

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

**March 26, 2019**

**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 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; Joseph Ayala, Member; and Joseph W. Martinez, Member. Dina Walker, Clerk, was absent.

Administrators present: Cuauhtémoc Avila, Ed.D., Superintendent; Darren McDuffie, Ed.D., Lead Strategic Agent: Strategics, Congruence and Social Justice; Mohammad Z. Islam, Associate Superintendent, Business Services; Kelly Bruce, Lead Innovation Agent, Education Services; and Rhonda Kramer, Lead Personnel Agent. 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 Member Ayala, seconded by Member Martinez, and approved by a 4-0 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)
2. Student Expulsions/Reinstatements/Expulsion Enrollments

(Ref. E 1.1)

3. **CONFERENCE WITH LABOR NEGOTIATORS**  
 Agency designated representatives: Cuauhtémoc Avila, Ed.D., Superintendent; Rhea McIver Gibbs, Lead Personnel Agent, Personnel Services; and Rhonda Kramer, Lead Personnel Agent, Personnel Services.  
 Employee organizations: California School Employees Association, Chapter 203 (CSEA), Rialto Education Association (REA), Communications Workers of America (CWA)
4. **CONFERENCE WITH LEGAL COUNSEL – Existing Litigation** (Gov. Code § 54956.9(a)):  
 Rialto Unified School District v. Educational Consulting Services, Inc., et al. (Case No. CIVDS1518116)
5. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** (Gov. Code, 54956.8)  
 Property: Tract No. 20092 (Phase I)  
 Agency Negotiators: Michael Ogburn and Steven Gald, California Financial Services  
 Negotiating parties: Rialto Unified School District and Lytle Creek Ranch Development  
 Under negotiation: Price and terms for future acquisition of school sites.
6. **CONFERENCE WITH LEGAL COUNSEL**  
 Anticipated Administrative Proceedings Related to District Boundaries (Government Code section 54956.9.) (1 Case)
7. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
 Paragraph (1) of Subdivision (d) of Section 54956.9  
 1512127 v. Rialto Unified School District (San Bernardino Superior Court Case No. CIVDS1621534)

#### **ADJOURNMENT OF CLOSED SESSION**

Upon a motion by Vice President O’Kelley, seconded by Member Martinez, and passed by a 4-0 vote, closed session adjourned at 7:09 p.m.

#### **OPEN SESSION RECONVENED – 7:09 P.M.**

***President Montes announced the following:***

***AT THE DIRECTION OF THE BOARD OF EDUCATION, BOARD MEETINGS ARE RECORDED, BROADCASTED, AND STREAMED LIVE, AND MAY CAPTURE IMAGES AND SOUNDS OF THOSE ATTENDING THE MEETING.***

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

Administrators present: Cuauhtémoc Avila, Ed.D., Superintendent; Darren McDuffie, Ed.D., Lead Strategic Agent: Strategics, Congruence and Social Justice; Mohammad Z. Islam, Associate Superintendent, Business Services; Kelly Bruce, Lead Innovation Agent, Education Services; and Rhonda Kramer, Lead Personnel Agent. Also present was Rosie Williams, Executive Secretary, and Jose M. Reyes, Interpreter.

## **PLEDGE OF ALLEGIANCE**

Vero Landin, Simpson Elementary School student, led the Pledge of Allegiance.

## **PRESENTATION BY SIMPSON ELEMENTARY SCHOOL**

Under the direction of teachers Ms. Lisa Neely and Ms. Keri Brest, a group of Simpson Elementary School 2<sup>nd</sup> graders "*Simpson Singers*" performed two Disney songs.

## **REPORT OUT OF CLOSED SESSION**

Superintendent Avila reported that in closed session the Board of Education, by a 4-0 vote, took the following action:

- Accepted the request for a leave of absence for classified employee #1183239, April 8, 2019 through June 30, 2019.
- Approved an agreement settling San Bernardino Superior Court Case #CIVDS1621534 in exchange for a release of all claims.

## **ADOPTION OF AGENDA**

Upon a motion by Member Martinez, seconded by Vice President O'Kelley, the Agenda was adopted, as amended, by a 4-0 vote by the Board of Education. Item H8 was pulled from the Agenda, and on page (Ref. J 2.2) the PLACE ON THE 39-MONTH REEMPLOYMENT LIST section was also pulled from the Agenda.

## **B. PRESENTATIONS**

1. High School – District Student Advisory Committee (DSAC)

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

Alan Palma, Rialto High School  
Zara Ali, Carter High School

(Ref. E 1.3)

2. Science Fair Sweepstakes Student Winners

Member Martinez presented Certificates of Recognition to the following Science Fair Sweepstakes Winners:

- Mrs. Yesenia Willison's class, Boyd Elementary School
- Students Mia Carrillo and Jason Achakeng, Dollahan Elementary School
- Students Jasson Cota, Ruben Ceja and Emmauel Martinez, Simpson Elementary School
- Student Remijia Valero, Jehue Middle School
- Students Anastashia Ramsey, Alondra Ramirez and Alexma Valdez, Rialto High School

3. Key to the District from President Edgar Montes to Community Leader, Mrs. Hattie Inge

President Montes presented Mrs. Hattie Inge with a Key to the District for her outstanding service to the Rialto Unified School District and the community.

4. Key to the District from Member Joseph Ayala to Parent Leader, Mrs. Elsy De La Rosa

Member Ayala presented Mrs. Elsy De La Rosa with a Key to the District for her outstanding service to the Rialto Unified School District and the community.

**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.

Diana Marquez, Rialto Middle School parent, shared her concerns regarding problems in her student's special education class and the class not having a teacher since February 22, 2019. Personnel at Rialto Middle School nor the Special Education Department have notified parents of this occurrence. She asked the Board to allow their teacher to write, present and conduct their IEPs for the fairness and the future of the 14 students in the classroom. She stated that IEPs should not be written by personnel that do not know their children.

Russel Silva, Rialto resident, stated that he and his wife Linda have lived in Rialto for many years and have seen positive changes. He shared that he and his wife Linda are moving on to the next chapter. They have sold their home in Rialto, temporarily moving to Rancho Cucamonga, and then

to Valdosta, Georgia. He also shared that he has made many good friendships here at the RUSD, and is thankful for being able to “share a few words with you.”

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

There were not 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)

Lisa Lindberg, REA President, congratulated the Key to the District recipients Mrs. Inge and Mrs. De La Rosa. She thanked the Board and District office staff members who participated in Read Across America at our schools this past month. She shared that many of the decorations seen in the classrooms during Read Across America were helped by REA’s mini-grants given to teachers for groups such as Builders Club at Kolb.

Christine Acosta, CSEA Negotiations Chair, introduced Diana Silva, Chief Union Stewart, Todd Tapia, First Vice President, and Chris Cordasco, President. She presented CSEA’s Initial Proposal to negotiate a successful contract for 2019-2020 school year.

Teresa Hunter, CWA Area Vice President, thanked Rhonda Kramer for helping them get organized enough to get their reopener on the agenda.

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

#### **D. PUBLIC HEARING**

##### **OPEN PUBLIC HEARING**

Upon a motion by Vice President O’Kelley, seconded by Member Martinez, Public Hearing was opened at 8:53 p.m.

1. Public Hearing: Pursuant to the requirements of Government Code and Board Policy, the attached initial contract proposal for the 2019-2020 school year submitted by the Communications Workers of America (CWA), for an agreement between the Communications Workers of

America (CWA) and the Rialto Unified School District, Board of Education, is hereby posted in compliance with the legislative requirements for public notice.

Upon a motion by Vice President O'Kelley, seconded by Member Martinez, Public Hearing was closed at 8:54 p.m. by a 4-0 vote by the Board of Education.

### **CONSENT CALENDAR ITEMS**

Upon a motion by Vice President O'Kelley, seconded by Member Martinez, Items E – H7, H9 – J were approved by a 4-0 vote by the Board of Education. Item H8 was pulled from the Agenda. Also on page (Ref. J 2.2) the PLACE ON THE 39-MONTH REEMPLOYMENT LIST section was pulled from the Agenda.

#### **E. MINUTES**

1. Approve the minutes of the Regular Board of Education meeting held March 13, 2019.

#### **F. GENERAL FUNCTIONS CONSENT ITEMS**

1. Second reading of revised Board Policy 0420(a-c); Philosophy, Goals, Objectives and Comprehensive Plans: School Plans/Site Councils.
2. Second reading of revised Board Policy 0460(a-h); Philosophy, Goals, Objectives and Comprehensive Plans: Local Control and Accountability Plan.
3. Second reading of revised Board Policy 4200(a-c); Personnel: Classified Personnel.

#### **G. INSTRUCTION CONSENT ITEMS**

1. Approve thirty-four (34) students (22 girls and 12 boys) of the Wilmer Amina Carter High School ALPHA Scholars program, two (2) male advisors, and three (3) female chaperones to tour colleges in the San Diego area from April 4, 2019 through April 5, 2019, at a cost of \$12,000.00, to be paid from the College Readiness Block Grant.
2. Approve expenses for two (2) Western Association of Schools and Colleges (WASC) Visiting Committee members to conduct the Visiting of Focus on Learning Joint WASC/CDE process at Zupanic High School from April 29, 2019 through May 1, 2019, at a cost of \$4,000.00, to be paid from the General Fund.

3. Approve travel expenses for one (1) Hughbanks Elementary School parent to attend the School Climate Conference in Temecula, California, from April 7, 2019 through April 9, 2019, at a cost of \$800.00, to be paid from site Title I Fund.
4. Approve twenty-two (22) Peer Counselors (8 boys and 14 girls) and three (3) chaperones (1 male and 2 female) from Eisenhower High School to attend Pali Retreat for peer counseling training from April 26, 2019 through April 28, 2019, in Running Springs, California, at a cost of \$6,000.00, to be paid from the General Fund and site Title I Fund.

**H. BUSINESS AND FINANCIAL CONSENT ITEMS**

1. Approve Warrant Listing Register and Purchase Order Listing for all funds from February 23, 2019 through March 11, 2019, (sent under separate cover to Board Members). A copy for public review will be available at the Board Meeting.
2. Accept the listed donation from YourCause, LLC Trustee for Wells Fargo Community Support Campaign, Ontario Christian Fellowship, Paul and Sally Snyder, Tina Lingenfelter, and Innovateed, LLC, and request that a letter of appreciation be sent to the donor.
3. Approve Cooperative Agreement with The University of Iowa to assist current and future educators in completing state requirements for credentialing, effective July 1, 2019 through June 30, 2022, at no cost to the District.
4. Award the Request for Proposal (RFP) No. T18-19-002, Students with Qualified Services School Bus Transportation, to Student Transportation of America (STA), effective July 1, 2019 through June 30, 2022, with an option for two (2) additional one (1) year extensions, up to a total not-to-exceed five (5) years, to be paid from the General Fund.
5. Approve an agreement with LANGUAGE! Live to increase literacy skills for students in special education study skills classes as well as 6<sup>th</sup> grade intervention classes at Jehue Middle School, effective March 27, 2019 through May 30, 2020, at a cost of \$24,860.00, to be paid from site Title I Fund.
6. Approve Amendment No. 1 to the agreement with Sigma Beta Xi for weekly mentoring and restorative practices including social-emotional and academic counseling from ten (10) to twenty (20) students for a total of forty (40) African American male students at Jehue Middle School through May 30, 2019, with an increase in cost of \$11,000.00 to the original

(Ref. E 1.7)



agreement of \$11,500.00 for a combined total cost not-to-exceed \$22,500.00, to be paid from site Title I Fund.

7. Approve an agreement with The Counseling Team International (TCTI) to conduct up to eight (8) four-hour classes with no more than 30 participants per class, effective March 27, 2019 through January 31, 2020, at a cost of \$800.00 for each class, not-to-exceed \$6,400.00, to be paid from the General Fund.

***Item (Ref. H 8.1) was pulled from the Agenda.***

~~8. Approve an agreement with Boss Graphics to repaint and apply a protective fade proof top coat to the existing "Rialto High School" with the Knight image, on the exterior C building wall, effective March 14, 2019 through June 30, 2019, at a cost of \$11,150.00, to be paid from the General Fund.~~

9. Approve an agreement with St. Catherine of Siena Private School for Salve Banzon to provide extended day services during non-school hours three (3) to five (5) times per week to students identified as English Learners at St. Catherine of Siena Private School, effective March 27, 2019 through May 31, 2019, at a cost not-to-exceed \$1,600.00, to be paid from Title III Fund.

10. Approve an agreement with St. Catherine of Siena Private School for Angelica Regalado and Anna Corlew to provide extended day services to students identified as at-risk students during non-school hours three (3) to five (5) times per week, effective March 27, 2019 through May 31, 2019, at a cost not-to-exceed \$1,320.00, to be paid from Title I Fund.

11. Approve an agreement with Horizon Education for a SAT preparation program at Carter High School, effective April 1, 2019 through June 30, 2019, at a cost of \$6,580.00, to be paid from the College Readiness Block Grant.

12. Approve an annual subscription license with Biddle Consulting Group, Inc. for the use of Office Proficiency Assessment Certification (OPAC), an online testing software, for a 12-month period from the start date, for a total cost of \$7,500.00, which may be renewed at the same cost for subsequent 12-month periods and allow Personnel Services to administer an unlimited number of online tests, to be paid from the General Fund.

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

(Ref. E 1.8)



**J. PERSONNEL SERVICES CONSENT ITEMS**

***On page (Ref. J 2.2) the PLACE ON THE 39-MONTH REEMPLOYMENT LIST was pulled from the Agenda.***

- 1-3. Approve Personnel Report No. 1211 for classified and certificated employees.

**K. DISCUSSION/ACTION ITEMS**

Upon a motion by Vice President O'Kelley, seconded by Member Ayala, Item K1 was approved by a 4-0 vote by the Board of Education.

1. Accept the After School Education and Safety (ASES) Kids Code Grant Pilot Program from the Expanded Learning Division (EXLD) of the California Department of Education (CDE) to provide a one-time grant fund of \$65,000.00 to Casey Elementary School that will be disbursed over a three (3) year period.

**Prior to the vote on item K2, Mr. Christopher Keeler, Attorney, with Fagen Friedman & Fulfrost LLP, shared the following information germane to this item:**

*“Item K2 calls for the Board to determine whether to approve a Memorandum of Understanding with BLU Educational Foundation, at no cost to the District, which includes a data sharing agreement and would allow BLU Educational Foundation to document student outcomes and measure the effectiveness of what’s called the College Success Initiative program.*

*By way of background, BLU Educational Foundation received a 2018 award from Growing Inland Achievement, which is a collective impact collaborative focused on improving the long-term economic outlook of the region through improving the educational attainment rates of the Inland Empire. BLU’s winning proposal was the College Success Initiative, which is designed to increase college access and completion among traditionally disadvantaged students of color. Through this award, BLU intends to provide services to District students and parents to help students gain admission to and access financial resources necessary to attend college. As part of this program, BLU seeks to enter into a data sharing agreement with the District to help measure student outcomes. This MOU is not a financial agreement. No money will change hands. Nevertheless, Ms. Dina Walker has informed the District that she must abstain from all participation in this matter.*

*Ms. Walker is the President and CEO of BLU Educational Foundation. Ms. Walker and District administration jointly requested advice from the Fair Political Practices Commission, which I may refer to as the FPPC, and they are the people who make rules about political activity and potential conflicts of interest. The FPPC looked at this*

*issue and issued an opinion that even though BLU Educational Foundation will not receive any money directly through the MOU it will have some value to BLU Educational Foundation, especially if BLU Educational Foundation seeks to secure other grants to provide similar services in the future – for example, to other educational institutions. Thus, the FPPC determined that Ms. Walker has what we call a ‘remote interest’ in the agreement. This means the District can enter into the agreement only if Ms. Walker: 1) discloses her financial interests in the agreement to the District; 2) her interest is noted in the minutes, the District’s official records; and 3) she abstains from any participation in the making of this agreement.*

*Ms. Walker has disclosed her financial interest. We’ve obtained an opinion from the FPPC as well. I would request that this financial interest be reflected in the minutes of tonight’s meeting as required by law.*

*I understand that Ms. Walker is not present tonight due to personal reasons. If she were here, Ms. Walker would leave the room while this matter was considered by the Board. Obviously she is not here, so she doesn’t have to leave the room, but that is what would happen if she were here tonight. So she would have nothing to do with the Board’s decision tonight. However, again, this interest will be noted in the official minutes. So according to the FPPC, this is an action that this Board is free to take, but it cannot involve Ms. Walker, either informally or formally. Are there any question?”*

*Vice President O’Kelley: “For sharing data, is that something that we would have to find some way to get parent permission on?”*

*Mr. Keeler: “It depends on the kind of data. The data sharing agreement is written with the state and federal laws that protects student privacy in mind. So the agreement itself is very strict in the requirements that BLU Foundation treat the information the same way the school district treats the information. They have a duty to keep it confidential. The plan is to provide disaggregated data. It’s going to not include student names. In the course of some services provided, they may have records related to student’s names. What the agreement says about, is they would essentially be treated, again, like they are an arm of the District for that purpose and have all the same obligations to keep student information private the same way District employees and officials have to keep it private. It is a very strict agreement that requires them to maintain confidentiality consistent with FERPA and similar state law.”*

*President Montes: “The FPPC for the State of California has recently taken responsibility from the State Attorney General in matters such as this. It is my understanding the FPPC sent a copy or written request to both the State Attorney General and the District Attorney in regards to matters of public integrity or conflicts of interest, and it is my understanding neither agency bothered to respond?”*

*Mr. Keeler: “To our knowledge, there has been no response. The FPPC use to just handle conflict of interest questions related to Political Reform Act and campaigns and*

(Ref. E 1.10)

*things like that. The Attorney General handled the matters related to Government Code section 1090. So you had two agencies that were both dealing with what we generally referred to as conflict of interest issues. They changed the law a few years ago to allow the FPPC to handle both Government Code 1090 issues and the Political Reform Act conflict issues. Part of that change in the law required them, when there was a 1090 issue, to also notify the Attorney General, just like you said, and to also notify local District Attorneys so that if there were any concerns or interest by that local enforcement agency, they would have notice. To our knowledge, neither agency expressed concern about this. We believe that the FPPC opinion was very comprehensive and it addressed the relevant law appropriately.”*

Vice President O’Kelley: *“But in a way, even though Ms. Walker is recusing herself from having any involvement in it, the grant was assigned to her organization and her salary is going to be paid out of that, does that not show that she’s benefiting financially from this agreement?”*

Mr. Keeler: *“According to Government Code section 2090 and the exceptions relating to that, if you are an employee or an officer of a nonprofit then that’s what allows for the contract to go through, as long as she abstains from involvement of it. So, let’s say she were a contractor and her firm applied for a job modernizing a school with a for-profit entity. That is just banned. There is no way she would be allowed to do that. But what the law says, is if her financial interests arises because she is an officer or employee of a nonprofit, then that contract can go through as long as she is not personally involved. So if, let’s say, and again, no money is changing hands between the District and BLU, that should be clear, the District is not paying any money to BLU. BLU got a grant from an outside agency, this collaborative. This District is not authorizing an agreement to pay any money to BLU, and no proceeds from this will trickle down to Dina Walker from District money, so that should be clear. There are no District funds involved. No in-kind transactions. You are not providing materials, or anything like that. It is supposed to be a no cost issue for this District. The money is coming from this outside organization, and she applied for a grant to benefit this District. That being said, what the FPPC said was that the fact that they are able to do this in this District might increase the likelihood that they do it in some other District or some other entity. So there is some value to that. So ultimately, yes, she could personally benefit from this but it is allowed under the rules as long as she does not take any action here whether it is informally or formally through this meeting tonight.*

Vice President O’Kelley: *“I didn’t hear when we read the item, did we modify it as we discussed previously?”*

Member Martinez: *“I don’t believe we did.”*

Vice President O’Kelley: *“I don’t think we did either, about the Union.”*

President Montes: *"I would just like to make a comment. Thank you for your clarification, and for those who might not have caught it completely, the State of California FPPC took a look at this matter, the Board requested, the District requested, for them to weigh in on this issue and they issued an opinion that they believe that as long as Ms. Walker is not involved with the decision of this agreement, that it is perfectly legal, from a legal stand point, and from your firm, your legal opinion supports that opinion from the FPPC, correct?"*

Mr. Keeler: *"Absolutely. We wrote an opinion first saying we thought it would be legal under these circumstances."*

President Montes: *"I appreciate that, but I really like the FPPC's word just a little bit more."*

Mr. Keeler: *"I don't blame you."*

President Montes: *"The other thing I would like to clarify, the grant for this work that would benefit students is not District monies and it's a completely independent grant that was awarded to BLU Foundation to help our students, and I think that's a great thing. I do just want to say, not only as a Board President, but as a Board Member, that I would personally as an individual Board Member prefer that these types of agenda items or these types of situations, I would personally rather not be in these types of situations. Only because although it's legal and although it's a great thing for our students, I would hate for anyone to believe that it's kind of risky or questionable. I wouldn't want anyone to think of this as definitely any kind of impropriety. I would rather not be in these types of situations, but since this reputable educational foundation already was awarded the grant, and since it would benefit our students, I think it is great, but I would rather not be put in this type of situation moving forward in the future. Particularly because of all of the things that this District has been through in the past and we know that our fellow Clerk was not here during those rough years, but most of us here were. We definitely would not want anyone in the community to think that, hey, are you guys going back to you know the past where questionable things were done in the past by people who are no longer here. With that said, I just want to make sure that the community, the people here in attendance tonight, and the people watching at home, know that we want this process to be as transparent as possible. I'd like to make a recommendation to the Board... I'd like to make a motion to amend this item to be subject to any possible contractual obligations we may have with our employees."*

Mr. Keeler: *"So any bargaining obligations you may have with the employee organizations?"*

President Montes: *"Correct."*



President Montes motioned that item K2 be amended to be approved subject to any contractual bargaining obligations. It was seconded by Vice President O'Kelley.

President Montes: *"Any further discussion, questions, or comments?"*

Member Martinez: *"I just want to let the public know, this has all been asked, but this is for public's sake. There is no jeopardy that the District would be put in?"*

Mr. Keeler: *"No, when dealing with Government Code section 1090 for a Political Reform Act issue, it's the individual member who has the financial interest who faces peril. So in this case, the District approached this very, very cautiously. That is why we provided an opinion, we got an FPPC opinion, we've been very careful about this because you don't want to do anything wrong. The laws, if they were to be enforced, they could invalidate the agreement, but the real punishments come against an employee or officer who, for example, has an undisclosed interest and takes action on it. I don't see substantial risk for the District. I'm a lawyer so I rarely will say you don't have any risk, but it's minimal on its face. What is also very helpful is that it has a very short termination clause. If there were anything of concern to the District, you can cancel the agreement in 30 days."*

Vice President O'Kelley: *"I would just like to piggyback on what Mr. Montes said earlier, that I have been very uncomfortable with this whole situation since it came up. This is nothing at all against Ms. Walker or her company, no statement about her company, it is just the fact that she is a Board Member and that is her company that we are making this agreement with, and I understand all the legalities. My concern is the perception out there of some people may be that we're doing something shady. I think we pride ourselves in being a very honest and transparent Board and I do not want that reputation to affect any of us."*

President Montes: *"And again, I believe Mrs. O'Kelley's and my comments or concerns are not in any way negative towards the Educational Foundation or any of its employees or officers, simply just the fact that this Board will prefer to enter agreements with companies or foundations that are not associated with the Board. We understand that it is totally legal, and we understand that it is something that is good for kids, but at the same time it pushes the envelope a little bit and we just would rather not be in this type of situation. With that if there is no more questions or concerns, I will call for the vote."*

Member Martinez: *"Just that I am also uncomfortable, or was uncomfortable with it. Since having legal look through it, hearing somewhere in this past month or two months, I seen something in writing saying that BLU Education Foundation had rewritten their budget to where Ms. Walker is no longer receiving compensation from this specifically. So that takes care of part of my concerns. The other part of the concerns is, I know the Board wants what's best for our students, and if it is not going to come to our students, it's going to go elsewhere. Since it is legal, I want it for our students. That's part one."*

(Ref. E 1.13)

*Another part of the comments is the concern would be sharing, which has been addressed. Any concerns from our Associations, I spoke with President Cordasco, so if at any time any of our Associations have any problems with this or anything else, please feel free to come to any Board member individually, or to the podium. We want to build a relationship, not tear it down."*

*Member Ayala: "It doesn't matter what kind of organization offers up their bid to make a difference for kids, we are all humans. We can make mistakes. I would just bring it up that in case one of our kids gets the wrong information. As long as the organization, in this case it would be, the BLU Educational Foundation, owns up to it and says I'm sorry I gave the wrong information, the wrong child, we're going to make it right, we're going to correct it, I don't have any problem. We're here to help these kids and guide them. And sometimes, even our best staff, might have a bad day or something and give out wrong information. We don't need to crucify people. We need to give them a chance to breathe and find success. This is going to be, I think, a good thing for our kids because people are watching it and it doesn't always have to be like that. I just have a good feeling that things will work out. We are thinking a little bit out of the box. We're being a little risky, but it is legal and we've gone through the steps to make sure that we're covering our bases. I hope our community appreciates that the bottom line is that we are doing what's best for our kids."*

Item K2 was approved by a 4-0 vote by the Board of Education.

2. Approve the Memorandum of Understanding (MOU) with BLU Educational Foundation, at no cost to the District, which includes a data sharing agreement that would allow BLU Educational Foundation to document student outcomes and measure the effectiveness of College Success Initiative programs, effective March 27, 2019 through June 30, 2020.

Upon a motion by Vice President O'Kelley, seconded by Member Ayala, Item K3 was approved by a 4-0 vote by the Board of Education for all case numbers except 18-19-46.

The vote for case number 18-19-46 was as follows:

President Montes – Aye  
Vice President O'Kelley – Aye  
Clerk Walker – Absent  
Member Martinez – No  
Member Ayala - Aye

3. **ADMINISTRATIVE HEARING**

Case Numbers:

18-19-46  
18-19-42

**STIPULATED EXPULSIONS**

Case Numbers:

18-19-49

18-19-47

President Montes announced the following:

The next regular meeting of the Board of Education of the Rialto Unified School District will be held on Wednesday, April 10, 2019, 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.

**L. ADJOURNMENT**

Upon a motion by Vice President O'Kelley, seconded by Member Ayala, and approved by a 4-0 vote by the Board of Education, the meeting was adjourned at 9:19 p.m.



Clerk, Board of Education



Secretary, Board of Education