

**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 7, 2016**

**A. OPENING**

**CALL TO ORDER AND ROLL CALL**

The regular meeting of the Board of Education of the Rialto Unified School District was called to order at 5:01 p.m. by President O'Kelley at the Dr. John R. Kazalunas Education Center, 182 East Walnut Avenue, Rialto, CA 92376.

Members present: Nancy G. O'Kelley, President; Joseph W. Martinez, Clerk; Joseph Ayala, Member; and Edgar Montes, Member. Dina Walker, Vice President, arrived at 6:18 p.m.

Administrators present: Cuauhtémoc Avila, Ed.D., Superintendent; Mohammad Z. Islam, Associate Superintendent, Business Services; Jinane Annous, Ed.D., Lead Innovation Agent; Education Services; Rhea Mclver Gibbs, Lead Personnel Agent, Personnel Services; and Rhonda Kramer, Senior Director, Personnel Services. Also present was Rosie Williams, Executive Secretary.

President O'Kelley motioned to move the Oath of Office and the Reorganization of the Board of Education to after open session reconvenes at approximately 7:00 p.m., Member Ayala seconded the motion and it was approved by a unanimous 5-0 vote by the Board of Education.

**OPEN SESSION**

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

There were no comments.

**CLOSED SESSION**

Upon a motion by Member Ayala, seconded by Clerk Martinez, and approved by a 5-0 vote, the Board of Education entered into Closed Session at 5:03 p.m. to consider and discuss the following items:

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

**Administrative Appointment:**

- Elementary Principal

2. Student Expulsions/Reinstatements/Expulsion Enrollments
3. CONFERENCE WITH LABOR NEGOTIATORS  
Agency designated representatives: Cuauhtémoc Avila, Ed.D., Superintendent, Rhea Mclver Gibbs, Lead Personnel Agent, and Rhonda Kramer, Director, 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 – EXISTING LITIGATION  
Pursuant to Paragraph (1) of Subdivision (d) of Government Code section 54956.9: One case

**OPEN SESSION RECONVENED – 7:02 P.M.**

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

Administrators present: Cuauhtémoc Avila, Ed.D., Superintendent; Mohammad Z. Islam, Associate Superintendent, Business Services; Jinane Annous, Ed.D., Lead Innovation Agent, Education Services; Rhea Mclver Gibbs, Lead Personnel Agent, Personnel Services; and Rhonda Kramer, Senior Director, Personnel Services. Also present was Rosie Williams, Executive Secretary, and Jose M. Reyes, Interpreter.

**ADJOURNMENT OF CLOSED SESSION**

Upon a motion by Member Montes, seconded by Clerk Martinez, and passed by a unanimous 5-0 vote, Closed Session adjourned at 7:03 p.m.

**PLEDGE OF ALLEGIANCE**

Kordyak Preschool International Music and Dance Pathway teacher, Ms. Lyubov Chernyshova, led the Pledge of Allegiance.

## **OATH OF OFFICE**

Mr. Ted Alejandre, County Superintendent of Schools, administered the Oath of Office to Mr. Joseph Ayala.

Jawaun Collier, Student Board Member, administered the Oath of Office to Mr. Joseph W. Martinez.

Mr. Ted Alejandre, County Superintendent of Schools, administered the Oath of Office to Mrs. Nancy G. O'Kelley.

## **PRESENTATION BY KORDYAK PRESCHOOL INTERNATIONAL MUSIC AND DANCE PATHWAY**

Kordyak Preschool International Music and Dance Pathway class performed "*Christmas Around the World.*"

## **REORGANIZATION OF THE BOARD OF EDUCATION**

1. Member Montes nominated Dina Walker for President. It was seconded by Clerk Martinez, and passed by a 5-0 vote by the Board of Education.
2. Member O'Kelley nominated Edgar Montes for Vice President. It was seconded by Member Montes. The vote was as follows:

Member O'Kelley – Aye  
Member Montes – Aye  
Clerk Martinez – Abstain

Member Ayala nominated Joseph W. Martinez for Vice President, and stated that he would like to follow the tradition of rotating the positions. At this point Member Montes recused himself from the nomination. The nomination was seconded by Clerk Martinez, and passed by a 5-0 vote by the Board of Education.

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

## **REPORT OUT OF CLOSED SESSION**

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

- Accepted the Statement of Charges for employee #1375816, Resource Specialist, and to place him on unpaid leave of absence effective December 8, 2016.

## **ADOPTION OF AGENDA**

Upon a motion by Clerk Montes, seconded by Vice President Martinez, the Agenda was adopted by Student Board Member Collier's preferential vote, and a unanimous 5-0 vote by the Board of Education.

### **B. PRESENTATIONS**

1. Middle School – District Student Advisory Committee (DSAC) Presentation

The following DSAC students shared activities held at their schools:

Destiny Lopez – Rialto Middle School  
Noor Ali – Kucera Middle School  
Christian Flores – Jehue Middle School

2. Parent Summit/Parent School Recognition

Superintendent Avila presented Certificates of Recognition to parents who contributed to the success of the Parent Summit event and were unable to attend the Board of Education meeting on November 16, 2016.

3. Red Ribbon Week Schoolwide Decoration Contest

Superintendent Avila honored the top Red Ribbon winners of the Red Ribbon Week Schoolwide Decoration Contest. The winners were as follows:

Northern Section Schools:

3<sup>rd</sup> place – Kordyak Elementary School  
2<sup>nd</sup> place – Carter High School  
1<sup>st</sup> place – Hughbanks Elementary School

Central Section Schools:

3<sup>rd</sup> place – Frisbie Middle School

2<sup>nd</sup> place – Henry Elementary School

1<sup>st</sup> place – Dollahan Elementary School

Southern Section Schools:

3<sup>rd</sup> place – Kelley Elementary School

2<sup>nd</sup> place – Jehue Middle School

1<sup>st</sup> place – Garcia Elementary School

The inaugural Superintendent's Spirit Award was earned by Milor High School.

4. Key to the District from Member Nancy G. O'Kelley to Ms. Susan Tarbutton, Casey Elementary School Teacher

Member O'Kelley presented Ms. Susan Tarbutton, Casey Elementary School Teacher, with a Key to the District for her outstanding service to the Rialto Unified School District.

5. Key to the District from President Dina Walker to Robin McMillon, Preston Elementary School Principal

President Walker presented Ms. Robin McMillon, Preston Elementary School Principal, with a Key to the District for her outstanding service to the Rialto Unified School 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.

Enaz Wanzer, parent, shared her concerns regarding issues she is having with her special education student, who is feeling unsafe at school due to the size of the school. She stated that she has written several requests for help with this situation and has not received any response.

Celia Zelaya-Saravia, representing Amigos Unidos, a support group for parents of children with special needs, congratulated the Board for the new period they are beginning and she hopes they will continue working hard and united for our students. She shared that she is happy Milor students are participating and the District recognizes their efforts. She also congratulated Student Board Member Jawaun Collier for his support of other students, and she congratulated the Key to the District recipients. Lastly, she invited the Board to attend their Christmas celebration for

special children on Tuesday, December 13, 2016, at 4:30 p.m. at St. Catherine of Siena Church in Rialto.

Mirna Ruiz, parent, gave up her time to Enaz Wanzer so that she could continue speaking regarding her concerns with her student.

Enaz Wanzer, parent, continued to express her concerns regarding issues she is having with her special education student.

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

There were no comments.

3. Comments from Association Executive Board Members: Rialto Education Association (REA), California School Employees Association (CSEA), Communications Workers of America (CWA). Rialto School Managers Association (RSMA)

Leslie Chambers, REA representative, presented their initial proposal for the 2017-2018 school year.

Derek Harris, RSMA representative, congratulated President Walker, Vice President Martinez, and Clerk Montes on their new positions on the Board. He also congratulated Ms. Robin McMillon for earning the Key to the District. Lastly, he invited the Board to attend the RSMA Christmas Party on Friday, December 9, 2016, at 5:00 p.m.

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

**D. PUBLIC HEARING - None**

**CONSENT CALENDAR ITEMS**

Upon a motion by Member O'Kelley, seconded by Clerk Montes, Items E – J were approved by Student Board Member Collier's preferential vote, and a unanimous 5-0 vote by the Board of Education.

**E. MINUTES**

1. Approve the minutes of the Regular Board of Education Meeting held November 16, 2016.

**F. GENERAL FUNCTIONS CONSENT ITEMS**

1. Second reading of revised Board Policy 4112.2(a-f); Certificated Personnel: Certification.
2. Second reading of revised Board Policy 4113(a-e); Certificated Personnel: Assignment.
3. Second reading of revised Board Policy 4118(a-e); Personnel: Dismissal/Suspension/Disciplinary Action.
4. Amendment to second reading of revised Board Policy 4154, 4254, 4354(a-d); All Personnel: Health and Welfare Benefits.
5. Second reading of revised Board Policy 5148.2(a-d); Students: After School Programs.
6. First reading of revised Board Policy 3555(a-h); Business and Noninstructional Operations: Nutrition Program Compliance.)
7. First reading of **new** Board Policy 4331(a-c); Management, Supervisory and Confidential Personnel: Staff Development.
8. First reading of revised Board Policy 5126(a-c); Students: Awards for Achievement.

**G. INSTRUCTION CONSENT ITEMS**

1. Approve travel reimbursement for four (4) Western Association of Schools and Colleges (WASC) visiting committee members conducting the WASC two-day mid-cycle visit at Eisenhower High School from February 26-28, 2017, not-to-exceed \$2,300.00, to be paid from the General Fund.

**H. BUSINESS AND FINANCIAL CONSENT ITEMS**

1. Approve Warrant Listing Register and Purchase Order Listing for all funds from October 27, 2016 through November 14, 2016 (sent under separate cover to Board Members). A copy for public review will be available at the Board Meeting.
2. Accept the donations from College Board, The Way Bible Fellowship, Ohioyle Prints, Inc., Shoparoo, Edison International, Arrowhead United Way, Rialto Municipal Soccer League, Stater Bros. Markets, Feed the Children, and Santa Claus, Inc., and request that a letter of appreciation be sent to the donors.

3. Approve to purchase information technology goods and services, pursuant to Public Contract Code 20118, for the Fiscal Year 2016-2017 from California Multiple Award Schedule (CMAS) Contract #3-13-84-0006C, Supplement No. 1, Contract #3-16-84-0006D, and Contract #3-16-70-2186E, to be paid from the General Fund and/or categorical funds.
4. Approve an agreement with the law firm of Bowie, Arneson, Wiles & Giannone to assist with matters of facilities mitigation, planning and construction in general that covers negotiation of facilities mitigation with the developers in the Renaissance Specific Plan Project and Lytle Creek Specific Plan Project. Legal services will be requested only as needed for a total cost not-to-exceed \$35,000.00 per year, to be paid from Fund 25, Capital Facilities Fund.
5. Approve an agreement with PF Vision, Inc., to provide Division of State Architect inspection services for the Eisenhower High School Stadium Buildings and Performing Arts Theater project at the rate of \$64.00 per hour for a Class 1 Inspector for an estimated total cost not-to-exceed \$210,000.00. Overtime and Saturday services will be paid at one and one-half times the normal rate, and Sunday services will be billed at two times the normal rate, to be paid from Fund 21, Measure Y Series "C", General Obligation Bond Funds.
6. Approve the piggyback purchase and/or lease of shade shelters from Fullerton Joint Union High School District, Bid Pack 1516-15 for the Fiscal Year 2016-2017, per Public Contract Code 20118, to be paid from Fund 01, the General Fund and/or Fund 25, Capital Facilities Fund.
7. Ratify an agreement with Pathways 2 Speech to provide compensatory Auditory Verbal Therapy (AVT) services to Student No. 165463 for the 2016-2017 school year per settlement agreement effective August 13, 2016, at a total cost not-to-exceed \$12,200.00, to be paid from the General Fund.
8. Ratify an agreement with Speech Bananas, Inc., to provide Auditory Verbal Therapy (AVT) services for the 2016-2017 school year and Extended School Year (ESY) effective August 14, 2016 through July 30, 2017, at a total cost not-to-exceed \$10,800.00, to be paid from the General Fund.
9. Approve an agreement with Brandman University for mentoring opportunities for students in their respective programs effective December 8, 2016 through October 18, 2019, at no cost to the District.



10. Ratify an agreement with California State University, Northridge, for mentoring opportunities for speech language pathologists or speech language pathology assistant students in this program effective November 17, 2016 through November 16, 2019, at no cost to the District.
11. Ratify an agreement with Brandman University for opportunities for intern teachers effective October 19, 2016 through October 18, 2019, at no cost to the District.
12. Approve the Frisbie Middle School Parent Teacher Organization (PTO) school-connected organization for the 2016-2017 school year.
13. Approve an agreement with Twining Consulting to provide soil tests, material tests, and special inspection services for the Eisenhower High School Stadium Building and Performing Arts Theater projects for a cost not-to-exceed \$69,078.00 for the Stadium Reconstruction Project and a cost not-to-exceed \$157,244.00 for the Performing Arts Theater Project, to be paid from Fund 21, Measure Y Series "C", General Obligation Bond Funds.
14. Approve an agreement with Hollar Speech & Language to complete an Individual Education Evaluation (IEE) in the area of Speech & Language per settlement agreement for Student No. 1316293, to be completed by the end of the 2016-2017 school year at a total cost not-to-exceed \$3,000.00, to be paid from the General Fund.
15. Approve an agreement with Leaps & Bounds Pediatric Therapy to complete an Individual Education Evaluation (IEE) in the area of Physical Therapy (PT) per settlement agreement for Student No. 1316293, to be completed by the end of the 2016-2017 school year, at a total cost not-to-exceed \$500.00, to be paid from the General Fund.
16. Approve an agreement with Susanne Smith Roley Occupational Therapy Services to complete an Individual Education Evaluation (IEE) in the area of Occupational Therapy (OT) per settlement agreement for Student No. 1316293, to be completed by the end of the 2016-2017 school year at a total cost not-to-exceed \$1,700.00, to be paid from the General Fund.

**I. FACILITIES PLANNING CONSENT ITEMS - None**

**J. PERSONNEL SERVICES CONSENT ITEMS**

- 1-3. Approve Personnel Report No. 1164 for classified and certificated employees.

**K. DISCUSSION/ACTION ITEMS**

Upon a motion by Vice President Martinez, seconded by Member O'Kelley, Item K1 was approved by a unanimous 5-0 vote by the Board of Education.

1. Approve an agreement with San Bernardino County Superintendent of Schools (SBCSS) for the master schedule (4 days), pathway team development (6 days) and coaching training (5 days), to support pathway implementation from December 8, 2016 through June 30, 2017, at a cost not-to-exceed \$89,600.00, to be paid from the Educator Effectiveness and Career Technical Education Incentive Grant funds.

Upon a motion by Member O'Kelley, seconded by Vice President Martinez, Item K2 was approved by a unanimous 5-0 vote by the Board of Education.

2. Accept the College Readiness Block Grant in the amount of \$959,230.00 with the high schools receiving the following amounts for the three years, Carter High School: \$246,771.00, Eisenhower High School: \$247,881.00, Rialto High School: \$278,604.00, Milor/Zupanic High School: \$35,974.00, and Education Services: \$150,000.00, beginning December 8, 2016 through June 30, 2019.

Upon a motion by Vice President Martinez, seconded by Member O'Kelley, Item K3 was approved by a unanimous 5-0 vote by the Board of Education.

3. Approve the Fiscal Year 2016-2017 First Interim Financial Report as presented.

Upon a motion by Member O'Kelley, seconded by Clerk Montes, Item K4 was approved by a unanimous 5-0 vote by the Board of Education.

4. Award the base bids for the Eisenhower High School Stadium Building and Performing Arts Theater projects as the lowest responsible contractors meeting District specifications as follows: Category 02 (Landscaping) - Marina Landscape, Inc.; Category 03 (Concrete) - Bravo Concrete Construction Services, Inc.; Category 04 (Masonry) - GBC Concrete & Masonry Construction, Inc.; Category 05 (Structural Steel) - KCB Towers, Inc.; Category 07 - Gypsum & Plaster - Sierra Lathing Company, Inc.; Category 08 (Casework) - K & Z Cabinet Co., Inc.; Category 10 (Sheet Metal) - Risher Sutherland, Inc. dba United Contractors; Category 11 (Glass & Glazing) - E & R Glass Contractors, Inc.; Category 12 (Ceramic Tile) - Continental Marble and Tile Company; Category 13 (Acoustical) - Southcoast Acoustical Interiors, Inc.; Category 14 (Flooring) - Continental Flooring; Category 15 (Painting) - Simmons & Wood, Inc.; Category 16 (Specialties) - Dalke and Sons Construction, Inc.; Category 17 (HVAC) - Desert Air Conditioning, Inc.; Category 18

(Plumbing) - Emphyrean Plumbing, Inc.; Category 19 (Electrical) – F.E.C. Electric, Inc.; Category 20 (Fire Sprinklers) – Fischer, Inc.; and Category 21 (Doors & Hardware) – Joe Picco & Associates, Inc. dba EJ Enterprises. All costs will be paid from Fund 21, Measure Y, Series “C”, General Obligation Bond Funds.

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

5. Approve Adam Waggoner, Raymond Delgado, and Germaine Gray as authorized signatories for the Rialto Middle School Associated Student Body checking account, effective December 8, 2016.

Upon a motion by Member O’Kelley, seconded by Vice President Martinez, Item K6 was approved by a unanimous 5-0 vote by the Board of Education.

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

**STIPULATED:**

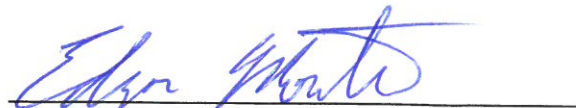
Case Number:  
16-17-16


**REINSTATEMENT OF EXPULSION:**

Case Number:  
15-16-53

**L. ADJOURNMENT**

Upon a motion by Vice President Martinez, seconded by Clerk Montes, and approved by a unanimous 5-0 vote by the Board of Education, the meeting was adjourned 9:14 p.m. with a moment of silence in honor of retired educator, Mr. Willie Luvert, who passed away on November 22, 2016.

  
Clerk, Board of Education

  
Secretary, Board of Education