

MINUTES

RIALTO UNIFIED SCHOOL DISTRICT

February 9, 2022

**Dr. John R. Kazalunas Education Center
182 East Walnut Avenue
Rialto, California**

Board Members

Present: **Edgar Montes, President**
Stephanie E. Lewis, Vice President
Nancy G. O'Kelley, Clerk
Joseph Martinez, Member
Dina Walker, Member

Board Members

Absent: **Julian Hunter, Student Board Member**

Administrators

Present: **Cuauhtémoc Avila, Ed.D., Superintendent**
Patricia Chavez, Ed.D., Lead Innovation Agent
Diane Romo, Lead Business Services Agent
Rhea McIver Gibbs, Ed.D., Lead Personnel Agent
Also present was Martha Degortari, Executive Administrative Agent and Jose Reyes, Interpreter/Translator

Administrators

Absent: **Darren McDuffie, Ed.D., Le and Josp Strategic Agent:
Strategics, Congruence and Social Justice**

A. OPENING

A.1 CALL TO ORDER - 5:30 p.m.

The regular Board Meeting of the Board of Education of the Rialto Unified School District was called to order at 5:31 p.m., by Board President Edgar Montes at the Dr. John R. Kazalunas Education Center, at 182 E. Walnut Avenue, Rialto, California 92376.

A.2 OPEN SESSION

A.2.1 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.

A.3 CLOSED SESSION

Moved By Member Martinez

Seconded By Clerk O'Kelley

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

Vote by Board Members to move into Closed Session:

Time: 5:34 p.m.

Approved by a Unanimous Vote

**A.3.1 PUBLIC EMPLOYEE
EMPLOYMENT/DISCIPLINE/DISMISSAL/RELEASE/REASSIGN
MENT OF EMPLOYEES (GOVERNMENT CODE SECTION
54957)**

**A.3.2 STUDENT EXPULSIONS/REINSTATEMENTS/EXPULSION
ENROLLMENTS**

A.3.3 CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Cuauhtémoc Avila, Ed.D., Superintendent; Rhea McIver Gibbs, Ed.D., 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)

**A.3.4 CONSIDERATION OF APPEAL OF INVESTIGATION FINDINGS
TO BOARD UNDER ADMINISTRATIVE REGULATION 4030
(GOVERNMENT CODE SECTION 54957)**

A.4 ADJOURNMENT OF CLOSED SESSION

Moved By Vice President Lewis

Seconded By Member Walker

Vote by Board Members to adjourn out of Closed Session:

Time: 7:22 p.m.

Approved by a Unanimous Vote

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

Open session reconvened at 7:22 p.m.

A.6 PLEDGE OF ALLEGIANCE

Member Dina Walker, led the pledge of allegiance.

A.7 REPORT OUT OF CLOSED SESSION

Moved By Vice President Lewis

Seconded By Member Walker

The Board of Education accepted the administrative appointment of Felipe Sabalza, Applied Behavior Analysis Specialist.

Approved by a Unanimous Vote

Moved By Member Walker

Seconded By Clerk O'Kelley

The Board of Education accepted the administrative appointment of Roberto Cerda, Applied Behavior Analysis Specialist.

Approved by a Unanimous Vote

Moved By Member Martinez

Seconded By Clerk O'Kelley

The Board of Education took action to suspend Certificated employee #2895332, Secondary Teacher, without pay pursuant to Education Code section 44939 and to authorize the administration to issue a 30 Day Notice of Dismissal in accordance with Education Code section 44934.

Approved by a Unanimous Vote

A.8 ADOPTION OF AGENDA

Moved By Clerk O'Kelley

Seconded By Member Martinez

Vote by Board Members to adopt the agenda:

Approved by a Unanimous Vote

B. PRESENTATIONS - None

C. COMMENTS

C.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.

Gwendolyn Heard Nelson, Community Member and Rialto citizen since 1974, shared that she has two daughter who completed high school in Rialto Unified School District and went on to college and now have successful careers. She commented that she has been a walker at Frisbie Middle School for over 40 years and is requesting the track, to once again, be accessible to the community. She indicated that the District installed a gate and a walkway, which until recently had been accessible to the community, until the recent reassignment of Custodian, Mr. Francis. She sent an email to the Principal and copied the Superintendent and Risk Management asking for the gate to the track be opened at the same time that the custodian opens the parking lot at 6:30 a.m. But to this date she has received no response. She asked if there is a reason, why the gates are no longer opened since the assignment of the new custodian, and what can be done to resolve this issue so they can walk again. She reminded the Board that walking is a key to a healthy lifestyle. Board President requested that she leave her contact information and assured her that the District would look into this and get back to her.

Aurora Sotelo, Boyd Elementary School Parent, shared that she was here previously along with other parents to express some concerns. She indicated that her main reason for being here today was to thank Superintendent, Dr. Avila for listening to them and for giving them solutions. She explained that she was here once again because the Principal told them that the Bilingual Aides would only be available for the first and second

grade students. Her concern is that the third, fourth, and fifth grade classes have a lot more students. She is requesting that the Bilingual Aides also be made available to the third, fourth, and fifth grade classrooms.

Ms. Sotelo also explained that there was an accident in the garden, and she believes that if Custodian, Mr. Allen had been present, this would not have happened. Children were very sad that they had worked so hard in taking care of their plants and were not able to harvest anything.

Evelyn Dominguez, Boyd Elementary Parent, thanked everyone on the Board and the Superintendent for addressing the issue with the Bilingual Aides. They were advised that the plan is in motion to get the aides in the classroom for the first and second graders. They were also advised that there would be no aides for the third, fourth, and fifth graders, which are the largest classes and need the most help.

Mrs. Dominguez thanked everyone who helped and donated their time to fix the garden and make it a positive experience for the children. However, she explained that school administration has yet to let them know what happened. She also shared that she was informed by her son that a parent was allowed to be in the classroom and this is very concerning to her because she does not know if this parent was vaccinated, asymptomatic, or was even wearing a mask. She was told this parent was allowed because the child was having a bad day. She commented that she should then be allowed in the classroom every time her son has a bad day. She thanked the Board for their continued support, as she will continue to advocate for the children.

Michael Montano, Rialto High School Teacher, shared a quote from Morgan Freeman, and indicated that he would continue to move forward as referenced in the quote. He said he was here to speak again on the matter of student grades. He shared copies of student grades with the Board and the Superintendent and said he understood there was a District mandate requiring teachers to be called in by administration to discuss the high amount of students in their classroom with "D's" and "F's". He says these students need help and it takes everyone. He feels these students were let down and set up to fail and he too feels that he was set up to fail. He questioned how many of these students were called in at the beginning of the year and given extra supports. He said he is looking for help and is asking for conversations on this issue.

Annette Wilson, Parent of several students throughout the District, shared that her daughter was attacked on February 2, 2022 by another

student at Frisbie Middle School. She shared details of the parent of the student initiating the fight, assisting and encouraging continued altercations between the students. She said the fights were posted on social media. Mrs. Wilson explained that she did everything she knew of to try and prevent this from continuing, including changing her daughter's classes. She also indicated that administration never provided conflict resolution to what took place. After, changing her schedule and students being released back to class, her daughter is attacked again by this student and as a result, her daughter also gets suspended. Ms. Wilson does not understand why this is called "mutual conflict" when her daughter did everything to avoid this fight. She shared further details of a school officer slamming her daughter to the ground and details of the incident where her family was followed home and attacked by these students.

Mrs. Wilson shared her frustration and concern of the District having policies in place to protect the District but not the students. She questioned how it is okay for her student to be suspended for defending herself, and questioned the decisions of staff members at the site. She shared that she has filed a uniform complaint and will await to hear back.

Kim Watson, District African American Parent Advisory Council (DAAPAC) Liaison, and Leslie Evans, DAPAAC Secretary shared that they had three great meetings which were held in December, January, and February along with a holiday extravaganza and a presentation by Dr. Rhea McIver Gibbs and Rhonda Kramer on the complaint process. During their January meeting, they shared a presentation of the LCAP process by Juanita Chan, on behalf of Ms. Carol Mehochko. Mrs. Watson also shared the DAPAAC celebration held on February 3, 2022 where Mrs. Patricia Conner, past Historian and Ms. Brenda Parker, past President were honored for five years of dedicated service. She commented that they will continued to keep parents engaged with trivia, scavenger hunts, etc.

Ms. Leslie Evens, DAAPAC Secretary, invited everyone to their virtual Black History celebration on Saturday, February 26, 2022 from 10:00 to 12:00 noon.

C.2 PUBLIC COMMENTS ON AGENDA ITEMS

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

None.

C.3 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).

Miesha Calloway, Rialto Education Association (REA) President indicated that they continue standing in union with CSEA; and their teachers continue to support them at the school campuses. She shared that they need a very strong push once again on hiring aides in the classrooms and other support positions that are still open. She is concerned that she herself has referred people to apply and they tell her that they are not hearing anything back. She is also hearing that other districts are having successful hiring. She is requesting that we push to get these positions filled so that the District does not scramble last minute and people do not go elsewhere.

Ms. Calloway also shared that communication continues to be a concern. She said that the COVID plan was sent out to families, no communication was given to staff about the plan, and parents immediately started calling the teachers with questions. She questioned why the teachers did not know about this ahead of time and is hoping this does not continue to be the practice. She asked to please let the teachers know what is going on before information goes out to families.

Ms. Calloway shared all the great safety training that Safety and Security staff have received and she wondered if administration is aware of the tools and resources set in place and available. She would like to make sure that students are being serviced and administration is doing their job in providing the resources available to them.

C.4 COMMENTS FROM STUDENT BOARD MEMBER

C.5 COMMENTS FROM THE SUPERINTENDENT

C.6 COMMENTS FROM MEMBERS OF THE BOARD OF EDUCATION

D. PUBLIC HEARING - None

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 Clerk O'Kelley

Seconded By Member Walker

Vote by Board Members to approve Consent Calendar items:

Approved by a Unanimous Vote

E.1 GENERAL FUNCTIONS CONSENT ITEMS - None

E.2 INSTRUCTION CONSENT ITEMS - None

E.3 BUSINESS AND FINANCIAL CONSENT ITEMS

E.3.1 WARRANT LISTING AND PURCHASE ORDER LISTING

Moved By Clerk O'Kelley

Seconded By Member Walker

Approve Warrant Listing Register and Purchase Order Listing for all funds from January 7, 2022 through January 20, 2022.(Sent under separate cover to Board Members). A copy for public review will be available at the Board Meeting.

Vote by Board Members:

Approved by a Unanimous Vote

E.3.2 DONATIONS

Moved By Clerk O'Kelley

Seconded By Member Walker

Accept the listed donations from GoldStar; Chick-fil-A; Amazon LGB8; Magicland Children's Dentistry & Orthodontist; Operation New Hope; Kenny House; Beto Gonzalez; Magicland Children's Dentistry & Orthodontist; David Labovitch (DJ Dizzy); Target Fontana; GoldStar; Rialto Rotary Club; Rialto Host Lions Club; A O-KAY Glass

& Screen; Les Schwab Tires Rialto; Scholastics; Olive Garden; Macy's Victoria Gardens Main Store #533; Chicano Latino Caucus of San Bernardino County; Supervisor Joe Baca Jr.; Alianza Latina; The Elf on the Shelf on Skates; Eddie Garcia (DJ Eturnal); Mr. & Mrs. Claus, and request that a letter of appreciation be sent to the donor.

Vote by Board Members:

Approved by a Unanimous Vote

E.3.3 AMENDMENT TO THE AGREEMENT WITH ROBERT JACKSON CONSULTING

Moved By Clerk O'Kelley

Seconded By Member Walker

Amend the agreement with Robert Jackson Consulting to provide one additional virtual staff professional development session for Frisbie Middle School and Kucera Middle School on February 2, 2022, at a cost not-to-exceed \$5,000.00, and to be paid from the General Fund – Site Title I.

Vote by Board Members:

Approved by a Unanimous Vote

E.3.4 AGREEMENT WITH JOHN R. BYERLY, INC. TO PROVIDE GEOTECHNICAL INVESTIGATION REQUIRED FOR CONSTRUCTION OF NEW TWO-STORY CLASSROOM BUILDINGS AT EISENHOWER HIGH SCHOOL

Moved By Clerk O'Kelley

Seconded By Member Walker

Approve an agreement with John R. Byerly, Inc. to conduct a geotechnical investigation and geologic hazard assessment for the two-story classroom buildings at Eisenhower High School, effective February 10, 2022, through December 31, 2022, at a cost not-to-exceed \$21,925.00, and to be paid from Fund 21 – General Obligation (G.O.) Bond.

Vote by Board Members:

Approved by a Unanimous Vote

**E.3.5 APPROVAL TO ATTEND CONFERENCE A DREAM DEFERRED:
THE FUTURE OF AFRICAN AMERICAN EDUCATION**

Moved By Clerk O'Kelley

Seconded By Member Walker

Approve the participation of one (1) parent from the District African American Parent Advisory Council (DAAPAC) Board to attend the "A Dream Deferred" conference in Washington DC from March 1 - 4, 2022, at a cost not-to-exceed \$4,000.00, and to be paid from the General Fund.

Vote by Board Members:

Approved by a Unanimous Vote

E.3.6 AGREEMENT WITH MIND & MILL

Moved By Clerk O'Kelley

Seconded By Member Walker

Approve an agreement with Mind & Mill to provide their services with Rialto Unified School District, Education Services, effective February 10, 2022 through June 3, 2022, at a cost not-to-exceed \$17,845.00, and to be paid from the General Fund.

Vote by Board Members:

Approved by a Unanimous Vote

E.4 FACILITIES PLANNING CONSENT ITEMS - None

E.5 PERSONNEL SERVICES CONSENT ITEMS

**E.5.1 PERSONNEL REPORT NO. 1271 FOR CLASSIFIED AND
CERTIFICATED EMPLOYEES**

Moved By Clerk O'Kelley

Seconded By Member Walker

Approve Personnel Report No. 1271 for classified and certificated employees.

Vote by Board Members:

Approved by a Unanimous Vote

E.5.2 RESOLUTION NO. 21-22-30 - SPORTS PHYSICAL EDUCATION

Moved By Clerk O'Kelley

Seconded By Member Walker

Adopt Resolution No. 21-22-30 authorizing the Lead Personnel Agent, Personnel Services, to assign a full-time teacher with a credential other than Physical Education to coach a competitive sport for one period per day for which students receive Physical Education credit.

Vote by Board Members:

Approved by a Unanimous Vote

E.6 MINUTES

**E.6.1 MINUTES OF REGULAR BOARD OF EDUCATION MEETING
HELD JANUARY 26, 2022**

Moved By Clerk O'Kelley

Seconded By Member Walker

Approve the minutes of the Regular Board of Education meeting held January 26, 2022.

Vote by Board Members:

Approved by a Unanimous Vote

F. DISCUSSION/ACTION ITEMS

**F.1 AMENDMENT OF FUNDING TO AB104 CALIFORNIA ADULT
EDUCATION PROGRAM (CAEP)**

Moved By Vice President Lewis

Seconded By Clerk O'Kelley

Approve an amendment with San Bernardino Community College District to receive additional California Adult Education Program fund of \$309,682.00, making the total Rialto Adult School budget \$1,415,152.00.

Vote by Board Members:

Approved by a Unanimous Vote

F.2 AGREEMENT WITH PQBIDS FOR A CONSTRUCTION CONTRACTOR PREQUALIFICATION PLATFORM

Moved By Clerk O'Kelley

Seconded By Member Walker

Approve an agreement with PQBids for a Construction Contractor Prequalification Platform for five years effective February 10, 2022 through February 9, 2027, at a cost not-to-exceed \$55,000.00, and to be paid from the General Fund.

Vote by Board Members:

Approved by a Unanimous Vote

F.3 AGREEMENT WITH PLANETBIDS FOR AN ELECTRONIC PROCUREMENT PLATFORM

Moved By Clerk O'Kelley

Seconded By Member Walker

Approve an agreement with PlanetBids for an Electronic Procurement Platform for five years effective February 10, 2022 through February 9, 2027, at a cost not-to-exceed \$98,750.00, and to be paid from the General Fund.

Vote by Board Members:

Approved by a Unanimous Vote

F.4 ADMINISTRATIVE HEARING

Moved By Clerk O'Kelley

Seconded By Member Martinez

Case Numbers:

21-22-30

21-22-29

21-22-28

Vote by Board Members:

Approved by a Unanimous Vote

F.5 STIPULATED EXPULSION

Moved By Clerk O'Kelley

Seconded By Member Martinez

Case Number:

21-22-31

Vote by Board Members:

Approved by a Unanimous Vote

G. ADJOURNMENT

The next regular meeting of the Board of Education of the Rialto Unified School District will be held on February 23, 2022, 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.

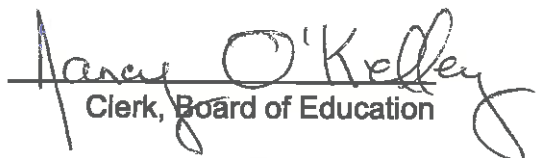
Moved By Member Walker


Seconded By Clerk O'Kelley

Vote by Board Members to adjourn.

Time: 8:34 p.m.

Approved by a Unanimous Vote


Clerk, Board of Education


Secretary, Board of Education



Rialto Unified School District

Board Date: February 23, 2022

TO: Board of Education
FROM: Cuauhtémoc Avila, Ed.D., Superintendent
ITEM: **RESOLUTION NO. 21-22-31 NATIONAL SCHOOL BREAKFAST WEEK**

**RESOLUTION OF THE BOARD OF EDUCATION OF
THE RIALTO UNIFIED SCHOOL DISTRICT**

NATIONAL SCHOOL BREAKFAST WEEK

February 23, 2022

WHEREAS, the School Breakfast Program has served our nation admirably since it was permanently established in 1975; and

WHEREAS, the School Breakfast Program is dedicated to the health and well-being of our nation's children, and

WHEREAS, the School Breakfast Program joins and has been joined through the years by many other excellent child nutrition programs; and

WHEREAS, there is evidence of continued need for nutrition education and awareness of the value of school nutrition programs.

WHEREAS, my administration is dedicated to expanding access to and enhancing current school breakfast programs throughout the state to ensure that our children are provided with the means to succeed; and

WHEREAS, research shows that school-age children who experience hunger have higher levels of absenteeism, nurse's visits, and have more challenges than children receiving a well-balanced diet; and

WHEREAS, frequent studies have shown that meals provided at school not only contribute to the nutritional needs of students, but also significantly increase and enhance their ability to learn; and

WHEREAS, as parents, teachers, and school food personnel, we are endowed with the responsibility of providing the children of our communities and state with their basic resources needed to grow, learn, discover their own potential, and live happy fulfilling lives; and

WHEREAS, Breakfast After the Bell programs, which make breakfast part of the school day, are desirable and effective ways of ensuring more students realize the benefits of breakfast.

WHEREAS, offering breakfast as part of the school day improves children's diets, builds healthy, lifelong eating habits and allows students to begin their days focused and ready to learn. The benefits of these models are maximized when schools offer free meals to all students at no cost.

WHEREAS, the Community Eligibility Provision offers high-need California schools the opportunity to serve breakfast to all students at no cost. This provision has the added benefits to schools of reducing administrative costs, eliminating the collection of paper applications, streamlining meal service operations and increasing the reimbursements schools receive from federal child nutrition programs.

NOW THEREFORE, BE IT RESOLVED that the Board of Education does hereby proclaim March 7-11, 2022, as NATIONAL SCHOOL BREAKFAST WEEK, and encourages all citizens to recognize the efforts made by schools, their food service directors, and cafeteria staff to ensure the health, safety, and success of our children.

APPROVED AND ADOPTED, by the Board of Education of the Rialto Unified School District of San Bernardino County, at a regular meeting of the Board of Education held February 23, 2022, by the following vote:

AYES: _____ NOES: _____ ABSENT: _____ ABSTAINED: _____

I certify under penalty of perjury, the foregoing statements to be true and correct.

Cuauhtémoc Avila, Ed.D.
Secretary, Board of Education

Edgar Montes
President, Board of Education

Submitted by: Fausat Rahman-Davies
Reviewed by: Diane Romo



TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **RESOLUTION NO. 21-22-32
APPROVING THE ACCEPTANCE OF GENERAL FUND GRANT FUNDS
FOR THE RIALTO UNIFIED SCHOOL DISTRICT
INTERNATIONAL HEALING GARDEN PROJECT**

**RESOLUTION OF THE BOARD OF EDUCATION OF
THE RIALTO UNIFIED SCHOOL DISTRICT**

**APPROVING THE ACCEPTANCE OF GENERAL FUND GRANT FUNDS FOR
THE RIALTO UNIFIED SCHOOL DISTRICT INTERNATIONAL HEALING GARDEN
PROJECT**

February 23, 2022

WHEREAS, the Legislature and Governor of the State of California have approved a grant for the project shown above; and

WHEREAS, the California Natural Resources Agency has been delegated the responsibility for the administration of the grant project, setting up necessary procedures; and

WHEREAS, said procedures established by the California Natural Resources Agency require the Grantee to certify by resolution the approval of the Project Information Package before submission of said package to the State; and

WHEREAS, the Grantee will enter into an agreement with the State of California for subject project(s):

NOW, THEREFORE, BE IT RESOLVED that the Rialto Unified School District

1. Approves the acceptance of general fund allocation for local assistance for the above project(s); and
2. Certifies that said agency understands the assurances and certification in the Project Information Form; and
3. Certifies that said agency will have sufficient funds to develop/complete the planning project(s) or will secure the resources to do so; and
4. Certifies that said agency will comply with the provisions of Section 1771.5 of the California Labor Code.

5. If applicable, certifies that the project will comply with any laws and regulation including, but not limited to, the California Environmental Quality Act (CEQA), legal requirements for building codes, health and safety codes, disabled access laws, environmental laws and, that prior to commencement of construction, all applicable licenses and permits will have been obtained.
6. Certifies that said agency has reviewed and understands the General Provisions contained in the Project Agreement shown in the Procedural Guide; and
7. Appoints the Lead Business Services Agent as agent to conduct all negotiations, execute and submit all documents including, but not limited to Project Information Form, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project(s).

APPROVED, ADOPTED, and RESOLVED by the Board of Education of the Rialto Unified School District of San Bernardino County, at a regular meeting of the Board of Education held February 23, 2022, by the following vote:

AYES: _____ NOES: _____ ABSENT: _____ ABSTAINED: _____

I certify under penalty of perjury, the foregoing statements to be true and correct.

Cuahtémoc Avila, Ed.D.
Secretary, Board of Education

Edgar Montes
President, Board of Education

Submitted and Reviewed by: Diane Romo