

**RIALTO UNIFIED SCHOOL DISTRICT**  
**Regular Meeting of the Board of Education**  
**Dr. John R. Kazalunas Education Center**  
**182 East Walnut Avenue**  
**Rialto, California**

**NANCY G. O'KELLEY**  
President

**JOSEPH W. MARTINEZ**  
Clerk

**EDGAR MONTES**  
Member



**DINA WALKER**  
Vice President

**JOSEPH AYALA**  
Member

**NATALIE BACA**  
Student Board Member

**CUAUHTÉMOC AVILA, ED.D.**  
Superintendent

**January 20, 2016**

Any individual who requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the Board meeting should contact the Superintendent or designee in writing.

**AGENDA**

- A. OPENING**  
**Call to Order – 6:00 P.M.**

**OPEN SESSION**

1. Comments on Closed Session Agenda Items. Any person wishing to speak on any item on the Closed Session Agenda will be granted three minutes.

**CLOSED SESSION**

Moved \_\_\_\_\_ Seconded \_\_\_\_\_

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

1. Public Employee Employment/Discipline/Dismissal/Release/  
Reassignment of Employees (Government Code section 54957)

Supervisor Appointments:

- Nutrition Services Supervisor

- Fiscal Services Supervisor
- Coordinator, Special Education

2. Student Expulsions/Reinstatements/Expulsion Enrollments

3. CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Cuauhtémoc Avila, Ed.D., Superintendent, and Tom Haldorsen, Associate Superintendent, Personnel Services

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

Vote by Board Members: Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Abstain: \_\_\_\_\_ Time: \_\_\_\_\_

**ADJOURNMENT OF CLOSED SESSION**

Moved \_\_\_\_\_ Seconded \_\_\_\_\_ Vote \_\_\_\_\_ Time \_\_\_\_\_

**OPEN SESSION RECONVENED – 7:00 P.M.**

**PLEDGE OF ALLEGIANCE**

**PRESENTATION BY DUNN ELEMENTARY SCHOOL**

**REPORT OUT OF CLOSED SESSION**

**ADOPTION OF AGENDA**

Moved \_\_\_\_\_ Seconded \_\_\_\_\_

Vote by Board Members: Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Abstain: \_\_\_\_\_

**B. PRESENTATIONS**

1. DSAC High School Report
2. Recognition of Outstanding Achievement in Mathematics of 6<sup>th</sup> Grade Jehue Middle School Student Nathaniel Kalaw
3. Presentation by Vicenti, Lloyd & Stutzman, LLP, regarding the Fiscal Year 2014-2015 Annual Audited Financial Report

**C. COMMENTS**

1. Public Comments from the Floor: At this time, any person wishing to speak on any item **not on** the Agenda will be granted three minutes.

2. Public Comments on Agenda Items: Any person wishing to speak on any item on the Agenda will be granted three minutes.
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).
4. Comments from the Superintendent
5. Comments from Members of the Board of Education

**D. PUBLIC HEARING - None**

**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.

**Approve Consent Calendar Items (Ref. E – J)**

Moved \_\_\_\_\_ Seconded \_\_\_\_\_

Preferential Vote by Student Board Member: Aye: \_\_\_\_\_ No: \_\_\_\_\_ Abstain: \_\_\_\_\_

Vote by Board Members: Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Abstain: \_\_\_\_\_

**E. MINUTES**

1. Approve the minutes of the Regular Board of Education Meeting held January 6, 2016. (Ref. E 1.1-17)

**F. GENERAL FUNCTIONS CONSENT ITEMS**

1. Second reading of revised Board Policy 0410(a-d); Philosophy-Goals-Objectives and Comprehensive Plans; Nondiscrimination in District Programs and Activities. (Ref. F 1.1-4)
2. Second reading of revised Board Policy 1240(a-d); Community Relations: Volunteer Assistance. (Ref. F 2.1-4)
3. Second reading of revised Board Policy 4033(a-c); All Personnel: Lactation Accommodation. (Ref. F 3.1-3)
4. Second reading of revised Board Policy 5141.31(a-c); Students: Immunizations. (Ref. F 4.1-3)

5. Second reading of revised Board Policy 5145.3(a-d); Students: Nondiscrimination/Harassment. (Ref. F 5.1-4)
6. Second reading of revised Board Policy 5146(a-e); Students: Married/Pregnant/Lactating/Parenting Students. (Ref. F 6.1-5)

**G. INSTRUCTION CONSENT ITEMS**

1. Approve an agreement with San Bernardino Community College, Valley College Campus to establish a college level course, Administrative Justice 105, to high school students from Carter, Eisenhower, and Rialto High Schools, commencing February 10, 2016 and ending May 31, 2016. (Ref. G 1.1)
2. Adopt Resolution No. 15-16-37 declaring the month of February 2016 as a period of recognition of African-American history as it relates to our history and culture and encourages all teachers, support staff, parents/guardians, and students to participate in observances and instructional activities that commemorate this occasion. (Ref. G 2.1)
3. Adopt Resolution No. 15-16-38 declaring February 1-5, 2016, as National School Counseling Week and supports locally developed educational programs and observances. (Ref. G 3.1)

**H. BUSINESS AND FINANCIAL CONSENT ITEMS**

1. Approve Warrant Listing Register and Purchase Order Listing for all funds from December 7, 2015 through January 4, 2016 (sent under separate cover to Board Members). A copy for public review will be available at the Board Meeting.
2. Accept the donations from Dollahan Elementary PTO, Lifetouch National School Studios, AT&T Employee Giving Campaign, Your Cause Corporate Giving Programs, Silicon Valley Community Foundation, Jeri Zermeno, Schoola, Sunrise Adopt-a-School Partnership, 99 Cents Only Stores, and OraBrite. (Ref. H 2.1-2)
3. Adopt Resolution No.15-16-34 authorizing submittal of application(s) for all CalRecycle Grants for which the Rialto Unified School District is eligible; and authorize the Associate Superintendent of Business Services to execute all Grant-related documents. The authorizations are effective for five (5) years from the date of adoption of the resolution. (Ref. H 3.1-2)
4. Approve an agreement with Duke Cultural Resources Management, LLC to provide archaeological and paleontological monitoring services for the Compressed Natural Gas Fueling Station and Transportation Yard project. (Ref. H 4.1)

5. Approve an agreement with VCS Environmental to provide a pre-construction burrowing owl/breeding bird survey for the Compressed Natural Gas Fueling Station and Transportation Yard project. (Ref. H 5.1)
6. Adopt Resolution No. 15-16-35, finding the solar canopy installation at all school sites exempt from the California Environmental Quality Act and approving the filing and recordation of a Notice of Exemption. (Ref. H 6.1-4)
7. Approve an agreement with FranklinCovey Education to provide coaching support with the implementation of The Leader in Me at Dollahan Elementary School. (Ref. H 7.1)
8. 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. (Ref. H 8.1)
9. Approve an agreement with the California Association of Bilingual Education (CABE) Professional Development Services to provide professional development to District and site Administrators, and teachers at Boyd, Casey, Garcia, and Morris Elementary Schools. (Ref. H 9.1)

**I. FACILITIES PLANNING CONSENT ITEMS**

1. Accept the work completed on December 17, 2015, by Braughton Construction, Inc., for all work required in connection with the Eisenhower High School Pylon Sign Project and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder. (Ref. I 1.1)

**J. PERSONNEL SERVICES CONSENT ITEMS**

- 1-3. Approve Personnel Report No. 1146 for classified and certificated employees. (Ref. J 1.1-3.2)
4. Adopt Resolution No. 15-16-36 authorizing the Associate Superintendent, Personnel Services, to employ or assign identified individuals additional time to complete the requirements for the credential that authorizes the service or to provide employing agencies time to fill the assignment with an individual who either holds an appropriate credential or qualifies under one of the available assignment options. This includes waivers to employ or assign identified individuals when the employing agency finds there is an insufficient number of certificated persons who meet the specified employment criteria for the position. (Ref. J 4.1)

**K. DISCUSSION/ACTION ITEMS**

**Moved** \_\_\_\_\_ **Seconded** \_\_\_\_\_

1. Accept the Fiscal Year 2014-2015 Annual Audited Financial Report completed by Vicenti, Lloyd & Stutzman LLP. (Ref. K 1.1)

Vote by Board Members: Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Abstain: \_\_\_\_\_

**Moved** \_\_\_\_\_ **Seconded** \_\_\_\_\_

2. Award Bid No. 15-16-001, Rialto USD CNG Fueling Station Project, to TOMCO in the amount of \$2,934,530.00. (Ref. K 2.1)

Vote by Board Members: Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Abstain: \_\_\_\_\_

**Moved** \_\_\_\_\_ **Seconded** \_\_\_\_\_

3. Award Bid. No. 15-16-006, High Speed Fiber Optic Wide Area Network Infrastructure to AT&T as the only responsive/ responsible bidder meeting the District's requirements. Commencement of this project is contingent upon E-Rate funding. The contract will begin on July 1, 2016 through June 30, 2018, with an option for two one year renewals. (Ref. K 3.1)

Vote by Board Members: Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Abstain: \_\_\_\_\_

**Moved** \_\_\_\_\_ **Seconded** \_\_\_\_\_

4. Adopt Resolution No. 15-16-39 denying Charter School Petition for Elite Learning Academy. (Ref. K 4.1-9)

Vote by Board Members: Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Abstain: \_\_\_\_\_

**Moved** \_\_\_\_\_ **Seconded** \_\_\_\_\_

5. Adopt Resolution No. 15-16-40 excusing the absence of Board Clerk Joseph W. Martinez from the Wednesday, January 6, 2016, regular meeting of the Board of Education. (Ref. K 5.1)

Vote by Board Members: Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Abstain: \_\_\_\_\_

Moved \_\_\_\_\_ Seconded \_\_\_\_\_

6. Adopt Resolution No. 15-16-41 excusing the absence of Board Member Edgar Montes from the Wednesday, January 6, 2016, regular meeting of the Board of Education. (Ref. K 6.1)

Vote by Board Members: Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Abstain: \_\_\_\_\_

Moved \_\_\_\_\_ Seconded \_\_\_\_\_

7. Approve the Board of Education Meeting Schedule for the 2016-2017 school year. (Ref. K 7.1)

Vote by Board Members: Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Abstain: \_\_\_\_\_

Moved \_\_\_\_\_ Seconded \_\_\_\_\_

8. Approve the recommendations of the Administrative Hearing Panel (AHP):

**ADMINISTRATIVE HEARING**

Case Number:  
15-16-12

**STIPULATED**

Case Numbers:  
15-16-18  
15-16-16

Vote by Board Members: Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Abstain: \_\_\_\_\_

**L. ADJOURNMENT**

Moved \_\_\_\_\_ Seconded \_\_\_\_\_

Preferential Vote by Student Board Member: Aye: \_\_\_\_\_ No: \_\_\_\_\_ Abstain: \_\_\_\_\_

Vote by Board Members: Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Abstain: \_\_\_\_\_

Time \_\_\_\_\_

The next regular meeting of the Board of Education of the Rialto Unified School District will be held on Wednesday, February 10, 2016, at 7:00 p.m., at the Dr. John R. Kazalunas Education Center, 182 East Walnut Avenue, Rialto, California.

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

## **E MINUTES**



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

**January 6, 2016**

**A. OPENING**

**CALL TO ORDER AND ROLL CALL**

The regular meeting of the Board of Education of the Rialto Unified School District was called to order at 6:08 p.m. by President O'Kelley at the Dr. John R. Kazalunas Education Center, 182 East Walnut Avenue, Rialto, CA 92376.

Members present: Nancy G. O'Kelley, President; Dina Walker, Vice President; and Joseph Ayala, Member. Joseph W. Martinez, Clerk, and Edgar Montes, Member, were absent.

Administrators present: Cuauhtémoc Avila, Ed.D., Superintendent; Edward D'Souza, Ph.D., Associate Superintendent, Secondary Instruction; Jasmin Valenzuela, Associate Superintendent, Elementary Instruction; Tom Haldorsen, Associate Superintendent, Personnel Services; and Mohammad Z. Islam, Associate Superintendent, Business Services. Also present was Rosie Williams, Executive Secretary.

President O'Kelley advised that a change had to be made to the Closed Session Agenda. Under Item 1, the following change was made:

1. Public Employee Employment/Discipline/Dismissal/Release/  
Reassignment of Employees (Government Code section 54957)

**Administrative Appointment:**

- Nutrition Services Supervisor
- ~~Fiscal Services Supervisor~~
- **School Psychologist**

(Ref. E 1.1)

## **OPEN SESSION**

1. Comments on Closed Session Agenda Items. Any person wishing to speak on any item on the Closed Session Agenda will be granted three minutes.

There were no comments.

## **CLOSED SESSION**

Upon a motion by Member Ayala, seconded by Vice President Walker, and approved by a unanimous 3-0 vote, the Board of Education entered into Closed Session at 6:10 p.m. to consider and discuss the following items:

1. Public Employee Employment/Discipline/Dismissal/Release/  
Reassignment of Employees (Government Code section 54957)  
  
Administrative Appointment:
  - Nutrition Services Supervisor
  - ~~Fiscal Services Supervisor~~
  - *School Psychologist*
2. Student Expulsions/Reinstatements/Expulsion Enrollments
3. CONFERENCE WITH LABOR NEGOTIATORS  
Agency designated representatives: Cuauhtémoc Avila, Ed.D., Superintendent, and Tom Haldorsen, Associate Superintendent, Personnel Services  
Employee organizations: California School Employees Association, Chapter 203 (CSEA), Rialto Education Association (REA), Communications Workers of America (CWA)

## **ADJOURNMENT OF CLOSED SESSION**

Upon a motion of Member Ayala, seconded by Vice President Walker, and passed by a unanimous 3-0 vote, Closed Session adjourned at 7:10 p.m.

## **OPEN SESSION RECONVENED – 7:10 P.M.**

Members present: Nancy G. O'Kelley, President; Dina Walker, Vice President; and Joseph Ayala, Member. Joseph W. Martinez, Clerk; Edgar Montes, Member; and Natalie Baca, Student Board Member, were absent.

Administrators present: Cuauhtémoc Avila, Ed.D., Superintendent; Edward D'Souza, Ph.D., Associate Superintendent, Secondary Instruction; Jasmin Valenzuela, Associate Superintendent, Elementary Instruction; Tom Haldorsen, Associate Superintendent, Personnel Services; and Mohammad Z. Islam, Associate Superintendent, Business Services. Also present was Rosie Williams, Executive Secretary to the Superintendent, and Luz Carson, Interpreter, American Language Services.

## **PLEDGE OF ALLEGIANCE**

Linda Silva, CSEA President, led the Pledge of Allegiance.

## **REPORT OUT OF CLOSED SESSION**

Superintendent Avila reported that in Closed Session the Board of Education, by a unanimous 3-0 vote, took the following action:

- Accepted the administrative appointment of Michelle Magana-Boswell as Psychologist, Special Education.
- Accepted the request for a leave of absence for classified employee #1853235, January 11, 2016 through May 27, 2016.
- Accepted the request for a leave of absence for classified employee #1654825, February 18, 2016 through June 16, 2016.

## **ADOPTION OF AGENDA**

Upon a motion by Member Ayala, seconded by Vice President Walker the Agenda, as amended, was adopted by a unanimous 3-0 vote by the Board of Education.

Amended as follows: Under Item 1, the following change was made:

1. Public Employee Employment/Discipline/Dismissal/Release/  
Reassignment of Employees (Government Code section 54957)

Administrative Appointment:

- Nutrition Services Supervisor
- ~~Fiscal Services Supervisor~~
- *School Psychologist*

## **B. PRESENTATIONS**

1. Curiosity Quest Rialto Environmental News

(Ref. E 1.3)

Joel Green, TV Host of PBS series Curiosity Quest, which is a television show that poses a problem to students and they have to develop a solution, shared a video of Trapp Elementary School, Jehue Middle School and Eisenhower High School students who participated in this project. The study problem the students were given is the following: "How to optimize the space in a community garden to provide the highest yield for the Community Senior Center." This episode will air on PBS starting at the end of the month.

### C. COMMENTS

1. Public Comments from the Floor: At this time, any person wishing to speak on any item not on the Agenda will be granted three minutes.

Celia Zelaya, Coordinator for Special Education children and parents, thanked everyone who attended the Christmas celebration and for their generosity for the gifts they provided to the children with special needs.

Joe Baca, Jr., the City of Rialto's Mayor Pro Tem, invited the community to attend a free baseball and softball clinic this Saturday, January 9, 2016, at the 66er Stadium in San Bernardino from 9:00 a.m. to 12:00 p.m. He thanked the Board for approving the Rialto High School trip to Hawaii for the Saint Francis School Pre-Season Softball Tournament. He also requested assistance from the District to have the Rialto High School foul poles delivered to Dynamic Power Coating, a local business, to be powder coated. The business owner, Teddy Harris, will be powder coating them as a donation if they are delivered to her place of business.

Ipyani Lockert, invited everyone to a Tamale Festival at Perris Hill Park, 1325 Highland Avenue, San Bernardino, this Saturday and Sunday, January 9 and 10, 2016, from 10:00 a.m. to 6:00 p.m.

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

There were no comments.

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)

Ron Fletcher, CWA President, shared that he will be working with Derek Harris, Senior Director, Risk Management/Employee Benefits, to get substitutes in compliance with legal requirements. He also shared his concerns regarding the shortage of substitutes and teachers.

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

**D. PUBLIC HEARING**

Upon a motion by Vice President Walker, seconded by Member Ayala, Public Hearing was opened at 7:47 p.m. by a unanimous 3-0 vote by the Board of Education.

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

Diana McKee, Tammy Martin-Ryles, Rachel Molina, Yvonne Cervantes, and Pastor Carlos Martin, spoke in support of Transforming Lives Charter School. Ms. McKee conducted a PowerPoint presentation (see attached pages Ref. E 1.11 - Ref. E 1.17).

1. Public Hearing: Transforming Lives Charter School Petition

Upon a motion by Vice President Walker, seconded by Member Ayala, Public Hearing was closed at 8:24 p.m. by a unanimous 3-0 vote by the Board of Education.

**CONSENT CALENDAR ITEMS**

Upon a motion by Member Ayala, seconded by Vice President Walker, Items E – J were approved by a unanimous 3-0 vote by the Board of Education.

**E. MINUTES**

1. Approve the minutes of the Regular Board of Education Meeting held on December 9, 2015.

**F. GENERAL FUNCTIONS CONSENT ITEMS**

1. First reading of revised Board Policy 0410(a-d); Philosophy-Goals-Objectives and Comprehensive Plans; Nondiscrimination in District Programs and Activities.

(Ref. E 1.5)

2. First reading of revised Board Policy 1240(a-d); Community Relations: Volunteer Assistance.
3. First reading of revised Board Policy 4033(a-c); All Personnel: Lactation Accommodation.
4. First reading of revised Board Policy 5141.31(a-c); Students: Immunizations.
5. First reading of revised Board Policy 5145.3(a-d); Students: Nondiscrimination/Harassment.
6. First reading of revised Board Policy 5146(a-e); Students: Married/Pregnant/Lactating/Parenting Students.

**G. INSTRUCTION CONSENT ITEMS**

1. Adopt Resolution No. 15-16-31 recognizing January 23, 2016, as Ed Roberts Day and acknowledging the accomplishments of Ed Roberts in helping reduce barriers, increase access, and improve lives for persons with disabilities.
2. Adopt Resolution No. 15-16-32 recognizing January 18, 2016, as Martin Luther King, Jr. Day and encourages all teachers and schools to commemorate this day with appropriate school and community activities.
3. Adopt Resolution No. 15-16-33 proclaiming January 30, 2016, as Fred Korematsu Day of Civil Liberties and the Constitution and encourages educational commemoration of this occasion with appropriate instructional activities.
4. Approve the Affiliation Agreement with Eisenhower High School and Adams Acres, effective January 7, 2016 through June 30, 2020.
5. Approve a string orchestra performance tour to San Diego, California, on March 17-19, 2016, for fifty-four (54) Carter High School string orchestra students, two (2) teachers, and six (6) parents.
6. Approve thirteen (13) student athletes (wrestlers) of the Carter High School girls wrestling team, three (3) coaches, and two (2) parent chaperones to attend the Vintage High School 18<sup>th</sup> Annual True Wrestler Napa Valley Girls Classic on January 7-10, 2016, at Vintage High School, Napa, California.

**H. BUSINESS AND FINANCIAL CONSENT ITEMS**

1. Approve Warrant Listing Register and Purchase Order Listing for all funds from November 16, 2015 through December 7, 2015 (sent under separate cover to Board Members). A copy for public review will be available at the Board Meeting.
2. Accept the donations from Silicon Valley Community Foundation - Edison International, The Way Bible Fellowship, College Board, and The Arts Institute of California - Inland Empire.
3. Accept Grant Award Number ARV-15-010 from the California Energy Commission for Phase I of the Rialto Unified School District Compressed Natural Gas Fueling Station and Transportation Yard in the amount of \$500,000.00, and authorize Mohammad Z. Islam, Associate Superintendent, Business Services, to sign all necessary documents.
4. Approve the participation of approximately sixty (60) Dunn Elementary School fifth (5<sup>th</sup>) grade students and four (4) staff members to attend an outdoor education camp at Pathfinder Outdoor Science School, Mountain Center, California, April 20-22, 2016.
5. Approve an agreement with CAL-Storm Compliance as the engineering firm to provide State-required inspections and reports in accordance with the Construction General Permit during the construction of the Compressed Natural Gas Fueling Station.
6. Approve an agreement with CAL-Storm Compliance as the engineering firm to prepare the State-required SWPPP and to provide inspections and reports in accordance with the Construction General Permit during the construction of the PDC Site Improvement Phase 1 – Drainage Project.
7. Approve extending the agreement with American Logistics Company under Request for Proposal No. T12-13-010, for Door to Door Student Transportation Services, for an additional year from September 16, 2016 through September 15, 2017.
8. Approve extending the agreement with First Student under Request for Proposal No. T13-14-021, for Door to Door Student Transportation Services, for an additional year from July 1, 2016 through June 30, 2017.

(Ref. E 1.7)

**I. FACILITIES PLANNING CONSENT ITEMS**

1. Accept the work completed on December 4, 2015, by Columbia Steel, Inc., for all work required in connection with the Jehue Middle School Classroom Additions Project and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.
2. Accept the work completed on December 4, 2015, by Continental Marble and Tile Company for all work required in connection with the Jehue Middle School Classroom Addition Project, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.
3. Accept the work completed on December 4, 2015, by Franklin Mechanical Systems, Inc., for all work required in connection with the Jehue Middle School Classroom Addition Project, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.
4. Accept the work completed on December 3, 2015, by Inland Building Construction Companies, Inc., for all work required in connection with the Kelley Elementary and Kucera Middle School Classroom Additions Project and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.
5. Accept the work completed on December 3, 2015, by KCB Towers, Inc., for all work required in connection with the Kelley Elementary and Kucera Middle School Classroom Additions Project, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.
6. Accept the work completed on December 3, 2015, by Mike Cox Electric, Inc., for all work required in connection with the Kelley Elementary and Kucera Middle School Classroom Additions Project and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.
7. Accept the work completed on December 4, 2015, by Nuway, Inc., for all work required in connection with the Jehue Middle School Classroom Additions Project, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.



8. Accept the work completed on December 4, 2015, by RB Sheet Metal, Inc., for all work required in connection with the Jehue Middle School Classroom Addition Project, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.
9. Accept the work completed on December 3, 2015, by RB Sheet Metal, Inc., for all work required in connection with the Kelley Elementary and Kucera Middle School Classroom Additions Project, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.
10. Accept the work completed on December 3, 2015, by Spec Construction Co., Inc., for all work required in connection with the Kelley Elementary and Kucera Middle School Classroom Additions Project, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.
11. Accept the work completed on December 3, 2015, by Tomahawk Builders, Inc., for all work required in connection with the Kelley Elementary and Kucera Middle School Classroom Additions Project, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.
12. Accept the work completed on December 4, 2015, by Tomahawk Builders, Inc., for all work required in connection with the Jehue Middle School Classroom Addition Project, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.
13. Accept the work completed on December 3, 2015, by W. D. Gott Construction for all work required in connection with the Jehue Middle School Classroom Addition Project, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.

**J. PERSONNEL SERVICES CONSENT ITEMS**

- 1-3. Approve Personnel Report No. 1145 for classified and certificated employees.

**K. DISCUSSION/ACTION ITEMS**

Upon a motion by Vice President Walker, seconded by Member Ayala, Item K1 was approved by a unanimous 3-0 vote by the Board of Education.

1. Award Bid No. 15-16-003, Rialto USD PDC Site Improvement Phase 1 Project, to IVL Contractors in the amount of \$257,000.00.

Upon a motion by Member Ayala, seconded by Vice President Walker, Item K2 was approved by a unanimous 3-0 vote by the Board of Education.

2. Award Bid No. 15-16-004, Rialto USD Admin Generator Installation Project, to Integral Electrical Engineering, Inc., in the amount of \$290,200.00.

Upon a motion by Vice President Walker, seconded by Member Ayala, Item K3 was approved by a unanimous 3-0 vote by the Board of Education.

3. Approve the hourly increase for AVID Tutors to \$11.00 an hour effective January 1, 2016.

**L. ADJOURNMENT**

Upon a motion by Vice President Walker, seconded by Member Ayala, and approved by a unanimous 3-0 vote by the Board of Education, the meeting was adjourned at 8:36 p.m.

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Clerk, Board of Education

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Secretary, Board of Education

# Transforming Lives Charter School

Presented to the Rialto Unified School Board

January 6, 2016

(Ref. E 1.11)



# Our Mission

- Empower students to be successful leaders
- Provide 21<sup>st</sup> century skills necessary for college, career and beyond
- Blend rigorous academics with college and career exploration, preparation and work-based learning
- Graduate students who are skilled and prepared to deliver value in the workplace
- Stimulate and support local businesses with skilled interns and co-operative students

(Ref. E 1.12)

# Our Vision

- Equip students to excel at the highest level of academics and workplace readiness
- Equip teachers with relevant, ongoing professional development
- Deliver project-based, problem-based, and inquiry-based learning
- Instill critical thinking skills in our students
- Develop life-long learners

(Ref. E 1.13)

## 3 Key Focus Areas

- **Top Level Education Program**
  - Exceptional academics
  - College and Career exploration
  - Skills and knowledge preparation
  - Work based learning and experience
- **Parent and Community Involvement**
  - Parent Volunteers
  - Community Businesses
- **Fiscal Responsibility**

(Ref. E 1.14)

# Education Program

- Variety of college and career courses that introduce students to careers that fit their interests
- Financial literacy
- Leadership and communication skills
- Relationship skills and conflict resolution
- Technology etiquette
- Critical thinking, problem-solving skills
- Project management
- Workplace learning

(Ref. E 1.15)

# Parent and Community Involvement

- **Parent Involvement**
  - Volunteering at TLCS
  - Monthly Town Hall Meetings
  - Parent Committees
- **Community Businesses**
  - Provide input on Career Courses, market gaps, work skills needed
  - Community Service Opportunities
  - Internships and co-op programs

(Ref. E 1.16)



# Fiscal Responsibility

- **Balanced Monthly Budget**
  - Strict adherence to budget and priorities
  - Monthly review of income and expenditures
  - Active governing board to oversee activities and budgeting
  - Start with grades 7 and 8 – master the model, then add grades
- **Business Plan**
- **Marketing Plan**
- **Social enterprise/entrepreneurship model**

(Ref. E 1.17)

**F GENERAL FUNCTIONS CONSENT**



## RIALTO UNIFIED SCHOOL DISTRICT

### Philosophy-Goals-Objectives and Comprehensive Plans

BP 0410(a)

### NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

The Board of Education is committed to **providing** equal opportunity for all individuals in education. District programs, activities, and practices shall be free from discrimination based on race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

- (cf. 4030 - Nondiscrimination in Employment)*
- (cf. 4032 - Reasonable Accommodation)*
- (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*
- (cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)*
- (cf. 5131.2 - Bullying)*
- (cf. 5145.3 - Nondiscrimination/Harassment)*
- (cf. 5145.7 - Sexual Harassment)*
- (cf. 5146 - Married/Pregnant/Parenting Students)*
- (cf. 6145.2 - Athletic Competition)*
- (cf. 6164.4 - Identification of Individuals for Special Education)*
- (cf. 6164.6 - Identification and Education under Section 504)*
- (cf. 6178 - Vocational Education)*
- (cf. 6200 - Adult Education)*

**Annually, the Superintendent or designee shall review District programs and activities to ensure the removal of any barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing District programs and activities, including the use of facilities. He/she shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report his/her findings and recommendations to the Board after each review.**

- (cf. 1330 - Use of Facilities)*

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the District's policy on nondiscrimination and related complaint procedures. Such notification shall be included in each announcement, bulletin, catalog, **handbook**, application form, or other ~~recruitment~~ materials distributed to these groups.

~~The Superintendent or designee shall also provide information about related complaint procedures.~~

(Ref. F 1.1)

## **NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)**

*(cf. 1312.3 - Uniform Complaint Procedures)*  
*(cf. 4031 - Complaints Concerning Discrimination in Employment)*  
*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*  
*(cf. 5145.6 - Parental Notifications)*

The District's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand, ~~and, when required by law, in a language other than English.~~ **In addition, when 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language.**

### **Access for Individuals with Disabilities**

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act and any implementing standards and/or regulations.

*(cf. 6163.2 - Animals at School)*  
*(cf. 7110 - Facilities Master Plan)*  
*(cf. 7111 - Evaluating Existing Buildings)*

The Superintendent or designee shall ensure that the District provides auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, notetakers, written materials, taped text, and Braille or large print materials.

*(cf. 6020 - Parent Involvement)*

Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program, or meeting.

*(cf. 9320 - Meetings and Notices)*  
*(cf. 9322 - Agenda/Meeting Materials)*

*Legal Reference: (see next page)*

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)**

*Legal Reference:*

EDUCATION CODE

200-262.4 Prohibition of discrimination  
48985 Notices to parents in language other than English  
51107 Legislative intent: state policy

GOVERNMENT CODE

11000 Definitions  
11135 Nondiscrimination in programs or activities funded by state  
11138 Rules and regulations  
12900-12996 Fair Employment and Housing Act  
54953.2 Brown Act compliance with Americans with Disabilities Act

PENAL CODE

422.55 Definition of hate crime  
422.6 Interface with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures  
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act  
1681-1688 Discrimination based on sex or blindness, Title IX  
2301-2415 Carl D. Perkins Vocational and Applied Technology Act  
6311 State plans

6312 Local education agency plans

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964  
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended  
2000h-2000h-6 Title IX

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI  
104.1-104.39 Section 504 of the Rehabilitation Act of 1973  
106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:  
106.9 Dissemination of policy

*Management Resources:*

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students,  
*Policy Brief, February 2014*

Interim Guidance Regarding Transgender Students, Privacy, and Facilities, September 27, 2013

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2011

U.S. DEPARTMENT OF EDUCATION, OFFICE OF CIVIL RIGHTS PUBLICATIONS

Protecting Students from Harassment and Hate Crime, January, 1999

Notice of Non-Discrimination, January, 1999

Nondiscrimination in Employment Practices in Education, August, 1991

*Legal Reference: (continued next page)*

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)**

**U.S. DEPARTMENT OF JUSTICE PUBLICATIONS**  
**2010 ADA Standards for Accessible Design, September 2010**

**WEB SITES**

**CSBA:** <http://www.csba.org>

**California Department of Education:** <http://www.cde.ca.gov>

**California Safe Schools Coalition:** <http://www.casafeschools.org>

**Pacific ADA Center:** <http://www.pacdbtac.org>

**U.S. Department of Education, Office of Civil Rights:** <http://www.ed.gov/offices/ocr>

**U.S. Department of Justice, Civil Rights Division, Americans with Disabilities Act:** <http://www.ada.gov>

Policy  
adopted: May 26, 1999  
revised: August 8, 2012  
revised:

**RIALTO UNIFIED SCHOOL DISTRICT**  
Rialto, California

**CSBA, February 2014**

**Submitted and Reviewed by:** Edward D'Souza, Ph.D.  
**Presented for Board Action:** Cuauhtémoc Avila, Ed.D.



## RIALTO UNIFIED SCHOOL DISTRICT

### Community Relations

BP 1240(a)

### VOLUNTEER ASSISTANCE

The Board of Education recognizes that volunteer assistance in schools can enrich the educational program, increase supervision of students, and contribute to school safety while strengthening the schools' relationships with the community. The Board encourages parents/guardians and other members of the community to share their time, knowledge, and abilities with students.

*(cf. 1000 - Concepts and Roles)*  
*(cf. 1700 - Relations Between Private Industry and the Schools)*  
*(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)*  
*(cf. 4222 - Teacher Aides/Paraprofessionals)*  
*(cf. 5020 - Parent Rights and Responsibilities)*  
~~*(cf. 5148 - Child Care and Development)*~~  
~~*(cf. 5148.2 - Before/After School Program)*~~  
*(cf. 6020 - Parent Involvement)*  
*(cf. 6171 - Title I Programs)*

The Superintendent or designee shall develop and implement a plan for recruiting, screening, and placing volunteers, including strategies for reaching underrepresented groups of parents/guardians and community members. He/she may also recruit community members to serve as mentors and/or make appropriate referrals to community organizations.

***The District has established two levels of volunteers:***

- 1. Level I volunteers have direct student contact and supervision of students. To become a Level I volunteer, complete a volunteer application form, along with a background check and fingerprint clearance, a TB clearance, and a Hold Harmless form through the District Personnel office.***
- 2. Level II volunteers have non-student contact and are supervised by a classified or certificated staff member at the discretion of the site administrator. To be a Level II volunteer, complete a volunteer application form, be cleared through Megans Law, a TB clearance, and complete a Hold Harmless form.***

*(cf. 1020 - Youth Services)*  
*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*

**VOLUNTEER ASSISTANCE (continued)**

*Effective December 1, 2014, volunteers will be responsible for the cost of fingerprinting and TB testing.*

**The Board prohibits harassment of any volunteer on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. (Government Code 12940)**

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

As appropriate, the Superintendent or designee shall provide volunteers with information about school goals, programs, and practices and an orientation or other training related to their specific responsibilities. Employees who supervise volunteers shall ensure that volunteers are assigned meaningful responsibilities that utilize their skills and expertise and maximize their contribution to the educational program.

Volunteer ~~maintenance~~ work shall be limited to those projects that do not replace the normal ~~maintenance~~ duties of classified staff. The Board nevertheless encourages volunteers to work on short-term projects to the extent that they enhance the classroom or school, ~~do not significantly increase maintenance workloads,~~ and comply with employee negotiated agreements.

**The Superintendent or designee shall establish procedures for determining whether volunteers possess the qualifications, if any, required by law and administrative regulation for types of duties they will perform.**

~~Volunteer aides shall not be used to assist certificated staff in performing teaching or administrative responsibilities in place of regularly authorized classified employees who have been laid off. (Education Code 35021)~~

Volunteers shall act in accordance with District policies, regulations, and school rules. The Superintendent or designee shall be responsible for investigating and resolving complaints regarding volunteers.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*  
*(cf. 3515.2 - Disruptions)*

The Board encourages principals to develop a means for recognizing the contributions of each school's volunteers.

*(cf. 1150 - Commendations and Awards)*



## **VOLUNTEER ASSISTANCE (continued)**

The Superintendent or designee shall periodically report to the Board regarding the District's volunteer assistance program.

*(cf. 0500 - Accountability)*

### ***Workers' Compensation Insurance***

The Board desires to provide a safe environment for volunteers and minimize the District's exposure to liability.

Upon the adoption of a resolution by the Board, volunteers shall be entitled to workers' compensation benefits for any injury sustained while engaged in the performance of service for the District. (Labor Code 3364.5)

*(cf. 3530 - Risk Management/Insurance)*

*(cf. 4157.1, 5257.1, 4357.1 - Work-Related Injuries)*

### **Qualifications**

~~The Superintendent or designee shall establish procedures for determining whether volunteers possess the qualifications, if any, required by law and administrative regulation for the types of duties they will perform.~~

~~Effective January 1, 2011, volunteers will be responsible for the cost of fingerprinting and TB testing.~~

#### *Legal Reference:*

##### EDUCATION CODE

8482-8484.6 After School Education and Safety Program

8484.7-8484.9 21<sup>st</sup> Century Community Learning Center Program

35021 Volunteer aides

35021.1 Automated records check

35021.3 Registry of volunteers for before/after school programs

44010 Sex offense; definition

~~44227.5 Classroom participation by college methodology faculty~~

44814-44815 Supervision of students during lunch and other nutrition periods

45125 Fingerprinting requirements

45125.01 Interagency agreements for criminal record information

45340-45349 Instructional aide act, especially:

45360-45367 Teacher aides

48981 Parental notifications

49024 Activity Supervisor Clearance Certificate

49406 Examination for tuberculosis

*Legal Reference: (continued next page)*

**VOLUNTEER ASSISTANCE (continued)**

GOVERNMENT CODE

3543.5 Prohibited interference with employees' rights

12940 Prohibited discrimination and harassment

HEALTH AND SAFETY CODE

1596.871 Fingerprints of individuals in contact with child day care facility clients

LABOR CODE

1720.4 Public works; exclusion of volunteers from prevailing wage law

3352 Workers compensation; definitions

3364.5 Persons performing voluntary services for school districts

PENAL CODE

290 Registration of sex offenders

290.4 Information re sex offenders

290.95 Disclosure by person required to register as sex offender

626.81 Sex offender; permission to volunteer at school

CODE OF REGULATIONS, TITLE 22

101170 Criminal record clearance

101216 Health screening, volunteers in child care centers

UNITED STATES CODE, TITLE 20

6319 Qualifications and duties of paraprofessionals, Title I programs

ATTORNEY GENERAL OPINIONS

62 Ops. Cal. Atty. Gen. 325 (1979)

COURT DECISIONS

PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

Whitman Elementary School District, (1991) PERB Decision No. 868

*Management Resources:*

~~COMMISSION ON TEACHER CREDENTIALING CODED CORRESPONDENCE~~

~~10-11 Information on Assembly Bill 346 Concerning the Activity Supervisor Clearance Certificate (ASCC), July 20, 2010~~

WEBSITES

CSBA: <http://www.csba.org>

California Department of Education, Parents/Family and Community: <http://www.cde.ca.gov/ls/pf>

California Department of Justice, Megan's Law: <http://www.meganslaw.ca.gov>

California Parent Teacher Association: <http://www.capta.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

~~National Coalition for Parent Involvement in Education: <http://www.nepie.org>~~

~~National Parent Teacher Association: <http://www.pta.org>~~

Policy

adopted: May 26, 1999  
revised: October 13, 2010  
revised:

**RIALTO UNIFIED SCHOOL DISTRICT**  
Rialto, California

**CSBA, December 2014 & District, November 2015**

**Submitted and Reviewed by:** Edward D'Souza, Ph.D.  
**Presented for Board Action:** Cuauhtémoc Avila, Ed.D.



## RIALTO UNIFIED SCHOOL DISTRICT

All Personnel

BP 4033(a)

### LACTATION ACCOMMODATION

The Board of Education recognizes the immediate and long-term health advantages of breast feeding for infants and mothers and desires to provide a supportive environment for any District employee to express milk for her infant child upon her return to work **or school** following the birth of the child. The Board prohibits discrimination, harassment, and/or retaliation against any District employee who chooses to express breast milk **or breast feed** for her infant child while at work.

*(cf. 4030 - Nondiscrimination in Employment)*

*(cf. 4031 - Complaints Concerning Discrimination in Employment)*

The District shall provide a reasonable amount of break time to accommodate an employee **or student** each time she has a need to express breast milk for her infant child. **For a student, the accommodation is determined at a meeting with the school nurse, student, and parent/guardian if the student is under age eighteen.** (Labor Code 1030)

To the extent possible, such break time shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid. **An employee shall be provided with access to a place to store the breast milk safely.** (Labor Code 1030; 29 USC 207)

The employee shall be provided a private location, other than a restroom, which is in close proximity to her work area and meets the requirements of Labor Code 1031 and 29 USC 207, as applicable.

Employees are encouraged to notify their supervisor or other appropriate personnel in advance of their intent to make use of the accommodations offered for employees who are nursing mothers. As needed, the supervisor shall work with the employee to address arrangements and scheduling in order to ensure that the employee's essential job duties are covered during the break time.

Lactation accommodations may be denied only in limited circumstances in accordance with law. (Labor Code 1032; 29 USC 207)

Before an employee's supervisor **or District nurse** makes a determination to deny lactation accommodations, he/she shall consult the Superintendent or designee. In any case in which lactation accommodations are denied, the Superintendent or designee shall document the options that were considered and the reasons for denying the accommodations.

(Ref. F 3.1)

**LACTATION ACCOMMODATION (continued)**

**The District shall give permission to the employee or student to bring a breast pump and/or any other equipment used to express breast milk to the workplace or school campus. Access to a power source for the breast pump and/or other related equipment is also to be provided if needed.**

**Complaints of noncompliance with the requirements outlined above may be filed with the District under the Uniform Complaint procedure. The District shall respond to the complaint filed pursuant to paragraph (1) in accordance with Chapter 5.1 of Division 1 of Title 5 of the California Code of Regulations. The complainant may appeal the decision to the State Superintendent of Instruction. If there is merit in the appeal, the District shall provide a remedy to the affected employee or student.**

*Legal Reference:*EDUCATION CODE*200-262.4 Prohibition of discrimination on the basis of sex*CIVIL CODE*43.3 Right of mothers to breastfeed in any public or private location*GOVERNMENT CODE*12940 Discriminatory employment practices**12945 Discrimination based on pregnancy, childbirth, or related medical conditions*LABOR CODE*1030-1033 Lactation accommodation*CODE OF REGULATIONS, TITLE 2*7291.2-7291.16 Sex discrimination; pregnancy and related medical conditions*EDUCATION AMENDMENTS, TITLE 9*Prohibits sex discrimination in education institutions, which includes discrimination against pregnant and parenting pupils, 1972*UNITED STATES CODE, TITLE 29*207 Fair Labor Standards Act; lactation accommodation*FAIR EMPLOYMENT AND HOUSING COMMISSION DECISIONS*Department of Fair Employment and Housing v. Acosta Tacos (Chavez), FEHC Precedential Decision 09-3P, 2009**Management Resources:*CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS*Rest Periods/Lactation Accommodation, Frequently Asked Questions*CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS*Minimum Requirements of the California Lactation Accommodation Law*CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS*Lactation Support Program Toolkit*FEDERAL REGISTER*Reasonable Break Time for Nursing Mothers, December 21, 2010, Vol. 75, No. 244, pages 80073-80079**Management Resources continued: (see next page)*

**LACTATION ACCOMMODATION (continued)**

OFFICE OF THE SURGEON GENERAL PUBLICATIONS

*The Surgeon General's Call to Action to Support Breastfeeding, 2011*

HEALTH RESOURCES AND SERVICES ADMINISTRATION PUBLICATIONS

*The Business Case for Breastfeeding: Steps for Creating a Breastfeeding Friendly Worksite, Toolkit, 2008*

U.S. DEPARTMENT OF LABOR, WAGE AND HOUR DIVISION, PUBLICATIONS

*Fact Sheet #3; Break Time for Nursing Mothers under the FLSA, rev. December 2010*

WEB SITES

California Dept. of Industrial Relations, Division of Labor and Standards Enforcement:

<http://www.dir.ca.gov/dlse>

California Department of Public Health: <http://www.cdph.ca.gov>

California Women, Infants, and Children: <http://www.wicwords.ca.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Health Resources and Services Administration: <http://www.hrsa.gov><http://www.hrsa.gov>

Office of the Surgeon General: <http://www.surgeongeneral.gov>

U.S. Department of Labor, Wage and Hour Division, Break Time for Nursing Mothers:

<http://www.dol.gov/whd/nursingmothers>

Policy  
adopted: October 12, 2011  
revised:

**RIALTO UNIFIED SCHOOL DISTRICT**  
Rialto, California  
**District, December 2015**

**Submitted and Reviewed by:** Edward D'Souza, Ph.D.  
**Presented for Board Action:** Cuauhtémoc Avila, Ed.D.



## RIALTO UNIFIED SCHOOL DISTRICT

Students

BP 5141.31(a)

### IMMUNIZATIONS

~~To be admitted to school, children must be fully immunized in accordance with law. Children shall be excluded from school or exempted from immunization requirements only as allowed by law.~~

**To protect the health of all students and staff and to curtail the spread of infectious diseases, the Board of Education shall cooperate with state and local public health agencies to encourage and facilitate immunization of all District students against preventable diseases.**

*(cf. 1400 - Relations between Other Governmental Agencies and the Schools)*

*(cf. 5112.1 - Exemptions from Attendance)*

*(cf. 5112.2 - Exclusions from Attendance)*

*(cf. 5141.22 - Infectious Diseases)*

*(cf. 5141.26 - Tuberculosis Testing)*

*(cf. 5141.3 - Health Examinations)*

*(cf. 6142.8 - Comprehensive Health Education)*

~~In order to ensure that children who have not been immunized may be enrolled in school without delay, the Superintendent or designee shall arrange for qualified medical personnel to administer the immunizations at school in accordance with law. Immunizations shall not be given without parental consent.~~

*(cf. 5145.6 - Parental Notifications)*

**Each student enrolling for the first time in a District elementary or secondary school, preschool, or child care and development program or, after July 1, 2016, enrolling in or advancing to grade 7, shall present an immunization record from any authorized private or public health care provider certifying that he/she has received all required immunizations in accordance with law. Students shall be excluded from school or exempted from immunization requirements only as allowed by law.**

*(cf. 5112.1 - Exemptions from Attendance)*

*(cf. 5112.2 - Exclusion from Attendance)*

*(cf. 5141.32 - Health Screening for School Entry)*

*(cf. 5148 - Child Care and Development)*

*(cf. 5148.3 - Preschool/Early Childhood Education)*

**IMMUNIZATIONS (continued)****~~Transfer Students~~**

~~To enroll in school, all transfer students must present a written immunization record which shows at least the month and year of each immunization. The student shall receive all required immunizations currently due before he/she is admitted to school.~~

**Each transfer student shall be requested to present his/her immunization record, if possible, upon registration at a District school.**

*(cf. 6173 - Education for Homeless Children)*  
*(cf. 6173.1 - Education for Foster Youth)*  
*(cf. 6173.2 - Education for Children of Military Families)*

**The Superintendent or designee may arrange for an authorized health care provider to administer immunizations at school to any student whose parent/guardian has consented in writing. At the beginning of the school year, parents/guardians shall be notified of their right to provide consent for the administration of an immunization to their child at school. (Education Code 49403)**

*(cf. 5141.3 - Health Examinations)*  
*(cf. 5141.6 - School Health Services)*  
*(cf. 5145.6 - Parental Notifications)*

*Legal Reference:*EDUCATION CODE

**44871** *Qualifications of supervisor of health*  
**46010** *Absences excluded in computing attendance Total days of attendance*  
**48216** *Immunization; absence not excluded in computing attendance*  
**48853.5** *Immediate enrollment of foster youth*  
**48980** *Required notification of rights*  
**49403** *Cooperation in control of communicable disease and immunizations*  
**49426** *Duties of school nurses*  
**49701** *Flexibility in enrollment of children of military families*  
**51745-51749.6** *Independent study*

HEALTH AND SAFETY CODE

**120325-120380** *Immunization against communicable disease especially:*  
**120335** *Immunization requirement for admission*  
**120395** *Information about meningococcal disease, including recommendation for vaccination*  
**120440** *Disclosure of immunization information*

CODE OF REGULATIONS, TITLE 5

**430** *Student Records*

CODE OF REGULATIONS, TITLE 17

**6000-6075** *School attendance immunization requirements*

UNITED STATES CODE, TITLE 20

**1232G** *Family Educational Rights and Privacy Act*

*Legal Reference: (continued next page)*

(Ref. F 4.2)

IMMUNIZATIONS (continued)

UNITED STATES CODE, TITLE 42  
*11432 Immediate enrollment of homeless children*  
CODE OF FEDERAL REGULATION, TITLE 34  
*99.1-99.67 Family Education Rights and Privacy*

**Management Resources:**

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH  
*California Immunization Handbook for Child Care Programs and Schools, August 2015*  
*Guide to Immunizations Required for Child Care*  
*Guide to Immunizations Required for School Entry*  
*Parents' Guide to Immunizations Required for Child Care*  
*Parents' Guide to Immunizations Required for School Entry*  
EDUCATION AUDIT APPEALS PANEL PUBLICATIONS  
*Guide for Annual Audits of Local Education Agencies and State Compliance Reporting, July 2015*  
U.S. DEPARTMENT OF EDUCATION GUIDANCE  
*Family Educational Rights and Privacy Act (FERPA) and H1N1, October 2009*  
WEB SITES  
*California Department of Education: <http://www.cde.ca.gov>*  
*California Department of Public Health, Immunization Branch:*  
*<http://www.cdph.ca.gov/programs/immunize>*  
*California Department of Public Health, Shots for Schools: <http://www.shotsforschools.org>*  
*Centers for Disease Control and Prevention: <http://www.cde.gov>*  
*Education Audit Appeals Panel: <http://www.caap.ca.gov>*  
*U.S. Department of Education: <http://www.ed.gov>*

Policy  
adopted: September 8, 1999  
revised:

RIALTO UNIFIED SCHOOL DISTRICT  
Rialto, California  
CSBA, October 2015

Submitted by: Angela Brantley  
Reviewed by: Jasmin Valenzuela  
Presented for Board Action: Cuauhtémoc Avila, Ed.D.





## RIALTO UNIFIED SCHOOL DISTRICT

Students

BP 5145.3(a)

### NONDISCRIMINATION/HARASSMENT

The Board of Education desires to provide a safe school environment that allows all students equal access and opportunities in the District's academic and other educational support programs, services, and activities. The Board prohibits, at any District school or school activity, unlawful discrimination, harassment, intimidation, bullying of any student based on the student's actual race, color, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, or sexual orientation, gender, gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 5131 - Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5145.9 - Hate-Motivated Behavior)*

*(cf. 5146 - Married/Pregnant/Parenting Students)*

*(cf. 6164.6 - Identification and Education under Section 504)*

Prohibited discrimination, harassment, intimidation, or bullying includes physical, verbal, nonverbal, or written conduct based on one of the categories listed above that is so severe and pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects the student's educational opportunities.

The Board also prohibits any form of retaliation against any student who files a complaint or report regarding an incident of discrimination, harassment, intimidation, or bullying.

The Superintendent or designee shall provide age-appropriate training and information to students, parents/guardians, and employees regarding discrimination, harassment, intimidation, and bullying, including, but not limited to, the District's nondiscrimination policy, what constitutes prohibited behavior, how to report incidents, and to whom such reports should be made.

*(cf. 4131/4231/4331 - Staff Development)*

In providing instruction, guidance, supervision, or other services to District students, employees and volunteers shall carefully guard against segregating or stereotyping students.

**NONDISCRIMINATION/HARASSMENT (continued)**

*(cf. 1240 - Volunteer Assistance)*  
*(cf. 6145 - Extracurricular and Cocurricular Activities)*  
*(cf. 6145.2 - Athletic Competition)*  
*(cf. 6164.2 - Guidance/Counseling Services)*

The principal or designee shall develop a plan to provide students with appropriate accommodations when necessary for their protection from threatened or potentially harassing or discriminatory behavior.

Students who engage in discrimination, harassment, intimidation, bullying, or retaliation in violation of law, Board policy, or administrative regulation shall be subject to appropriate discipline, up to and including counseling, suspension, and/or expulsion. Any employee who permits or engages in prohibited discrimination, harassment, intimidation, bullying, or retaliation shall be subject to disciplinary action, up to and including dismissal.

*(cf. 4118 - Suspension/Disciplinary Action)*  
*(cf. 4119.21/4219.21/4319.21 - Professional Standards)*  
*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*  
~~*(cf. 5131 - Conduct)*~~  
*(cf. 5144 - Discipline)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*  
*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*  
*(cf. 5145.2 - Freedom of Speech/Expression)*

**Grievance Procedures**

The Principal of each school site is designated Coordinator for Nondiscrimination to handle complaints regarding discrimination, harassment, intimidation, or bullying, and to answer inquiries regarding the District's nondiscrimination policies.

*(cf. 1312.1 - Complaints Concerning District Employees)*  
*(cf. 1312.3 - Uniform Complaint Procedures)*

Any student who feels that he/she has been subjected to discrimination, harassment, intimidation, or bullying should immediately contact the Coordinator, the principal, or any other staff member. In addition, any student who observes an incident should report the incident to the Coordinator or principal, whether or not the victim files a complaint.

Any school employee who observes an incident of discrimination, harassment, intimidation, or bullying shall report the incident to the Coordinator or principal, whether or not the victim files a complaint.

**NONDISCRIMINATION/HARASSMENT (continued)**

In addition, the employee shall immediately intervene when safe to do so. (Education Code 234.1)

Upon receiving a complaint of discrimination, harassment, intimidation, or bullying, the Coordinator shall immediately investigate the complaint in accordance with **the District's uniform complaint procedures** ~~site-level grievance procedures~~ specified in ~~AR 5145.7 - Sexual Harassment~~ **AR 1312.3 - Uniform Complaint Procedures.**

*(cf. 5145.7 - Sexual Harassment)*

~~Within 30 days of receiving the District's report, the complainant may appeal to the Board if he/she disagrees with the resolution of the complaint. The Board shall make a decision at its next regular meeting and its decision shall be final.~~

The Superintendent or designee shall ensure that the student handbook clearly describes the District's nondiscrimination policy, procedures for filing a complaint regarding discrimination, harassment, intimidation, or bullying, and the resources that are available to students who feel that they have been the victim of any such behavior. The District's policy may also be posted on the District website or any other location that is easily accessible to students.

*(cf. 1113 - District and School Web Sites)*  
*(cf. 1114 - District-Sponsored Social Media)*  
*(cf. 6163.4 - Student Use of Technology)*

When required pursuant to Education Code 48985, complaint forms shall be translated into the student's primary language.

*Legal Reference:*EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex, especially:

48900.3 Suspension or expulsion for act of hate violence

48900.4 Suspension or expulsion for threats or harassment

48904 Liability of parent/guardian for willful student misconduct

48907 Student exercise of free expression

48950 Freedom of speech

48985 Translation of notices

49020-49023 Athletic programs

51500 Prohibited instruction or activity

51501 Prohibited means of instruction

60044 Prohibited instructional materials

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment

*Legal Reference: (continued next page)*

**NONDISCRIMINATION/HARASSMENT (continued)**

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform Complaint Procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 42

2000d & 2000e-17 Title VI & VII Civil Rights Act of 1964, as amended

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964 ~~1972 Education Act Amendments~~

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee

106.9 Notification of nondiscrimination on basis of sex

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

*Management Resources:*

CSBA PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

California Student Safety and Violence Prevention - Laws and Regulations, April 2004

FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004

U.S. DEPARTMENT OF EDUCATION, OFFICE OF CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, January, 1999

WEB SITES

CSBA: <http://www.csba.org>

California Safe Schools Coalition: <http://www.casafeschools.org>

California Department of Education: <http://www.cde.ca.gov>

California Safe Schools Coalition: <http://www.casafeschools.org>

First Amendment Center: <http://www.firstamendment.org>

National School Boards Association: <http://www.nsba.org>

U.S. Department of Education, Office of Civil Rights: <http://www.ed.gov/offices/OCR>

Policy

adopted: September 8, 1999

revised: September 2, 2012

revised:

**RIALTO UNIFIED SCHOOL DISTRICT**

Rialto, California

**CSBA, March 2013**

**Submitted and Reviewed by:** Edward D'Souza, Ph.D.

**Presented for Board Action:** Cuauhtémoc Avila, Ed.D.



## RIALTO UNIFIED SCHOOL DISTRICT

Students

BP 5146(a)

### MARRIED/PREGNANT/LACTATING/PARENTING STUDENTS

The Board of Education recognizes that early marriage, pregnancy or parenting may disrupt a student's education and increase the chance of a student dropping out of school. The Board therefore desires to support married, pregnant, **lactating**, and parenting students to continue their education, attain strong academic and parenting skills, and to promote the healthy development of their children.

*(cf. 5113.1 - Chronic Absence and Truancy)*  
*(cf. 5147 - Dropout Prevention)*  
*(cf. 5149 - At-Risk Students)*  
*(cf. 6011 - Academic Standards)*  
*(cf. 6146.1 - High School Graduation Requirements)*  
*(cf. 6146.11 - Alternative Credits Toward Graduation)*  
*(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)*  
*(cf. 6164.5 - Student Success Teams)*

The District shall not discriminate against any student on the basis of the student's marital status, pregnancy, childbirth, **lactating**, false pregnancy, termination of pregnancy, or related recovery. (Education Code 230; 20 USC 1681-1688)

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*  
*(cf. 5127 - Graduation Ceremonies and Activities)*

Any education program or activity, including any class or extracurricular activity, that is offered separately to such students shall be comparable to that offered to other District students. A student's participation in such programs shall be voluntary. (34 CFR 106.40)

*(cf. 6142.7 - Physical Education and Activity)*  
*(cf. 6145 - Extracurricular and Cocurricular Activities)*

Any complaint of discrimination on the basis of pregnancy, **lactating**, marital or parental status shall be addressed through the District's uniform complaint procedures in accordance with 5 CCR 4600-4687 and BP/AR 1312.3 - Uniform Complaint Procedures.

*(cf. 1312.3 - Uniform Complaint Procedures)*

**MARRIED/PREGNANT/LACTATING/PARENTING STUDENTS** (continued)

For school-related purposes, a married student under the age of 18 years shall have all the rights and privileges of students who are 18 years old, even if the marriage has been dissolved. (Family Code 7002)

The Superintendent or designee shall periodically report to the Board regarding the effectiveness of District strategies to support married, pregnant, **lactating**, and parenting students, which may include data on participation rates in District programs and services, academic achievement, school attendance, graduation rate, and/or student feedback on District programs and services.

*(cf. 0500 - Accountability)*

*(cf. 6162.5 - Student Assessment)*

**Pregnant and Parenting Students**

Pregnant, **lactating**, and parenting students retain the right to participate in any comprehensive school or educational alternative program. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or his/her child. (Educational Code 54745)

*(cf. 6158 - Independent Study)*

*(cf. 6181 - Alternative Schools/Programs of Choice)*

*(cf. 6184 - Continuation Education)*

*(cf. 6200 - Adult Education)*

When necessary, the District shall provide reasonable accommodations to pregnant, **lactating**, and parenting students to enable them to access the educational program. A pregnant or **lactating** student shall have access to any services available to other students with temporary disabilities or medical conditions. A lactating student shall have access to a private location, other than a restroom, to breastfeed or express milk for her infant child. **The District shall give permission to the student to bring a breast pump and/or any other equipment used to express breast milk to the school campus. Access to a power source for the breast pump and/or other equipment is also to be provided if needed. A student shall also be provided with access to a place to store the breast milk safely. A student shall not incur any academic penalty as a result of her use of these reasonable accommodations during the school day and shall be allowed to make up any missed work.**

*(cf. 6183 - Home and Hospital Instruction)*

A student may be required, based on her pregnancy, childbirth, **lactating**, false pregnancy, termination of pregnancy, or related recovery, to obtain certification from a physician indicating that she is physically and emotionally able to participate in an educational program or activity, if other students with physical or emotional conditions or temporary disabilities are required by the District to provide such certification. (34 CFR 106.40)

**MARRIED/PREGNANT/LACTATING/PARENTING STUDENTS** (continued)

To the extent feasible, educational and related support services shall be provided, either through the District or in collaboration with community agencies and organizations, to meet the needs of pregnant, **lactating**, and parenting students and their children. Such services may include, but are not limited to:

1. Child care and development services for the children of parenting students on or near school site(s) during the school day and during school-sponsored activities

*(cf. 1020 - Youth Services)*

*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*

*(cf. 5148 - Child Care and Development)*

2. Parenting education and life skills instruction

3. Special school nutrition supplements for pregnant and lactating students pursuant to Education Code 49553, 42 USC 1786, and 7 CFR 246.1-246.28.

*(cf. 3550 - Food Service/Child Nutrition Program)*

*(cf. 5030 - Student Wellness)*

4. Health care services, including prenatal care

*(cf. 5141.6 - School Health Services)*

5. Tobacco, alcohol, and/or drug prevention and intervention services

*(cf. 5131.6 - Alcohol and Other Drugs)*

*(cf. 5131.62 - Tobacco)*

6. Academic and personal counseling

*(cf. 6164.2 - Guidance/Counseling Services)*

7. Supplemental instruction to assist students in achieving grade-level academic standards and progressing toward graduation

*(cf. 6179 - Supplemental Instruction)*

As appropriate, teachers, administrators, and/or other personnel who work with pregnant and parenting students shall receive related professional development.

**MARRIED/PREGNANT/LACTATING/PARENTING STUDENTS (continued)**

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

Pregnant, **lactating**, or parenting students may be excused for absences related to confidential medical appointments in accordance with BP/AR 5113 - Absences and Excuses.

*(cf. 5113 - Absences and Excuses)*

The Superintendent or designee shall grant a student a leave of absence due to pregnancy, childbirth, **lactating**, false pregnancy, termination of pregnancy, and related recovery for as long as it is deemed medically necessary by her physician. At the conclusion of the leave, the student shall be reinstated to the status she held when the leave began. (34 CFR 106.40)

*(cf. 5112.3 - Student Leave of Absence)*

A pregnant, **lactating**, or parenting student also may request exemption from attendance because of a related physical or mental condition or because of personal services that must be rendered to a dependent. (Education Code 48410)

*(cf. 5112.1 - Exemptions from Attendance)*

*Legal Reference:*

EDUCATION CODE

230 Sex discrimination

8200-8498 Child Care and Development Services Act

48205 Excused absences

48220 Compulsory education requirement

48410 Persons exempted from continuation classes

49553 Nutrition supplements for pregnant/lactating students

51220.5 Parenting skills and education

51745 Independent study

52610.5 Enrollment of pregnant and parenting students in adult education

54740-54749 Cal-SAFE program for pregnant/parenting students and their children

FAMILY CODE

7002 Description of emancipated minor

HEALTH AND SAFETY CODE

104460 Tobacco prevention services for pregnant and parenting students

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4950 Nondiscrimination, marital and parental status

*Legal Reference: (continued next page)*



**MARRIED/PREGNANT/LACTATING/PARENTING STUDENTS (continued)**

CODE OF REGULATIONS, TITLE 22

101151-101239.2 General licensing requirements for child centers

101351-101439.1 Infant care centers

UNITED STATES CODE, TITLE 20

1681-1688 Title IX, Education Act Amendments

United States Code, Title 42

1786 Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 7

246.1-246.28 Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 34

106.40 Marital or parental status

ATTORNEY GENERAL OPINIONS

87 Ops. Cal. Atty. Gen. 168 (2004)

COURT DECISIONS

American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307

Management Resources:

CALIFORNIA WOMEN'S LAW CENTER PUBLICATIONS

Educational Rights of Pregnant and Parenting Teens: Title IX and California State Law Requirements

The Civil Rights of Pregnant and Parenting Teens in California Schools, 2002

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Supporting the Academic Success of Pregnant and Parenting Students under Title IX of the Education Amendments of 1972, rev. June 2013

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

California Women's Law Center: <http://www.cwlc.org>

U.S. Department of Agriculture, Women, Infants, and Children Program: <http://www.fns.usda.gov/wic>

U.S. Department of Education: <http://www.ed.gov>

Policy  
adopted: September 8, 1999  
revised: February 11, 2015  
revised:

**RIALTO UNIFIED SCHOOL DISTRICT**  
Rialto, California

**Submitted and Reviewed by:** Edward D'Souza, Ph.D.  
**Presented for Board Action:** Cuauhtémoc Avila, Ed.D.

**G INSTRUCTION CONSENT**

**SAN BERNARDINO COMMUNITY COLLEGE DISTRICT  
CONTRACT EDUCATION  
ADMINISTRATIVE JUSTICE 105**

January 20, 2016

Educational Services is requesting the Board of Education approve an agreement with the San Bernardino Community College District, Valley College Campus to establish a college level course, Administrative Justice 105, which is a five (5) unit college course for students from our three (3) comprehensive high schools (Carter, Eisenhower and Rialto), for our current qualified 10<sup>th</sup> graders for the 2<sup>nd</sup> semester at the Cesar Chavez/Dolores Huerta Center for Education.

Valley College will provide one (1) qualified college instructor for the course, to be offered as an after school class, two (2) days per week (a total of 280 instructional minutes per week). Approximately twenty to thirty (20-30) students will be enrolled in the course.

The cost to offer the course (contract cost) is \$19,364.00. Additional expenses include textbook costs at \$100.00 per student, and field trip expenses to visit Valley College and take the Accuplacer Test estimated to be an additional \$3,000.00. Students enrolled in this course will then be able to use the transferable credit from this class at any University of California or California State University campus.

It is recommended that the Board of Education approve an agreement with San Bernardino Community College, Valley College Campus to establish a college level course, Administrative Justice 105, to high school students from Carter, Eisenhower, and Rialto High Schools, commencing on February 10, 2016 and ending on May 31, 2016. The contract cost is \$19,364.00 to be paid from District General Funds. This term may be extended for an additional period by written agreement between the two parties for a total period not to exceed five (5) years.

**Submitted by:** Veronica Smith-Iszard

**Reviewed by:** Edward D'Souza, Ph.D.

**Presented for Board Action:** Cuauhtémoc Avila, Ed.D.

(Ref. G 1.1)

**RESOLUTION NO. 15-16-37  
RESOLUTION OF THE BOARD OF EDUCATION OF THE  
RIALTO UNIFIED SCHOOL DISTRICT**

**NATIONAL AFRICAN-AMERICAN HISTORY MONTH**

January 20, 2016

**WHEREAS**, Americans of African descent helped develop our Nation in countless significant and compelling ways, those recognized, unrecognized and unrecorded; and

**WHEREAS**, African-American history reflects a determined spirit of perseverance and cultural pride in its struggles to share equally in the opportunities of a nation founded upon the principals of freedom and liberty for all people; and

**WHEREAS**, our community joins a nationwide observance during the month of February to recognize the contributions of African-Americans; and

**WHEREAS**, we have an opportunity to reflect on how Americans from diverse cultures and national origins came together to make contributions to the Nation; and

**WHEREAS**, the history of civil rights in the United States is largely the story of free people of color to define and enumerate what rights pertain to citizens in civil society and the need for our governments, state and federal, to codify and protect those rights; and

**WHEREAS**, the California State Board of Education recognized in its Multi-Cultural Education Policy that each student needs an opportunity to understand the common humanity underlying all people; and

**WHEREAS**, the Rialto Unified School District desires to support the implementation of the History-Social Science Framework for California Public Schools, pre-school through grade twelve, which states that the history of community, state, region, nation, and the world must reflect the experiences of men and women of different racial, religious ethnic groups, and that these experiences must be integrated at every grade level in the curriculum.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Education of the Rialto Unified School District declares the month of February 2016 as a period of recognition of African-American history as it relates to our history and culture and encourages all teachers, support staff, parents/guardians, and students to participate in observances and instructional activities that commemorate this occasion.

\_\_\_\_\_  
Nancy G. O'Kelley, President

\_\_\_\_\_  
Dina Walker, Vice President

\_\_\_\_\_  
Joseph W. Martinez, Clerk

\_\_\_\_\_  
Joseph Ayala, Member

\_\_\_\_\_  
Edgar Montes, Member

**Submitted and Reviewed by:** Edward D'Souza, Ph.D.  
**Presented for Board Action:** Cuauhtémoc Avila, Ed.D.

(Ref. G 2.1)

**RESOLUTION NO. 15-16-38  
RESOLUTION OF THE BOARD OF EDUCATION OF  
THE RIALTO UNIFIED SCHOOL DISTRICT**

**NATIONAL SCHOOL COUNSELING WEEK**

January 20, 2016

**WHEREAS**, comprehensive school counseling programs are a vital part of the educational process for all students as they meet the challenges of the 21<sup>st</sup> century; and

**WHEREAS**, school counselors help students examine their abilities, strengths, interests and talents; work in partnerships with parents; focus on positive ways to enhance student development; work with teachers and other educators to provide an educational system where students can realize their potential; and set healthy, realistic and optimistic aspirations for themselves; and

**WHEREAS**, School counselors in the 21<sup>st</sup> century are highly trained educators in pre K-12 settings who uphold ethical and professional standards to design, implement and manage comprehensive, developmental, results-based school counseling programs that promote and enhance student success; and

**WHEREAS**, School counselors are an important part of the educational leadership team and provide valuable assistance to students regardless of whether they work in an elementary school, middle school, high school or beyond; and

**WHEREAS**, National School Counseling Week 2016 will be celebrated nationwide to focus public attention on the unique contribution of professional school counselors within the United States school systems; and

**WHEREAS**, National School Counseling Week, sponsored by ACSA, highlights the tremendous impact school counselors can have in helping students achieve school success and plan for a career.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Education of the Rialto Unified School District hereby declares February 1-5, 2016, as National School Counseling Week and supports locally developed educational programs and observances.

\_\_\_\_\_  
Nancy G. O' Kelley, President

\_\_\_\_\_  
Dina Walker, Vice President

\_\_\_\_\_  
Joseph W. Martinez, Clerk

\_\_\_\_\_  
Joseph Ayala, Member

\_\_\_\_\_  
Edgar Montes, Member

**Submitted and Reviewed by:** Edward D'Souza, Ph.D.  
**Presented for Board Action** Cuauhtémoc Avila, Ed.D.



## DONATIONS

January 20, 2016

<u>Name of Donors</u>	<u>Location/Description</u>	<u>Amount</u>
<u>MONETARY DONATIONS</u>		
Dollahan Elementary PTO	Dollahan Elementary School/ Principal's Donation Account	\$ 560.00
Lifetouch National School Studios	Jehue Middle School/ Instructional Materials and Supplies	\$ 179.00
AT&T Employee Giving Campaign	Dunn Elementary School/ Instructional Materials and Supplies	\$ 3.00
Your Cause Corporate Giving Programs	Dunn Elementary School/ Instructional Materials and Supplies	\$ 2.00
Silicon Valley Community Foundation	Carter High School/ Principal's Donation Account	\$ 371.22
Jeri Zermeno	Jehue Middle School/ Instructional Materials and Supplies	\$ 100.00
Lifetouch National School Studios	Frisbie Middle School/ Principal's Donation Account	\$ 240.78
Schoola	Frisbie Middle School/ Instructional Materials and Supplies	\$ 30.39

### NON-MONETARY DONATIONS

Sunrise Adopt-a-School Partnership	Trapp Elementary School/ Wheelchair and Laminator
99 Cents Only Stores	Child Welfare and Attendance \$25 Gift Certificate to be used for toiletries for the Clothing Tree
OraBrite	Child Welfare and Attendance Three (3) boxes of toothbrushes to be used for families visiting the Clothing Tree

(Ref. H 2.1)

It is recommended that the Board of Education accept the listed donations from Dollahan Elementary PTO, Lifetouch National School Studios, AT&T Employee Giving Campaign, Your Cause Corporate Giving Programs, Silicon Valley Community Foundation, Jeri Zermeno, Schoola, Sunrise Adopt-a-School Partnership, 99 Cents Only Stores, and OraBrite, and request that a letter of appreciation be sent to the donors.

**District Summary**

**Monetary Donations – January 20, 2016**

**\$ 1,486.39**

**Donations – Fiscal Year-To-Date**

**\$ 26,318.52**

**Submitted by: Mohammad Z. Islam**

**Reviewed by and Presented for Board Action: Cuauhtémoc Avila, Ed.D.**

(Ref. H 2.2)



**ADOPTION OF RESOLUTION 15-16-34  
AUTHORIZING SUBMITTAL OF APPLICATION(S) FOR  
ALL CALRECYCLE GRANTS**

January 20, 2016

Public Resources Code section 40000 et seq. authorizes the Department of Resources Recycling and Recovery (CalRecycle) to administer various grant programs (Grants) in furtherance of the State of California (state) efforts to reduce, recycle and reuse solid waste generated in the state thereby preserving landfill capacity and protecting public health and safety and the environment.

The District is eligible as a Regional Lead Participant to apply for a CalRecycle Grant. The application procedures require an applicant's governing body to declare by resolution certain authorizations related to the administration of CalRecycle Grants.

It is recommended that the Board of Education adopt Resolution No.15-16-34 authorizing submittal of application(s) for all CalRecycle Grants for which the Rialto Unified School District is eligible; and authorize the Associate Superintendent of Business Services to execute all Grant-related documents. The authorizations are effective for five (5) years from the date of adoption of the resolution.

**Submitted by:** Iris Chu

**Reviewed by:** Mohammad Z. Islam

**Presented for Board Action:** Cuauhtémoc Avila, Ed.D.

(Ref. H 3.1)

**RESOLUTION NO. 15-16-34  
AUTHORIZING SUBMITTAL OF APPLICATION(S) FOR  
ALL CALRECYCLE GRANTS**

January 20, 2016

**WHEREAS**, Public Resources Code section 40000 et seq. authorizes the Department of Resources Recycling and Recovery (CalRecycle) to administer various grant programs (grants) in furtherance of the State of California (state) efforts to reduce, recycle and reuse solid waste generated in the state thereby preserving landfill capacity and protecting public health and safety and the environment; and

**WHEREAS**, the Tire-Derived Product Grant Program allows regional grant projects; and

**WHEREAS**, CalRecycle grant application procedures require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of CalRecycle grants.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Education authorizes the Rialto Unified School District to submit a Tire-Derived Product Grant regional application on behalf of itself as Lead Agency.

**BE IT FURTHER RESOLVED**, that the Associate Superintendent of Business Services, or designee, is hereby authorized and empowered to execute on behalf of the Rialto Unified School District all Grant-related documents, including, but not limited to, applications, payment requests, agreements, and amendments necessary to secure grant funds and to implement the approved grant project; and

**BE IT FURTHER RESOLVED**, that these authorizations are effective for five (5) years from the date of adoption of this resolution.

**ADOPTED, SIGNED AND APPROVED**, this 20th day of January 2016.

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

\_\_\_\_\_  
President, Board of Education

ATTEST:

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

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSTAIN \_\_\_\_\_ ABSENT \_\_\_\_\_

(Ref. H 3.2)

**AGREEMENT WITH  
DUKE CULTURAL RESOURCES MANAGEMENT, LLC**

January 20, 2016

The California Environmental Quality Act (CEQA) Final Initial Study-Mitigated Negative Declaration (IS-MND) document, prepared by VCS Environmental for the Rialto Unified School District Compressed Natural Gas (CNG) Fueling Station and Transportation Yard project was accepted by the City of Rialto and filed with California Department of Fish and Wildlife in February, 2015. Pursuant to the Mitigation and Monitoring Program in the IS-MND, the District shall hire a qualified archaeologist and paleontologist to monitor during grading/trenching operations to determine if the sediments are likely to produce historical archaeological and/or paleontological resources.

Two consultant firms responded to the District's Request for Proposal, and of the two, Duke Cultural Resources Management, LLC is more competitive in terms of its fee structure.

It is recommended that the Board of Education approve an agreement with Duke Cultural Resources Management, LLC to provide archaeological and paleontological monitoring services for the Compressed Natural Gas Fueling Station and Transportation Yard project. The proposed fee is not-to-exceed \$7,200.00, including reimbursable expenses not to exceed \$450.00. All costs will be paid from the General Fund.

**Submitted by:** Iris Chu

**Reviewed by:** Mohammad Z. Islam

**Presented For Board Action:** Cuauhtémoc Avila, Ed.D.

(Ref. H 4.1)

**AGREEMENT WITH  
VCS ENVIRONMENTAL**

January 20, 2016

The California Environmental Quality Act (CEQA) Final Initial Study-Mitigated Negative Declaration (IS-MND) document, prepared by VCS Environmental for the Rialto Unified School District Compressed Natural Gas (CNG) Fueling Station and Transportation Yard project was accepted by the City of Rialto and filed with California Department of Fish and Wildlife in February, 2015.

Pertaining to the Mitigation and Monitoring Program in the IS-MND, the District will conduct a pre-construction survey to determine the existence of burrowing owl and nesting birds, with the purpose of avoidance of direct impact to the owls and nesting birds.

Staff requested a proposal from VCS Environmental for the required services because they are very familiar with the CNG Fueling Station Project, and specialize in environmental services with extensive expertise in biological surveys.

It is recommended that the Board of Education approve an agreement with VCS Environmental to provide a pre-construction burrowing owl/breeding bird survey for the Compressed Natural Gas Fueling Station and Transportation Yard project for not-to-exceed \$5,260.00. All costs will be paid from the General Fund.

**Submitted by:** Iris Chu

**Reviewed by:** Mohammad Z. Islam

**Presented For Board Action:** Cuauhtémoc Avila, Ed.D.

(Ref. H 5.1)

**ADOPTION OF RESOLUTION NO. 15-16-35  
FINDING THE SOLAR CANOPY INSTALLATION AT ALL SCHOOL SITES OF THE  
RIALTO UNIFIED SCHOOL DISTRICT EXEMPT FROM THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT AND APPROVING THE FILING AND  
RECORDATION OF A NOTICE OF EXEMPTION**

January 20, 2016

The District plans to install solar power canopies at twenty-eight (28) school sites. The project includes the installation of steel solar photovoltaic parking lot structures. California Environmental Quality Act (CEQA) guidelines must be met for all projects. The guidelines provide for a statutory exemption under section 21080.35, which consists of the installation of a solar energy system on the roof of an existing building or at an existing parking lot. The guidelines also provide for categorical exemptions under sections 15303, 15311 and 15314, which consists of new construction or conversion of small structures, accessory structures, and minor additions to schools.

It is recommended that the Board of Education adopt Resolution No. 15-16-35, finding the solar canopy installation at all school sites exempt from the California Environmental Quality Act and approving the filing and recordation of a Notice of Exemption. A filing fee of \$50.00 to the San Bernardino County Clerk will be paid from the Capital Facilities Fund (Fund 25).

**Submitted by:** Iris Chu

**Reviewed by:** Mohammad Z. Islam

**Presented for Board Action:** Cuauhtémoc Avila, Ed.D.

(Ref. H 6.1)

**RESOLUTION NO. 15-16-35**  
**FINDING THE SOLAR CANOPY INSTALLATION EXEMPT FROM THE CALIFORNIA**  
**ENVIRONMENTAL QUALITY ACT AND APPROVING THE FILING AND**  
**RECORDATION OF A NOTICE OF EXEMPTION**

January 20, 2016

**WHEREAS**, the Rialto Unified School District (District) owns and operates 29 schools located in the City of Rialto, City of San Bernardino, City of Colton, and City of Fontana, San Bernardino County (Sites); and

**WHEREAS**, the District proposes to install 28 solar canopies at the parking lots (Project); and

**WHEREAS**, prior to commencement of the Project, the District must comply with the California Environmental Quality Act, Public Resources Code section 21000 et seq. (CEQA); and

**WHEREAS**, CEQA Statutory Exemption Section 21080.35 sets forth an exemption from CEQA for the installation of steel solar photovoltaic parking lot structures, including but not limited to the installation of a solar energy system on the roof of an existing building or at an existing parking lot:

b) (1) "Existing parking lot" means an area designated and used for parking of vehicles as of the time of the application for the solar energy system and for at least the previous two years.

(2) "Solar energy system" includes all associated equipment. Associated equipment consists of parts and materials that enable the generation and use of solar electricity or solar-heated water, including any monitoring and control, safety, conversion, and emergency responder equipment necessary to connect to the customer's electrical service of plumbing and any equipment, as well as any equipment necessary to connect the energy generated to the electrical grid, whether that connection is onsite or on an adjacent parcel of the building and separated only by an improved right-of-way. "Associated equipment" does not include a substation.

(c) (1) Associated equipment shall be located on the same parcel of the building, except that associated equipment necessary to connect the energy generated to the electrical grid may be located immediately adjacent to the parcel of the building or immediately to the parcel of the building and separated only by an improved right-of-way.

(2) Associated equipment shall not occupy more than 500 square feet of ground surface and the site of the associated equipment shall not contain plants protected by the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

(Ref. H 6.2)

**WHEREAS**, categorical exemptions to CEQA are set forth in Article 19 of Title 14 of the California Code of Regulations (CEQA Guidelines); and

**WHEREAS**, categorical exemption class 3, New Construction or Conversion of Small Structures, pursuant to CEQA Guidelines Section 15303 includes construction and location of limited numbers of new and small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure; and

**WHEREAS**, categorical exemption class 11, Accessory Structures, pursuant to CEQA Guidelines, Section 15311, includes construction or replacement of minor structures accessory to (appurtenant to) existing institutional facilities, including but not limited to on-premise signs, small parking lots, and seasonal items; and

**WHEREAS**, categorical exemption class 14, Minor Additions to Schools, pursuant to CEQA guidelines, Section 15314, includes minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% or ten classrooms, whichever is less; and

**WHEREAS**, the Project will involve the installation of steel solar photovoltaic parking lot structures on the Site; and

**WHEREAS**, the District has considered whether the Project may have a significant effect on the environment; and

**WHEREAS**, the District has concluded, through its own independent review and analysis, that the Project will not have a significant impact on the environment.

**NOW, THEREFORE BE IT RESOLVED**, the Governing Board of the Rialto Unified School District hereby finds, determines, declares, orders and resolves as follows:

All of the recitals set forth above are true and correct.

The District has considered whether the Project may have a significant effect on the environment.

The District has concluded, after reviewing the Project through its own independent review and analysis, that the Project will not have a significant effect on the environment.

The Project is subject to CEQA Statutory Exemption Section 21080.35 and is therefore exempt from CEQA.

The Project is subject to CEQA Guidelines Categorical Exemptions for Classes 3, 11 and 14 and is therefore exempt from CEQA.

(Ref. H 6.3)

The District's Superintendent, or the Superintendent's designee, is instructed to file and/or record a Notice of Exemption from the California Environmental Quality Act, consistent with this Resolution, with any and all appropriate public agencies or entities including the Office of the Recorder of San Bernardino County, subject only to minor, non-substantive revisions, if necessary.

This Resolution shall take effect immediately upon adoption.

**APPROVED, PASSED, AND ADOPTED** this 20th day of January 2016, by the Board of Education of the Rialto Unified School District of San Bernardino County by the following vote:

AYES: \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_ ABSTAINED \_\_\_\_\_

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

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Nancy G. O'Kelley, President  
Board of Education

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



**FRANKLINCOVEY EDUCATION AGREEMENT  
DOLLAHAN ELEMENTARY SCHOOL**

January 20, 2016

Dollahan Elementary School requests approval from the Board of Education to enter into an agreement with FranklinCovey Education to provide coaching support during its implementation of The Leader in Me (“TLIM”).

Dollahan Elementary has a license to use FranklinCovey’s TLIM intellectual property and content for use in accessing and delivering the TLIM programs and solutions; and the additional services are designed to help implement such solutions within the school. Based on *The 7 Habits of Highly Effective People*, by the late Dr. Stephen R. Covey, TLIM produces transformational results such as higher academic achievement on District and state standardized assessments in the areas of English language arts and mathematics, fewer discipline problems, and increased engagement among teachers and parents.

FranklinCovey Education will provide one (1) day of live coaching and action planning, four (4) one-hour coaching sessions plus follow up reports and resources, two (2) Community Coaching Days, and access to regular professional development webinars.

It is recommended that the Board of Education approve an agreement with FranklinCovey Education to provide coaching support with the implementation of The Leader in Me at Dollahan Elementary School, at a cost not to exceed \$5,100.00 (\$3,900.00 coaching agreement and \$1,200.00 travel expenses) to be paid from site Title I funds.

**Submitted by:** Daniel Husbands  
**Reviewed by:** Jasmin Valenzuela  
**Presented for Board Action:** Cuauhtémoc Avila, Ed.D.

(Ref. H 7.1)

## SURPLUS EQUIPMENT AND MISCELLANEOUS ITEMS

January 20, 2016

Quantity	Description	Quantity	Description
14	CPUs	8	Baby Cribs
10	Monitors	6	Metal Chairs
3	Projector LCDs	4	Laptops
35	Rolling Cabinets	1	Box of Keyboards & Mice
4	Teacher Desks	7	Document Cameras
90	Student Desks	7	Hitachi Projectors
45	Student Chairs	2	Printers
2	Fax Machines	11	Tables
2	Office Chairs	2	Book Cases
1	Office Furniture	7	TV Carts
4	Wood Cubbies	2	CPU Carts
12	TV/ VCR Carts	6	TV/Video Game Units
30	Video Game Dance Pads	4	Servers

It is recommended that the Board of Education 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.

**Submitted by:** Daniel Distrola

**Reviewed by:** Mohammad Z. Islam

**Presented for Board Action:** Cuauhtémoc Avila, Ed.D.

(Ref. H 8.1)

**AGREEMENT WITH  
CALIFORNIA ASSOCIATION OF BILINGUAL EDUCATION (CABE)  
PROFESSIONAL DEVELOPMENT SERVICES**

January 20, 2016

Educational Services requests approval from the Board of Education to enter into an agreement with the California Association of Bilingual Education (CABE) to provide support and training to administrators and teachers to start-up and implement a Dual Language Immersion program at Boyd, Casey, Garcia, and Morris Elementary Schools. CABE is a pioneering professional association with 40 years of experience with educational programs for second language learners. CABE's Professional Development Services (PDS) are recognized for expertise in assisting districts in implementing Dual Immersion and other innovative language-learning programs.

Implementation of the Dual Immersion program supports our District's vision and mission by increasing and improving services to English Learners and other students through the development and implementation of Dual Language Immersion programs. CABE PDS will provide two-full day professional development workshops on Dual Immersion specifically focused on the role of the administrators, both site and District, in the planned Dual Immersion programs and the many aspects of planning that affect the various departments and systems at the District and site level. CABE will also provide two additional days of follow-up consulting support for District and/or site administrators in planning the new Dual Immersion programs at the four (4) elementary sites. A one-day professional development workshop for teachers in academic Spanish will also be provided by a national biliteracy expert at a total cost of \$13,500.00. This training and support is beyond the scope of anyone employed by the Rialto Unified School District.

It is recommended that the Board of Education approve an agreement with the California Association of Bilingual Education (CABE) Professional Development Services to provide professional development to District and site Administrators, and teachers at Boyd, Casey, Garcia, and Morris Elementary Schools, at a cost not to exceed \$13,500.00, to be paid from Title III funds.

**Submitted by:** Marina Madrid

**Reviewed by:** Jasmin Valenzuela

**Presented for Board Action:** Cuauhtémoc Avila, Ed.D.

(Ref. H 9.1)

**I FACILITIES PLANNING CONSENT**

**NOTICE OF COMPLETION  
BRAUGHTON CONSTRUCTION, INC.**

January 20, 2016

Representatives from the Facilities Planning and Maintenance and Operations Departments, Architect, DSA Inspector, and Braughton Construction, Inc., completed the final walk-through of the work completed by Braughton Construction, Inc., for all work required in connection with the Eisenhower High School Pylon Sign Project.

The Notice of Completion, when filed with the County Recorder, will begin a thirty-five (35) day period for Stop Notice filing after which our final payment to the contractor may be released.

It is recommended that the Board of Education accept the work completed on December 17, 2015, by Braughton Construction, Inc., for all work required in connection with the Eisenhower High School Pylon Sign Project and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.

**Submitted by:** Iris Chu

**Reviewed by:** Mohammad Z. Islam

**Presented for Board Action:** Cuauhtémoc Avila, Ed.D.

(Ref. I 1.1)

**J PERSONNEL SERVICES CONSENT**

PERSONNEL REPORT NO. 1146  
CLASSIFIED EXEMPT EMPLOYEES  
January 20, 2016

**BACKGROUND/CRIMINAL HISTORY CHECKS HAVE BEEN COMPLETED, AS PER LAW, ON ALL INDIVIDUALS RECOMMENDED FOR EMPLOYMENT.**

**AVID TUTORS**

Meza, Giselle	Jehue Middle School	12/03/2015	\$10.00 per hour
Vazquez Contreras, Ana	Eisenhower High School	12/10/2015	\$10.00 per hour

**CROSSING GUARD** (Due to the minimum wage increase, salary will be \$10.00 effective 01/01/2016)

Avila, Andres	Crossing Guard Educational Safety/Security	12/17/2015	\$9.00 per hour
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**NON-CERTIFICATED COACHES**

A search of the certificated staff of the Rialto Unified School District has failed to fulfill the District's coaching needs. Pursuant to the Title 5 California Code of Regulations, Section 5531, this is to certify that the following non-certificated coaches employed by the Rialto Unified School District are competent in first aid and emergency procedures as related to coaching techniques in the sports to which they are assigned:

Carter High School

Alexander, Kevin	Varsity Assistant, Boys' Basketball	12/22/2015	\$1,852.86
Johnson, Marcus	Varsity Assistant, Girls' Basketball	01/08/2016	\$1,331.74

Kucera Middle School

Cunningham, Christopher	Boys' Basketball	2015/2016	\$434.00
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Eisenhower High School

Gonzales, Robert	Frosh Head, Boys' Wrestling	01/06/2016	\$1,385.59
McGinnis, Leonard	Frosh Assistant, Boys' Basketball	01/11/2016	\$1,142.70
Rivera, Justice	Frosh Assistant, Girls' Basketball	2015/2016	\$2,649.00

Rialto High School

Mitchell, Robert	Varsity Head, Football	2016/2017	\$4,950.00
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**Submitted By:** Rhonda Kramer  
**Approved By:** Tom Haldorsen  
**Presented For Board Action:** Cuauhtémoc Avila, Ed.D.

(Ref. J 1.1)

PERSONNEL REPORT NO. 1146  
 CLASSIFIED EMPLOYEES  
 January 20, 2016

**PROMOTIONS**

Alvarez de Berrum, Cynthia (Repl. M. Mata)	To: Lead Nutrition Service Worker Milor High School	01/11/2016	To: 21-5	\$15.84 per hour (5 hours, 205 days)
	From: Nutrition Service Worker I Fitzgerald Elementary School		From: 19-5	\$15.07 per hour (3.5 hours, 203 days)
Barriga, Maria	To: Attendance Specialist Eisenhower High School	01/21/2016	To: 37-3	\$21.28 per hour (8 hours, 217 days)
	From: Attendance/Records Clerk* Eisenhower High School		From: 32-5	\$20.80 per hour (8 hours, 217 days)
De La Paz Castro, Martha	To: Instructional Technology Assistant Casey Elementary School	01/12/2016	To: 31-2	\$17.51 per hour (6 hours, 212 days)
	From: Instructional Assistant II-SE Dollahan Elementary (RSP/SDC)		From: 26-3	\$16.24 per hour (3 hours, 203 days)
Milian Gomez, Saddmy	To: Special Ed. Child Dev. Instructional Assistant Werner Elementary School	01/12/2016	To: 29-1	\$15.84 per hour (4 hours, 203 days)
	From: Instructional Assistant II/B.B.* Fitzgerald Elementary School		From: 26-2	\$15.47 per hour (3 hours, 203 days)
Rangel, Isaac	To: Instructional Technology Assistant Kucera Middle School	01/12/2016	To: 31-4	\$19.32 per hour (6 hours, 212 days)
	From: Instructional Assistant II-SE Rialto High School (RSP/SDC)		From: 26-5	\$17.91 per hour (3 hours, 203 days)

**EMPLOYMENT**

Diego, Sylvia Yunuen	Instructional Technology Assistant Frisbie Middle School	01/12/2016	31-1	\$16.67 per hour (6 hours, 212 days)
Feurtado Ebanks, Stephanie (Repl. K. Lange)	Instructional Assistant II – SE (RSP/SDC) Hughbanks Elementary School	01/12/2016	26-1	\$14.66 per hour (3 hours, 203 days)
Herrera, Gloria (Repl. J. Avina)	Instructional Assistant II – SE (RSP/SDC) Dunn Elementary School	01/12/2016	26-1	\$14.66 per hour (3 hours, 203 days)
Jimenez, Edson (Repl. A. Garcia)	Nutrition Service Worker II Nutrition Services	01/11/2016	25-1	\$14.37 per hour (8 hours, 217 days)
Llamas, Lorenzo	Instructional Technology Assistant Garcia Elementary School	01/12/2016	31-1	\$16.67 per hour (6 hours, 212 days)
Suarez, Clarissa (Repl. M. Gutierrez)	Instructional Assistant II – SE (RSP/SDC) Garcia Elementary School	01/12/2016	26-1	\$14.66 per hour (3 hours, 203 days)
Torres, Christina	Instructional Technology Assistant Trapp Elementary School	01/13/2016	31-1	\$16.67 per hour (6 hours, 212 days)



PERSONNEL REPORT NO. 1146  
 CLASSIFIED EMPLOYEES  
 January 20, 2016

**RETIREMENTS**

Carrillo, Louise	Nutrition Service Worker II Nutrition Services	12/30/2015
Summerville, Shirley	Information Technology Project Specialist Information Technology	12/30/2015

**RESIGNATIONS**

Flores, Beatriz	Instructional Assistant II – SE (RSP/SDC) Carter High School	01/11/2016
Jimenez, Leeann	Child Development Instructional Assistant Garcia Preschool	01/25/2016
Lawson, Rosalie	Instructional Assistant II – SE (RSP/SDC) Myers Elementary School	12/10/2015
Lopez, Katrina	Instructional Assistant II – SE (RSP/SDC) Jehue Middle School	12/11/2015
Loya, Annamarie	Categorical Project Clerk Morris/Kelley Elementary Schools	01/13/2016
Martinez, Karla	Instructional Assistant III – SE (SED/MH/AUT) Milor High School	01/19/2016
Sanchez, Veronica	Nutrition Service Worker I Nutrition Services	01/04/2016
Solano Arangure, Veronica	Instructional Assistant II – SE (RSP/SDC) Eisenhower High School	12/12/2015

**SUBSTITUTES**

De La Cruz, Susana	Health Aide	01/12/2016	25-1	\$14.37 per hour
Esquivel, Monique	Health Aide	01/12/2016	25-1	\$14.37 per hour
Figueroa Mendez, Patricia	Health Aide	01/12/2016	25-1	\$14.37 per hour
Hanhan, Souher	Instructional Assistant	01/12/2016	26-1	\$14.66 per hour
Hernandez, Fatima	Health Aide	01/12/2016	25-1	\$14.37 per hour
Lara, Jessica	Health Aide	01/12/2016	25-1	\$14.37 per hour
Moreno, Alexis	Health Aide	01/12/2016	25-1	\$14.37 per hour
Rathbun, Delilah	Instructional Assistant	01/12/2016	26-1	\$14.66 per hour
Serrano, Jasmine	Health Aide	01/12/2016	25-1	\$14.37 per hour
Zepeda Ibarra, Marisela	Health Aide	01/12/2016	25-1	\$14.37 per hour

PERSONNEL REPORT NO. 1146  
CLASSIFIED EMPLOYEES  
January 20, 2016

**SHORT TERM ASSIGNMENT** (not to exceed 40 hours per week)

Clerical Support	Personnel Services	01/21/2016 - 02/12/2016	29-1	\$15.84 per hour
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**VOLUNTARY LATERAL TRANSFER AND DECREASE IN WORK HOURS**

Avina, Jacquelyn	To:	Instructional Assistant III – SE (SED/MH/AUT) Dunn Elementary School	01/12/2016	To:	29-2	\$16.67 per hour (3 hours, 203 days)
	From:	Instructional Assistant III – SE (SED/MH/AUT) Kucera Middle School		From:	29-2	\$16.67 per hour (3.5 hours, 203 days)

**EXTENSION OF CERTIFICATION OF ELIGIBILITY LIST – Warehouse/Support Services Worker**

To: Eligible: 02/28/2016  
Expires: 08/28/2016  
From: Eligible: 08/27/2015  
Expires: 02/27/2016

**CERTIFICATION OF ELIGIBILITY LIST – Attendance Specialist**

Eligible: 01/21/2016  
Expires: 07/21/2016

**CERTIFICATION OF ELIGIBILITY LIST – Categorical Project Clerk**

Eligible: 01/21/2016  
Expires: 07/21/2016

**CERTIFICATION OF ELIGIBILITY LIST – Child Development Apprentice**

Eligible: 01/21/2016  
Expires: 07/21/2016

**CERTIFICATION OF ELIGIBILITY LIST – Child Development Instructional Assistant**

Eligible: 01/21/2016  
Expires: 07/21/2016

**CERTIFICATION OF ELIGIBILITY LIST – Fiscal Services Supervisor**

Eligible: 01/21/2016  
Expires: 07/21/2016

**CERTIFICATION OF ELIGIBILITY LIST – Instructional Assistant III – SE (SED/MH/AUTISM)**

Eligible: 01/21/2016  
Expires: 07/21/2016

PERSONNEL REPORT NO. 1146  
CLASSIFIED EMPLOYEES  
January 20, 2016

**CERTIFICATION OF ELIGIBILITY LIST – Special Education Child Development Instructional Assistant**

Eligible: 01/21/2016  
Expires: 07/21/2016

\*Position reflects the equivalent to a one-Range increase for Bilingual/Biliterate skills  
\*\*Position reflects the equivalent to a one-Range increase for night differential  
\*\*\* Position reflects a \$50.00 monthly stipend for Confidential position  
^ Position reflects the equivalent to a one-Range increase for special needs

**Submitted By:** Rhonda Kramer  
**Approved By:** Tom Haldorsen  
**Presented For Board Action:** Cuauhtémoc Avila, Ed.D.

(Ref. J 2.4)

**BACKGROUND/CRIMINAL HISTORY CHECKS HAVE BEEN COMPLETED, AS PER LAW, ON ALL INDIVIDUALS RECOMMENDED FOR EMPLOYMENT.**

**SUBSTITUTES** To be used as needed at the appropriate rate per day, effective January 21, 2016 unless earlier date is indicated)

Anderson, Joyce	12/10/2015
De Leon, Sergio	12/14/2015
Felix, Lusiza	12/16/2015
King, Rachel	12/19/2015
Tirado, Maritza	12/11/2015
Tobing, Claudia	12/17/2015

**EMPLOYMENT**

Horigan III, John	Secondary Teacher	12/18/2015	III-1	\$55,908.00 (184 days)
Durham, Curtis	ROTC Instructor	01/11/2016	II-1	\$53,247.00 (184 days)
Taylor, Eric	Secondary Teacher	01/11/2016	I-1	\$50,711.00 (184 days)

**RELEASED FROM TEMPORARY CONTRACT**

King, Rachel	Secondary Teacher	12/18/2015
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**RESIGNATION**

McCoy, Rachelle	Secondary Teacher	01/20/2016
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**EXTRA DUTY COMPENSATION** (Teacher at Simpson Elementary to support/implement technology utilization and parent communication by keeping School Loop current and up to date and assisting parents in accessing information January 2016 through May 2016, at the hourly rate of \$42.03, not to exceed 18 hours and to be charged to Title I/PI)

Vasquez, Jose

**SUPPLEMENTAL SERVICES** (Retired teacher to provide Language/Literacy classes for parents of English Language Learners at Simpson Elementary to enable them to assist with academic content January 2016 through May 2016, at the hourly rate of \$25.00, not to exceed 60 hours and to be charged to LCFF-EL)

Jaramillo, Mary

**SUPPLEMENTAL SERVICES** (Retired teacher to provide supplemental services at Simpson Elementary for at risk students in the areas of language arts and/or math January 2016 through May 2016, at the hourly rate of \$25.00, not to exceed 72 hours and to be charged to Title I)

Coates, Carlene

**EXTRA DUTY COMPENSATION**

Rialto Middle School

Starling, LaPetra	Girls' Basketball	2015/2016	\$434.00
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PERSONNEL REPORT NO. 1146  
CERTIFICATED EMPLOYEES  
January 20, 2016

**EXTRA DUTY COMPENSATION**

Eisenhower High School

Quintero, Antonio	Varsity Head, Girls' Soccer	1/08/2016	\$1,642.96
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**Submitted By:** Aaron Rogers  
**Reviewed By:** Tom Haldorsen  
**Presented For Board Action:** Cuauhtémoc Avila, Ed.D.

(Ref. J 3.2)

**RESOLUTION # 15-16-36  
RIALTO UNIFIED SCHOOL DISTRICT**

**2015-2016**

**January 20, 2016**

Pursuant to Title V Section 80120(b), for the 2015/2016 school year, the Board of Education of the Rialto Unified School District authorizes the Associate Superintendent, Personnel Services, to employ or assign identified individuals additional time to complete the requirements for the credential that authorizes the service or to provide employing agencies time to fill the assignment with an individual who either holds an appropriate credential or qualifies under one of the available assignment options. This includes waivers to employ or assign identified individuals when the employing agency finds there is an insufficient number of certificated persons who meet the specified employment criteria for the position.

<u>NAME</u>	<u>SITE</u>	<u>CREDENTIAL TO BE WAIVED</u>	<u>ASSIGNMENT</u>
Durham, Curtis	Rialto H.S.	EL Authorization	ROTC Instructor

I, Cuauhtémoc Avila, Ed.D., Secretary of the Governing Board of the Rialto Unified School District, hereby certify that the foregoing is a true and correct copy of a credential waiver duly made, adopted and entered in the Board minutes of the Governing Board of the Rialto Unified School District of San Bernardino County on the 20<sup>th</sup> day of January, 2016.

Date: \_\_\_\_\_

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

**K DISCUSSION/ACTION ITEMS**

**FISCAL YEAR 2014-2015  
ANNUAL AUDITED FINANCIAL REPORT**

January 20, 2016

The certified public accounting firm of Vicenti, Lloyd & Stutzman LLP has completed its audits of the District's accounts for the fiscal year ending June 30, 2015. The auditor's recommendations contained in the current audit and the prior audit have been implemented, or are in the process of being implemented.

A copy of this report was provided to the Board under separate cover and will be available in the Board Room for review by the public.

It is recommended that the Board of Education accept the Fiscal Year 2014-2015 Annual Audited Financial Report completed by Vicenti, Lloyd & Stutzman LLP.

**Reviewed and Submitted by:** Mohammad Z. Islam  
**Presented for Board Action:** Cuauhtémoc Avila, Ed.D.

(Ref. K 1.1)



**BID NO. 15-16-001  
COMPRESSED NATURAL GAS FUELING STATION PROJECT**

January 20, 2016

Public Contract Code 20111 requires that contracts for public works projects exceeding \$15,000.00 be legally advertised and awarded to the lowest responsible bidder who shall have such surety as required by the Board of Education.

The Rialto USD CNG Fueling Station project was bid in October-November, 2015. A Notice to Contractors Calling for Bids for Bid No. 15-16-001 was published in the San Bernardino Sun, Press Enterprise, The Voice, and El Chicano newspapers, on October 15, 2015 and October 22, 2015. Bid documents were also available in two "plan room" services: BidClerk - [www.bidclerk.com](http://www.bidclerk.com), and the Dodge Plan Room - [www.construction.com/dodge](http://www.construction.com/dodge). Bidders were required to be prequalified for the project pursuant to California Public Contract Code section 20111.6

Bids were opened at 10:00 a.m. on Thursday December 10, 2015. Four (4) bids were received. One of the four bidders was not pre-qualified and another did not acknowledge all addenda issued by the architect. The responsive bidders were:

<u>CONTRACTOR</u>	<u>BASE BID AMOUNT</u>
AMTEK CONSTRUCTION	\$ 3,317,851.00
TOMCO	\$ 2,934,530.00

The basic scope of work for this project consists of the development of a compressed natural gas fueling station (CNG) which includes the construction of a vehicle access from the public street; two (2) fast-fill vehicle fueling pumps and shade structure; a CNG equipment enclosure to house CNG storage tanks, CNG compressors, a back-up generator; storm water facilities; utility upgrades to support operations; and hardscape/landscape improvements. The proposed construction schedule is from February 2016 to November 2016.

It is recommended that the Board of Education award Bid No. 15-16-001, Rialto USD CNG Fueling Station Project, to TOMCO in the amount of \$2,934,530.00. All costs will be paid from the General Fund and Grant Funds.

**Submitted by:** Iris Chu

**Reviewed by:** Mohammad Z. Islam

**Presented for Board Action:** Cuauhtémoc Avila, Ed.D.

(Ref. K 2.1)

**BID NO 15-16-006**  
**HIGH SPEED FIBER OPTIC WIDE AREA NETWORK INFRASTRUCTURE**

January 20, 2016

The Rialto Unified School District Information Technology Department, in preparation for filing its annual application for Federal E-Rate funding, has determined the need to upgrade the Fiber Optic Wide Area Network Infrastructure and scalable bandwidth connections at nineteen (19) elementary school sites, five (5) middle schools, four (4) high schools, four (4) support sites, and San Bernardino County Superintendent of Schools (SBCSS) to the Kazalunas Education Center.

Bid No. 15-16-006, a multi-year contract for Rialto USD E-Rate Year 19 High Speed Fiber Optic Wide Area Network Infrastructure, was posted on the District website and advertised in accordance with Government Code Section 11541, which allows agencies to use the contracts developed by the Department of Technology, CalNet 3. The following vendors attended the mandatory job walk: AT&T and Time Warner Cable.

The bid opening was held on December 17, 2015, at 2:00 p.m. Two bids were received, and the bidder determined to be responsive/responsible and recommended for approval is as follows:

<u>Contractor</u>	<u>Bid Amount</u>
AT&T	\$636,386.16

It is recommended that the Board of Education award Bid. No. 15-16-006, High Speed Fiber Optic Wide Area Network Infrastructure to AT&T as the only responsive/responsible bidder meeting the District's requirements. Commencement of this project is contingent upon E-Rate funding. The contract will begin on July 1, 2016 through June 30, 2018, with an option for two one year renewals. The estimated total cost of the project is \$636,386.16 of which 90%, \$572,747.55, will be funded by E-Rate. The remaining 10%, \$63,638.61, will be paid from the General Fund

**Submitted by:** Beth Ann Scantlebury

**Reviewed by:** Mohammad Z. Islam

**Presented for Board Action:** Cuauhtémoc Avila, Ed.D.

(Ref. K 3.1)

**RESOLUTION NO. 15-16-39  
RESOLUTION OF THE BOARD OF EDUCATION  
RIALTO UNIFIED SCHOOL DISTRICT  
SAN BERNARDINO COUNTY, CALIFORNIA  
DENYING CHARTER SCHOOL PETITION FOR  
ELITE LEARNING ACADEMY**

January 20, 2016

**WHEREAS**, the approval of charter schools is governed by the Charter Schools Act of 1992, as subsequently amended, Education Code sections 47600 *et seq.* and implementing Title 5 of the California Code of Regulations; and

**WHEREAS**, the Rialto Unified School District ("District") received the proposed petition ("Petition") for the Elite Learning Academy Rialto ("Charter School");and

**WHEREAS**, consistent with Education Code section 47605 subdivision (b), a public hearing was held on the Petition, at which time the Governing Board of the Rialto Unified School District ("Governing Board") considered the level of support for the Petition by teachers employed by the District, other employees of the District, and parents/guardians; and

**WHEREAS**, the Governing Board has convened on January 20, 2016 to consider whether to grant or deny the Petition; and

**WHEREAS**, Education Code section 47605 subdivision (b) prohibits the Governing Board from denying a charter petition unless it makes written factual findings, specific to the particular charter school, setting forth facts to support one or more findings, if applicable:

1. The petition does not contain the number of signatures required by Education Code section 47605 subdivision (a);
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition;
3. The charter school presents an unsound educational program for the students to be enrolled in the charter school;
4. The petition does not contain an affirmation of each of the conditions described in Education Code section 47605 subdivision (d); or
5. The petition does not contain reasonably comprehensive descriptions of all elements required in Education Code section 47605 subdivision (b)(5).

**WHEREAS**, the District's administration, with the assistance of legal counsel, has reviewed and analyzed the Petition and supporting documents for legal sufficiency and has identified numerous deficiencies in and concerns related to the Petition, and recommends that the Board adopt the Findings of Fact, attached hereto as Exhibit "A" and incorporated herein by this reference, and deny the Petition for the Charter School.

**THEREFORE BE IT RESOLVED**, that the Governing Board hereby adopts the Findings of Fact, attached hereto as Exhibit "A," and denies the Petition to establish the Charter School.

**APPROVED, PASSED, AND ADOPTED** this 20th day of January 2016, by the Board of Education of the Rialto Unified School District of San Bernardino County by the following vote:

AYES: \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_ ABSTAINED \_\_\_\_\_

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

\_\_\_\_\_  
Nancy G. O'Kelley, President  
Board of Education

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

I, Joseph W. Martinez, Clerk of the Governing Board of the Rialto Unified School District, HEREBY CERTIFY that the foregoing Resolution was duly introduced, passed and adopted by the Board at a meeting thereof held on January 20, 2016, by a vote of \_\_\_\_\_ to \_\_\_\_\_.

IN WITNESS THEREOF, I have hereto set my hand this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Clerk of the Governing Board

**EXHIBIT "A"**  
**FINDINGS OF FACT**

**I. THE CHARTER SCHOOL PRESENTS AN UNSOUND EDUCATIONAL PROGRAM (EDUCATION CODE § 47605(b)(1)).**

- A. The Petition lacks detail on the differentiation of curriculum and instruction by grade level. The Petition also fails to sufficiently demonstrate the Charter School's understanding of Common Core State Standards and does not specifically indicate how the Charter School intends to implement the Common Core State Standards within its proposed educational program. This information is crucial for purposes of assessing the appropriateness of the Charter School's educational program.
- B. The Petition fails to include a cohesive, appropriate, and effective plan for identifying, educating, assessing, monitoring, and reclassifying English Learners. This raises concerns regarding the Petitioners' ability to successfully implement an educational program for English Learners.
- C. Independent study for English Learners is not the most effective, research-based model to ensure they learn language and content simultaneously due to the lack of opportunity to interact in meaningful ways with peers.
- D. The Charter School's plan for educating students with disabilities is deficient in many respects. Other than to state that the Charter School will meet its requirements, the Petition fails to identify how the Charter School will, among other things, specifically provide services to students with disabilities. The Charter School's underdeveloped and incomplete plan for educating this important student population indicates that the Petitioners do not understand the Charter School's obligations under the law and/or how they will ensure that the Charter School will comply with such obligations.

**II. THE PETITIONERS ARE DEMONSTRABLY UNLIKELY TO SUCCESSFULLY IMPLEMENT THE PROGRAM SET FORTH IN THE PETITION (EDUCATION CODE § 47605(b)(2)).**

- A. At the public hearing held by the Board on December 9, 2015, there was no public comment in support of the Petition by teachers employed by the District, other employees of the District, students or parents.
- B. Synergy Education Group, the proposed charter management organization for the Charter School, convened a board meeting on October 14, 2015 during which it considered the approval of charter petitions to be submitted to approximately eight school districts, including the District. Seeking authorization to operate eight distinct charter schools at or around the same time is unrealistic and creates serious concerns regarding Synergy Education Group's ability to effectively oversee and manage the operations of the

Charter School. This is further compounded by the fact that Synergy Education Group just recently formed as a non-profit corporation and, as an entity, does not appear to have experience in operating charter schools. Submitting multiple petitions to other school districts also calls into question whether Petitioners and Synergy Education Group are uniquely invested in the Rialto community and the population of students they wish to serve.

- C. Petitioners appear to be unfamiliar with the contents of the Petition. The Petition indicates that the Charter School intends to serve students in kindergarten through twelfth grade; however, the Charter School's enrollment projections in the proposed budget only reflect students in grades seven through twelve for the proposed charter term.
- D. Petitioners are demonstrably unlikely to successfully implement the proposed educational program because the Petition lacks detail regarding the structure of the curriculum and how it will be implemented for the various grade levels that the Charter School intends to serve.
- E. The Petition does not include a copy of the Charter School's independent study master agreement, individualized learning plan template, or safety policies and procedures, which are all important components of the program.
- F. The Petition fails to describe the method by which the Charter School will track attendance for state funding purposes. The Petition does not provide a description of how student attendance and time value of achievement will be monitored for each grade level, nor does it specify the Charter School's proposed attendance accounting procedures.
- G. The Petition does not include a description of the Charter School's proposed facility (e.g., the type, size, or specific location). The Petition merely lists a span of addresses located on Riverside Avenue in Rialto without providing any further detail. Because there is insufficient information regarding the type of facilities that the Charter School will utilize, the District cannot meaningfully evaluate whether it has the necessary classroom space, administrative space, physical education space, etc., to implement the Charter School's proposed program and accommodate its projected student enrollment.
- H. The Charter School's financial plan lacks appropriate detail and is fiscally unsound for the following reasons:
  - 1. There is no evidence that the Charter School has identified any potential facilities or included any rental or lease agreement(s) to adequately project facilities, utilities, and other operating costs in the budget. Thus, the Charter School's projected costs for facilities are not based on grounded assumptions.

2. The Charter School's estimated revenues appear to be overstated. For instance, the Charter School has budgeted a Title I allocation of \$432 per eligible student, which is significantly higher than the \$349 per eligible student received by the District. The use of higher estimates could negatively impact the Charter School's budget and its ability to meet its financial obligations.
3. Despite Petitioners' acknowledgement that state lottery funds are not apportioned until the Charter School's second year of operation, the budget nevertheless includes \$23,085 in state lottery revenue for year 1.
4. The Charter School has budgeted \$50,000 for teacher salaries, which is unrealistically low as compared to the District's average teacher salary of \$67,466. The allocation of \$5,400 for health benefits is also remarkably low and could result in high co-pays and out-of-pocket costs for staff. This could compromise the Charter School's ability to attract and recruit qualified teachers.
5. The Petition refers to positions such as administrative assistants, teacher aides, financial assistants, a school nurse, custodians, and security personnel. However, the budgeted staffing costs for these positions are either unrealistically low or non-existent.

**III. THE PETITION DOES NOT CONTAIN REASONABLY COMPREHENSIVE DESCRIPTIONS OF THE ELEMENTS REQUIRED IN EDUCATION CODE SECTION 47605(b)(5).**

**A. The Petition does not contain a reasonably comprehensive description of the educational program (Element A).**

1. Overall, the Charter School's educational plan is overly general and underdeveloped. It is not clear from the Petition whether the Charter School intends to operate only an independent study program or whether it will also offer a traditional classroom-based program, or both. Further, as noted above, the Petition indicates that the Charter Schools intends to serve students in kindergarten through twelfth grade; however, the enrollment projections in the budget documents only reflect students in grades seven through twelve for the proposed charter term.
2. The Petition does not identify a target student population within the District that is not currently served by the District's educational programs.
3. The Petition fails to comply with Education Code section 47612.5. Specifically, Petitioners have failed to provide a copy of its

independent study policy. The Petition also fails to include a sample master agreement for independent study students.

4. The Petition fails to describe how the Charter School intends to inform parents about the transferability of courses to other public high schools and eligibility of courses to meet college entrance requirements. The Petition merely states that the Charter School “will continue to seek to meet A-G requirements,” however, Petitioners fails to demonstrate any knowledge or understanding of any special requirements placed upon independent study schools by the University of California A-G course certification system and guidelines. Additionally, there is no evidence that the Petitioners have begun applying for course approval with the University of California. Petitioners’ failure to complete such requirements may cause hardships for students who may complete courses that are not A-G approved or transferable.
5. The Petition fails to include any evidence of a plan for English Language Development (“ELD”), either designated or integrated into content instruction. The Charter School’s plan for addressing the needs of English Learners lacks sufficient detail regarding the curriculum, instructional materials, instruction strategies and scaffolds, and plans for differentiation by language proficiency during ELD instruction. Further, the Charter School fails to specifically delineate its procedures and criteria for reclassification, and fails to provide a comprehensive plan for monitoring recently reclassified students.
6. The plan for addressing the needs of students with disabilities is underdeveloped and overly general. Petitioners have failed to demonstrate that they have a clear understanding of the Charter School’s responsibilities under the law and, more importantly, how the Charter School intends to meet those responsibilities. To illustrate, the Petition includes references to incorrect terms that are unique to special education (e.g., individualized education *plan*).
  - (a) The Petition fails to specifically describe the process the Charter School will utilize to identify students who may qualify for special education and services and how the Charter School will provide or access special education programs and services. In addition, the Petition fails to identify any materials or intervention programs that the Charter School will utilize to meet the needs of and differentiate instruction for students with disabilities.
  - (b) The Petition lacks any specificity regarding the continuum of placement options offered at or by the Charter School, and services and accommodations the Charter School will provide.



- (c) The plan for addressing the needs of students with disabilities refers to the use of the Student Study Team (“SST”) process to meet and review the effectiveness of previous and current interventions, etc. The SST is a function of general education and should not be addressed in the section of the Petition concerning students with disabilities. This gives the impression that Petitioners believe an SST is an appropriate substitute for a properly constituted IEP team.
- (d) The Petition also states that “[s]tudents will be expected to meet the same standard as all students at Elite Learning Academy Rialto.” This is problematic to assume that all students will be held to the same educational standard.

- 7. The Petition does not reflect the Charter School’s understanding of its obligations under Section 504 of the Rehabilitation Act of 1973 and Americans with Disabilities Act.
- 8. The Charter School’s plan for low achieving students is vague and cursory. The Petition fails to outline the specific interventions that would be provided to students who are academically low achieving and how long it will take for students not being successful to be identified for interventions.
- 9. Overall, the Petition fails to describe how the proposed instructional delivery model will be appropriate for students who are low achieving, students with disabilities, and English Learners.
- 10. The Petition does not indicate that Charter School intends to offer a transitional kindergarten program or include a plan to implement the same.

**B. The Petition does not contain a reasonably comprehensive description of the measurable student outcomes identified by the Charter School (Element B).**

- 1. The Petition fails to include specific measurable student outcomes that reflect the “skills, knowledge, and attitudes” the Charter School students will achieve that reflect the Charter School’s educational objectives.
- 2. The Petition also fails to include specific details regarding student outcomes that are directly related to the Charter School’s educational and instructional programs.
- 3. The Petition fails to include the Charter School’s Academic Performance Index growth target.

- C. **The Petition does not contain a reasonably comprehensive description of the methods for measuring student progress (Element C).**
1. The Petition does not include adequate details of a comprehensive assessment system or demonstrate alignment between curricula, measurement of growth, and the Charter School's educational objectives. The Petition does not describe how the proposed assessments align to the student's grade or developmental levels. Further, the Petition fails to specifically describe the assessments that the Charter School intends to utilize to monitor student progress on the Common Core State Standards.
  2. The Petition does not include any information that the proposed assessments are valid and reliable measures of student progress and predicting student proficiency.
  3. Reference to the California High School Exit Examination is made throughout the Petition. However, there is no indication that the Petitioners are aware that the state suspended the CAHSEE.
- D. **The Petition does not contain a reasonably comprehensive description of the Charter School's governance structure (Element D).**
1. The Petition and Bylaws are inconsistent and do not align with one another. For example, despite Petitioners' affirmation in the Petition that the Charter School and Synergy Education Group will comply with the provisions of the Brown Act, the Bylaws appear to authorize the Synergy Education Group Board members to convene regular meetings without appropriate notice to members of the public. The Petition also states that the Synergy Education Group Board will consist of five to seven members, whereas the Bylaws indicate there will be five members.
- E. **The Petition does not contain a reasonably comprehensive description of the Charter School's employee qualifications (Element E).**
1. The Petition's description of the Charter School's employee qualifications is overly general and does not meaningfully describe the various categories of employees that the Charter School anticipates to employ, including administrative, instructional support, and non-instructional staff.
  2. The Petition does not identify the positions that the Charter School regards as key in each category or the additional qualifications, roles, or duties expected of persons assigned to those positions.
- F. **The Petition does not contain a reasonably comprehensive description of health and safety procedures (Element F).**

1. The Petition does not include health and safety procedures addressing the screening of students' vision and hearing or the screening of students for scoliosis to the same extent that such screenings are required for students attending non-charter public schools.
2. The Petition does not provide adequate assurance that the Charter School's facilities will comply with the Americans with Disabilities Act access requirements and other applicable fire, health and structural safety requirements. It also fails to specify that the Charter School will maintain on file readily accessible records documenting such compliance.
3. The Petition states that the Charter School's Board will adopt and maintain policies and procedures to respond to natural disasters and emergencies, including fires and earthquakes, but copies of such policies and procedures (either in draft or final form) are not included in the Petition. This limits the District's ability to evaluate the sufficiency of the policies and procedures to determine whether they are consistent with the Petition and applicable law.

**G. The Petition does not contain a reasonably comprehensive description of the Charter School's means to achieve racial and ethnic balance reflective of the District (Element G).**

1. The Petition does not include a reasonably comprehensive plan addressing the means by which the Charter School will achieve a racial and ethnic balance among its students that is reflective of the general population of students residing within the District's boundaries. Specifically, the Petition's description of outreach efforts and the types and methods for advertising and recruiting students are overly general and do not include any detail on how the Charter School will specifically target students residing in the District based on readily available demographic information.

**RESOLUTION NO. 15-16-40  
RESOLUTION OF THE BOARD OF EDUCATION OF  
THE RIALTO UNIFIED SCHOOL DISTRICT**

**REMUNERATION**

January 20, 2016

**WHEREAS**, The Governing Board of the Rialto Unified School District acknowledges that Board Clerk Joseph W. Martinez was excused from the Wednesday, January 6, 2016, Regular Meeting of the Board of Education;

**AND WHEREAS**, California Education Code §35120 and Rialto Unified School District Board Bylaw 9250 states that a school board member may be paid for any excused absence, by resolution duly adopted and included in its minutes;

**THEREFORE BE IT RESOLVED**, that the Board of Education excuses the absence of Board Clerk Joseph W. Martinez from the Wednesday, January 6, 2016, Regular Meeting of the Board of Education.

\_\_\_\_\_  
Nancy G. O'Kelley, Board President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Cuahtémoc Avila, Ed.D., Board Secretary

\_\_\_\_\_  
Date

**RESOLUTION NO. 15-16-41  
RESOLUTION OF THE BOARD OF EDUCATION OF  
THE RIALTO UNIFIED SCHOOL DISTRICT**

**REMUNERATION**

January 20, 2016

**WHEREAS**, The Governing Board of the Rialto Unified School District acknowledges that Board Member Edgar Montes was excused from the Wednesday, January 6, 2016, Regular Meeting of the Board of Education;

**AND WHEREAS**, California Education Code §35120 and Rialto Unified School District Board Bylaw 9250 states that a school board member may be paid for any excused absence, by resolution duly adopted and included in its minutes;

**THEREFORE BE IT RESOLVED**, that the Board of Education excuses the absence of Board Member Edgar Montes from the Wednesday, January 6, 2016, Regular Meeting of the Board of Education.

\_\_\_\_\_  
Nancy G. O'Kelley, Board President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Cuauhtémoc Avila, Ed.D., Board Secretary

\_\_\_\_\_  
Date

**BOARD OF EDUCATION  
MEETING SCHEDULE FOR THE 2016-2017 SCHOOL YEAR**

January 20, 2016

The Superintendent's office requests approval from the Board of Education to approve the following Board of Education Meeting Schedule for the 2016-2017 school year:

Wednesday, July 13, 2016  
Wednesday, August 10, 2016  
Wednesday, August 24, 2016  
Wednesday, September 7, 2016  
Wednesday, September 21, 2016  
Wednesday, October 5, 2016  
Wednesday, October 19, 2016  
Wednesday, November 16, 2016  
Wednesday, December 7, 2016  
Wednesday, January 11, 2017  
Wednesday, January 25, 2017  
Wednesday, February 8, 2017  
Wednesday, February 22, 2017  
Wednesday, March 8, 2017  
Wednesday, April 5, 2017  
Wednesday, April 19, 2017  
Wednesday, May 3, 2017  
Wednesday, May 17, 2017  
Wednesday, June 7, 2017  
Wednesday, June 21, 2017

It is recommended that the Board of Education approve the Board of Education Meeting Schedule for the 2016-2017 school year.

**Submitted and Presented for Board Action:** Cuauhtémoc Avila, Ed.D.

(Ref. K 7.1)