMBER 4-23-11-1017

Moved By Member O'Kelley

Seconded By Member Dr. Lewis

Approve the use of California Multiple Award Schedule (CMAS) Number 4-23-11-1017 from WAXIE's Enterprises, LLC at a cost to be determined at the time of purchase and to be paid using various funds.

Vote by Board Members:

Approved by a Unanimous Vote

E.3.4 APPROVE A RENEWAL AGREEMENT WITH NAVIGATE 360 - RIALTO HIGH SCHOOL

Moved By Member O'Kelley

Seconded By Member Dr. Lewis

Provide a reward, track, redeem process and data to help support our PBIS Rewards school culture, effective July 11, 2024 through June 30, 2025, at a cost not-to-exceed \$7,297.00, and to be paid from the General Fund (Title I).

Vote by Board Members:

Approved by a Unanimous Vote

E.3.5 APPROVE A RENEWAL AGREEMENT WITH SMARTPASS INC. - SECONDARY SCHOOL

Moved By Member O'Kelley

Seconded By Member Dr. Lewis

Provide attendance support at secondary school sites, effective July 11, 2024 through June 30, 2025, at a cost not-to-exceed \$40,000.00, and to be paid from the General Fund (Title I).

Vote by Board Members:

Approved by a Unanimous Vote

E.3.6 APPROVE AN AGREEMENT WITH AKIPS

Moved By Member O'Kelley

Seconded By Member Dr. Lewis

Provide a network monitoring software and infrastructure performance-monitoring tool, effective July 14, 2024, through July 13, 2025, at a cost not-to-exceed \$25,350.00, and to be paid from the General Fund.

Vote by Board Members:

Approved by a Unanimous Vote

E.4 FACILITIES PLANNING CONSENT ITEMS

E.4.1 NOTICE OF COMPLETION - MIKE'S CUSTOM FLOORING

Moved By Member O'Kelley

Seconded By Member Dr. Lewis

Accept the work completed on November 1, 2023, by Mike's Custom Flooring for the Bemis Elementary School, Henry Elementary School, Morgan Elementary School, and Myers Elementary School Flooring Project, and authorize District staff to file a Notice of Completion with the San Bernardino County Recorder.

Vote by Board Members:

Approved by a Unanimous Vote

E.5 PERSONNEL SERVICES CONSENT ITEMS

E.5.1 APPROVE PERSONNEL REPORT NO. 1321 FOR CLASSIFIED AND CERTIFICATED EMPLOYEES

Moved By Member O'Kelley

Seconded By Member Dr. Lewis

Vote by Board Members:

Approved by a Unanimous Vote

E.5.2 ADOPT RESOLUTION NO. 24-25-03 - BILINGUAL AUTHORIZATION WAIVER

Moved By Member O'Kelley

Seconded By Member Dr. Lewis

Authorize 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.

Vote by Board Members:

Approved by a Unanimous Vote

E.6 MINUTES

E.6.1 APPROVE THE MINUTES OF THE REGULAR BOARD OF EDUCATION MEETING OF JUNE 12, 2024

Moved By Member O'Kelley

Seconded By Member Dr. Lewis

Vote by Board Members:

Approved by a Unanimous Vote

F. DISCUSSION/ACTION ITEMS

F.1 AWARD BID NO. 23-24-024 ELEMENTARY SCHOOL ASPHALT REPLACEMENT TO PAVEWEST, INC.

Moved By Member O'Kelley

Seconded By Member Dr. Lewis

In the award for Bid No. 23-24-024 for Elementary School Asphalt Replacement the District (i) rejects the Bid submitted by Bens Asphalt, Inc. because Bens Asphalt, Inc. failed to comply with the Prequalification Requirement; and (ii) waives, as minor irregularities, the errors in all other bids of submitting a Certification Regarding Site Visit form that had been signed by a person who, as indicated by the Sign-In Sheet, did not attend the Mandatory Conference; and (iii) awards the Contract to PaveWest, Inc. for a total cost of \$3,977,000.00 which includes a \$200,000.00 allowance for unforeseen conditions and to be paid from the General Fund (Routine Repair Maintenance Account).

Vote by Board Members:

Approved by a Unanimous Vote

F.2 AUTHORIZATION TO UTILIZE THE KINGS COUNTY OFFICE OF EDUCATION BID PROJECT NO. 2024-04 CONTRACT WITH SOFTCHOICE

Moved By Member Dr. Lewis

Seconded By Member O'Kelley

Authorize the use of the Kings County Office of Education Bid Project No. 2024-04 with Softchoice for the purchase of Microsoft Volume Licensing, effective August 1, 2024 through July 31, 2025, at a cost not-to-exceed \$236,869.50 and to be paid from the General Fund.

Vote by Board Members: **Approved by a Unanimous Vote**

F.3 AUTHORIZATION TO UTILIZE CALIFORNIA PARTICIPATING ADDENDUM NO. 7-23-70-55-12 UNDER THE MINNESOTA MASTER AGREEMENT NO. 23002 AWARDED TO ACER AMERICA CORPORATION

Moved By Member O'Kelley

Seconded By Clerk Dominguez

Approve the use of California Participating Addendum No. 7-23-70-55-12 from Acer America Corporation at a cost to be determined at the time of purchase and to be paid using various funds.

Vote by Board Members: **Approved by a Unanimous Vote**

F.4 AUTHORIZE THE PURCHASE, WARRANTY, AND INSTALLATION OF HARDWARE, SOFTWARE, AND RELATED SERVICES FROM CONVERGEONE, INC. UTILIZING CALIFORNIA MULTIPLE AWARD SCHEDULE (CMAS) NUMBER 3-23-03-1036

Moved By Member O'Kelley

Seconded By Member Dr. Lewis

Approve the use of California Multiple Award Schedule (CMAS) Number 3-23-03-1036 from ConvergeOne, Inc. at a cost to be determined at the time of purchase and to be paid using various funds.

Vote by Board Members: **Approved by a Unanimous Vote**

F.5 AUTHORIZE THE PURCHASE, WARRANTY, AND INSTALLATION OF HARDWARE, SOFTWARE, AND RELATED SERVICES FROM J. SWEIGART INC DOING BUSINESS AS BDJTECH UTILIZING CALIFORNIA MULTIPLE AWARD SCHEDULE (CMAS) NUMBER 3-24-03-1009

Moved By Member O'Kelley

Seconded By Clerk Dominguez

Approve the use of California Multiple Award Schedule (CMAS) Number 3-24-03-1009 from J. Sweigart Inc doing business as BDJtech at a cost to be determined at the time of purchase and to be paid using various funds.

Vote by Board Members:

Approved by a Unanimous Vote

F.6 APPROVE CHANGE ORDER NO. 1 FOR AMERICAN MODULAR SYSTEMS (AMS) FOR THE INTERNATIONAL HEALING PROJECT

Moved By Member Dr. Lewis

Seconded By Member O'Kelley

This item is in the amount of \$12,243.31 for a revised contract amount of \$1,229,423.31, for the two (2) modular buildings for the International Healing Garden Project, and to be paid from Fund 40 – Special Reserve for Capital Outlay.

Vote by Board Members:

Approved by a Unanimous Vote

F.7 APPROVE CHANGE ORDERS AND FILE A NOTICE OF COMPLETION FOR UNIVERSAL ASPHALT CO., INC.

Moved By Member O'Kelley

Seconded By Clerk Dominguez

Approve Change Orders for Universal Asphalt Co., Inc. No. 1 in the amount of \$37,300.00, Change Order No. 2 in the amount of \$69,300.00, and revise the awarded contract amount from \$2,960,000.00 to \$3,066,600.00, to be paid from Fund 14 - Deferred Maintenance. Accept the work completed on May 20, 2024, by Universal Asphalt, Co., Inc. for the District Asphalt

Replacement Project and authorize District staff to file a Notice of Completion with the San Bernardino County Recorder, with no fiscal impact.

Vote by Board Members:

Approved by a Unanimous Vote

F.8 APPROVE THE DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS FOR THE 2024-2025 SCHOOL YEAR

Moved By Member Dr. Lewis

Seconded By Member O'Kelley

Vote by Board Members:

Approved by a Unanimous Vote

F.9 APPROVE TENTATIVE SETTLEMENT AGREEMENT BETWEEN RIALTO EDUCATION ASSOCIATION AND RIALTO UNIFIED SCHOOL DISTRICT

Moved By Member Dr. Lewis

Seconded By Member O'Kelley

Vote by Board Members:

Approved by a Unanimous Vote

F.10 ADOPT RESOLUTION NO. 24-25-01 COMMUNITY FACILITIES DISTRICT NO. 2019-1 ESTABLISHING ANNUAL SPECIAL TAX FOR FISCAL YEAR 2024-2025

Moved By Member O'Kelley

Seconded By Clerk Dominguez

Vote by Board Members:

Approved by a Unanimous Vote

F.11 ADOPT RESOLUTION NO. 24-25-02 - REMUNERATION

Moved By Member Dr. Lewis

Seconded By Clerk Dominguez

Excuse the absence of Board Member, Nancy G. O'Kelley, from the Wednesday, June 12, 2024, regular meeting of the Board of Education.

Vote by Board Members:

(Ayes) President Martinez, Vice President Montes, Clerk Dominguez, Member Lewis

(Abstain) Member O'Kelley

Majority Vote

F.12 ADOPT RESOLUTION NO. 24-25-04 - REMUNERATION

Moved By Member O'Kelley

Seconded By Vice President Montes

Excuse the absence of Board Member, Dr. Stephanie E. Lewis, from the Wednesday, June 26, 2024, regular meeting of the Board of Education.

Vote by Board Members:

(Ayes) President Martinez, Vice President Montes, Clerk Dominguez, Member O'Kelley

(Abstain) Member Lewis

Majority Vote

F.13 APPROVE SALARY INCREASE OF 1.07% FOR CERTIFICATED AND CLASSIFIED MANAGEMENT, SUPERVISORY, AND CONFIDENTIAL EMPLOYEES

Moved By Member Dr. Lewis

Seconded By Member O'Kelley

This item is effective July 1, 2024. The fiscal impact is \$423,000 and will be paid from the General Fund, Adult Education Fund, Early Education Fund, and Cafeteria Fund.

Vote by Board Members:

Approved by a Unanimous Vote

F.14 APPROVE SALARY INCREASE OF 1.07% FOR CONTRACT MANAGEMENT EMPLOYEE

Moved By Member Dr. Lewis

Seconded By Member O'Kelley

Approve a salary increase for the Lead Strategic Agent that was given to the certificated management unit 1.07% effective July 1, 2024, as stipulated in her contract. Prior to voting on this item, consistent with Government Code section 54953, the Board President will orally report a summary of her salary/compensation provided under the contract.

Pursuant to Government Code 54953(c)(3), prior to taking final action, the Board must orally report a summary of a recommendation for action on the salary or compensation paid in the form of fringe benefits of a local agency executive before discussion and vote. The proposed recommendation is to approve a salary increase of 1.07% July 1, 2024, for the Lead Strategic Agent as stipulated in her contract. The Lead Strategic Agent's base salary shall be TWO HUNDRED SEVENTY-FIVE THOUSAND, FOUR HUNDRED SIXTEEN DOLLARS AND ZERO CENTS (\$275,416) per year, plus THIRTEEN THOUSAND, SEVEN HUNDRED SEVENTY-ONE DOLLARS AND ZERO CENTS (\$13,771.00) for her doctorate stipend, TWELVE THOUSAND, FIVE HUNDRED TWELVE DOLLARS AND ZERO CENTS (\$12,512.00) for longevity. All other terms and conditions of the Contract for Employment, including those related to fringe benefits, are unchanged.

Vote by Board Members:

Approved by a Unanimous Vote

F.15 APPROVE SALARY INCREASE OF 1.07% FOR CONTRACT MANAGEMENT EMPLOYEE

Moved By Member O'Kelley

Seconded By Clerk Dominguez

Approve a salary increase for the Acting Superintendent that was given to the certificated management unit 1.07% effective July 1, 2024. Prior to voting on this item, consistent with Government Code section 54953, the Board President will orally report a summary of his salary/compensation provided under the contract.

Pursuant to Government Code 54953(c)(3), prior to taking final action, the Board must orally report a summary of a recommendation for action on the salary or compensation paid in the form of fringe benefits of a local agency executive before discussion and vote. The proposed recommendation is to approve a salary increase of 1.07% July 1, 2024, for the Acting Superintendent as stipulated in his contract. The Acting Superintendent's base salary shall be THREE HUNDRED EIGHTEEN THOUSAND, THREE HUNDRED SEVENTY-ONE DOLLARS AND ZERO CENTS (\$318,371) per year, plus FIFTEEN THOUSAND, NINE HUNDRED NINETEEN DOLLARS AND ZERO CENTS (\$15,919.00) for his doctorate stipend, TWELVE THOUSAND, FIVE HUNDRED TWELVE DOLLARS AND ZERO CENTS (\$12,512.00) for longevity. All other terms and conditions of the Contract for Employment, including those related to fringe benefits, are unchanged.

Vote by Board Members:

Approved by a Unanimous Vote

G. OTHER COMMENTS

G.1 PUBLIC COMMENTS NOT ON THE AGENDA

At this time, any person wishing to speak on any item **not on** the Agenda will be granted three minutes.

Maurice Bowers, a Community Member, shared that it was brought to his attention that his comments at the last Board meeting may have caused a negative impression of the USC Literacy Program. He explained that it was never his intention to cause any disrespect to the program or the student performer. He congratulated the young man who performed and knows that his talent will continue to shine. He wished him a promising future. He thanked the District for the USC Literacy Program and said that it is his sincere hope that the program continues. He spoke of the many successes of the RUSD graduating students and said it is a reflection of the District's support. He also shared that he will be joining the next USC Family cohort in the fall and looks forward to the program.

G.2 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)

Chris Cordasco California School Employees Association (CSEA), thanked the Board for approving the settlement agreement for Rialto Education Association. He was happy to report that CSEA has also reached a settlement on their contract, and he will take it to his members for voting in the upcoming weeks. He will also be taking the Class and Comp for voting and a few other Memorandums of Understanding.

G.3 COMMENTS FROM THE ACTING SUPERINTENDENT

G.4 COMMENTS FROM MEMBERS OF THE BOARD OF EDUCATION

H. ADJOURNMENT

The next regular meeting of the Board of Education of the Rialto Unified School District will be held on August 14, 2024, at 7:00 p.m. at the Dr. John Kazalunas Education Center, 182 East Walnut Ave, Rialto, California.

Materials distributed or presented to the Board of Education at the Board Meeting are available upon request from the Superintendent's Office.

Moved By Clerk Dominguez

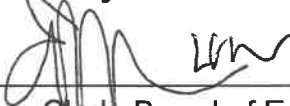
Seconded By Member O'Kelley

Prior to adjournment, the Board requested a moment of silence to honor Mr. Richard Flora, Kolb Middle School Teacher; Mr. Thomas Torrence, Director of Maintenance & Operations; and Mr. Armand Messer, Principal of Eisenhower High School, who passed away within the last month.

Vote by Board Members to adjourn:

Time: 8:09 p.m.

Approved by a Unanimous Vote



Clerk, Board of Education



Secretary, Board of Education