

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 6, 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)
Supervisory Appointment:
- Nutrition Services Supervisor
 - Fiscal Services Supervisor

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

REPORT OUT OF CLOSED SESSION

ADOPTION OF AGENDA

Moved_____ Seconded_____

Vote by Board Members: Ayes:_____ Noes:_____ Abstain:_____

B. PRESENTATIONS

1. Curiosity Quest Rialto Environmental News

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

OPEN PUBLIC HEARING

Moved _____ Seconded _____

Vote by Board Members: Ayes: _____ Noes: _____ Abstain: _____ Time: _____

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

1. Public Hearing: Transforming Lives Charter School Petition

CLOSE PUBLIC HEARING

Moved _____ Seconded _____

Vote by Board Members: Ayes: _____ Noes: _____ Abstain: _____ Time: _____

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 December 9, 2015. (Ref. E 1.1-18)

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. F 1.1-4)
2. First reading of revised Board Policy 1240(a-d); Community Relations: Volunteer Assistance. (Ref. F 2.1-4)

3. First reading of revised Board Policy 4033(a-c); All Personnel: Lactation Accommodation. (Ref. F 3.1-3)
4. First reading of revised Board Policy 5141.31(a-c); Students: Immunizations. (Ref. F 4.1-3)
5. First reading of revised Board Policy 5145.3(a-d); Students: Nondiscrimination/Harassment. (Ref. F 5.1-4)
6. First reading of revised Board Policy 5146(a-e); Students: Married/Pregnant/Lactating/Parenting Students. (Ref. F 6.1-5)

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. (Ref. G 1.1)
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. (Ref. G 2.1)
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. (Ref. G 3.1)
4. Approve the Affiliation Agreement with Eisenhower High School and Adams Acres, effective January 7, 2016 through June 30, 2020. (Ref. G 4.1)
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. (Ref. G 5.1)
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 18th Annual True Wrestler Napa Valley Girls Classic on January 7-10, 2016, at Vintage High School, Napa, California. (Ref. G 6.1)

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. (Ref. H 2.1)
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. (Ref. H 3.1)
4. Approve the participation of approximately sixty (60) Dunn Elementary School fifth (5th) 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. (Ref. H 4.1)
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. (Ref. H 5.1)
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. (Ref. H 6.1)
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. (Ref. H 7.1)
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. H 8.1)

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. (Ref. I 1.1)
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. (Ref. I 2.1)
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. (Ref. I 3.1)
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. (Ref. I 4.1)
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. (Ref. I 5.1)
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. (Ref. I 6.1)
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. (Ref. I 7.1)

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.
(Ref. I 8.1)
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.
(Ref. I 9.1)
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.
(Ref. I 10.1)
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.
(Ref. I 11.1)
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.
(Ref. I 12.1)
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.
(Ref. I 13.1)

J. PERSONNEL SERVICES CONSENT ITEMS

- 1-3. Approve Personnel Report No. 1145 for classified and certificated employees.
(Ref. J 1.1-3.2)

K. DISCUSSION/ACTION ITEMS

Moved _____ **Seconded** _____

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. (Ref. K 1.1)

Vote by Board Members: Ayes: _____ Noes: _____ Abstain: _____

Moved _____ **Seconded** _____

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. (Ref. K 2.1)

Vote by Board Members: Ayes: _____ Noes: _____ Abstain: _____

Moved _____ **Seconded** _____

3. Approve the hourly increase for AVID Tutors to \$11.00 an hour effective January 1, 2016. (Ref. K 3.1)

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, January 20, 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.

**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**

December 9, 2015

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 6:00 p.m. by President Montes at the Dr. John R. Kazalunas Education Center, 182 East Walnut Avenue, Rialto, CA 92376.

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

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.

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 Clerk Walker, seconded by Vice President O'Kelley, and approved by a 5-0 vote, the Board of Education entered into Closed Session at 6:05 p.m. to consider and discuss the following items:

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

(Ref. E 1.1)

Administrative Appointment:

- High School Assistant Principal
- Program Specialist

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)

4. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation (Government Code section 54956.9(d)(2)(4).) Significant exposure to litigation: 1 Case

ADJOURNMENT OF CLOSED SESSION

Upon a motion of Clerk Walker, seconded by Vice President O’Kelley, and passed by a unanimous 5-0 vote, Closed Session adjourned at 7:27 p.m.

OPEN SESSION RECONVENED – 7:27 P.M.

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

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

Juan Loza, 4th grade Dollahan Elementary School student, led the Pledge of Allegiance.

PRESENTATION BY DOLLAHAN ELEMENTARY SCHOOL

A group of Dollahan Elementary School's 4th and 5th grade students sang the song, "*The Dynamite 7 Habits.*"

REPORT OUT OF CLOSED SESSION

Superintendent Avila reported that in Closed Session the Board of Education, by a unanimous 5-0 vote, accepted the following administrative appointments:

- Christopher Jackson as High School Assistant Principal, Eisenhower High School
- Shelly Gates as Program Specialist, Special Education

Superintendent Avila also reported that in Closed Session the Board of Education, by unanimous 5-0 vote, accepted the request for a leave of absence for classified employee #1489135, January 12, 2016 through May 26, 2016.

INTERIM CHIEF RANDY DE ANDA, RIALTO POLICE DEPARTMENT, PROVIDED AN UPDATE ON THE BOMB THREAT INCIDENT AT CARTER HIGH SCHOOL.

ADOPTION OF AGENDA

Upon a motion by Member Ayala, seconded by Clerk Walker the Agenda was adopted, as amended, by a unanimous 5-0 vote by the Board of Education. President Montes asked that his name be corrected on (Ref. K 6.2) by removing the initial G. in his name. (The item was later changed to read: Nancy G. O'Kelley, President.) Item (Ref. K 7.1) was pulled from the Agenda.

REORGANIZATION OF THE BOARD OF EDUCATION

1. President Montes nominated Mrs. Nancy O'Kelley for President. It was motioned by Member Ayala, seconded by Clerk Walker, and passed by a 5-0 vote by the Board of Education.
2. Member Montes nominated Ms. Dina Walker for Vice President. It was motioned by Member Montes, seconded by Member Ayala, and passed by a 5-0 vote by the Board of Education.
3. Member Ayala nominated Mr. Joseph W. Martinez for Clerk. It was motioned by Member Montes, seconded by Vice President Walker, and passed by a 5-0 vote by the Board of Education.

(Ref. E 1.3)

4. Member Montes nominated Mr. Joseph Ayala for Voting Representative to County Office. It was motioned by Member Montes, seconded by President O'Kelley, and passed by a 5-0 vote by the Board of Education.
5. President O'Kelley nominated Mr. Edgar Montes for Alternate Voting Representative to County Committee. It was motioned by President O'Kelley, seconded by Clerk Martinez, and passed by a 5-0 vote by the Board of Education.

B. PRESENTATIONS

1. DSAC Middle School Report

The following DSAC students shared activities held at their schools:

Noel Marin – Jehue Middle School
Destiny Lopez – Rialto Middle School
Valerie Fragoso – Frisbie Middle School
Jullian Mobley – Kolb Middle School
Katelyn Brown – Kucera Middle School

2. Presentation to Rialto High School as the Mathematics Engineering Science Achievement (MESA) School of the Year by Carlos Gonzales, Director of MESA Schools, University of California, Riverside.

On behalf of Carlos Gonzales, Stephanie Cervin, Program Coordinator for MESA at the University of California, Riverside, Rialto High School Teachers Mikal Thompson and Julien Ansermet, conducted a PowerPoint presentation sharing information on the MESA program at Rialto High School. The PowerPoint presentation is attached – see pages (Ref. E 1.12) – (Ref. E 1.18).

3. Key to the District from Board Vice President Dina Walker to Angela Brantley, Senior Director, Student Services.

Board Vice President Dina Walker presented Mrs. Angela Brantley, with a Key to the District for her outstanding service to the Rialto Unified School District and the Rialto community. Joseph Williams, Board of Trustee, San Bernardino Community College District, also recognized Mrs. Brantley for earning the Key to the District.

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.

Russel Silva, Rialto resident, spoke regarding his concerns with the security issues at the back gates of Werner Elementary School and Jehue Middle School. As a representative of the Rialto Coalition he invited everyone to join the Lung Force Group at Brother's Pizza on December 16, 2015, from 5:30 – 7:30 p.m. The event is sponsored by the American Lung Society and they will be discussing the possibility of developing a smoke-free environment at our parks.

Eva Serrato, Principal, Boyd Elementary School, spoke regarding the Family Leadership Institute Conference held last week in Clark County Nevada. She attended this conference along with other staff members and parents. She shared that it was a conference that has inspired her to be a better leader in the community, school site and her own home.

Rosa Fuentes, Rialto resident, spoke regarding the Carter High School lockdown and she expressed her disappointment with the news media's reporting of the shooting incident. She thanked the Rialto PD and Dr. Avila for the support to the staff and the students during this time.

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

Anna Valencia, Vanessa Ortiz, Debbie Shiba, Daniel Lee, and Ileana Arroyo, all spoke in support of the Elite Learning Academy. (This item is D-2 on the Public Hearing portion of the Agenda.)

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)

Lisa Lindberg, REA President, shared that she met with 35 of RUSD's new teachers, provided a care package and welcomed them to the District. All 35 teachers expressed their joy to be either in the classroom that they were in, to be working with the students that they were working with, and joy with their site, or the district. All 35 want to return next year, with the exception of one who is hesitant because he is commuting from Orange County.

Linda Silva, CSEA President, congratulated Board Members on their new positions. She stated that she is very appreciative of the opportunities that have been given back to the classified staff of this District through Dr. Avila. She stated, "He has allowed us to be a part of things going on in this District." Lastly, she wished everyone happy holidays.

Teresa Brown, RSMA Recording Secretary, on behalf of RSMA, congratulated Angela Brantley for being selected to receive the Key to the District. Ms. Brown invited all RSMA members, the Board and the Superintendent to attend the RSMA Holiday Reception in the West Wing on Wednesday, December 16, 2015, from 3:45-6:00 p.m.

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 Clerk Martinez, Public Hearing was opened at 9:55 p.m. by a unanimous 5-0 vote by the Board of Education.

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

There were no comments.

1. Public Hearing: Williams Inspection Reports – 2015-2016 First Quarterly Report.

Upon a motion by Member Montes, seconded by Member Ayala, Public Hearing was closed at 9:55 p.m. by a unanimous 5-0 vote by the Board of Education.

Upon a motion by Vice President Walker, seconded by Member Montes, Public Hearing was opened at 9:56 p.m. by a unanimous 5-0 vote by the Board of Education.

2. Public Hearing: Elite Learning Academy Rialto Charter School Petition

Upon a motion by Vice President Walker, seconded by Member Montes, Public Hearing was closed at 10:00 p.m. by a unanimous 5-0 vote by the Board of Education.

CONSENT CALENDAR ITEMS

Upon a motion by Clerk Martinez, seconded by Member Montes, Items E – H5 and I – J were approved by Student Board Members preferential vote, and a unanimous 5-0 vote by the Board of Education.

Item (Ref. H 6.1) was approved by a 4-1 vote by the Board of Education. The vote was as follows:

President O'Kelley – Aye
Vice President Walker – Aye
Clerk Martinez – Abstain
Member Ayala – Aye
Member Montes – Aye

E. MINUTES

1. Approve the minutes of the Regular Board of Education Meeting held on November 18, 2015.

F. GENERAL FUNCTIONS CONSENT ITEMS

1. Second reading of revised Board Policy 4143, 4243(a-d); Certificated and Classified Personnel: Negotiations/Consultation.
2. Second reading of revised Board Policy 6170.1(a-e); Instruction: Transitional Kindergarten.
3. Second reading of revised Board Policy 6174(a-e); Instruction: Education for English Language Learners.

G. INSTRUCTION CONSENT ITEMS

1. Approve and authorize the Educational Services Department to utilize funds from the California Mathematics and Science Partnership (CaMSP) Grant to reimburse Dr. Jodye Selco for expenses she will incur attending the CaMSP Learning Network Convention in Sacramento, California, on February 23-24, 2016.

(Ref. E 1.7)

2. Approve the attendance of approximately seventy (70) students, fifty (50) parents, and twenty-five (25) staff members from Carter, Eisenhower, Milor/Zupanic, and Rialto High Schools, as part of the Rialto Unified School District Curtis T. Winton Parent Institute, to attend the *17th Annual Black College Expo*, held at the Los Angeles Convention Center in Los Angeles, California, on February 6, 2016.
3. Approve the attendance of approximately seventy (70) students, fifty (50) parents, and twenty-five (25) staff members from Carter, Eisenhower, Milor/Zupanic, and Rialto High Schools, as part of the Rialto Unified School District Curtis T. Winton Parent Institute, to attend the *2nd Annual Latino College Expo*, held at the Carson Center in Carson, California, on December 12, 2015.
4. Approve forty (40) Wilmer Amina Carter High School Competitive Speech and Debate student team members, two (2) advisors, and ten (10) parent chaperones to attend the 2016 UC Berkeley High School Speech and Debate Tournament at UC Berkeley, in Berkeley, California, on February 12-15, 2016.
5. Approve the material changes (adjustments in site budgets from preliminary to final site allocations) to the *2015-2016 Single Plans for Student Achievement (SPSA)* for the following schools: Bemis, Boyd, Casey, Curtis, Dollahan, Dunn, Fitzgerald, Garcia, Henry, Hughbanks, Kelley, Kordyak, Morgan, Morris, Myers, Preston, Simpson, Trapp, and Werner Elementary Schools; Frisbie, Jehue, Kolb, Kucera and Rialto Middle Schools; Carter, Eisenhower, Milor, Zupanic and Rialto High Schools, for the 2015-2016 school year.

H. BUSINESS AND FINANCIAL CONSENT ITEMS

1. Approve Warrant Listing Register and Purchase Order Listing for all funds from November 2, 2015 through November 16, 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 Catalina Restaurant Group, R. P. Universal Concepts, The Way Bible Fellowship, Lifetouch National School Studios, Veolia North America, Smart & Final Charitable Foundation, Deborah M. Kristianto, Ohiopyle Prints, Inc., The Kula Foundation, Valley Obstetrics & Gynecology, Lawrence L. Wong, D.D.S., Ehrler Professional Dental Corporation, Robert Allen Romo Post 422 American Legion, American Legion Post 422 – Sal Squadron, Santa Claus, Inc., Arrowhead United Way, and McGraw Hill Education.

(Ref. E 1.8)

3. Approve Amendment No. 1 to the agreement with Cayen Systems, LLC, for a one-year subscription for the 2015-2016 school year for one (1) additional school.
4. Approve an agreement with Leighton Consulting, Inc., as the engineering firm to provide geotechnical reports for the Performing Arts Theater Project at Eisenhower High School.
5. Approve an agreement with CHJ Consultants, Inc., as the engineering firm to provide soil tests, structural tests, and special inspection services during the construction of the Compressed Natural Gas Fueling Station.
6. Approve an agreement with Garcia & Associates Architects to provide architectural and engineering services required for the construction of an Americans with Disabilities Act (ADA) compliant disabled access ramp at the south entrance of the KEC Building.

I. FACILITIES PLANNING CONSENT ITEMS

1. Accept the work completed on November 16, 2015, by Trane U.S., Inc., for all work required in connection with the first Energy Expenditure Plan (EEP No. 1) Project, and authorize District personnel to file a Notice of Completion with the San Bernardino County Recorder.
2. Accept the work completed on October 6, 2015, by Trane U.S., Inc., for all work required in connection with the second Energy Expenditure Plan (EEP No. 2) 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. 1144 for classified and certificated employees.

K. DISCUSSION/ACTION ITEMS

Upon a motion by Member Montes, seconded by Clerk Martinez, Item K1 was approved by a unanimous 5-0 vote by the Board of Education.

1. Approve contracts for the state approved companies for 2015-2016 to provide Title I Supplemental Educational Services (SES) in accordance with the No Child Left Behind (NCLB) legislation to eligible students at Bemis, Curtis, Dollahan, Dunn, Hughbanks, Morris, Preston, and Simpson

Elementary Schools, and Jehue, Frisbie, Kolb, Kucera, and Rialto Middle Schools.

Upon a motion by Clerk Martinez, seconded by Member Montes, Item K2 was approved by a unanimous 5-0 vote by the Board of Education.

2. Adopt Resolution No. 15-16-29 requesting that 46 be counted as the attendance for Garcia Preschool for November 12, 2015.

Upon a motion by Member Montes, seconded by Vice President Walker, Item K3 was approved by a unanimous 5-0 vote by the Board of Education.

3. Approve the purchase from the Waterford Unified School District Co/op Bid 01/12 "School Buses," per Public Contract Code 20118, and authorize Mohammad Z. Islam, Associate Superintendent, Business Services, to sign all necessary documents.

Upon a motion by Clerk Martinez, seconded by Member Ayala, Item K4 was approved by a unanimous 5-0 vote by the Board of Education.

4. Approve authorization to accept a grant from the South Coast Air Quality Management District "Lower Emission School Bus Replacement Program," to purchase two (2) new school buses through a piggyback bid from Waterford Unified School District, and authorize Mohammad Z. Islam, Associate Superintendent, Business Services, to sign all necessary documents.

Upon a motion by Clerk Martinez, seconded by Vice President Walker, Item K5 was approved, as revised, by a unanimous 5-0 vote by the Board of Education.

5. Approve the FY 2015-2016 First Interim Financial Report.

Member Montes motioned to change the signature line on item (Ref. K 6.2) to read: Nancy G. O'Kelley, President. It was seconded by Vice President Walker, and approved by a unanimous 5-0 vote by the Board of Education.

Upon a motion by Vice President Walker, seconded by Clerk Martinez, Item K6 was approved, as corrected, by a unanimous 5-0 vote by the Board of Education.

6. Adopt Resolution No. 15-16-30 authorizing the District to establish a separate Construction Fund/Resource for the Rialto Unified School District's Facilities Hardship Grant – Eisenhower High School Grant No. 58/67850-00-001.

(Ref. E 1.10)

Member Montes asked to have Item (Ref. K 7.1) tabled and brought back at a future meeting. It was agreed to table Item (Ref. K 7.1). No vote was taken.

~~7. Approve entering into an Option Agreement with American Tower Corporation wherein American Tower Corporation will pay the District a lump-sum payment of \$213,000.00 to purchase a perpetual easement for the cellular tower located on the Rialto Middle School property.~~

Upon a motion by Vice President Walker, seconded by Clerk Martinez, Item K8 was approved by a unanimous 5-0 vote by the Board of Education.

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

STIPULATED

Case Number:

15-16-13

REINSTATEMENT OF EXPULSION

Case Number:

14-15-63

L. ADJOURNMENT

Upon a motion by Member Montes, seconded by Clerk Martinez, and approved by a unanimous 5-0 vote by the Board of Education, the meeting was adjourned at 10:19 p.m.

Clerk, Board of Education

Secretary, Board of Education

(Ref. E 1.11)



Rialto High School

MESA

(Ref. E 1.12)

What is MESA?

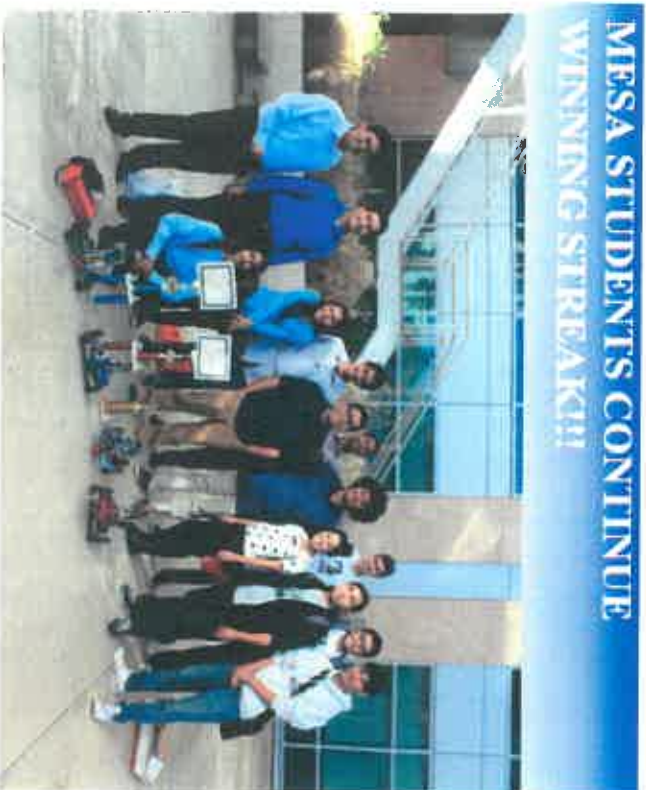
- ▶ Math, Engineering, Science Achievement
- ▶ Since 1970, MESA's academic development program has supported educationally disadvantaged students so they can excel in math and science studies and graduate with degrees in engineering, science and technology.

(Ref. E 1.13)



High School of the Year

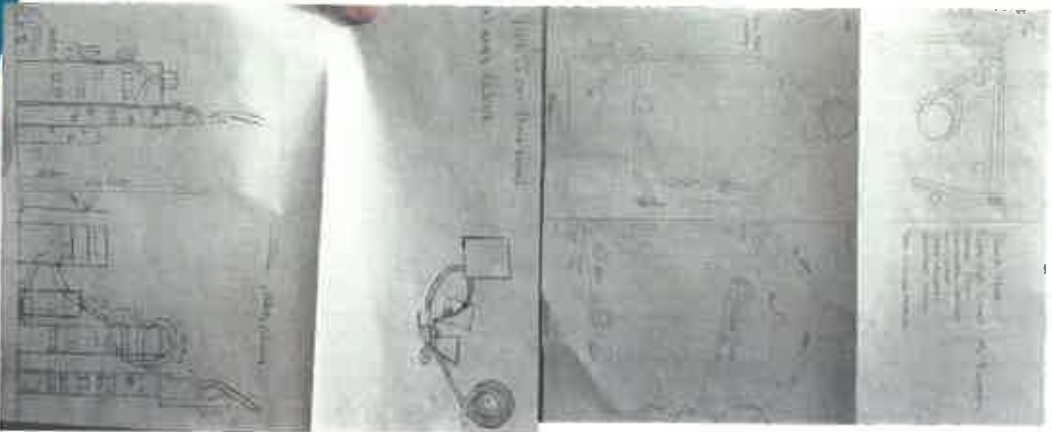
- ▶ From Carlos Gonzalez - MESA Director at UC Riverside



The High School of the Year is selected based on criteria that includes enrollment numbers (numbers of registered MESA students), participation in MESA events and performance in competitions and challenges. Last year 11 high schools were serviced through UCR MESA.

(Ref. E 1.14)

Marble Rollercoaster



Students needed to design and build a rollercoaster track for a marble to travel as quickly as possible with the most amount of tricks and features.



(Ref. E 1.15)

Robotics – VEX and Sea Perch



VEX – Robotics
competition, where students must design, build and program a robot to perform different tasks autonomously and under user control.



Seaperch –

Underwater robotics competition where students must design and build a ROV to perform certain tasks and maneuver through an obstacle course



MESA Day



- During MESA Day in February, middle and high school students from the schools served by UCR compete against each other with projects like mousetrap cars, balsawood and popsicle stick bridges, egg drop packages, prosthetic arms, and planes.
- MESA curriculum is centered around these projects.



Inland Solar Challenge

- This event is not directly associated with MESA.
- It is sponsored and hosted by the local water municipalities.
- Students build the hull, design and build the drivetrain, steering, electrical and solar components.
- Competition is held at Yuccaipa Regional Park in April/May
- Endurance, sprint and slalom races
- Technical papers
- Conservation presentation



(Ref. E 1.18)

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.~~

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 Megan's 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 21st 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 ~~Opn. Cal. Att. 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.nepic.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)

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.cdc.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

**RESOLUTION NO. 15-16-31
RESOLUTION OF THE BOARD OF EDUCATION OF
THE RIALTO UNIFIED SCHOOL DISTRICT**

ED ROBERTS DAY

January 6, 2016

WHEREAS, Ed Roberts acquired polio as an adolescent in 1953 and had to spend the rest of his life in a wheelchair and used an iron lung to sleep; and

WHEREAS, in 1962, Mr. Roberts was admitted to the University of California at Berkeley (U.C. Berkeley) where he became the first student with a severe disability to attend UC Berkeley; and

WHEREAS, Mr. Roberts joined other students with disabilities at U.C. Berkeley to run the Physically Disabled Students Program. This program was the first of its kind in the nation and led to the creation of the Center for Independent Living (CIL). This center serves as a model for disability advocacy and self-help services across the nation and around the world; and

WHEREAS, in 1975, Mr. Roberts was appointed Director of the Department of Rehabilitation, a position he held until 1983 when he co-founded the World Institute on Disability; and

WHEREAS, Mr. Roberts was a true pioneer in the disability rights movement. He was a leader and educator who fought throughout his life to enable all persons with disabilities to fully participate in society. He is remembered for his determination to ensure social justice, equality and independence for people with disabilities.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Rialto Unified School District hereby recognizes January 23, 2016, as Ed Roberts Day and acknowledges the accomplishments of Ed Roberts in helping reduce barriers, increase access, and improve lives for persons with disabilities.

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 1.1)

**RESOLUTION NO. 15-16-32
RESOLUTION OF THE BOARD OF EDUCATION OF
THE RIALTO UNIFIED SCHOOL DISTRICT**

MARTIN LUTHER KING, JR. DAY

January 6, 2016

WHEREAS, Dr. Martin Luther King, Jr. changed our nation forever through his leadership, service, and clarity of vision; and

WHEREAS, Dr. King devoted his life to strengthening the content of the American character and called upon our great nation to live up to its founding principles of life, liberty, and the pursuit of happiness for all of its citizens; and

WHEREAS, Martin Luther King, Jr. Day is a federal holiday held on the third Monday of January; and

WHEREAS, the day celebrates the achievements of Dr. Martin Luther King, Jr., an influential leader, most well-known for his campaigns to end racial segregation on public transportation and for racial equality in the United States; and

WHEREAS, Dr. Martin Luther King, Jr. once said, "*Life's most persistent and urgent question is: What are you doing for others?*" and this statement continues to have an influence on this nation as people across the country come together on the King holiday to serve their neighbors and communities.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Rialto Unified School District hereby recognizes 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.

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. 15-16-33
RESOLUTION OF THE BOARD OF EDUCATION OF THE
RIALTO UNIFIED SCHOOL DISTRICT**

FRED KOREMATSU DAY OF CIVIL LIBERTIES AND THE CONSTITUTION

January 6, 2016

WHEREAS, California State Assembly passed AB 1775 to promote the importance of educating our students on the history of civil liberties in our schools; and

WHEREAS, this legislation designates January 30 of each year as Fred Korematsu Day of Civil Liberties and the Constitution, in recognition of his life-long fight to preserve civil liberties and constitutional rights for all; and

WHEREAS, Assembly member Marty Block stated that “As part of educating our students, it is important to teach them about the people whose individual actions have helped change the course of civil rights in California and the nation”; and

WHEREAS, the events of Korematsu’s life influenced Congress to pass the Civil Liberties Act of 1988, which recognized that a grave injustice was done by the forced relocation and internment of civilian Americans because of wartime prejudice; and

WHEREAS, Assembly Bill 1775 encourages public schools and educational institutions to observe this day and conduct exercises remembering the life of Fred Korematsu and recognizing the importance of preserving civil liberties, even in times of real or perceived crisis.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Rialto Unified School District proclaims January 30, 2016 as Fred Korematsu Day of Civil Liberties and the Constitution and encourages educational commemoration of this occasion with appropriate instructional activities.

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.

AFFILIATION AGREEMENTS FOR INTERNSHIP PROGRAM

January 6, 2016

The Board of Education has approved the Internship Program for high school students. Separate Affiliation Agreements are required for each affiliate who participates in the Internship Program. Affiliation Agreements are valid for five (5) year periods. All affiliation agreements we had in place expired on June 30, 2015. We are currently in the process of reviewing and renewing all of those agreements. These Agreements identify the affiliates, describe the responsibilities of affiliates, and specify the liability and insurance arrangements between the affiliates and the District.

It is understood that internship students receive an orientation at their school site regarding labor disputes before placement. As part of this affiliation agreement, it is the responsibility of the students participating in the Internship Program to make personal decisions regarding their actions relative to any labor dispute that may affect the affiliate's organization.

The following affiliations need to be renewed and/or established with the Internship Program:

Eisenhower High School Adams Acres

It is recommended that the Board of Education approve the Affiliation Agreement with Eisenhower High School and Adams Acres, effective January 7, 2016 through June 30, 2020, at no cost to the District General Fund.

Submitted by: Veronica Smith-Iszard

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

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

(Ref. G 4.1)

**2016 STRING ORCHESTRA TOUR
SAN DIEGO, CALIFORNIA**

January 6, 2016

Carter High School requests the Board of Education approve a string orchestra performance tour to San Diego, California, from March 17 – 19, 2016, for fifty-four (54) students from our string orchestra, two (2) teachers, and 6 (six) parents.

Our string orchestra will perform in an adjudicated festival, participate in an orchestra clinic at Point Loma Nazarene University, perform at Seaport Village in San Diego and attend a concert at Copley Symphony Hall of the San Diego Symphony and the Malashock Dance Group playing Stravinsky's Firebird Ballet and Ginastera's Harp Concerto. While in San Diego, we intend to tour the beautiful campus of Point Loma Nazarene University, visit the USS Midway and tour the Whaley House Museum in Old Town San Diego.

The participants and adult supervisors will depart Carter High School on the morning of March 17, 2016 and return March 19, 2016. Lodging will be in San Diego, California, and transportation will be via a charter bus. All fees will be paid for by student donations and fundraisers. The San Diego Symphony tickets will be purchased using funds from the Puttin' on the Ritz Grant. The total cost of the trip will not exceed \$17,500.00.

It is recommended that the Board of Education 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. All fees will be paid for by student donations and fundraisers and the San Diego Symphony tickets will be purchased using funds from the Puttin' on the Ritz Grant. The total cost of the trip will not exceed \$17,500.00, at no cost to the District General Fund.

Submitted by: Christine Foote

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

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

(Ref. G 5.1)

**2016 VINTAGE HIGH SCHOOL PRESENTS THE 18th ANNUAL TRUE WRESTLER
NAPA VALLEY GIRLS CLASSIC**

January 6, 2016

Wilmer Amina Carter High School requests approval from the Board of Education for 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, 18th Annual True Wrestler Napa Valley Girls Classic, on January 7-10, 2016, at Vintage High School, Napa, California.

The purpose of the trip is to provide an opportunity for our girls wrestling team to compete in various tournaments on a state-wide level. This tournament draws schools from all over the state and offers our girls' wrestling program an incredible opportunity to sharpen their skills in a more competitive venue.

The tournament will be held at Vintage High School in Napa, California. We will be staying in the downtown area. Transportation will be arranged through our District Transportation Department. The estimated cost of the trip is \$1,000.00 to be paid through the team's ASB account, at no cost to the District General Fund.

It is recommended that the Board of Education 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, 18th Annual True Wrestler Napa Valley Girls Classic, on January 7-10, 2016, at Vintage High School, Napa, California, at an estimated cost of \$1,000.00, to be paid for by the team's ASB account at no cost to the District General Fund.

Submitted by: Christine Foote

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

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

DONATIONS

January 6, 2016

<u>Name of Donors</u>	<u>Location/Description</u>	<u>Amount</u>
<u>MONETARY DONATIONS</u>		
Silicon Valley Community Foundation - Edison International	Eisenhower High School/ Principal's Donation Account	\$ 1,152.00
The Way Bible Fellowship	Kordyak Elementary School/ Principal's Donation Account	\$ 100.00
College Board	Carter High School/ Principal's Donation Account	\$ 500.00
Silicon Valley Community Foundation - Edison International	Dollahan Elementary School/ Principal's Donation Account	\$ 30.00

NON-MONETARY DONATIONS

The Arts Institute of California - Inland Empire	19 previously used iMAC computers to be utilized by Mr. Newberry's classroom at Rialto High School
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It is recommended that the Board of Education accept the listed donations from Silicon Valley Community Foundation - Edison International, The Way Bible Fellowship, College Board, and The Arts Institute of California - Inland Empire, and request that a letter of appreciation be sent to the donors.

District Summary	
Monetary Donations – January 6, 2016	\$ 1,782.00
Donations – Fiscal Year-To-Date	\$ 24,832.13

Submitted by: Mohammad Z. Islam

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

(Ref. H 2.1)

**ACCEPTANCE OF GRANT FROM
CALIFORNIA ENERGY COMMISSION**

January 6, 2016

On May 4, 2015, the District applied for a grant from the California Energy Commission through the Alternative and Renewable Fuel and Vehicle Technology Program, PON-14-608, for the Rialto Unified School District Compressed Natural Gas Fueling Station and Transportation Yard.

On August 12, 2015, the California Energy Commission approved the District's request for grant funding in the amount of \$500,000.00.

It is recommended that the Board of Education give authorization to 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.

Submitted by: Mohammad Z. Islam

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

(Ref. H 3.1)

**PARTICIPATION AT PATHFINDER OUTDOOR SCIENCE SCHOOL
DUNN ELEMENTARY**

January 6, 2016

Dunn Elementary School requests approval from the Board of Education for approximately sixty (60) fifth grade students and four (4) staff members to attend an outdoor education camp at Pathfinder Outdoor Science School, Mountain Center, California, on April 20 through April 22, 2016.

Pathfinder Outdoor Science School is a fully staffed outdoor school that offers a broad selection of academic and recreational courses. Dunn staff will design the camp program with Pathfinder instructors to best meet our students' needs. Supervision, at a ratio of one (1) adult to ten (10) students, is provided.

The cost will be \$165.50 per student and no cost for staff. The cost includes two (2) nights lodging, six (6) meals, transportation, camp supervision, instructors, and camp T-Shirts for students. The total cost of the program for students will be approximately \$9,930.00, to be paid by student and grade level fund raisers.

It is recommended that the Board of Education approve the participation of approximately sixty (60) Dunn Elementary School fifth (5th) grade students and four (4) staff members to attend an outdoor education camp at Pathfinder Outdoor Science School, Mountain Center, California, April 20 through April 22, 2016, at a cost of approximately \$9,930.00 for students and staff, to be paid by student and grade level fund raisers.

Submitted by: Fernando Navarrete

Reviewed by: Jasmin Valenzuela

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

(Ref. H 4.1)

**AGREEMENT WITH CAL-STORM COMPLIANCE
FOR THE COMPRESSED NATURAL GAS FUELING STATION**

January 6, 2016

All active construction projects one acre or greater must be compliant with the State Construction General Permit (CGP). Compliance requires that a Storm Water Pollution Prevention Plan (SWPPP) be developed by a licensed Qualified SWPPP Developer (QSD), and that inspections be performed by a licensed Qualified SWPPP Practitioner (QSP) Inspector. The inspection protocol requires weekly, pre-rain, post rain and during rain inspections, as well as pH and turbidity testing for Risk Level 2 projects. Currently, no such qualified person is employed by the School District.

CAL-Storm Compliance, under the District's contracted civil engineering services with Ludwig Engineering Associates Inc., has developed a SWPPP for the CNG Fueling Station project in the planning phase. Staff requested a proposal from CAL-Storm Compliance for the monitoring and reporting services for the SWPPP for the Compressed Natural Gas Fueling Station Project to ensure compliance with State requirements, thereby reducing District exposure to potential penalties/fines for non-compliance.

It is recommended that the Board of Education 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. The agreement is for a not-to-exceed amount of \$13,500.00 to 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)

**AGREEMENT WITH CAL-STORM COMPLIANCE
FOR THE PDC SITE IMPROVEMENT PHASE 1 - DRAINAGE PROJECT**

January 6, 2016

All active construction projects one acre or greater must be compliant with the State Construction General Permit (CGP). Compliance requires that a Storm Water Pollution Prevention Plan (SWPPP) be developed by a licensed Qualified SWPPP Developer (QSD), and that inspections be performed by a licensed Qualified SWPPP Practitioner (QSP) Inspector. The inspection protocol requires weekly, pre-rain, post rain and during rain inspections, as well as pH and turbidity testing for Risk Level 2 projects. Currently, no such qualified person is employed by the School District.

Staff requested a proposal from CAL-Storm Compliance for the development of a SWPPP and the monitoring and reporting services related to the SWPPP for the PDC Site Improvement Phase 1 – Drainage Project to ensure compliance with State requirements thereby reducing District exposure to potential penalties/fines for non-compliance.

It is recommended that the Board of Education 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, for a not-to-exceed amount of \$6,420.00 to 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 6.1)

**EXTENSION OF AGREEMENT WITH AMERICAN LOGISTICS COMPANY
FOR SPECIAL EDUCATION DOOR TO DOOR
STUDENT TRANSPORTATION SERVICES**

January 6, 2016

At its meeting of August 14, 2013, the Board of Education approved an agreement with American Logistics Company under Request for Proposal No. T12-13-010, Door to Door Student Transportation Services, for the period beginning September 16, 2013 through September 15, 2016.

Pursuant to California Education Code Section 17596, School Districts are permitted to extend existing agreements for up to three (3) years.

It is recommended that the Board of Education 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.

Submitted by: Derek Harris

Reviewed by: Mohammad Z. Islam

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

(Ref. H 7.1)

**EXTENSION OF AGREEMENT WITH FIRST STUDENT
FOR SPECIAL EDUCATION DOOR TO DOOR
STUDENT TRANSPORTATION SERVICES**

January 6, 2016

At its meeting of June 18, 2014, the Board of Education approved an agreement with First Student under Request for Proposal No. T13-14-021, Door to Door Student Transportation Services, for the period beginning August 1, 2014 through June 30, 2016.

Pursuant to California Education Code Section 17596, School Districts are permitted to extend existing agreements for up to three (3) years.

It is recommended that the Board of Education 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.

Submitted by: Derek Harris

Reviewed by: Mohammad Z. Islam

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

(Ref. H 8.1)

I FACILITIES PLANNING CONSENT

**NOTICE OF COMPLETION
COLUMBIA STEEL, INC.**

January 6, 2016

Representatives from the Facilities Planning and Maintenance and Operations Departments, NTD Architects, and Ledesma and Meyer Construction Company, Inc., completed the final walk-through of the work completed by Columbia Steel, Inc., for all work required in connection with Category No. 06, Jehue Middle School Classroom Addition 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 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.

Submitted by: Iris Chu

Reviewed by: Mohammad Z. Islam

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

(Ref. I 1.1)

**NOTICE OF COMPLETION
CONTINENTAL MARBLE AND TILE COMPANY**

January 6, 2016

Representatives from the Facilities Planning and Maintenance and Operations Departments, NTD Architects, and Ledesma and Meyer Construction Company, Inc., completed the final walk-through of the work completed by Continental Marble and Tile Company for all work required in connection with Category No. 14, Jehue Middle School Classroom Addition 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 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.

Submitted by: Iris Chu

Reviewed by: Mohammad Z. Islam

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

(Ref I 2.1)

**NOTICE OF COMPLETION
FRANKLIN MECHANICAL SYSTEMS, INC.**

January 6, 2016

Representatives from the Facilities Planning and Maintenance and Operations Departments, NTD Architects, and Ledesma and Meyer Construction Company, Inc., completed the final walk-through of the work completed by Franklin Mechanical Systems, Inc., for all work required in connection with Category No. 21, Jehue Middle School Classroom Addition.

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 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.

Submitted by: Iris Chu

Reviewed by: Mohammad Z. Islam

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

(Ref I 3.1)

**NOTICE OF COMPLETION
INLAND BUILDING CONSTRUCTION COMPANIES, INC.**

January 6, 2016

Representatives from the Facilities Planning and Maintenance and Operations Departments, NTD Architects, and Ledesma and Meyer Construction Company, Inc., completed the final walk-through of the work completed by Inland Building Construction Companies, Inc., for all work required in connection with Category Nos. 13/18, Kelley Elementary and Kucera Middle School Classroom Additions 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 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.

Submitted by: Iris Chu

Reviewed by: Mohammad Z. Islam

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

(Ref. 14.1)

**NOTICE OF COMPLETION
KCB TOWERS, INC.**

January 6, 2016

Representatives from the Facilities Planning and Maintenance and Operations Departments, NTD Architects, and Ledesma and Meyer Construction Company, Inc., completed the final walk-through of the work completed by KCB Towers, Inc., for all work required in connection with Category No. 06, Kelley Elementary and Kucera Middle School Classroom Additions 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 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.

Submitted by: Iris Chu

Reviewed by: Mohammad Z. Islam

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

(Ref. I 5.1)

**NOTICE OF COMPLETION
MIKE COX ELECTRIC, INC.**

January 6, 2016

Representatives from the Facilities Planning and Maintenance and Operations Departments, NTD Architects, and Ledesma and Meyer Construction Company, Inc., completed the final walk-through of the work completed by Mike Cox Electric, Inc., for all work required in connection with Category No. 022, Kelley Elementary and Kucera Middle School Classroom Additions 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 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.

Submitted by: Iris Chu

Reviewed by: Mohammad Z. Islam

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

(Ref. | 6.1)

**NOTICE OF COMPLETION
NUWAY, INC.**

January 6, 2016

Representatives from the Facilities Planning and Maintenance and Operations Departments, NTD Architects, and Ledesma and Meyer Construction Company, Inc., completed the final walk-through of the work completed by Nuway, Inc., for all work required in connection with Category No. 05, Jehue Middle School Classroom Additions.

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 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.

Submitted by: Iris Chu

Reviewed by: Mohammad Z. Islam

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

(Ref. I 7.1)

**NOTICE OF COMPLETION
RB SHEET METAL, INC.**

January 6, 2016

Representatives from the Facilities Planning and Maintenance and Operations Departments, NTD Architects, and Ledesma and Meyer Construction Company, Inc., completed the final walk-through of the work completed by RB Sheet Metal, Inc. for all work required in connection with Category No. 09, Jehue Middle School Classroom Addition 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 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.

Submitted by: Iris Chu

Reviewed by: Mohammad Z. Islam

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

(Ref. I 8.1)

**NOTICE OF COMPLETION
RB SHEET METAL, INC.**

January 6, 2016

Representatives from the Facilities Planning and Maintenance and Operations Departments, NTD Architects, and Ledesma and Meyer Construction Company, Inc., completed the final walk-through of the work completed by RB Sheet Metal, Inc., for all work required in connection with Category No. 09, Kelley Elementary and Kucera Middle School Classroom Additions 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 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.

Submitted by: Iris Chu

Reviewed by: Mohammad Z. Islam

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

(Ref. I 9.1)

**NOTICE OF COMPLETION
SPEC CONSTRUCTION CO., INC.**

January 6, 2016

Representatives from the Facilities Planning and Maintenance and Operations Departments, NTD Architects, and Ledesma and Meyer Construction Company, Inc., completed the final walk-through of the work completed by Spec Construction Co., Inc., for all work required in connection with Category No. 04, Kelley Elementary and Kucera Middle School Classroom Additions 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 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.

Submitted by: Iris Chu

Reviewed by: Mohammad Z. Islam

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

(Ref. I 10.1)

**NOTICE OF COMPLETION
TOMAHAWK BUILDERS, INC.**

January 6, 2016

Representatives from the Facilities Planning and Maintenance and Operations Departments, NTD Architects, and Ledesma and Meyer Construction Company, Inc., completed the final walk-through of the work completed by Tomahawk Builders, Inc., for all work required in connection with Category No. 07, Kelley Elementary and Kucera Middle School Classroom Additions 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 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.

Submitted by: Iris Chu

Reviewed by: Mohammad Z. Islam

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

(Ref. I 11.1)

**NOTICE OF COMPLETION
TOMAHAWK BUILDERS, INC.**

January 6, 2016

Representatives from the Facilities Planning and Maintenance and Operations Departments, NTD Architects, and Ledesma and Meyer Construction Company, Inc., completed the final walk-through of the work completed by Tomahawk Builders, , for all work required in connection with Category No. 07, Jehue Middle School Classroom Additions 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 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.

Submitted by: Iris Chu

Reviewed by: Mohammad Z. Islam

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

(Ref. I 12.1)

**NOTICE OF COMPLETION
W. D. GOTT CONSTRUCTION**

January 6, 2016

Representatives from the Facilities Planning and Maintenance and Operations Departments, NTD Architects, and Ledesma and Meyer Construction Company, Inc., completed the final walk-through of the work completed by W. D. Gott Construction, for all work required in connection with Category No. 04, Jehue Middle School Classroom Addition 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 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.

Submitted by: Iris Chu

Reviewed by: Mohammad Z. Islam

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

(Ref. I 13.1)

J PERSONNEL SERVICES CONSENT

PERSONNEL REPORT NO. 1145
 CLASSIFIED EXEMPT EMPLOYEES
 January 6, 2016

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

CROSSING GUARD

Alexander, Sharon	Crossing Guard Educational Safety/Security	12/01/2015	\$9.00 per hour
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WORKABILITY

De Leon, Xiomara	Petco/Fontana	01/01/2016	\$8.50 per hour
Kearse-Thomas, Kamryn	Warehouse Shoe Sales	01/01/2016	\$8.50 per hour
Modlin, Destiny	Walgreens/Rialto	01/01/2016	\$8.50 per hour
Taite, Alexis	Walgreens/Rialto	12/31/2015	\$7.65 per hour

WORKABILITY – Returning Students

De La Cruz, Kassandra	Walgreens/Rialto	12/21/2015	\$9.00 per hour
Estrada, Jerry	Fallas Stores	12/02/2015	\$9.00 per hour
Flores, Jose	Petco/Fontana	01/13/2016	\$10.00 per hour
Taylor, Michael	CVS Pharmacy	01/13/2016	\$10.00 per hour

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:

Frisbie Middle School

Bennett, Kenneth	Boys' Basketball	2015/2016	\$434.00
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Rialto Middle School

Korbin, Gerald	Boys' Basketball	2015/2016	\$434.00
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Kolb Middle School

Parks, Tyrell	Girls' Basketball	2015/2016	\$434.00
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Kucera Middle School

Jackson, James	Girls' Basketball	2015/2016	\$434.00
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Carter High School

Aguilera, Aaron	Boys' Basketball	12/09/2015	\$2,129.58
Alcantar, Angel	Co-Frosh Head, Boys' Wrestling	12/14/2015	\$1,204.26
Baysinger, Jasmine	Frosh Head, Girls' Track	2015/2016	\$3,170.00
Erving Marshall, Tatiana	Varsity Assistant, Girls' Track	2015/2016	\$2,953.00
Fimbres, Adam	Baseball	2015/2016	Volunteer
Harris, Crystal	JV Head, Boys' Track	2015/2016	\$3,170.00
Jorrin, Enoc	Baseball	2015/2016	Volunteer

PERSONNEL REPORT NO. 1145
CLASSIFIED EXEMPT EMPLOYEES
January 6, 2016

NON-CERTIFICATED COACHES - continued

Carter High School

Martinez, Jorge	Softball	2015/2016	Volunteer
Robison, Robert	Varsity Head, Boys' Track	2015/2016	\$3,951.00
Sealy, Joshua	Boys' Soccer	2015/2016	Volunteer
Shaheed, Omar	Frosh Head, Boys' Track	2015/2016	\$3,170.00
Smith-Cannon, Charlene	Drill Team	2015/2016	\$1,628.50
Stewart, Tremel	Frosh Head, Boys' Basketball	2015/2016	\$3,387.00
Walker, Rashauna	JV Head, Girls' Basketball	12/01/2015	\$3,121.27

Eisenhower High School

Jackson, Trone	Varsity Assistant, Girls' Basketball	12/04/2015	\$2,547.68
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Rialto High School

McNay, Patrick	Frosh Head, Girls' Wrestling	2015/2016	\$3,387.00
Murray, John	Girls' Basketball	2015/2016	Volunteer
Padilla, Madelyn	Frosh Head, Girls' Soccer	2015/2016	\$3,040.00

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

(Ref. J 1.2)

PERSONNEL REPORT NO. 1145
 CLASSIFIED EMPLOYEES
 January 6, 2016

EMPLOYMENT

Acosta, Alexander (Repl. L. Carrillo)	Nutrition Service Worker II Nutrition Services	01/11/2016	25-1	\$14.37 per hour (8 hours, 217 days)
Alvarado, Joshua (Repl. D. Vasquez)	Custodian I** Kelley/Garcia Elementary	01/07/2016	33-1	\$17.51 per hour (8 hours, 12 months)
Bojorquez, Ivette	Assessment Specialist Assessment, Research, Data Analysis, & Educational Tech	01/07/2016	42-1	\$21.83 per hour (8 hours, 237 days)
Lopez, Berenice (Repl. C. Edu)	Instructional Assistant II – SE (RSP/SDC) Carter High School	12/07/2015	26-1	\$14.66 per hour (3 hours, 203 days)
Nunez, Griselda	Clerk Typist III Special Education	01/07/2016	33-1	\$17.51 per hour (8 hours, 237 days)
Ochoa, Juan (Repl. F. Castro)	Custodian I** Bemis/Myers Elementary	01/07/2016	33-1	\$17.51 per hour (8 hours, 12 months)
Rivas, Diane (Repl. L. Pulido)	Instructional Assistant II – SE (RSP/SDC) Jehue Middle School	11/18/2015	26-1	\$14.66 per hour (3 hours, 203 days)
Serrano-Jaramillo, Esmeralda (Repl. L. Grawe)	Secretary I Special Education	01/07/2016	34-1	\$17.91 per hour (8 hours, 237 days)
Tapia, Caroline (Repl. O. Telley)	Campus Security Officer I Milor High School	12/07/2015	36-1	\$18.83 per hour (8 hours, 212 days)

RETIREMENTS

Castro, Freddie D.	Custodian I Bemis/Myers Elementary	12/30/2015
Fox, Franklin D. Jr	Lead Custodian Maintenance & Operations	12/30/2015

RESIGNATIONS

Martinez, Maria D.	Instructional Assistant III – SE (SED/MH/AUTISM) Curtis Elementary School	11/30/2015
Rahier, Kimberly	Instructional Assistant II – SE (RSP/SDC) Highbanks Elementary School	12/30/2015
Ricker, Jeffrey	Instructional Assistant II – SE (RSP/SDC) Preston Elementary School	12/11/2015

PERSONNEL REPORT NO. 1145
CLASSIFIED EMPLOYEES
January 6, 2016

SUBSTITUTES

Acosta, Andrew	Custodian I	12/10/2015	32-1	\$17.08 per hour
Bleeker, Stephanie	Instructional Assistant	11/06/2015	26-1	\$14.66 per hour
Diaz Adame, Jorge	Custodian I	12/07/2015	32-1	\$17.08 per hour
Floriano, Cynthia	Instructional Assistant	11/18/2015	26-1	\$14.66 per hour
Velasquez, Sarai	Instructional Assistant	11/16/2015	26-1	\$14.66 per hour
Veles, Saul	Instructional Assistant	11/06/2015	26-1	\$14.66 per hour
Ward, David	Instructional Assistant	11/30/2015	26-1	\$14.66 per hour

CERTIFICATION OF ELIGIBILITY LIST – Instructional Assistant II – SE (RSP/SDC)

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

CERTIFICATION OF ELIGIBILITY LIST – Instructional Technology Assistant

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

CERTIFICATION OF ELIGIBILITY LIST – Lead Nutrition Services Worker I

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

CERTIFICATION OF ELIGIBILITY LIST – Nutrition Services Worker I

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

*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 2.2)

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 7, 2016 unless earlier date is indicated)

Avalos, Rosalinda	11/30/2015
Bethea, Blondella	12/01/2015
Green, Demetrius	12/04/2015
Mosebay, Marquel	12/02/2015
Solorzano Reyes, Elizabeth	11/17/2015
Razo, Steven	11/30/2015
Roberts, Norman	11/30/2015
Saikali, Rita	12/10/2015
Taglianetti, Michael	11/30/2015
Witrigo, Vanessa	11/30/2015

EMPLOYMENT

Gonzalez, Raymond	SED Teacher	12/14/2015	III-1 \$55,908.00 (184 days)
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RESIGNATION

Aguilar-Munoz, Cindy	High School Assistant Principal	12/04/2015
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TEMPORARY ADMINISTRATIVE ASSIGNMENT (Payment of 10 Percent of his daily rate from December 14, 2015 until further notice, for services as a Temporary Administrator at Eisenhower High School per Board Policy 4121)

Hutchens, Karensa

EXTRA DUTY COMPENSATION (Additional class assignments at 1/6 of the daily rate or \$42.03 per hour, whichever is greater, during the dates as indicated, and to be charged to Title I)

Kucera Middle School

Lewis, Amy	Math	01/11/2016 - 05/26/2016
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Carter High School

Demery, Margarita	Math	12/07/2015 - 05/26/2016
Paluba, Joseph	Math	12/07/2015 - 05/26/2016

EXTRA DUTY COMPENSATION (Additional class assignments of 1/6 of the daily rate or \$42.03 per hour, whichever is greater, during the Spring semester, and to be charged to General Fund)

Kucera Middle School

Stone, Joseph	Yearbook	01/11/2016
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Carter High School

Gardner, Melissa	ROTC	01/11/2016
Jefferson, Gwendolyn	Internship	01/11/2016
Macias, Kenyo	Spanish IIP	01/11/2016
Olivares, Araceli	Spanish IIPSS	01/11/2016

PERSONNEL REPORT NO. 1145
 CERTIFICATED EMPLOYEES
 January 6, 2016

EXTRA DUTY COMPENSATION (Additional class assignments of 1/6 of the daily rate or \$42.03 per hour, whichever is greater, during the Spring semester, and to be charged to General Fund)

Eisenhower High School

Atkinson, Eric	Principals of Engineering	01/11/2016
Davis, Jeremy	APEX/English	01/11/2016
Fitzpatrick, Ofelia	Spanish AP	01/11/2016
Hamel, Betty	Earth Science	01/11/2016
Valmores, Anna	Biology	01/11/2016
Windfred, Luster	MCJROTC	01/11/2016

Rialto High School

Montry, Mindy	World History	01/11/2016
Rubio, Diana	Social Science	01/11/2016

EXTRA DUTY COMPENSATION (Department Chairpersons for the 2015/2016 school year)

Jehue Middle School

McMullen, Laura	Social Studies	31 Sections (1/2 Share) (11/30/2015-05/26/2016)	\$651.30
Quiros, Kenya	Physical Education	33 Sections (01/11/2016-05/26/2016)	\$1,083.50

EXTRA DUTY COMPENSATION

Frisbie Middle School

Jones, Robert	Girls' Basketball	2015/2016	\$434.00
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Jehue Middle School

Kidd, Brian	Boys' Basketball	2015/2016	\$434.00
Rodriguez, Eric	Girls' Basketball	2015/2016	\$434.00

Kolb Middle School

Lewis, Abina	Boys' Basketball	2015/2016	\$434.00
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Carter High School

Arellano, Alfred	Co-Frosh Head, Boys' Wrestling	2015/2016	\$1,693.50
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Eisenhower High School

Hampton, Robert	JV Head, Boys' Basketball	12/08/2015	\$2,789.22
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EXTRA DUTY COMPENSATION

Dalton, Gregory	Middle Schools Sports Supervisor	2015/2016	\$1,666.66
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Submitted By: Aaron Rogers
Reviewed By: Tom Haldorsen
Presented For Board Action: Cuauhtémoc Avila, Ed.D.

K DISCUSSION/ACTION ITEMS

BID NO. 15-16-003
PDC SITE IMPROVEMENT PHASE I - DRAINAGE

January 6, 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 PDC Site Improvement Phase 1 Project was bid in November, 2015. A Notice to Contractors Calling for Bids for Bid No. 15-16-003 was published in the San Bernardino Sun, Press Enterprise, The Black Voice, and El Chicano newspapers, on November 5, 2015 and November 12, 2015. Bid documents were also available in two "plan room" services: BidClerk - www.bidclerk.com, and Dodge Plan Room - www.construction.com/dodge.

Bids were opened at 10:00 a.m. on Tuesday December 1, 2015. Four (4) responsive bids were received. Following are the bid results:

<u>CONTRACTOR</u>	<u>BASE BID AMOUNT</u>
Broughton Construction	\$384,592.00
Dalke & Sons Construction	\$467,860.00
IVL Contractors	\$257,000.00
Roadway Engineering	\$329,400.00

The basic scope of work for this project consists of removal of existing paving and landscaping, creation of landscaped infiltration basins, new paving, and drainage components as required to mitigate storm water on the existing PDC campus. The proposed construction schedule is from February 1, 2016 to April 1, 2016.

It is recommended that the Board of Education award Bid No. 15-16-003, Rialto USD PDC Site Improvement Phase 1 Project, to IVL Contractors in the amount of \$257,000.00. 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. K 1.1)

BID NO. 15-16-004
RIALTO USD ADMIN GENERATOR INSTALLATION

January 6, 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 Admin Generator Installation Project was re-bid in October, 2015. A Notice to Contractors Calling for Bids for Bid No. 15-16-004 was published in the San Bernardino Sun, Press Enterprise, The Voice, and El Chicano newspapers, on October 22, 2015 and October 29, 2015. Bid documents were also available in two "plan room" services at construction websites BidClerk www.bidclerk.com and Dodge Plan Room www.construction.com/dodge.

Bids were opened at 10:00 a.m. on Thursday November 18, 2015. 7 responsive bids were received. Following are the bid results:

<u>CONTRACTOR</u>	<u>BASE BID AMOUNT</u>
Barkley Andross Corp.	\$386,890.70
Broughton Construction, Inc.	\$524,487.00
Dougwall Construction	\$529,300.00
Golden Phoenix Construction	\$392,000.00
Integral Electrical Engineering, Inc.	\$290,200.00
Shanks Corp	\$368,000.00
SPEC Construction Co., Inc.	\$547,000.00

The basic scope of work for this project consists of a new standby diesel engine generator set and automatic transfer switch for the Rialto Unified School District Administration Building. The new generator will be housed in a new CMU block wall enclosure. In addition, existing outdoor transformers shall be removed and replaced with new transformers at new location to allow for connection to existing electrical service. The proposed construction schedule is from January 26, 2016 to April 6, 2016.

It is recommended that the Board of Education award Bid No. 15-16-004, Rialto USD Admin Generator Installation Project, to Integral Electrical Engineering, Inc., in the amount of \$290,200.00. 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. K 2.1)

SALARY INCREASE FOR AVID TUTORS

January 6, 2016

The Associate Superintendent of Personnel Services requests approval from the Board of Education to increase the hourly rate for AVID Tutors.

In recognition of the fact that the minimum wage was increased effective January 1, 2016, the Associate Superintendent of Personnel Services is requesting the hourly rate for AVID Tutors be increased from \$10.00 an hour to \$11.00 an hour to be in alignment with our past practice of AVID Tutors being paid \$1.00 above the minimum wage.

It is recommended that the Board of Education approve the hourly increase for AVID Tutors to \$11.00 an hour effective January 1, 2016.

Submitted by: Rhonda Kramer
Reviewed by: Tom Haldorsen
Presented for Board Action: Cuauhtémoc Avila, Ed.D.

(Ref. K 3.1)