

**MINUTES**  
**RIALTO UNIFIED SCHOOL DISTRICT**

**August 25, 2021**  
**Dr. John R. Kazalunas Education Center**  
**182 East Walnut Avenue**  
**Rialto, California**

**Board Members**

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

**Board Members**

**Absent:** Dina Walker, Member

**Administrators**

**Present:** Cuauhtémoc Avila, Ed.D., Superintendent  
Darren McDuffie, Ed.D., Lead Strategic Agent: Strategic,  
Congruence and Social Justice  
Patricia Chavez, Ed.D., Lead Innovation Agent  
Derek Harris, Acting Lead Business Services Agent  
Rhea McIver Gibbs, Ed.D., Lead Personnel Agent  
Rhonda Kramer, Lead Personnel Agent  
Martha Degortari, Executive Administrative Agent and Jose  
Reyes, Interpreter/Translation

**A. OPENING**

**A.1 CALL TO ORDER**

The regular Board meeting of the Board of Education of the Rialto Unified School District was called to order at 6:02 p.m., by Board President Martinez at the Dr. John R. Kazalunas Education Center, at 182 E. Walnut Avenue, Rialto, California 92376.

Meeting was called to order at 6:02 p.m.

**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**

Edgar Montes, Vice President joined the meeting at 6:20 pm.

**Moved By** Clerk Lewis

**Seconded By** Member 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. Board Vice President Montes was not present during this vote.**

Time: 6:02 p.m.

**Majority 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.4 ADJOURNMENT OF CLOSED SESSION**

**Moved By** Clerk Lewis

**Seconded By** Member O'Kelley

**Vote by Board Members to adjourn out of Closed Session:**

Time: 7:00 p.m.

**Approved by a Unanimous 4 to 0 Vote**

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

Open session reconvened at 7:00 p.m.

**A.6 PLEDGE OF ALLEGIANCE**

Board President, Joseph W. Martinez, led the pledge of allegiance.

**A.7 REPORT OUT OF CLOSED SESSION**

**Moved By** Clerk Lewis

**Seconded By** Member O'Kelley

The Board of Education voted on the request for an unpaid leave of absence for classified employee #2501411, from September 3, 2021 through September 3, 2022.

**The roll call vote was as follows: President Martinez (Aye), Vice President Montes (No), Clerk Lewis (Aye), Member O'Kelley (No)**

Therefore, the request for an unpaid leave is denied.

**Motion Dies**

**Moved By** Clerk Lewis

**Seconded By** Member O'Kelley

The Board of Education denied the request for an unpaid leave of absence for classified employee #2704431, from September 7, 2021 through April 29, 2023.

**Approved by a Unanimous 4 to 0 Vote**

**Moved By** Member O'Kelley

**Seconded By** Vice President Montes

The Board of Education denied the request for an unpaid leave of absence for classified employee #2653021.

**Approved by a Unanimous 4 to 0 Vote**

**Moved By** Clerk Lewis

**Seconded By** Member O'Kelley

The Board of Education accepted the administrative appointment of Noemi Mai, Student Success Specialist.

**Approved by a Unanimous 4 to 0 Vote**

**Moved By** Member O'Kelley

**Seconded By** Clerk Lewis

The Board of Education accepted the administrative appointment of Angelica Manzo, Student Success Specialist.

**Approved by a Unanimous 4 to 0 Vote**

#### **A.8 ADOPTION OF AGENDA**

**Moved By** Clerk Lewis

**Seconded By** Member O'Kelley

**Prior to adoption of the agenda, the Board took action to correct the following resolution numbers as follows:**

Discussion/Action Item F.6, Page 85 – Resolution Number should read 21-22-08, and not 20-21-08.

Discussion/Action Item F.7, Page 87 – Resolution Number should read 21-22-09, and not 20-21-09.

**Vote by Board Members to adopt the agenda.**

**Approved by a Unanimous 4 to 0 Vote**

**B. PRESENTATIONS - None**

**B.1 CALIFORNIA VOTING RIGHTS ACT & PROCESS TO TRANSITION TO TRUSTEE AREA ELECTIONS**

Presentation on California Voting Rights Act and process to transition to trustee area elections by Trevin Sims, Attorney at Law, Lozano Smith.

Mr. Trevin Sims, Attorney at Law for Lozano Smith, conducted a presentation on the California Voting Rights Act and process to transition to trustee area elections.

**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.

**Tobin Brinker, Frisbie Middle School Teacher**, started his comments by sharing a story of a couple who he ran into at Frisbie Middle School recently. Both of them were students of his and they are now married and have a child that attends Frisbie. He was touched because the couple met in his class. He then continued to share some issues that he said are due to COVID, and they are dealing with at the school sites. One issue, he said due to the water fountains being closed, and students not having water bottles, they do not have access to water. He is requesting that students have access to water. He then requested clarification on Independent Study and how it works. He said teachers are being asked to provide lessons for students while they are out of school, and they just want clarification on the process of Independent Study. He also feels that some teachers and staff members are not being provided notification when there is exposure at the school sites.

Mr. Brinker said another big issue that is occurring is that teachers are being asked to sub a lot due to the substitute shortage. They are willing to sub and cover for their colleagues but says it becomes a problem in the long run. He would like to work with the District because teachers will get burned out if they continue to be asked to substitute day after day. He feels they can work together to resolve this issue.

**Michael Montano, Rialto High School Teacher**, wanted to reiterate what Mr. Brinker said as far as students not having access to water at some sites. He said some students have to buy their own water. The second issue he said was the transparency in regards to COVID. He suggested that one

solution would be to provide a dashboard for teachers and parents to see how many positive numbers per site.

He asked the Board whether there was a teacher in high school that influenced their life. He said that students are being forced to repeat A-G classes. He indicated that administration is giving false information by telling students that in order to graduate they have to retake classes that they got a "D". By doing this, he said, students are not getting the opportunity to take classes that may influence them.

## **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,** shared that she is excited to see kids are back in school. She said that although there is a lot going on, they are grateful for all the support to move forward through this COVID situation and thankful for getting teachers hired as quickly as possible and positions filled.

**Christine Acosta, California School Employees Association (CSEA) Representative,** shared that they are also very happy that students are back, but said that this brings unrelenting stress to everyone, particularly classified staff, as they try to keep up with the directives of their administrators. Mrs. Acosta indicated that she would like to enlist the help of administrators, teachers, and classified staff to be patient with each other because we are all human. She said this brings stress for all employees, especially classified members as they try so hard to keep up the directives. She thanked all health clerks, secretaries, and all classified staff members for going above-and-beyond as they have dealt with many obstacles, including parent concerns, and as they work on getting students where they need to be daily. She also indicated that they are eager to get back to the table to negotiate on the new mandatory COVID requirements. They are hoping to get some dates soon from Ms. Rhonda

Kramer. She thanked the Board for continuing to make the good decisions that they are making.

**Angela Brantley, Rialto School Management Association (RSMA) President**, shared that she agreed with Ms. Acosta, and they too appreciate the staff; particularly site leaders, certificated and classified leaders for all the hard work they are doing. She indicated that RSMA plans events throughout the year to support each other; whether it is professional development or social events. On this occasion, they want to start this year with a clothing drive. RSMA would like to use the month of September to do a t-shirt and hoodie drive. She said that there will be two drop off locations, one in the District Business Services office and the other location at 260 S. Willow Avenue, at the Registration Center. She invited everyone to donate new shirts and hoodies for all ages, TK through High School age. She encouraged everyone to enjoy the benefits of giving. This event will start September 1, 2021 and run through the end of September. Mrs. Brantley asked for prayers to the families at Lytle Creek as they struggle with the fires.

**C.4 COMMENTS FROM THE SUPERINTENDENT**

**C.5 COMMENTS FROM MEMBERS OF THE BOARD OF EDUCATION**

**D. PUBLIC HEARING**

**D.1 PUBLIC INFORMATION**

Fourth Quarter Williams Settlement Legislation Quarterly Uniform Complaint Report - April - June 2021

**D.2 PUBLIC INFORMATION**

Fourth Quarter Williams Report (April - June) Fiscal Year 2020-2021

**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** Vice President Montes

**Seconded By** Member O'Kelley

**Vote by Board Members to approve Consent Calendar Items.**

**Approved by a Unanimous 4 to 0 Vote**

**E.1 GENERAL FUNCTIONS CONSENT ITEMS**

**E.1.1 SECOND READING OF REVISED BOARD POLICY 5131.8:  
MOBILE COMMUNICATION DEVICES**

**Moved By** Vice President Montes

**Seconded By** Member O'Kelley

Approve the second reading of revised Board Policy 5131.8: Mobile Communication Devices.

**Approved by a Unanimous 4 to 0 Vote**

**E.2 INSTRUCTION CONSENT ITEMS**

**E.3 BUSINESS AND FINANCIAL CONSENT ITEMS**

**E.3.1 WARRANT LISTING AND PURCHASE ORDER LISTING**

**Moved By** Vice President Montes

**Seconded By** Member O'Kelley

Approve Warrant Listing Register and Purchase Order Listing for all funds from July 23, 2021 through August 5, 2021. (Sent under separate cover to the Board Members). A copy for public review will be available on the District's website.

**Approved by a Unanimous 4 to 0 Vote**

**E.3.2 DONATIONS**

**Moved By** Vice President Montes

**Seconded By** Member O'Kelley

Accept the listed donations from Hannia Rodriguez; Superior Foundation; and Rialto Lions Breakfast Club, and that a letter of appreciation be sent to the donor.

**Approved by a Unanimous 4 to 0 Vote**



**E.3.3 AMENDMENT TO AGREEMENT WITH PF VISION INC., TO PROVIDE INSPECTION SERVICES FOR THE MULTIPURPOSE ROOM/KITCHEN EXPANSION PROJECT AT MILOR HIGH SCHOOL**

**Moved By** Vice President Montes

**Seconded By** Member O'Kelley

Amend the agreement with PV Vision Inc. to extend the agreement term from June 30, 2021 to September 30, 2021, at no additional cost, to provide Division State Architect (DSA) inspection services for the Multipurpose Room/Kitchen Expansion Project at Milor High School.

**Approved by a Unanimous 4 to 0 Vote**

**E.3.4 AUTISM SPECTRUM INTERVENTION SERVICES & TRAINING (ASIST)**

**Moved By** Vice President Montes

**Seconded By** Member O'Kelley

Correct the amount to read \$550,000.00 on the previously approved Board item from May 5, 2021, for the agreement with Autism Spectrum Intervention Services & Training (ASIST). All other terms of the agreement will remain the same.

**Approved by a Unanimous 4 to 0 Vote**

**E.3.5 AGREEMENT WITH CALIFORNIA STATE UNIVERSITY, LOS ANGELES FOR INTERNSHIP PROGRAM**

**Moved By** Vice President Montes

**Seconded By** Member O'Kelley

Ratify an agreement with California State University, Los Angeles for an internship program to assist current and future educators in completing state requirements for credentialing from July 1, 2021 through June 30, 2024, at no cost to the District.

**Approved by a Unanimous 4 to 0 Vote**

**E.3.6 AGREEMENT WITH PF VISION INC. TO PROVIDE DIVISION OF STATE ARCHITECT (DSA) INSPECTION SERVICES FOR THE GYMNASIUM BLEACHERS REPLACEMENT PROJECT AT EISENHOWER HIGH SCHOOL**

**Moved By** Vice President Montes

**Seconded By** Member O'Kelley

Approve an agreement with PF Vision Inc. to provide Division of State Architect (DSA) inspection services for the Gymnasium Bleachers Replacement Project at Eisenhower High School effective August 26, 2021 through December 31, 2022, at a cost not-to-exceed \$15,000.00 – Fund 35 - State School Facilities Fund.

**Approved by a Unanimous 4 to 0 Vote**

**E.3.7 SCHOOL-CONNECTED ORGANIZATIONS**

**Moved By** Vice President Montes

**Seconded By** Member O'Kelley

Approve Fitzgerald PTA as a school-connected organization for the 2021-2022 and 2022-2023 school years, at no cost to the District.

**Approved by a Unanimous 4 to 0 Vote**

**E.3.8 AGREEMENT WITH FONTANA UNIFIED SCHOOL DISTRICT (FUSD) FOR THE INLAND REGIONAL COLLEGE AND CAREER FAIR**

**Moved By** Vice President Montes

**Seconded By** Member O'Kelley

Approve an agreement with Fontana Unified School District to pay Rialto's portion of the College and Career Fair, which will be held virtually on September 16, 2021, with materials available during the 2021-2022 school year, at a cost not-to-exceed \$10,000.00, and to be paid from the General Fund.

**Approved by a Unanimous 4 to 0 Vote**

### **E.3.9 INTER-DISTRICT ATTENDANCE MASTER AGREEMENT**

**Moved By** Vice President Montes

**Seconded By** Member O'Kelley

Approve to enter into an agreement with 32 school districts in San Bernardino County that have proper permits for attendance from the district of residence for the term of five (5) years, effective August 26, 2021, through June 30, 2026, at no cost to the District.

**Approved by a Unanimous 4 to 0 Vote**

### **E.3.10 AGREEMENT WITH LARRY JONES ART CREATION**

**Moved By** Vice President Montes

**Seconded By** Member O'Kelley

Approve a renewal agreement with Larry Jones Art Creation to facilitate intervention groups with a focus on design literacy through the content area of art for the 2021-2022 school year at Morgan Elementary, effective August 26, 2021 through June 30, 2022, at a cost not-to-exceed \$9,900.00, and to be paid from the General Fund.

**Approved by a Unanimous 4 to 0 Vote**

### **E.3.11 AGREEMENT WITH PEARSON TO PURCHASE LICENSES OF THE NAGLIERI NONVERBAL ABILITY TEST (NNAT3)**

**Moved By** Vice President Montes

**Seconded By** Member O'Kelley

Approve an agreement with Pearson to purchase 4,000 licenses of the Naglieri Nonverbal Ability Test to assess all second and third grade students in the district, effective August 26, 2021 until all licenses have been used, at a cost not-to-exceed \$39,780.00, and to be paid from the General Fund.

**Approved by a Unanimous 4 to 0 Vote**

**E.3.12 AGREEMENT WITH SKIES, INC.**

**Moved By** Vice President Montes

**Seconded By** Member O'Kelley

Approve a renewal agreement with SKIES, Inc. to provide student licenses and remote instruction tools for the 2021-2022 school year at Kucera Middle School, effective August 26, 2021 through June 30, 2022, at a cost not-to-exceed \$5,500.00, and to be paid from the General fund -Title I.

**Approved by a Unanimous 4 to 0 Vote**

**E.3.13 AGREEMENT WITH THERAPY TRAVELERS LLC & 3CHORDS, INC.**

**Moved By** Vice President Montes

**Seconded By** Member O'Kelley

Ratify an agreement with Therapy Travelers LLC and 3Chords, Inc., to provide nursing services, speech services, and specialized academic instruction for our students in County Programs, Non-Public Schools, and in District until new positions are filled, effective August 16, 2021 through June 30, 2022, at a cost not-to-exceed \$150,000.00, and to be paid from the General Fund (Special Education).

**Approved by a Unanimous 4 to 0 Vote**

**E.3.14 SIGNATURE AUTHORIZATION FOR STATE/COUNTY DOCUMENTS**

**Moved By** Vice President Montes

**Seconded By** Member O'Kelley

Approve the signature authorization of Ricardo Salazar, Jr., Agent: Purchasing Services, to sign Purchase Orders with a monetary limitation of \$50,000.00 effective August 26, 2021 until revoked at no cost to the District.

**Approved by a Unanimous 4 to 0 Vote**

**E.4 FACILITIES PLANNING CONSENT ITEMS - None**

**E.5 PERSONNEL SERVICES CONSENT ITEMS**

**E.5.1 PERSONNEL REPORT NO. 1262 FOR CLASSIFIED AND CERTIFICATED EMPLOYEES**

**Moved By** Vice President Montes

**Seconded By** Member O'Kelley

Approve Personnel Report 1262 for classified and certificated employees.

**Approved by a Unanimous 4 to 0 Vote**

**E.6 MINUTES**

**E.6.1 MINUTES OF REGULAR BOARD OF EDUCATION MEETING OF AUGUST 11, 2021**

**Moved By** Vice President Montes

**Seconded By** Member O'Kelley

Approve the minutes of the Regular Board of Education meeting held August 11, 2021.

**Approved by a Unanimous 4 to 0 Vote**

**E.6.2 MINUTES OF THE SPECIAL BOARD MEETING - BOARD OF EDUCATION WORKSHOP OF AUGUST 12, 2021**

**Moved By** Vice President Montes

**Seconded By** Member O'Kelley

Approve the minutes of the Special Board Meeting - Board of Education Workshop of August 12, 2021.

**Approved by a Unanimous 4 to 0 Vote**

**F. DISCUSSION/ACTION ITEMS**

**F.1 AGREEMENT WITH ERICKSON-HALL CONSTRUCTION TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES FOR THE TWO-STORY CLASSROOM BUILDINGS AT EISENHOWER HIGH SCHOOL**

**Moved By** Member O'Kelley

**Seconded By** Vice President Montes

Approve an agreement with Erickson-Hall Construction to provide construction management services for the construction of two (2) new two-story classroom buildings at Eisenhower High School effective August 26, 2021 through December 31, 2023, in the amount not-to-exceed \$2,237,740.00 including reimbursables, and to be paid from Fund 21 – General Obligation Bond, Measure Y, Series D.

**Vote by Board Members.**

**Approved by a Unanimous 4 to 0 Vote**

**F.2 AGREEMENT WITH RUHNAU CLARKE ARCHITECTS TO PROVIDE ARCHITECTURAL AND DESIGN SERVICES FOR THE TWO-STORY CLASSROOM BUILDINGS AT EISENHOWER HIGH SCHOOL**

**Moved By** Member O'Kelley

**Seconded By** Vice President Montes

Approve an agreement with Ruhnau Clarke Architects to provide architectural and design services for two (2) new two-story classroom buildings at Eisenhower High School, effective August 26, 2021 through June 30, 2024, in the amount not-to-exceed \$1,325,000.00, including reimbursables, and to be paid from Fund 21 – General Obligation Bond, Measure Y, Series D.

**Vote by Board Members.**

**Approved by a Unanimous 4 to 0 Vote**

**F.3 AGREEMENT WITH SCHOLASTIC EDUCATION**

**Moved By** Clerk Lewis

**Seconded By** Member O'Kelley

Approve a renewal agreement with Scholastic Literacy Pro to assist with independent reading during the 2021-2022 school year, effective August 28, 2021 through June 30, 2022, at a cost not-to-exceed \$61,807.00, and to be paid from the General Fund (Title IV).

**Vote by Board Members.**

**Approved by a Unanimous 4 to 0 Vote**

**F.4 AGREEMENT WITH "WITH OPEN ARMS" (WOA)**

**Moved By** Clerk Lewis

**Seconded By** Member O'Kelley

Approve an agreement to utilize With Open Arms (WOA) to provide outreach and supportive housing services to Rialto Unified School District families, including those that have been approved for the three (3) month emergency stay at the WoodSpring Suites, for the term of August 26, 2021 through June 30, 2022. The agreement will be for forty (40) families at a cost not-to-exceed \$1,950.00 per family, for a total overall cost not-to-exceed \$78,000.00, and to be paid from the General Fund.

**Vote by Board Members.**

**Approved by a Unanimous 4 to 0 Vote**

**F.5 CLASSIFIED HOURLY SALARY INCREASE**

**Moved By** Vice President Montes

**Seconded By** Member O'Kelley

Ratify a 5% increase to the classified hourly/daily pay schedule effective August 20, 2021, at a cost of \$301,649.00, and to be paid from the General Fund.

**Vote by Board Members.**

**Approved by a Unanimous 4 to 0 Vote**

**F.6 RESOLUTION NO. ~~20-21-08~~ 21-22-08 - TO AUTHORIZE THE INCREASE OF THE EXISTING BOARD MEMBERS' MONTHLY STIPEND BY 5% PURSUANT TO SECTION 35120(e) OF THE EDUCATION CODE**

**Moved By** Clerk Lewis

**Seconded By** Member O'Kelley

Adopt Resolution No. ~~20-21-08~~ 21-22-08 authorizing the increase of the existing Board Members' monthly stipend by 5% pursuant to Section 35120(e) of the Education Code.

**Prior to adoption of the agenda, Resolution number was corrected to reflect 21-22-08. Vote by Board Members.**

**Approved by a Unanimous 4 to 0 Vote**

**F.7 RESOLUTION NO. ~~20-21-09~~ 21-22-09 TO INITIATE A TRANSITION TO BY-TRUSTEE AREA ELECTION SYSTEM COMMENCING WITH THE 2022 GOVERNING BOARD ELECTION**

**Moved By** Clerk Lewis

**Seconded By** Vice President Montes

Adopt Resolution No. ~~20-21-09~~ 21-22-09 to initiate a transition to by-trustee area election system commencing with the 2022 Governing Board election.

**Prior to adoption of the agenda, Resolution number was corrected to reflect 21-22-09. Vote by Board Members.**

**Approved by a Unanimous 4 to 0 Vote**

**F.8 REINSTATEMENT**

**Moved By** Clerk Lewis

**Seconded By** Member O'Kelley

**Case Number:**

19-20-46

**Vote by Board Members.**

**Approved by a Unanimous 4 to 0 Vote**



**G. ADJOURNMENT**

The next regular meeting of the Board of Education of the Rialto Unified School District will be held on Wednesday, September 8, 2021, 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 Lewis

**Seconded By** Member O'Kelley

**Vote by Board Members to adjourn.**

Time: 8:42 p.m.

**Approved by a Unanimous 4 to 0 Vote**

  
Clerk, Board of Education

  
Secretary, Board of Education