

**MINUTES**

**RIALTO UNIFIED SCHOOL DISTRICT**

**December 14, 2022**

**The Bistro - Cesar Chavez/Dolores Huerta Center for Education  
324 N. Palm Avenue  
Rialto, California 92376**

**Board Members**

**Present:** Edgar Montes  
Stephanie E. Lewis  
Evelyn P. Dominguez

**Board Members**

**Absent:** Nancy G. O'Kelley  
Joseph W. Martinez  
Steven Gaytan, Student Board Member

**Administrators**

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

**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 5:43 p.m., by Board President, Edgar Montes, at The Bistro - Cesar Chavez/Dolores Huerta Center for Education, located at 324 N. Palm Avenue, Rialto, California 92376.

**A.2 OATH OF OFFICE**

Board Vice President Lewis administered the oath of office for Mrs. Evelyn P. Dominguez.

**A.3 OPEN SESSION**

**A.3.1 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.4 CLOSED SESSION**

**Moved By** Vice President Lewis

**Seconded By** Member Dominguez

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

**Board Clerk O'Kelley and Board Member Martinez were absent. Vote by Board Members to move into Closed Session:**

Time: 5:48 p.m.

**Majority Vote**

**A.4.1 PUBLIC EMPLOYEE  
EMPLOYMENT/DISCIPLINE/DISMISSAL/RELEASE/REASSIGN  
MENT OF EMPLOYEES (GOVERNMENT CODE SECTION  
54957)**

**A.4.2 STUDENT EXPULSIONS/REINSTATEMENTS/EXPULSION  
ENROLLMENTS**

**A.4.3 CONFERENCE WITH LABOR NEGOTIATORS**

Agency designated representatives: Cuauhtémoc Avila, Ed.D., Superintendent; 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.4.4 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

**A.4.5 REVIEW OF LIABILITY CLAIM NO. 22-23-03**

**A.4.6 REVIEW OF LIABILITY CLAIM NO. 22-23-04**

**A.4.7 CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)**

Designated Representative: Board President, Edgar Montes

Unrepresented Employee: Cuauhtémoc Avila, Ed.D.

**A.5 ADJOURNMENT OF CLOSED SESSION**

**Moved By** Vice President Lewis

**Seconded By** Member Dominguez

**Clerk O'Kelley and Member Martinez were absent. Vote by Board Members to adjourn Closed Session:**

Time: 7:10 p.m.

**Majority Vote**

**A.6 OPEN SESSION RECONVENED - 7:00 p.m.**

Open session reconvened at 7:10 p.m.

**A.7 PLEDGE OF ALLEGIANCE**

Quetzal Montes, Morgan Elementary School 5th grade student, led the pledge of allegiance.

**A.8 OATH OF OFFICE**

Senator James Ramos, administered the oath of office for Mrs. Evelyn Dominguez, and Mr. Edgar Montes.

**A.9 REPORT OUT OF CLOSED SESSION**

**Moved By** Vice President Lewis

**Seconded By** Member Dominguez

The Board of Education accepted the administrative appointment of Richard Batres, Middle School Principal, Kolb Middle School.

**Majority Vote**

**Moved By** Vice President Lewis

**Seconded By** Member Dominguez

The Board of Education accepted the administrative appointment of Sonya Scott, Academic Agent, Special Services.

**Majority Vote**

**A.10 REORGANIZATION OF THE BOARD OF EDUCATION**

**A.10.1 ELECTION OF PRESIDENT OF THE BOARD OF EDUCATION**

**Moved By** President Montes

**Seconded By** Member Dominguez

Stephanie E. Lewis elected President of the Board of Education.

**Clerk O'Kelley and Member Martinez were absent. Vote by Board Members:**

**Majority Vote**

**A.10.2 ELECTION OF VICE PRESIDENT OF THE BOARD OF EDUCATION**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Nancy G. O'Kelley elected Vice President of the Board of Education.

**Vice President O'Kelley and Clerk Martinez were absent. Vote by Board Members:**

**Majority Vote**

**A.10.3 ELECTION OF CLERK OF THE BOARD OF EDUCATION**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Joseph W, Martinez elected Clerk of the Board of Education.

**Vice President O'Kelley and Clerk Martinez were absent. Vote by Board Members:**

**Majority Vote**

**A.10.4 ELECTION OF VOTING REPRESENTATIVE TO COUNTY COMMITTEE**

**Moved By** President Lewis

**Seconded By** Member Dominguez

Edgar Montes elected Voting Representative to County Committee.

**Vote by Board Members:**

**Majority Vote**

**A.10.5 ELECTION OF ALTERNATE VOTING REPRESENTATIVE TO COUNTY COMMITTEE**

**Moved By** Member Montes

**Seconded By** President Lewis

Evelyn P. Dominguez elected Alternate Voting Representative to County Committee.

**Vice President O'Kelley and Clerk Martinez were absent. Vote by Board Members:**

**Majority Vote**

**A.11 ADOPTION OF AGENDA**

**Moved By** Member Montes

**Seconded By** Member Dominguez

**Prior to adoption of the agenda, the Board took action to pull the Certificated Employees - Personnel Report #1289 (Pages 86-89) from the Consent Calendar Items, and Discussion/Action Item F.3 - Agreement with Autism Spectrum Intervention Services and Training.**

**Vice President O'Kelley and Clerk Martinez were absent. Vote by Board Members to adopt the agenda:**

**Majority Vote**

**B. PRESENTATIONS**

**B.1 MIDDLE SCHOOL - DISTRICT STUDENT ADVISORY COMMITTEE (DSAC)**

The following DSAC students shared information and activities held at the schools:

Brandon Dominguez - Frisbie Middle School

Aaron Aryee - Jehue Middle School

Layla Olmedo - Kolb Middle School

Melanie Quinonez - Kucera Middle School

Nevaeh Reyes - Rialto Middle School

**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.

**Mr. Frank Montes, Chairman of the Board for the Spanish Coalition for Small Businesses**, congratulated Mr. Edgar Montes for his years of being part of the RUSD Board and he congratulated Mr. Stephanie Lewis for her appointment as President of the RUSD Board. He indicated that the main purpose for his visit was to honor and congratulate Mrs. Evelyn P. Dominguez for being the first Latina to be named Board Member in the history of the Rialto Unified School District. He indicated that he was very proud of her and encouraged her to stay strong and to keep in mind the students, which are the main focus.

**Milor High School Students** shared insight from their participation in the Blue Education Foundation Women's Student Leadership training. They indicated that the training consisted of an eight-week program designated to promote student leadership opportunities for young women to better engage and identify goals. They requested the support of the District and requested to bring back sports, senior photos, and other senior activities. They indicated that they deserve recognition and activities to make their senior year more memorable. Students shared that they do not feel they are receiving the same opportunities as students in comprehensive high schools, such as the lack of selection of electives. They talked about the need for additional funding to the school.

**Raquel Fuentes, Preston Elementary Teacher and Angel Arratia, Assistant Principal at Jehue Middle School,** introduced "La Voz", a non-profit group of 24 educators who are passionate about their culture and the desire to grow professionally. They introduced members of the group, and talked about their desire to take action to increase the education interest of our Latino community. They look forward to growing, and invited those interested to reach out and join their group.

**Mirna Ruiz, Community Member,** congratulated Mrs. Evelyn Dominguez and Mr. Edgar Montes on their new appointments as part of the Board of Education. She reminded them that they are the voice of our parents and they have her support. She indicated that she planned to speak on a different topic, but felt it was important to mention her concerns with the leadership at the schools. She indicated that communication with the Principal at Carter High School is non-existent and asked that the District take caution as to whom they hire. She said the District needs administrators who want to make a difference. She shared her disappointment with an Assistant Principal at Carter High School who she says is disrespectful. She reminded parents that they can no longer stay quiet, and she requested they speak up and not stand for disrespect. She mentioned that extra positions have been added to Personnel Service, and parents wonder how this happens.

**Celia Saravia, Representative of Support Group for Parents of Children with Special Needs,** welcomed new Board Member Mrs. Dominguez and congratulated Mr. Montes for his re-election as member of the Board. She also congratulated Mrs. Stephanie Lewis for her appointment as President of the Board. She thanked Dr. Avila for all of his hard work and reminded him that he can count on the parents of children with special needs to work together and make a difference. She invited everyone to join the support group at the mass for students with special needs, on Sunday, December 18, 2022, at 3:00 p.m., at 2525 N. Arrowhead Avenue, in San Bernardino. She explained that this year they will not be able to hold their annual Christmas celebration as the group recently lost one of the students and one of the parents of a child with special needs.

Mrs. Saravia also thanked Mr. Frank Montes for all of his support of the students with special needs, and Alianza Latina for all of their support. She congratulated "La Voz", and said there is no doubt that together we can make a difference for students.

**Mrs. Flora Aguilar, former District parent,** asked the Board, Superintendent Dr. Avila, and every principal to take a closer look at the complaints brought forth by parents and students, and to make a change. She indicated that Board Member Martinez indicated that these complaints are being addressed, but there may be issues that cannot be addressed by the District. Ms. Aguilar commented that she did not feel the District was able to address the issues with her son and her daughter, which she has shared with the Board and the Superintendent. She said she felt she had no other choice but to remove her children from the District. She requested that the District hold a town-hall meeting to address the concerns of the parents. She said she continues to wait for a response to her questions and concerns, and will continued coming to Board meetings until her concerns are addressed.

**Rafael Trujillo, Rialto City Councilman,** provided certificates of recognition to Board Members Mrs. Evelyn Dominguez and Mr. Edgar Montes for their appointments to the Board of Education. He wished them much success in their endeavors.

**Ofelia Fitzpatrick, Eisenhower High School Teacher,** shared that with the support of Mr. Norberto Perez, Dr. Avila, Dr. Camacho, Ms. Catherine Vega, Ms. Kathryn Valadez, and other staff members, Eisenhower High School continues to meet their commitment to students by providing an afterschool hub where students are provided with support and resources. They currently have 30 students, and the program continues to grow. Students are provided with supplies and snacks during the two hours they attend. She again thanked Mr. Perez for his commitment and support to make this safe platform available at the Eisenhower High School library.

**Ana Gonzalez, District Parent and Alianza Latina Representative,** congratulated Mrs. Stephanie Lewis on her appointment as Board President and said how proud she was of Mrs. Dominguez and Mr. Montes to represent the Latino community. She reminded them as they begin this new journey, not to forget the values and conditions that brought them here. She also asked the Board to keep in mind the resolution, which was Board approved, declaring racism a public health crisis when addressing parent concerns. She shared that she, herself, was let down and discriminated against, and the District failed to properly serve her children.

Ms. Gonzalez requested the District provide more support to classified and additional support. As President of Alianza Latina, she stated that she is in



coalition with moms of the parent group "Corazones Unidos". She reminded the moms of this group not to stop fighting for what they believe in.

**Griselda Montoya, Eisenhower High School Social Science Teacher,** shared details regarding the student hub at Eisenhower High School that is available from 3:45 p.m. - 5:45 p.m. Students are excited to have this time and space available to study, receive support, and connect with their peers.

**Tobin Brinker, Kucera Middle School Teacher,** congratulated Mr. Montes and Mrs. Dominguez on their appointment to the Board, and congratulated Mrs. Stephanie Lewis on her appointment as Board President. He also shared that as Member of the Inland Empire Books, they are happy to share that they have been able give thousands of books to children of Rialto Unified School District. They will now have the opportunity to give 605 books to students of Fitzgerald Elementary School. He also shared that he has taken the time to focus on things that are important to him and shared that standards-based grading is not something he believes is working, and he would rather focus his attention on what works.

**Miesha Calloway, Rialto Education Association (REA) President,** welcomed and congratulated new Board Member Evelyn Dominguez and congratulated Mr. Montes for his new term. She thanked Ms. Dina Walker for her years of service on the Board, and congratulated Mrs. Lewis on her appointment as Board President. She indicated that she is very proud to represent all REA members. She said this has been a rough school year and appreciates all they have done to remain strong for the students of Rialto. She will continue to work very closely with all union members and reminded the Board of the need for instructional aides. She appreciates the concerns brought forth by students tonight and she wants them to know that they are being listened to. She wished everyone happy holidays.

**Marbella Cortez, Rialto High School Parent,** shared her concerns regarding Assistant Principal Ms. Johanna Cuellar. She said she tried to contact Personnel Services to address her concerns, but did not received a call back. She finds Ms. Cuellar to be possessive, arrogant, and authoritarian, who puts policies and rules in place that she does not follow. She shared details regarding the lack of follow through on her student's IEP and spoke with Ms. Jennifer Johnson. She said as a parent she would like to feel respected and reminded staff of the District that they chose to work in and the positions they have. She asked the Board to please give attention to her concerns.

**C.2 PUBLIC COMMENTS ON AGENDA ITEMS**

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

**Chris Cordasco California School Employees Association (CSEA) President**, congratulated Mrs. Evelyn Dominguez on her appointment to the Board and congratulated Mrs. Lewis for her appointment as Board President. He shared his excited to have the CSEA Tentative Agreement on the agenda for the Board's consideration. He said they spent over six months crossing every "t" and dotting every "i" to make sure the contract would help provide the best service to students. He thanked REA and Miesha Calloway for their support.

**C.3 COMMENTS FROM THE STUDENT BOARD MEMBER**

Not Present.

**C.4 COMMENTS FROM THE SUPERINTENDENT**

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

**D. PUBLIC HEARING**

**D.1 PUBLIC INFORMATION**

**D.1.1 FIRST QUARTER WILLIAMS REPORT (JULY - SEPTEMBER)  
FISCAL YEAR 2022-2023**

**D.2 OPEN PUBLIC HEARING**

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

**Moved By** Member Montes

**Seconded By** Clerk Martinez

Resolution No. 12-23-31 - Approving an Agreement for Battery Energy Storage Services with Onyx Development Group LLC. and Delegating Authority to Take Related Actions.

**Vice President O'Kelley and Clerk Martinez were absent. Vote by Board Members to open Public Hearing:**

Time: 9:02 p.m.

**Majority Vote**

**D.2.1 RESOLUTION NO. 22-23-31 – APPROVING AN AGREEMENT FOR BATTERY ENERGY STORAGE SERVICES WITH ONYX DEVELOPMENT GROUP LLC. AND DELEGATING AUTHORITY TO TAKE RELATED ACTIONS**

**D.3 CLOSE PUBLIC HEARING**

**Moved By** Member Montes

**Seconded By** Member Dominguez

**Vice President O'Kelley and Clerk Martinez were absent. Vote by Board Members to Close Public Hearing:**

Time: 9:03 p.m.

**Majority Vote**

**D.4 OPEN PUBLIC HEARING**

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

**Moved By** Member Montes

**Seconded By** Member Dominguez

Form for Public Disclosure of Proposed Collective Bargaining Agreement AB1200 - California School Employees Association, Chapter #203 (CSEA).

**Vice President O'Kelley and Clerk Martinez were absent. Vote by Board Members to open Public Hearing:**

Time: 9:04 p.m.

**Majority Vote**

**D.4.1 FORM FOR PUBLIC DISCLOSURE OF PROPOSED COLLECTIVE BARGAINING AGREEMENT (AB1200) - CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 203 (CSEA)**

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 California School Employees Association, Chapter #203 (CSEA), and the Rialto Unified School District Board of Education, is hereby posted in compliance with the legislative requirements for public notice.

**D.5 CLOSE PUBLIC HEARING**

**Moved By** Member Montes

**Seconded By** Member Dominguez

**Vice President O'Kelley and Clerk Martinez were absent. Vote by Board Members to Close Public Hearing:**

Time: 9:06 p.m.

**Majority 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 Montes

**Seconded By** Member Dominguez

**Prior to adoption of the agenda, the Board took action to pull the Certificated Employees - Personnel Report #1289 (Pages 86-89) from the Consent Calendar Items,**

**Vice President O'Kelley, Clerk Martinez, and Student Board Member Gaytan were absent. Vote by Board Members to approve Consent Calendar items as amended.**

**Majority Vote**

**E.1 GENERAL FUNCTIONS CONSENT ITEMS**

**E.1.1 REPEAL BOARD POLICY 5118 - OPEN ENROLLMENT TRANSFERS ACT**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Repeal Board Policy 5118, Open Enrollment Transfers Act, effective December 15, 2022.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.1.2 FIRST READING OF REVISED BOARD POLICY 3350; TRAVEL EXPENSES**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve the first reading of revised Board Policy 3350; Travel Expenses.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.1.3 FIRST READING OF BOARD POLICY 3523; ELECTRONIC SIGNATURES**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve the first reading of Board Policy 3523; Electronic Signatures.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.2 INSTRUCTION CONSENT ITEMS - None**

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

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

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve the Warrant Listing Register and Purchase Order Listing for all funds from October 28, 2022 through November 27, 2022, (Sent under separate cover to Board Members). A copy for public review will be available on the District's website.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.2 DONATIONS**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Accept the listed donations from DonorsChoose, and that a letter of appreciation be sent to the donor.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.3 SURPLUS EQUIPMENT AND MISCELLANEOUS ITEMS –  
NUTRITION SERVICES**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Declare the specified surplus equipment and miscellaneous items as obsolete and not serviceable for school use and authorize the Superintendent/designee to sell or dispose of these items as specified in the Education Code Sections 17545 and 17546.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.4 SURPLUS EQUIPMENT AND MISCELLANEOUS ITEMS**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Declare the specified surplus equipment and miscellaneous items as obsolete and not serviceable for school use and authorize the Superintendent/designee to sell or dispose of these items as specified in the Education Code Sections 17545 and 17546.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.5 DISCARD SURPLUS INSTRUCTIONAL MATERIALS**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve the discarding of surplus instructional materials.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.6 MEMORANDUM OF UNDERSTANDING (MOU) WITH TREE PEOPLE**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve the Memorandum of Understanding (MOU) with the Tree People and allow the District to receive and plant 300 trees between the 2022-2025 school year, effective December 15, 2022, at no cost to the District.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.7 MEMORANDUM OF UNDERSTANDING WITH THE UPWARD BOUND PROGRAM AT THE UNIVERSITY OF CALIFORNIA, RIVERSIDE**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve a renewal Memorandum of Understanding with the Upward Bound Program at the University of California, Riverside to provide services at Eisenhower High School, effective December 15, 2022 through August 31, 2027, at no cost to the District.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.8 ACCEPT THE CALIFORNIA FARM TO SCHOOL INCUBATOR GRANT – RIALTO MIDDLE SCHOOL**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Accept the one-time California Farm to School Incubator Grant for Rialto Middle School in the amount of \$150,000.00 for the 2022-2023 and 2023-2024 school years.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.9 REJECT ALL PROPOSALS FOR REQUEST FOR PROPOSALS (RFP) NO. 22-23-004 WIDE AREA NETWORK EQUIPMENT**

**Moved By** Member Montes

**Seconded By** Member Dominguez



Reject all proposals for Request for Proposals (RFP) No. 22-23-004 Wide Area Network Equipment, at no cost to the District.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.10 APPROVAL TO ATTEND CALIFORNIA ASSOCIATION FOR BILINGUAL EDUCATION (CABE) 2023 ANNUAL CONFERENCE**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve fifteen (15) Rialto Unified School District parents/guardians on the District English Learner Advisory Committee (DELAC) and/or parents of English Learners, to attend the CABE 2023 Annual Conference from March 22, 2023 through March 25, 2023, at a cost not-to-exceed \$15,000.00, and to be paid from Title III.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.11 AGREEMENT WITH JOHN R. BYERLY, INC. TO CONDUCT A GEOTECHNICAL INVESTIGATION REQUIRED FOR THE INTERNATIONAL HEALING GARDEN PROJECT**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve an agreement with John R. Byerly, Inc. to conduct a geotechnical investigation for the International Healing Garden Project, effective December 15, 2022 through December 31, 2023, at a cost not-to-exceed \$12,420.00, and to be paid from Fund 40 - Special Reserve Capital Outlay Projects.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.12 AGREEMENT WITH JOHN R. BYERLY, INC. TO CONDUCT A GEOTECHNICAL INVESTIGATION REQUIRED FOR THE ZUPANIC VIRTUAL ACADEMY PROJECT**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve the agreement with John R. Byerly, Inc. to conduct a geotechnical investigation for the Zupanic Virtual Academy Project, effective December 15, 2022 through December 31, 2023, at a cost not to exceed \$10,325.00, and to be paid from the Fund 25 – Capital Facilities Fund.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.13 AGREEMENT WITH PADGETT'S CLEANING & RESTORATION, INC.**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Ratify an agreement with Padgett's Cleaning & Restoration, Inc. to provide restoration services at the District Office's annex building, effective November 18, 2022 through January 31, 2023, at a cost not-to-exceed \$48,780.00, and to be paid from the General Fund.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.14 AGREEMENT WITH CENTER FOR YOUTH AND COMMUNITY - HUGHBANKS AND WERNER ELEMENTARY SCHOOLS**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve an agreement with the Center for Youth and Community Development to provide afterschool tutoring for 120 students, 60 per

school, at Hughbanks and Werner Elementary Schools, effective December 15, 2022 through June 30, 2023, at no cost to the District.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.15 AGREEMENT WITH UNIVERSAL ENGINEERING SCIENCES TO PROVIDE SPECIAL INSPECTION AND MATERIALS TESTING SERVICES FOR THE SIX FOOT HIGH RETAINING WALL ALONG THE SOUTH SIDE PROPERTY LINE AT RIALTO HIGH SCHOOL**

**Moved By**                      Member Montes

**Seconded By**                Member Dominguez

Approve the agreement with Universal Engineering Sciences to provide special inspection and materials testing services for the 6-foot-high retaining wall along the south side property line at Rialto High School, effective December 15, 2022 through December 31, 2023, at a cost not-to-exceed \$15,857.00, and to be paid from the General Fund.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.16 AGREEMENT WITH DR. NOMA LEMOINE & ASSOCIATES**

**Moved By**                      Member Montes

**Seconded By**                Member Dominguez

Approve a renewal agreement with Dr. Noma LeMoine & Associates to provide two days of professional development training in the area of culturally and linguistically responsive instruction, effective December 15, 2022 through June 30, 2023, at a cost not-to-exceed \$14,000.00, and to be paid from the General Fund.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.17 AGREEMENT WITH ACCESS COMMUNICATION & EDUCATION WITH SIGN LANGUAGE EDUCATION & INTERPRETING SERVICES**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve an agreement with Access Communication & Education with Sign Language Education & Interpreting Services to provide ASL interpretation services, effective December 15, 2022 through June 30, 2023, at a cost not-to-exceed \$3,000.00, and to be paid from the General Fund.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.18 AGREEMENT WITH ART SPECIALTIES, INC. – FRISBIE MIDDLE SCHOOL**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve an agreement with Art Specialties, Inc. to provide artwork in the eSports labs at Frisbie Middle Schools, effective December 15, 2022 through June 30, 2023, at a cost not-to-exceed \$24,183.45, and to be paid from the General Fund.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.19 AGREEMENT WITH BRAINPOP, LLC - KUCERA MIDDLE SCHOOL**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve a renewal agreement with BrainPOP LLC Kucera Middle School to provide supplemental lessons and activities in core content areas, effective December 15, 2022 through June 30, 2023, at a cost not-to-exceed \$3,515.00, and to be paid from the General Fund.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.20 AGREEMENT WITH CHARACTER STRONG – KUCERA MIDDLE SCHOOL**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Amend an agreement with Character Strong, Inc. to change the funding source from Title I to the General Fund provide 965 student licenses at Kucera Middle School, effective October 20, 2022 through June 30, 2023, at a cost not-to-exceed \$7,000.00, and to be paid from the General Fund.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.21 AGREEMENT WITH THE DAIRY COUNCIL OF CALIFORNIA - FITZGERALD ELEMENTARY SCHOOL**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve an agreement with The Dairy Council of California to provide an educational assembly at Fitzgerald Elementary School, effective December 15, 2022 through June 30, 2023, at no cost to the District.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.22 AGREEMENT WITH DOCUSIGN, INC.**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve a renewal agreement with DocuSign, Inc., for 5,000 electronic envelopes for a cost not-to-exceed \$30,200.00, effective December 15, 2022 through June 30, 2025, at a cost not-to-exceed \$30,200.00, and to be paid from the General Fund.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.23 AGREEMENT WITH INNOVATEED**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve a renewal agreement with InnovateEd to provide full support training sessions for Rialto and Carter High School for the 2022-2023 school year, at a cost not-to-exceed \$33,000.00, and to be paid from the General Fund (Title I).

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.24 AGREEMENT WITH LEARNING A-Z**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve a renewal agreement with Learning A-Z to support small group instruction and resources for personalized reading practice at Boyd, Garcia, and Simpson Elementary Schools, effective

December 15, 2022 through January 1, 2024, at a cost not-to-exceed \$8,213.00, and to be paid from the General Fund (Title I).

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.25 AGREEMENT WITH ART DRAGON, KAREN THURMAN-PALMER AND HAQUMAI SHARPE**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve an agreement with Art Dragon, Karen Thurman-Palmer and Haqumai Sharpe for adjudicating services at the District Music Festival effective January 1, 2023 through June 30, 2023, at a cost not-to-exceed \$6,000.00, and to be paid from the General Fund.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.26 AGREEMENT WITH NATIONAL CURRICULUM OF TRAINING INSTITUTE (NCTI)**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve an agreement with National Curriculum Training Institute (NCTI) to train Safety Intervention Officers to assist with evidence based behavioral strategies for Tier I & Tier II social emotional support services to Rialto Unified School District students, effective December 19, 2022 through December 23, 2022, at a cost not-to-exceed \$22,475.00, and to be paid from the General Fund (Title IV).

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.27 AGREEMENT WITH PANORAMA EDUCATION - KUCERA MIDDLE SCHOOL**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Amend an agreement with Panorama Education to provide 965 student licenses at Kucera Middle School with an increased cost of \$100.00 for a total cost not-to-exceed \$6,600.00, effective December 15, 2022 through November 17, 2023, and to be paid from the General Fund (Title I).

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.28 AGREEMENT WITH PEAR DECK - RIALTO HIGH SCHOOL**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve an amendment to the Agreement with Pear Deck to increase the cost by \$2,983.86 for a total cost not-to-exceed \$6,736.86 for the school year 2022-2023, effective November 1, 2022 through October 31, 2023, and to be paid from the General Fund (Title I).

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**



**E.3.29 AGREEMENT WITH POSITIVE PREVENTION PLUS INC.**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Amend an agreement with Rockwell Printing Inc. to reflect the correct name of Positive Prevention Plus to provide professional development for all seventh grade science teachers and ninth grade health credentialed teachers, at no cost to the District.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.30 AGREEMENT WITH URBAN ED, LLC - KOLB MIDDLE SCHOOL**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve an agreement with Urban Ed, LLC, to provide mentoring services to 25 African American students at Kolb Middle School, effective December 15, 2022, through June 1, 2023, at a cost not-to-exceed \$24,999.00, and to be paid from the General Fund (Title I).

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.31 AGREEMENT WITH WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES (WASC) RIALTO ADULT SCHOOL**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve the reimbursement for four (4) Western Association of Schools and Colleges (WASC) visiting committee member's expenses for Rialto Adult School from March 26, 2023 through March 29, 2023, at a cost not-to-exceed \$8,000.00, and to be paid from the California Adult Education Program (CAEP).

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.3.32 AGREEMENT WITH WEVIDEO - FRISBIE MIDDLE SCHOOL**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve a renewal agreement with WeVideo to provide 21st Century skills for 110 students at Frisbie Middle School for the 2022-2023 school year, effective December 15, 2022 through June 30, 2023, at a cost not-to-exceed \$999.46, and to be paid from the General Fund.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

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

**E.5 PERSONNEL SERVICES CONSENT ITEMS**

**E.5.1 PERSONNEL REPORT NO. 1289 FOR CLASSIFIED AND CERTIFICATED EMPLOYEES**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve Personnel Report No. 1289 for classified and certificated employees.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**E.6 MINUTES**

**E.6.1 MINUTES OF REGULAR BOARD OF EDUCATION MEETING  
HELD NOVEMBER 16, 2022**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Approve the minutes of the Regular Board of Education Meeting held November 16, 2022.

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

**Majority Vote**

**F. DISCUSSION/ACTION ITEMS**

**F.1 AGREEMENT WITH THE CENTER FOR CULTURALLY RESPONSIVE  
TEACHING AND LEARNING**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Amend an agreement with Dr. Sharroky Hollie's Center for Culturally Responsive Teaching and Learning to provide Validate, Affirm, Build and Bridge (VABB) Academy services for sixteen (16) schools with an increased cost of \$9,000.00 for a total cost not-to-exceed \$53,000.00, effective September 22, 2022 through June 30, 2023, and to be paid from the General Fund.

**Vice President O'Kelley and Clerk Martinez were absent. Vote by Board Members:**

**Majority Vote**

**F.2 AGREEMENT WITH PARENT INSTITUTE FOR QUALITY EDUCATION  
(PIQE)**

**Moved By** Member Dominguez

**Seconded By** Member Montes

Approve a renewal agreement with the Parent Institute for Quality Education (PIQE) to facilitate parent engagement programs at Dunn, Fitzgerald,

Henry, Morgan, Preston, and Werner Elementary Schools, effective December 15, 2022 through June 30, 2023, at a cost not-to-exceed \$77,500.00, and to be paid from General Fund (Title I).

**Vice President O'Kelley, and Clerk Martinez were absent. Vote by Board Members:**

**Majority Vote**

**F.3 AGREEMENT WITH AUTISM SPECTRUM INTERVENTION SERVICES AND TRAINING**

Prior to adoption of the agenda, the Board took action to pull Discussion/Action Item F.3 - Agreement with Autism Spectrum Intervention Services and Training.

~~Amend an agreement with Autism Spectrum Intervention Services & Training to provide Applied Behavior Aides (ABA) increasing the cost of the contract by \$600,000.00 for a total cost of \$1,000,000.00, effective December 15, 2022 through June 30, 2023, and to be paid from the General Fund.~~

**F.4 AUTHORIZATION FOR THE PURCHASE OF PORTABLE CLASSROOMS FROM SILVER CREEK INDUSTRIES, LLC UTILIZING A PUBLIC CONTRACT AWARDED THROUGH HESPERIA UNIFIED SCHOOL DISTRICT AS PART OF BID NO. 22.001**

**Moved By** President Lewis

Authorize the Purchase of Portable Classrooms from Silver Creek Industries, LLC utilizing a Public Contract Awarded through Hesperia Unified School District as part of Bid No. 22-001, at a cost not-to-exceed \$2,182,159.40, and to be paid from Fund 25 – Capital Facilities Fund.

**Vice President O'Kelley and Clerk Martinez were absent. Vote by Board Members:**

**Majority Vote**

**F.5 FIRST INTERIM FINANCIAL REPORT**

**Moved By** Member Dominguez

**Seconded By** Member Montes

Approve the FY 2022-2023 First Interim Financial Report as presented.

**Vice President O'Kelley and Clerk Martinez were absent. Vote by Board Members:**

**Majority Vote**

**F.6 RESOLUTION NO. 22-23-31 - AGREEMENT FOR BATTERY ENERGY STORAGE SERVICES AND DELEGATING AUTHORITY TO TAKE RELATED ACTIONS**

**Moved By** Member Dominguez

**Seconded By** President Lewis

Adopt Resolution No. 22-23-31, providing an agreement for Battery Energy Storage Service with Onyx Development Group LLC and Delegating Authority to Take Related Actions, at no cost to the District, as the proposed Energy Conservation Agreement will provide that the energy cost savings attributable to the projects shall exceed the costs to the District of those projects.

**Vice President O'Kelley and Clerk Martinez were absent. Vote by Board Members:**

**Majority Vote**

**F.7 TENTATIVE SETTLEMENT AGREEMENT BETWEEN RIALTO UNIFIED SCHOOL DISTRICT AND CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 203 (CSEA)**

**Moved By** President Lewis

**Seconded By** Member Dominguez

Approve the Tentative Settlement Agreement between Rialto Unified School District and California School Employees Association, Chapter 203 (CSEA) for the 2022-2023 school year.

**Vice President O'Kelley and Clerk Martinez were absent. Vote by Board Members:**

**Majority Vote**

**F.8 LIABILITY CLAIM NO. 22-23-03 REJECTION**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Deny Liability Claim No. 22-23-03.

**Vice President O'Kelley and Clerk Martinez were absent. Vote by Board Members:**

**Majority Vote**

**F.9 LIABILITY CLAIM NO. 22-23-04 REJECTION**

**Moved By** Member Montes

**Seconded By** Member Dominguez

Deny Liability Claim No. 22-23-04.

**Vice President O'Kelley and Clerk Martinez were absent. Vote by Board Members:**

**Majority Vote**

**F.10 EMPLOYMENT CONTRACT FOR SUPERINTENDENT, CUAUHTÉMOC AVILA, ED.D.**

**Moved By** Member Dominguez

**Seconded By** Member Montes

Approve the contract for employment with Cuauhtémoc Avila, Ed.D. for service as District Superintendent. Prior to vote on this item, consistent with Government Code Section 54943, the Board President will orally report a summary of the salary and compensation provided under the contract.

**Vice President O'Kelley and Clerk Martinez were absent. Vote by Board Members:**

**Majority Vote**

**F.11 ADMINISTRATIVE HEARING**

**Moved By** Member Montes

**Seconded By** Member Dominguez

**Case Numbers:**

22-23-34

22-23-28

**Vice President O'Kelley and Clerk Martinez were absent. Vote by Board Members:**

**Majority Vote**

**F.12 STIPULATED EXPULSIONS**

**Moved By** Member Dominguez

**Seconded By** Member Montes

**Case Numbers:**

22-23-33

22-23-17

**Vice President O'Kelley and Clerk Martinez were absent. Vote by Board Members:**

**Majority Vote**

**G. ADJOURNMENT**

The next regular meeting of the Board of Education of the Rialto Unified School District will be held on January 11, 2023, 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** President Lewis

**Seconded By** Member Dominguez

**Vice President O'Kelley, Clerk Martinez and Student Board Member Gaytan were absent. Vote by Board Members:**

Time: 9:28 p.m.

**Majority Vote**

  
\_\_\_\_\_  
Clerk, Board of Education  
  
\_\_\_\_\_  
Secretary, Board of Education