

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

JOSEPH W. MARTINEZ
President

NANCY G. O'KELLEY
Clerk

DINA WALKER
Member



EDGAR MONTES
Vice President

JOSEPH AYALA
Member

ERIC HERRERA
Student Board Member

CUAUHTÉMOC AVILA, ED.D.
Superintendent

March 7, 2018

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)
2. Student Expulsions/Reinstatements/Expulsion Enrollments

3. CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Cuauhtémoc Avila, Ed.D., Superintendent, Rhea McIver Gibbs, Lead Personnel Agent, Personnel Services, and Rhonda Kramer, Senior Director, Personnel Services.

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

4. Review Liability Claim No. 17-18-04

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

ADJOURNMENT OF CLOSED SESSION

Moved _____ Seconded _____

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

OPEN SESSION RECONVENED – 7:00 P.M.

PLEDGE OF ALLEGIANCE

PRESENTATION BY HENRY ELEMENTARY SCHOOL

REPORT OUT OF CLOSED SESSION

ADOPTION OF AGENDA

Moved _____ Seconded _____

Preferential Vote by Student Board Member: Aye: _____ No: _____ Abstain: _____

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

B. PRESENTATIONS

1. High School – District Student Advisory Committee (DSAC)
2. District African American Parent Advisory Council (DAAPAC) – Presents on the National Alliance of Black School Educators (NABSE) conference regarding quality education for African American students.
3. Employees/Student of the Quarter

C. COMMENTS

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

2. Public Comments on Agenda Items: Any person wishing to speak on any item on the Agenda will be granted three minutes.
3. Comments from Association Executive Board Members: Rialto Education Association (REA), California School Employees Association (CSEA), Communications Workers of America (CWA), Rialto School Managers Association (RSMA).
4. Comments from the Superintendent
5. Comments from Members of the Board of Education

D. PUBLIC HEARING - None

CONSENT CALENDAR ITEMS

All items on the Consent Calendar will be acted upon in one motion unless pulled by Board of Education members or the Superintendent for individual action.

Approve Consent Calendar Items (Ref. E – J)

Moved _____ Seconded _____

E. MINUTES - None

F. GENERAL FUNCTIONS CONSENT ITEMS

1. Second reading of revised Board Bylaw 9270(a-m), Conflict of Interest.
(Ref. F 1.1-13)

G. INSTRUCTION CONSENT ITEMS

1. Approve Affiliation Agreements (#I-2015-20-22) with Our Pharmacy, USA and (#I-2015-20-23) with TELACU Residential Management, Inc. to provide internships with the Internship Program from March 8, 2018 through June 30, 2020, at no cost to the District.
(Ref. G 1.1)
2. Approve one-hundred and twenty (120) Rialto Unified School District parents/guardians who are District English Learner Advisory Committee (DELAC) representatives and/or members of their school's English Learner Advisory Committee (ELAC), to attend the CAFE Regional One Day Conference for parents and Para-Educators (A Vision for Biliteracy and Educational Excellence for English Learners) at the Riverside Convention Center, in Riverside, California, on May 9, 2018, at a cost of \$21,000.00 (\$175.00 per person), and transportation cost of approximately \$1,608.00, for a total cost not-to-exceed \$22,608.00, to be paid from Title III LEP funds.
(Ref. G 2.1)

3. Approve the attendance of nineteen (19) engineer students and four (4) district employees/chaperones (2 male and 2 female) from Myers Elementary School to participate in the 2018 Rube Goldberg Machine Contest in Chicago, Illinois, on April 19, 2018 through April 23, 2018, at an approximate cost of \$16,251.60, to be paid from the General Fund.
(Ref. G 3.1)
4. Approve the affiliation/service learning agreement with California State University, San Bernardino (CSUSB) to provide CSUSB students as facilitators for art education and enrichment at Bemis Elementary School, effective March 8, 2018 through May 31, 2018, at no-cost to the District.
(Ref. G 4.1)

H. BUSINESS AND FINANCIAL CONSENT ITEMS

1. Approve Warrant Listing Register and Purchase Order Listing for all funds from February 9, 2018 through February 15, 2018, (sent under separate cover to Board Members). A copy for public review will be available at the Board Meeting.
2. Accept the listed donations from Susan L. Patane (SLP Communications), Randall Lewis of Lewis Construction, Box Tops for Education, ConvergeOne, Empire Bowl, and Santa Claus, Inc. and request that a letter of appreciation be sent to the donors.
(Ref. H 2.1-2)
3. Approve the use of the Bid #18-02, to purchase playground equipment and Division of the State Architect (DSA) shelters for the 2017-2018 fiscal year, pursuant to Public Contract Code 20118, to be paid from the General Fund.
(Ref. H 3.1)
4. Approve an agreement with the Child Care Resource Center for Year Two of the Quality Start San Bernardino program for the purpose of continuing quality improvement of Pre-school programs, effective March 8, 2018 through June 30, 2018, to be funded by the San Bernardino County Superintendent of Schools through the Child Care Resource Center, at no cost or liability to the District.
(Ref. H 4.1)
5. Accept the Target Field Trip Grant from the Target Foundation in the amount of \$700.00, to be used to fund Milor High School's field trip to the Norton Simon Museum in Pasadena, California, on May 9, 2018.
(Ref. H 5.1)
6. Approve Amendment No. 2 to the agreement with PCH Architects, LLP to change the original service period from May 18, 2016 through June 30, 2017, with an extension through June 30, 2018 for the portable classroom project at Boyd Elementary School. There are no other changes or additional costs to the remaining terms of the said agreement. (Ref. H 6.1)

7. Approve Amendment No. 1 to the Agreement with PCH Architects, LLP to change the original service period from April 7, 2016 through June 30, 2017, with an extension through June 30, 2018, for the portable classroom project at Dollahan Elementary School. There are no other changes or additional costs to the remaining terms of the said agreement. (Ref. H 7.1)

I. FACILITIES PLANNING CONSENT ITEMS - None

J. PERSONNEL SERVICES CONSENT ITEMS

- 1-3. Approve Personnel Report No. 1189 for classified and certificated employees. (Ref. J 1.1-3.2)
4. Adopt Resolution No. 17-18-39, Non-reelection of Certificated Probationary Employees. (Ref. J 4.1)
5. Adopt Resolution No. 17-18-41 authorizing the Lead Personnel Agent, Personnel Services, to assign various teachers who are enrolled in a credential program, but have not yet completed the requirements to enter an internship program. (Ref. J 5.1)

Preferential Vote by Student Board Member: Aye:_____ No:_____ Abstain:_____

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

K. DISCUSSION/ACTION ITEMS

Moved _____ Seconded _____

1. Approve the fiscal year 2017-2018 Second Interim Financial Report with a **Positive Certification** as the District will meet its obligations in the current and subsequent two (2) fiscal years. (Ref. K 1.1)

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

Moved _____ Seconded _____

2. Allow the District to utilize CALNET 3 E-Rate program contract with AT&T for telecommunication services effective July 1, 2018 through June 30, 2019, for a total estimated cost not-to-exceed \$301,949.54, to be paid from the General Fund. (Ref. K 2.1)

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

Moved _____ Seconded _____

3. Deny Liability Claim No. 17-18-04. (Ref. K 3.1)

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

Moved _____ Seconded _____

4. Award Bid No. 17-18-008, Electrical Bus Charging Stations Project at the future bus yard to Braughton Construction Inc. in the amount of \$771,000.00, to be paid from Special Reserve Fund - Fund 40. (Ref. K 4.1)

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

Moved _____ Seconded _____

5. Adopt Resolution No. 17-18-42, Reduction of Particular Kinds of Services. (Ref. K 5.1-2)

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

Moved _____ Seconded _____

6. Adopt Resolution No. 17-18-44 excusing the absence of Board Vice President Edgar Montes from the Wednesday, February 28, 2018, Regular Meeting of the Board of Education. (Ref. K 6.1)

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

The next regular meeting of the Board of Education of the Rialto Unified School District will be held on Wednesday, March 28, 2018, 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

Moved _____ Seconded _____

Preferential Vote by Student Board Member: Aye: _____ No: _____ Abstain: _____
Vote by Board Members: Ayes: _____ Noes: _____ Abstain: _____

Time _____

E. MINUTES

NONE

F GENERAL FUNCTIONS CONSENT



RIALTO UNIFIED SCHOOL DISTRICT

Board Bylaws

BB 9270(a)

CONFLICT OF INTEREST

The Board of Education desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the District and the public. In accordance with law, Board members and designated employees shall disclose any conflict of interest and, as necessary, shall abstain from participating in the decision.

The Board shall adopt a resolution that specifies the terms of the District's conflict of interest code, the District's designated positions, and the disclosure categories required for each position.

Upon direction by the code reviewing body, the Board shall review the District's conflict of interest code and submit any changes to the code reviewing body. (Education Code 87306.5)

When a change in the District's conflict of interest code is necessitated due to changed circumstances, such as the creation of new designated positions, changes to the duties assigned to existing positions, amendments, or revisions, the amended code shall be submitted to the code reviewing body within 90 days. (Government Code 87306)

When reviewing and preparing the District's conflict of interest codes, the Superintendent or designee shall provide officers, employees, consultants, and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

Board members and designated employees shall annually file a Statement of Economic Interest /Form 700 in accordance with the disclosure categories specified in the District's conflict of interest code. A Board member who leaves office or a designated employee who leaves District employment shall, within 30 days, file a revised statement covering the period of time between the closing date of the last statement and the date of leaving office or District employment. (Government Code 87302, 87500)

A Board member or designated employee shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has a disqualifying conflict of interest. A conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect" on one or more of the Board member's or designated employee's "economic

(Ref. F 1.1)

CONFLICT OF INTEREST (continued)

interests,” unless the effect is indistinguishable from the effect on the public generally or the Board member’s or designated employee’s participation is legally required. (Government Code 87100, 87101, 87103; 2 CCR 18700-18709)

A Board member or designated employee makes a governmental decision when, acting within the authority of his/her office or position, he/she votes on a matter, appoints a person, obligates or commits the District to any course of action, or enters into any contractual agreement on behalf of the District. (2 CCR 18702.1)

A Board member who has a disqualifying conflict of interest on an agenda item that will be heard in an open meeting of the Board shall abstain from voting on the matter. He/she may remain on the dais, but his/her presence shall not be counted towards achieving a quorum for that matter. A Board member with a disqualifying conflict of interest shall not be present during a closed session meeting of the Board when the decision is considered and shall not obtain or review a recording or any other nonpublic information regarding the issue. (2 CCR 18702.1)

Additional Requirements for Boards that Manage Public Investments

A Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following: (Government Code 87105; 2 CCR 18702.5)

1. Publicly identify each financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.
2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code 87100. The Board member shall not be counted toward achieving a quorum while the item is discussed.

However, the Board member may speak on the issue during the time that the general public speaks on it and may leave the dais to speak from the same area as members of the public. He/she may listen to the public discussion of the matter with members of the public.

3. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters.

(Ref. F 1.2)

CONFLICT OF INTEREST (continued)

If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during consideration of the consent calendar.

4. If the Board's decision is made during closed session, disclose his/her interest orally during the open session preceding the closed session. This disclosure shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. He/she shall not be present when the item is considered in closed session and shall not knowingly obtain or review a recoding or any other nonpublic information regarding the Board's decision.

Board members, employees, or District consultants shall not be financially interested in any contract made by the Board on behalf of the District, including in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids. If a Board member has such a financial interest, the District is barred from entering into the contract. (Government Code 1090; Klistoff v. Superior Court, (2007) 157 Cal.App. 4th 469)

A Board member shall not be considered to be financially interested in a contract if his/her interest is a "noninterest" as defined in Government Code 1091.5. One such noninterest is when a Board member's spouse/registered domestic partner has been a District employee for at least one year prior to the Board member's election or appointment. (Government Code 1091.5)

A Board member shall not be considered to be financially interested in a contract if he/she has only a "remote interest" in the contract as specified in Government Code 1091 and if the remote interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract. (Government Code 1091)

Even if there is not a prohibited conflict of interest, a Board member shall abstain from voting on personnel matters that uniquely affect his/her relatives. However, a Board member may vote on collective bargaining agreements and personnel matters that affect a class of employees to which his/her relative belongs. *Relative* means an adult who is related to the Board member by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

CONFLICT OF INTEREST (continued)

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

Common Law Doctrine Against Conflict of Interest

A Board member shall abstain from any official action in which his/her private or personal interest may conflict with his/her official duties.

1. That of an officer who is being reimbursed for his/her actual and necessary expenses incurred in the performance of an official duty
2. That of a recipient of public services generally provided by the public body or board of which he/she is a member, on the same terms and conditions as if he or she were not a member of the Board
3. That of a landlord or tenant of the contracting party if such contracting party is the federal government or any federal department or agency, this state or an adjoining state, any department or agency of this state or an adjoining state, any county or city of this state or an adjoining state, or any public corporation or special, judicial or other public district of this state or an adjoining state unless the subject matter of such contract is the property in which such officer or employee has such interest as landlord or tenant in which even his/her interest shall be deemed a remote interest within the meaning of, and subject to, the provisions of Government Code 1091
4. That of a spouse of an officer or employee of the District if his/her spouse's employment or office holding has existed for at least one year prior to his/her election or appointment
5. That of a nonsalaried member of a nonprofit corporation, provided that such interest is disclosed to the Board at the time of the first consideration of the contract, and provided further that such interest is noted in its official records
6. That of a noncompensated officer of a nonprofit, tax-exempt corporation which, as one of its primary purposes, supports the functions of the nonprofit board or to which the school Board has a legal obligation to give particular consideration, and provided further that such interest is noted in its official records

CONFLICT OF INTEREST (continued)

7. That of a person receiving salary, per diem, or reimbursement for expenses from a governmental entity, unless the contract directly involves the department of the government entity that employs the officer or employee, provided that such interest is disclosed to the Board at the time of consideration of the contract, and provided further that such interest is noted in its official records
8. That of an attorney of the contracting party or that of an owner, officer, employee, or agent of a firm which renders, or has rendered, service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker, if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest of less than 10 percent in the law practice or firm, stock brokerage firm, insurance firm, or real estate firm

In addition, a Board member or employee shall not be deemed to be interested in a contract made pursuant to competitive bidding under a procedure established by law if his/her sole interest is that of an officer, director, or employee of a bank or savings and loan association with which a party to the contract has the relationship of borrower or depositor, debtor, or creditor. (Government Code 1091.5)

A Board member shall not be deemed to be financially interested in a contract if he/she has only a remote interest in the contract and if the remote interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter in the contract. Remote interests are specified in Government Code 1091(b); they include, but are not limited to, the interest of a parent in the earnings of his/her minor child. (Government Code 1091)

On a case-by-case basis and upon advice of legal counsel, a Board member with a financial interest in a contract may participate in the making of the contract if the rule of necessity or legally required participation applies pursuant to Government Code 87101 and 2 CCR 18708.

Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or inimical to the Board member's duties as an officer of the District. (Government Code 1099, 1126)

Even if there is no prohibited or remote interest, a Board member shall abstain from voting on personnel matters that uniquely affect a relative of the Board member. A Board member may vote, however, on collective bargaining agreements and personnel matters that affect a class of employees to which the relative belongs. "Relative" means an adult who is related to the person

CONFLICT OF INTEREST (continued)

by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes the individual's parents, grandparents and great-grandparents, children, grandchildren and great-grandchildren, brothers, sisters, aunts and uncles, nieces and nephews, and the similar family of the individual's spouse/registered partner unless the individual is widowed or divorced.

Disqualification for Board Members Who Manage Public Investments

A Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following:

1. Publicly identify the financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required. (Government Code 87105)
2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code 87100. This Board member shall not be counted toward achieving a quorum while the item is discussed. (Government Code 87105; 2 CCR 18702.5)
3. Leave the room until after the discussion, vote and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters. (Government Code 87105)

If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during the consent calendar. (2 CCR 18702.5)

(cf. 3430 - Investing)

The Board member may speak on the issue during the time that the general public speaks on the issue. The Board member shall recuse himself/herself from voting on the matter and leave the dais to speak from the same area as members of the public. He/she may listen to the public discussion of the matter with members of the public. (Government Code 87105; 2 CCR 18702.5)

CONFLICT OF INTEREST (continued)

If the Board's decision is made during closed session, the public identification may be made orally during the open session before the Board goes into closed session and shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. The Board member shall not be present when the decision is considered in closed session or knowingly obtain or review a recording or any other non-public information regarding the Board's action. (2 CCR 18702.5)

Gifts

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

Gifts of travel and related lodging and subsistence shall be subject to the current gift limitation except as described in Government Code 89506.

A gift of travel does not include travel provided by the District for Board members and designated employees. (Government Code 89506)

Honoraria

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, in accordance with law. (Government Code 89501, 89502)

The term *honorarium* does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession unless the sole or predominant activity of the business, trade, or profession is making speeches
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the District for donation into the general fund without being claimed as a deduction from income for tax purposes

CONFLICT OF INTEREST (continued)

Appendix A: Defines Disclosure Categories

Appendix B: Identifies Designated Positions in the District

Appendix A - Disclosure Categories

Category 1 - Designated positions must report:

1. Interests in real property that are located in whole or in part (1) within the boundaries of the District, (2) within two miles of the boundaries of the District, or (3) within two miles of any land owned by the District, including leasehold, beneficial or ownership interest or option to acquire such interest in real property.
2. Investments and business positions (i.e., director, officer, partner, trustee, employee, or holds any position of management) in business entities or income from sources which engage in the acquisition or disposal of real property within the District.
3. Investments and business positions (i.e., director, officer, partner, trustee, employee, or holds any position of management) in business entities or income from sources which: (1) are contractors or subcontractors engaged in the performance of work or services of the type utilized by the District, or (2) which manufacture, sell, or provide supplies, materials, books, machinery, services, or equipment of the type used by the District.

Category 2 - Designated position must report investments and business positions in business entities and income from sources that manufacture, sell, or provide supplies, materials, books, machinery, services, or equipment of the type used by the employee's department or the District. For the purposes of this category, a principal's department is his/her entire school.

Appendix B - Designated Positions

The persons holding positions listed in this Appendix are designated employees. It has been determined that the persons occupying the positions listed below make or participate in the making of decisions that may foreseeably have a material effect on financial interests of the District. Designated positions must disclose investments, business positions, and interests in real property held on, and income received during the previous 12 months as defined in Appendix A categories 1-2, and will file the Form 700, Statement of Economic Interests.

CONFLICT OF INTEREST (continued)**Position Title, Categories:**

Member, Board of Education 1, 2

Superintendent 1, 2

Academic Agent: Liberal Arts and Literacy Intervention 1, 2

Academic Agent: Math/Science, College and Career Pathways 1, 2

Agent: Child Welfare and Attendance 1, 2**Agent: Induction/Teacher Support 1, 2****Agent: Special Programs 1, 2**

Associate Superintendent 1, 2

Alternative Education/Adult Education/ROP/CTE, Director 1, 2

Assistant Principal 1, 2

~~Assessment, Research, Data Analysis, and Education Technology Director 1, 2~~

Behavior Program Manager 1, 2

Behavior Specialist 1, 2

~~Categorical Programs/Special Programs Director 1, 2~~**Central Kitchen Production Manager 1, 2**

Central Kitchen Supervisor 1, 2

Chief Technology Officer 1, 2

~~Child Development Administrator 1, 2~~~~Child Development Director 1, 2~~

Communications Services Director 1, 2

Consultant* 1, 2

Coordinator, EL Programs 1, 2

Coordinator, Information Systems 1, 2

Custodial Supervisor 1, 2

District Math Lead 1, 2**Early Education Administrator 1, 2****Early Education Director 1, 2****Education Specialist BTSA Induction Support 1, 2**

Educational Safety/Security Chief 1, 2

EL Coordinator 1, 2

EL Programs Director 1, 2

~~Executive Director, Elementary Instruction~~

Facilities Planning Director 1, 2

Fiscal Services Senior Director 1, 2

Fiscal Services Supervisor 1, 2

Grounds Supervisor 1, 2

Health Services Coordinator 1, 2**Instructional Specialist 1, 2**

(Ref. F 1.9)

CONFLICT OF INTEREST (continued)

Lead Academic Agent: Liberal Arts and Literacy/Intervention 1, 2
 Lead Academic Agent: Math/Science and College/Career Pathways 1, 2
Lead Academic Technology Agent 1, 2
 Lead Custodian 1, 2
 Lead Innovation Agent 1, 2
 Lead Personnel Agent 1, 2
Lead Special Services Agent 1, 2
Lead Strategic Agent: Strategics, Congruence & Social Justice 1, 2
Lead Student Services Agent 1, 2
 Maintenance Foreman 1, 2
 Maintenance and Operations Director 1, 2
Maintenance Supervisor 1, 2
 Network Services Manager 1, 2
Nutrition Services Assistant Director 1, 2
 Nutrition Services Director 1, 2
 Nutrition Services Production Manager 1, 2
 Nutrition Services Supervisor 1, 2
Orthopedic Impairment Specialist, Special Education 1, 2
 PBIS/LCAP Coordinator 1, 2
 Personnel Services Senior Director 1, 2
 Principal 1, 2
~~Professional Development & Induction Senior Coordinator 1, 2~~
~~Professional Development & Induction Senior Director 1, 2~~
 Program Specialist, Special Education 1, 2
 Purchasing Director 1, 2
 Psychologist 1, 2
Registration Center Supervisor 1, 2
 Risk Management and Transportation Senior Director 1, 2
 Special Education Coordinator 1, 2
~~Special Education Executive Director 1, 2~~
~~Student Services Senior Director 1, 2~~
~~Child Welfare and Attendance Coordinator 1, 2~~
 Supervisor 1, 2
 Transportation/Garage Manager 1, 2
 Transportation Supervisor 1, 2
Warehouse Supervisor 1, 2

CONFLICT OF INTEREST (continued)

*Consultant shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code when it is determine that the temporary consultant will have significant influence on District financial matters. When notified by the Filing Officer, the consultant will have 30 calendar days to provide a completed Form 700, Statement of Economic Interests to the District.

A consultant is an individual who, pursuant to a contract with the District, makes a governmental decision whether to: (2 CCR [18701](#))

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend or revoke a permit, license, application, certificate, approval, order, or similar authorization or entitlement
4. Authorize the District to enter into, modify, or renew a contract that requires District approval
5. Grant District approval to a contract or contract specifications which require District approval and in which the District is a party
6. Grant District approval to a plan, design, report, study, or similar item
7. Adopt or grant District approval of District Policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the District, serves in a staff capacity with the District and in that capacity participates in making a governmental decision as defined in 2 CCR 18702.2, or performs the same or substantially all the same duties for the District that would otherwise be performed by an individual holding a position specified in the District's Conflict of Interest Code. (2 CCR 18701)

*Legal Reference:*EDUCATION CODE*1006 Qualifications for holding office**35107 School district employees**35230-35240 Corrupt practices**35233 Prohibitions applicable to members of governing boards**41000-41003 Moneys received by school districts*FAMILY CODE

(Ref. F 1.11)

CONFLICT OF INTEREST (continued)

Legal Reference: (continued)

297.5 Rights, protections, and benefits of registered domestic partners

GOVERNMENT CODE

1090-1099 Prohibitions applicable to specified officers

1125-1129 Incompatible activities

81000-91014 Political Reform Act of 1974, especially:

82011 Code reviewing body

87100-87103.6 General prohibitions

87200-87210 Disclosure

87300-87313 Conflict of interest code

87500 Statements of economic interests

89501-89503 Honoraria and gifts

91000-91014 Enforcement

PENAL CODE

85-88 Bribes

CODE OF REGULATIONS, TITLE 2

18110-18997 Regulations of the Fair Political Practices Commission, especially:

18702.5 Public identification of a conflict of interest for Section 87200 filers

COURT DECISIONS

Klistoff v. Superior Court, (2007) 157 Cal.App.4th 469

Thorpe v. Long Beach Community College District, (2000) 83 Cal.App.4th. 655

Kunec v. Brea Redevelopment Agency, (1997) 55 Cal.App.4th 511

ATTORNEY GENERAL OPINIONS

92 Ops. Cal. Atty. Gen. 26 (2009)

92 Ops. Cal. Atty. Gen. 19 (2009)

89 Ops. Cal. Atty. Gen. 217 (2006)

86 Ops. Cal. Atty. Gen. 138(2003)

85 Ops. Cal. Atty. Gen. 60 (2002)

82 Ops. Cal. Atty. Gen. 83 (1999)

81 Ops. Cal. Atty. Gen. 327 (1998)

80 Ops. Cal. Atty. Gen. 320 (1997)

69 Ops. Cal. Atty. Gen. 255 (1986)

68 Ops. Cal. Atty. Gen. 171 (1985)

65 Ops. Cal. Atty. Gen. 606 (1982)

63 Ops. Cal. Atty. Gen. 868 (1980)

Management Resources: (see next page)

CONFLICT OF INTEREST (continued)

Management Resources:

CSBA PUBLICATIONS

Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010

FAIR POLITICAL PRACTICES COMMISSION PUBLICATIONS

Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict-of-Interest Rules, 2005

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Understanding the Basics of Public Service Ethics: Personal Financial Gain Laws, 2009

Understanding the Basics of Public Service Ethics: Transparency Laws, 2009

WEB SITES

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

Fair Political Practices Commission: <http://www.fppc.ca.gov>

Institute of Local Government: <http://www.ca-ilg.org>

Policy
adopted: May 12, 1999
revised: January 9, 2013
revised: September 10, 2014
revised: October 5, 2016
revised:

RIALTO UNIFIED SCHOOL DISTRICT
Rialto, California

(Ref. F 1.13)

G INSTRUCTION CONSENT

AFFILIATION AGREEMENTS FOR INTERNSHIP PROGRAM

March 7, 2018

Education Services requests the Board of Education approve an affiliation agreement with Our Pharmacy, USA and TELACU Residential Management, Inc. to provide internships with the Internship Program. Prior to this request, the Board of Education approved high school students to participate in internships. Separate affiliation agreements are required for each affiliate who participates in the Internship Program. Affiliation agreements are valid for five (5) year periods and all current affiliation agreements will expire in June 2020. As we are continually bringing in new business partners in an effort to service all of the students who enroll in the Internship Program, these agreements identify the affiliates, describe the responsibilities of the 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, and as part of this affiliation agreement, it is the practice of the Rialto Unified School District to allow students to make personal decisions regarding their actions relative to any labor dispute that may affect the affiliate's organization.

It is recommended that the Board of Education approve Affiliation Agreements (#I-2015-20-22) with Our Pharmacy, USA and (#I-2015-20-23) with TELACU Residential Management, Inc. to provide internships with the Internship Program from March 8, 2018 through June 30, 2020, at no cost to the District.

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

Reviewed by: Kelly Bruce

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

(Ref. G 1.1)

**CALIFORNIA ASSOCIATION FOR BILINGUAL EDUCATION (CABE)
REGIONAL CONFERENCE**

March 7, 2018

Education Services requests the Board of Education approve one-hundred and twenty (120) Rialto Unified School District parents/guardians who are District English Learner Advisory Committee (DELAC) representatives and/or members of their school's English Learner Advisory Committee (ELAC), to attend the CABE Regional One Day Conference for parents and Para-Educators (A Vision for Biliteracy and Educational Excellence for English Learners) at the Riverside Convention Center, Riverside, California, on May 9, 2018.

CABE will provide training to parents and para-educators to gain vital information and develop leadership skills in addressing the needs of English Learners. The conference offers workshops and institutes conducted by professionals in the educational field that will share their special areas of interest and expertise. The conference will include a general session with a keynote speaker and lunch for all participants.

Workshop Session Topics Include:

- English Language Proficiency Assessments for California (ELPAC)
- Parent Leadership and Engagement
- Prop 58 in Action: Growing Biliteracy Programs
- Dual Language Immersion Programs for Parents & Teachers
- Common Core and ELD Standards for English Learners
- CABE Legislative Update
- Seal of Biliteracy
- Immigration Resources
- Preparing Students for College

Transportation will be via private vehicle or a bus provided by the District at an approximate cost of \$1,608.00. Registration cost is \$175.00 per person which includes lunch and materials.

It is recommended that the Board of Education approve one-hundred and twenty (120) Rialto Unified School District parents/guardians who are DELAC representatives and/or members of their school's ELAC, to attend the CABE Regional One Day Conference for parents and Para-Educators (A Vision for Biliteracy and Educational Excellence for English Learners) at the Riverside Convention Center, in Riverside, California, on May 9, 2018, at a cost of \$21,000.00 (\$175.00 per person), and transportation cost of approximately \$1,608.00, for a total cost not-to-exceed \$22,608.00, to be paid from Title III LEP funds.

Submitted by: Marina Madrid, Ed.D.

Reviewed by: Kelly Bruce

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

(Ref. G 2.1)

**MYERS ELEMENTARY ENGINEERING CLUB
2018 RUBE GOLDBERG COMPETITION TRIP
CHICAGO, ILLINOIS**

March 7, 2018

Myers Elementary School requests the Board of Education approve nineteen (19) engineer students and four (4) district employees/chaperones from Myers Elementary School, to participate in the 2018 Rube Goldberg Machine Contest in Chicago, Illinois, on April 19, 2018 through April 23, 2018.

The purpose of this trip is to provide the opportunity for our student engineers to participate in a national high-level competition.

Transportation will be via airline and accommodations will be at the recommended hotel in downtown Chicago, Illinois.

Estimated Costs:

- Transportation/Airfare \$7,201.60 (23 round trip fares to Chicago, Illinois, plus ground travel)
- Rube Goldberg Competition Fee \$800.00
- Accommodations \$4,560.00 (4 double rooms, 1 adult and 5 students in each)
- Food \$3,450.00 (breakfast will be provided by hotel)
- Airport Parking Fees \$240.00

It is recommended that the Board of Education approve the attendance of nineteen (19) engineer students and four (4) district employees/chaperones (2 male and 2 female) from Myers Elementary School to participate in the 2018 Rube Goldberg Machine Contest in Chicago, Illinois, on April 19, 2018 through April 23, 2018, at an approximate cost of \$16,251.60, to be paid from the General Fund.

Submitted by: Alberto Camarena

Reviewed by: Kelly Bruce

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

(Ref. G 3.1)

**AFFILIATION AGREEMENT WITH
CALIFORNIA STATE UNIVERSITY, SAN BERNARDINO**

March 7, 2018

Bemis Elementary School requests the Board of Education approve an affiliation/service learning agreement with California State University, San Bernardino (CSUSB) to provide CSUSB students as instructors to facilitate art classes for the Bemis Art Enrichment program. The partnership with Bemis Elementary School will support the focus on STEAM with college and career readiness while building our students' creativity, willingness to demonstrate their knowledge through art and have art education bridge our community. The agreement will be valid for this current school year and will expire June 1, 2018.

It is understood that Community-Based Art of Cal State University, San Bernardino providers will comply with and follow all Rialto Unified School District volunteer procedures. Classes will be offered to students in grades 3rd – 5th for a total of 30 students, one day per week after school and on Saturdays during STEP-UP.

It is recommended that the Board of Education approve the affiliation/service learning agreement with California State University, San Bernardino (CSUSB) to provide CSUSB students as facilitators for art education and enrichment at Bemis Elementary School, effective March 8, 2018 through May 31, 2018, at no-cost to the District.

Submitted by: Danielle Osonduagwuike

Reviewed by: Kelly Bruce

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

(Ref. G 4.1)

DONATIONS

March 7, 2018

<u>Name of Donors</u>	<u>Location/Description</u>	<u>Amount</u>
<u>MONETARY DONATIONS</u>		
Susan L. Patane/ (SLP Communications) Randall Lewis/ Lewis Construction	Education Services/ Field Trips for STEM	\$4,365.00
Susan L. Patane/ (SLP Communications) Randall Lewis/ Lewis Construction	Bemis Elementary/ Instructional Materials	\$ 100.00
Susan L. Patane/ (SLP Communications) Randall Lewis/ Lewis Construction	Hughbanks Elementary/ Instructional Materials	\$ 100.00
Susan L. Patane/ (SLP Communications) Randall Lewis/ Lewis Construction	Fitzgerald Elementary/ Instructional Materials	\$ 100.00
Susan L. Patane/ (SLP Communications) Randall Lewis/ Lewis Construction	Morris Elementary/ Instructional Materials	\$ 100.00
Susan L. Patane/ (SLP Communications) Randall Lewis/ Lewis Construction	Kolb Middle School/ Instructional Materials	\$ 100.00
Susan L. Patane/ (SLP Communications) Randall Lewis/ Lewis Construction	Kucera Middle School/ Instructional Materials	\$ 100.00

(Ref. H 2.1)

Susan L. Patane/ (SLP Communications) Randall Lewis/ Lewis Construction	Rialto Middle School/ Instructional Materials	\$ 100.00
Box Tops for Education	Preston Elementary/ Principal's Donation Account	\$ 28.50

NON-MONETARY DONATIONS

ConvergeOne	Information Technology/ 5 Dell Chromebooks for District's Black History Celebration
Empire Bowl	Kolb Middle School/ 100 Free Bowl and Soda Certificates for PBIS student of the Month Recipients
Santa Claus, Inc.	Child Welfare and Attendance/ 100 Hygiene Kits, 200 wool socks, 173 Jackets, 20 Scarves and gloves, to be distributed to families through the Clothing Tree

It is recommended that the Board of Education accept the listed donations from Susan L. Patane (SLP Communications), Randall Lewis of Lewis Construction, Box Tops for Education, ConvergeOne, Empire Bowl, and Santa Claus, Inc. and request that a letter of appreciation be sent to the donors.

District Summary	
Monetary Donations – March 7, 2018	\$ 5,093.50
Donations – Fiscal Year-To-Date	\$ 29,157.23

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

(Ref. H 2.2)

**APPROVAL TO PURCHASE
PLAYGROUND EQUIPMENT AND
DIVISION OF THE STATE ARCHITECT (DSA) SHELTERS
FISCAL YEAR 2017-2018**

March 7, 2018

Pursuant to Public Contract Code 20118, authorization of the Board of Education is required to purchase from the following bid. The following bid will allow the District to purchase playground equipment and Division of the State Architect (DSA) shelters for the 2017-2018 fiscal year without going out to formal bid; thereby, taking advantage of the same terms and conditions of the contract and their competitive pricing structure.

Colton Joint Unified School District	Bid #18-02
	Dave Bang Associates, Inc.
	Purchase of Playground Equipment and DSA Shelters

It is recommended that the Board of Education approve the use of the Bid #18-02, to purchase playground equipment and Division of the State Architect (DSA) shelters for the 2017-2018 fiscal year, pursuant to Public Contract Code 20118, to be paid from the General Fund.

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

(Ref. H 3.1)

**AGREEMENT WITH
CHILD CARE RESOURCE CENTER**

March 7, 2018

Early Education requests the Board of Education approve an agreement with Child Care Resource Center for Year Two of the Quality Start San Bernardino (QSSB) program to continue to offer a system focused on improving the quality of Preschool programs and staff to be funded by the California Race to the Top Early Learning Challenge Grant, formerly known as Quality Rating and Improvement System (QRIS), through the San Bernardino County Superintendent of Schools.

The two (2) Quality Start San Bernardino (QSSB) chosen Preschool Teachers, Catalina Robles from Dollahan Elementary, and Griselda Uribe from Kelley Elementary, have been participating in the assessments and coaching. The incentives they receive for their classrooms are based on their participation and ratings that are a 5 and a 4 out of a possible 5. The additional incentive funds of \$15,000.00 and \$10,000.00 will be directly deposited into the agreed Rialto Unified School District account from the Child Care Resource Center (CCRC), who is the administrative agent for the quality improvement and quality rating incentives. The funds may only be used for quality improvement of their classrooms.

The program is supervised by the Child Care Resource Center who provided the Early Childhood Environmental Rating Scale (ECERS) and Classroom Assessment Scoring System (CLASS) assessors and the Professional Development Coaches who will develop the professional development plans with the two (2) preschool teachers, Catalina Robles from Dollahan Elementary School, and Griselda Uribe from Kelley Elementary School.

It is recommended that the Board of Education approve an agreement with the Child Care Resource Center for Year Two of the Quality Start San Bernardino program for the purpose of continuing quality improvement of Pre-school programs, effective March 8, 2018 through June 30, 2018, to be funded by the San Bernardino County Superintendent of Schools through the Child Care Resource Center, at no cost or liability to the District.

Submitted by: Pat Krizek, Ed.D.

Reviewed by: Kelly Bruce

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

(Ref. H 4.1)

**TARGET FOUNDATION
FIELD TRIP GRANT - MILOR HIGH SCHOOL**

March 7, 2018

Milor High School requests the Board of Education accept the Target Field Trip Grant from the Target Foundation in the amount of \$700.00.

The Target Field Trip Grant program is providing donations to K-12 schools nationwide that propose to use the grant money to assist in funding a field trip for the students. The Target Foundation believes that it is becoming increasingly more difficult for schools to provide enriching opportunities for their students outside of the classroom. In order to assist educators, The Target Foundation will award up to \$700.00 to provide assistance in facilitating educational field trips.

The grant funds will be used to support the Visual Arts program at Milor High School. The Visual Arts program includes creating art as well as the study of art history and art criticism. In order to provide an immersive experience in the area of art criticism and art history, the students will be offered the opportunity to take a guided tour of the Modern Art Collection at the Norton Simon Museum in Pasadena, California. The grant funds will pay for the transportation to and from the Norton Simon Museum, as well as some classroom supplies, to expand their museum experience. As part of their education program, the Norton Simon Museum will be providing free entrance to the museum for all the students attending.

It is recommended that the Board of Education accept the Target Field Trip Grant from the Target Foundation in the amount of \$700.00, to be used to fund Milor High School's field trip to the Norton Simon Museum in Pasadena, California, on May 9, 2018.

Submitted by: Andrés Luna

Reviewed by: Kelly Bruce

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

(Ref. H 5.1)

**AMENDMENT NO. 2 TO AGREEMENT WITH
PCH ARCHITECTS, LLP
FOR EXTENSION OF CONTRACT
BOYD ELEMENTARY SCHOOL**

March 7, 2018

On May 18, 2016, the Board of Education approved an agreement with PCH Architects, LLP as the architectural firm to provide architectural and engineering services required for the relocation of two (2) District-owned portable classroom buildings at Boyd Elementary School. The term of the agreement was from May 18, 2016 through June 30, 2017.

Additional services from the architect were called for by the Division of the State Architect (DSA) Inspector to address issues with the existing path of travel at the Boyd Elementary School campus. Amendment No. 1 for the fee increase of \$3,580.00 was approved by the Board of Education on April 19, 2017.

Notice of Completion for the portable classroom project at Boyd Elementary School was issued in July 2017. In order to pay for the architect's services beyond contract terms, which ended in June 30, 2017, an amendment to the said agreement is needed for an extension of the contract period through June 30, 2018.

It is recommended that the Board of Education approve Amendment No. 2 to the agreement with PCH Architects, LLP to change the original service period from May 18, 2016 through June 30, 2017, with an extension through June 30, 2018 for the portable classroom project at Boyd Elementary School. There are no other changes or additional costs to the remaining terms of the said agreement.

Submitted by: Iris Chu

Reviewed by: Mohammad Z. Islam

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

(Ref. H 6.1)

**AMENDMENT NO. 1 TO AGREEMENT WITH
PCH ARCHITECTS, LLP
FOR EXTENSION OF CONTRACT
DOLLAHAN ELEMENTARY SCHOOL**

March 7, 2018

On April 7, 2016, the Board of Education approved an agreement with PCH Architects, LLP as the architectural firm to provide architectural and engineering services required for the relocation of one (1) District-owned portable classroom building at Dollahan Elementary School. The term of the agreement was from April 7, 2016 through June 30, 2017

Modifications to the permanent restrooms required for the project started the summer of 2017. Notice of Completion for the portable classroom project at Dollahan Elementary School was issued in February 2018. In order to pay for architect's services beyond contract terms which ended on June 30, 2017, an amendment to the said agreement is needed for an extension of the service period through June 30, 2018.

It is recommended that the Board of Education approve Amendment No. 1 to the Agreement with PCH Architects, LLP to change the original service period from April 7, 2016 through June 30, 2017, with an extension through June 30, 2018, for the portable classroom project at Dollahan Elementary School. There are no other changes or additional costs to the remaining terms of the said agreement.

Submitted by: Iris Chu

Reviewed by: Mohammad Z. Islam

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

(Ref. H 7.1)

I FACILITIES PLANNING CONSENT

I. FACILITIES PLANNING CONSENT ITEMS

NONE

J PERSONNEL SERVICES CONSENT

PERSONNEL REPORT NO. 1189
CLASSIFIED EXEMPT EMPLOYEES
March 7, 2018

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

CHILD DEVELOPMENT APPRENTICE

Alvarado, Jasmine	Curtis Preschool	02/20/2018	\$11.00 per hour
-------------------	------------------	------------	------------------

CROSSING GUARD

Martinez, John L.	Crossing Guard Educational Safety/Security	02/26/2018	\$10.50 per hour
-------------------	---	------------	------------------

WORKABILITY

Cedillo, Steven	Mega Thrift	02/28/2018	\$9.35 per hour
-----------------	-------------	------------	-----------------

Submitted and Reviewed By: Rhea McIver Gibbs and Rhonda Kramer
Presented for Board Action: Cuauhtémoc Avila, Ed.D.
(Ref. J 1.1)

PERSONNEL REPORT NO. 1189
 CLASSIFIED EMPLOYEES
 March 7, 2018

EMPLOYMENT

Alaniz, Adriana (Repl. C. Farag)	Instructional Assistant II – SE (RSP/SDC) Kucera Middle School	02/15/2018	26-1	\$15.96 per hour (3 hours, 203 days)
Harding, Mykiah (Repl. A. Saucedo)	Instructional Assistant II – SE (RSP/SDC) Rialto Middle School	02/15/2018	26-1	\$15.96 per hour (3 hours, 203 days)
Ulloa Barragan, Alma	Instructional Assistant II – SE (RSP/SDC) Frisbie Middle School	02/15/2018	26-1	\$15.96 per hour (3 hours, 203 days)

PLACE ON THE 39-MONTH REEMPLOYMENT LIST

Fernandez, Martha	Nutrition Service Worker I Nutrition Services	03/08/2018
-------------------	--	------------

RESIGNATION

Becerra, Ron	Instructional Assistant II – SE (RSP/SDC) Rialto High School	03/09/2018
Green, Eden	Technology Support Specialist Information Technology	03/09/2018
Martinez, Hailey	Instructional Assistant II – SE (RSP/SDC) Werner Elementary School	02/28/2018

RETIREMENT

Bonaparte, Patti	Instructional Assistant II – SE (RSP/SDC) Garcia Elementary School	05/31/2018
------------------	--	------------

SUBSTITUTES

Herd, Jean Pierre	Bus Driver	02/27/2018	\$19.51 per hour
Garay, Ana L.	Clerk Typist	03/01/2018	\$17.22 per hour

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

Eligible: 03/08/2018
 Expires: 09/08/2018

**Position reflects the equivalent to a one-Range increase for night differential
 *** Position reflects a \$50.00 monthly stipend for Confidential position

Submitted and Reviewed By: Rhea McIver Gibbs and Rhonda Kramer
Presented for Board Action: Cuauhtémoc Avila, Ed.D.

(Ref. J 2.1)

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 March 8, 2018, unless earlier date is indicated)

Albertson, Erica	02/26/2018
Blackwell, Jada	02/16/2018
Bowman, Jonathan	02/26/2018
Butler, Ioda	02/16/2018
Carrillo-Leon, Marco	02/28/2018
Castaneda, Alejandra	02/26/2018
Deam, Phylcia	02/26/2018
Fernandez, Christina	02/26/2018
Gomez, Sandra	02/26/2018
Salas, Adrian	02/26/2018

RETIREMENTS

Hoover, Angela	Elementary Teacher	06/02/2018
Hoover, Clifton	Secondary Teacher	06/02/2018
Williams, Amy	Secondary Teacher	03/04/2018

RESIGNATIONS

Hamdy, Amre	Secondary Teacher	06/01/2018
Johnson, Scott	Secondary Teacher	02/21/2018
Murray, Timothy	ROTC Navy Instructor	02/06/2018

EXTRA DUTY COMPENSATION (Music Teacher at Henry Elementary School will provide VAPA Percussion Extension Course afterschool to students February 2018 through May 2018, at the hourly rate of \$42.87, not to exceed 28 hours and to be charged to Title I)

Trujillo, Everardo

EXTRA DUTY COMPENSATION (Teacher at Carter High School to assist with the logistics of building the CTE pathway during March 2018, at the hourly rate of \$42.87, not to exceed 14 hours and to be charged to General Fund)

Fowler, Russell

EXTRA DUTY COMPENSATION (Ratify teacher at Morris Elementary School to provide cognitive skills that involve attention, emotional regulation, attitude and motivation for students to increase academic achievement January 2018 through April 2018, at the hourly rate of \$42.87, not to exceed 51 hours and to be charged to Step-Up)

Harris, Lisa

EXTRA DUTY COMPENSATION (Teachers at Carter High School to provide 7th period credit recovery January 2018 through May 2018, at their hourly rate, not to exceed a total of 224 hours and to be charged to Title I)

Harris-Dawson, Natasha	Magee, Jermaine	Simmons, Johnnie
Lockman, Adelina	Martin, Curtis	Smith, Randall

PERSONNEL REPORT NO. 1189
CERTIFICATED EMPLOYEES
March 7, 2018

EXTRA DUTY COMPENSATION (Additional class assignments of 1/6 of the daily rate or \$42.87 per hour, whichever is greater, for the spring semester of the 2017/2018 school year, and to be charged to General fund)

Rialto Middle School

De Leon, Gia

English Intervention

01/08/2018

Submitted and Reviewed By: Rhea McIver Gibbs and Rhonda Kramer
Presented for Board Action: Cuauhtémoc Avila, Ed.D.

(Ref. J 3.2)

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

**NON-REELECTION OF CERTIFICATED
PROBATIONARY EMPLOYEES**

RESOLUTION NO. 17-18-39

BE IT RESOLVED that, pursuant to Education Code section 44929.21, the following probationary certificated employees shall not be reemployed for the 2018-2019 school year, and that the Superintendent or his designee is directed to give written notice thereof as required by law.

Employee #1795338
Employee #1990218
Employee #1470338
Employee #1871338
Employee #1849728
Employee #1971338
Employee #1975338
Employee #1877238
Employee #1538238
Employee #1155338
Employee #1095338
Employee #1743338
Employee #1908428

PASSED AND ADOPTED this 7th day of March, 2018, in the County of San Bernardino, California.

Joseph W. Martinez _____
Edgar Montes _____
Nancy G. O'Kelley _____
Joseph Ayala _____
Dina Walker _____

President
Board of Education

I, Cuauhtémoc Avila, Ed.D., Superintendent of Rialto Unified School District of San Bernardino County, California, do hereby certify that the foregoing is a full, true and correct copy of a Resolution adopted by the District's Board of Education at a duly scheduled meeting thereof.

Dated: March 7, 2018

Cuauhtémoc Avila, Ed.D.
Superintendent

**RESOLUTION NO. 17-18-41
RESOLUTION OF THE BOARD OF EDUCATION
RIALTO UNIFIED SCHOOL DISTRICT**

2017-2018

March 7, 2018

The Board of Education of the Rialto Unified School District authorizes the Lead Personnel Agent, Personnel Services, to assign various teachers who are enrolled in a credential program, but have not yet completed the requirements to enter an internship program.

<u>NAME</u>	<u>SITE</u>	<u>CREDENTIAL</u>	<u>ASSIGNMENT</u>
McCormick, Shane	Jehue M.S.	Provisional Internship Permit – Mild/Moderate Education Specialist	SDC Teacher

I, Cuauhtémoc Avila, Ed.D., Secretary of the Governing Board of the Rialto Unified School District, hereby certify that the foregoing is a true and correct copy of a credential waiver duly made, adopted and entered in the Board minutes of the Governing Board of the Rialto Unified School District of San Bernardino County on the 7th day of March, 2018.

Date: _____

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

K DISCUSSION/ACTION ITEMS

SECOND INTERIM FINANCIAL REPORT

March 7, 2018

Pursuant to Education Code section 42131, twice each year, the Board of Education must certify to the San Bernardino County Superintendent of Schools (SBCSS) and the California Department of Education (CDE) that the District can meet its financial obligations for the current and subsequent two (2) fiscal years.

The Second Interim Financial Report presents actual to date data as of January 31, 2018. This report must be approved and certified as positive, qualified, or negative by the Governing Board and submitted to the SBCSS by March 15, 2018. The three (3) certifications are defined as follows:

1. **A Positive Certification** means that a district will meet its financial obligations (including the 3 percent reserve) for the current and subsequent two (2) fiscal years.
2. **A Qualified Certification** means that a district may not meet its financial obligations for the current or subsequent two (2) fiscal years (less than the 3 percent reserve in any year).
3. **A Negative Certification** means that a district will not meet its financial obligations for the remainder of the fiscal year or for the next subsequent fiscal year (depleted cash).

The Second Interim Financial Report consists of projections for average daily attendance (ADA) and General Fund Summary (revenues, expenditures, and fund balance) for the current and subsequent two (2) fiscal years. Also included are a current year Cash Flow Projection, a Summary Review of State Financial Criteria and Standards, and a Certification that the District will meet its financial obligations for the current and subsequent two (2) fiscal years.

The Second Interim Financial Report (under separate cover) and Assumptions and Recap are presented to the Board of Education for approval with a **Positive Certification** as the District will meet its obligations in the current and subsequent two (2) fiscal years.

It is recommended that the Board of Education approve the FY 2017-2018 Second Interim Financial Report with a **Positive Certification** as the District will meet its obligations in the current and subsequent two (2) fiscal years.

Submitted by: Diane Romo

Reviewed by: Mohammad Z. Islam

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

(Ref. K 1.1)

**LEGACY TELECOMMUNICATIONS, LONG DISTANCE
AND INTERNET ACCESS SERVICES**

March 7, 2018

The Rialto Unified School District Information Technology Department, in preparation for filing its annual application for Federal E-Rate funding, has determined the need for continuance of the following services, Legacy Telecommunications, Long Distance and Internet Access Services scalable between 5GBps and 10GBps, currently provided by AT&T expiring on June 30, 2018.

Pursuant to the Contract, which is incorporated herein by reference, any public agency, as defined in Government Code section 11541, is allowed to order services and products ("Services") solely as set forth in the Contract.

The District requests to utilize the following State of California CALNET 3 E-Rate program Contract with AT&T Corp. (dba Pacific Bell), inclusive of all related Amendments, which was competitively bid, evaluated, and awarded through a piggyback State Master Contract managed by the State of California Department of Technology. The district's use of the CALNET 3 E-Rate program contract with AT&T Corp. (dba Pacific Bell) for telecommunication and internet access services meet the contract perimeters required by the E-Rate program and complies with California legal code requirements related to bidding technology. The following categories under the CALNET 3 E-Rate program with AT&T Corp. (dba Pacific Bell) are applicable under this request:

1. AT&T Agreement No. C3-A-12-10-TS-01 and all related Amendments, effective through June 30, 2019 for various subcategories.
2. AT&T Agreement No. C3-B-12-10-TS-01 and all related Amendments, effective through June 30, 2019 for various subcategories.

SERVICE	VENDOR	PROPOSAL COST FOR 1- YEAR	ESTIMATED E-RATE FUNDED AMOUNT	ESTIMATED COST TO DISTRICT
Legacy Telecommunications	AT&T	\$ 274,676.16	\$ 27,467.62	\$ 247,208.54
Long Distance	AT&T	\$ 11,183.82	\$ 1,118.38	\$ 10,065.43
Internet Access 5GBps	AT&T	\$ 335,066.76	\$ 301,560.08	\$ 33,506.68
Internet Access 10GBps	AT&T	\$ 446,755.68	\$ 402,080.11	\$ 44,675.57

It is recommended that the Board of Education allow the District to utilize CALNET 3 E-Rate program contract with AT&T for telecommunication services effective July 1, 2018 through June 30, 2019, for a total estimated cost not-to-exceed \$301,949.54, to be paid from the General Fund.

Submitted by: Beth Ann Scantlebury

Reviewed by: Mohammad Z. Islam

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

(Ref. K 2.1)

DENIAL OF LIABILITY CLAIM

March 7, 2018

It is recommended that the Board of Education deny Liability Claim Number 17-18-04.

Submitted by: Derek Harris

Reviewed by: Mohammad Z. Islam

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

(Ref. K 3.1)

BID NO. 17-18-008
ELECTRICAL BUS CHARGING STATIONS PROJECT

March 7, 2018

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.

On February 1, 2018, and February 8, 2018, a Notice Inviting Bids for Bid No. 17-18-008 for the Electrical Bus Charging Stations Project at the future bus yard was published in The San Bernardino Sun, on the District website, and sent to plan room www.ConstructConnect.com.

Bids were opened at 2:00 p.m. on Monday, February 26, 2018. Six (6) responsive bids were received. The responsive bidders are:

<u>CONTRACTOR</u>	<u>BASE BID</u>
BRAUGHTON CONSTRUCTION INC.	\$771,000.00
HAL HAYS CONSTRUCTION INC.	\$1,045,000.00
SAIFCO CONSTRUCTION COMPANY	\$1,299,000.00
AMTEK CONSTRUCTION	\$981,503.00
TOMCO CNG INC.	\$897,500.00
IVL CONTRACTORS, INC.	\$881,540.00

It is recommended that the Board of Education award Bid No. 17-18-008, Electrical Bus Charging Stations Project at the future bus yard to Braughton Construction Inc. in the amount of \$771,000.00, to be paid from Special Reserve Fund - Fund 40.

Submitted by: Iris Chu

Reviewed by: Mohammad Z. Islam

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

(Ref. K 4.1)

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

REDUCTION OF PARTICULAR KINDS OF SERVICES

RESOLUTION NO. 17-18-42

WHEREAS, the Board of Education of the Rialto Unified School District has determined that due to financial conditions it is in the best interests of the District and the welfare of the schools and the pupils thereof that the particular kinds of services set forth herein must be reduced or discontinued; and

WHEREAS, it is the opinion of the Board that because of the aforementioned reason, it is in the best interest of the District that the number of regular certificated employees of the District must be reduced; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Rialto Unified School District as follows:

- A. That the particular kinds of services set forth below shall be reduced or eliminated commencing in the 2018-2019 school year:

Counselor – Special Education	1	F.T.E.
High School APEX Teacher	.2	F.T.E.
High School AVID Teacher	.4	F.T.E.
High School CTE Intro to Business Teacher	1	F.T.E.
High School CTE Business Technology Teacher	1	F.T.E.
High School CTE Digital Media/Web Design Teacher	1	F.T.E.
High School CTE Life Management Teacher	1	F.T.E.
High School Earth Science Teacher	1	F.T.E.
High School Health Teacher	2.6	F.T.E.
High School On Campus Intervention Teacher	1.6	F.T.E.
High School Physical Education Teacher	2.2	F.T.E.
High School Social Science Teacher	3	F.T.E.
TOTAL CERTIFICATED POSITIONS	16	F.T.E.

- B. That due to the reduction or elimination of particular kinds of services, a corresponding number of certificated employees of the District shall be terminated pursuant to Education Code section 44955.
- C. That the reduction of certificated staff be achieved by the termination of regular employees and not by terminating temporary or substitute employees.
- D. That "competency" as described in Education Code sections 44955(b), 44956, and 44957, for the purposes of bumping and rehire rights, shall necessarily include possession of a valid EL authorization.
- E. That, as between certificated employees with the same seniority date, the order of termination shall be determined solely by Board-adopted criteria.
- F. That the District Superintendent or designee is directed to initiate layoff procedures and give appropriate notice pursuant to Education Code sections 44955 and 44949.

PASSED AND ADOPTED this 7th day of March, 2018, in the County of San Bernardino, California.

Joseph W. Martinez _____
 Edgar Montes _____
 Nancy G. O'Kelley _____
 Joseph Ayala _____
 Dina Walker _____

 President
 Board of Education

I, Cuauhtémoc Avila, Ed.D., Superintendent of Rialto Unified School District of San Bernardino County, California, do hereby certify that the foregoing is a full, true and correct copy of a Resolution adopted by the District's Board of Education at a duly scheduled meeting thereof.

Dated: March 7, 2018

 Cuauhtémoc Avila, Ed.D.,
 Superintendent

**RESOLUTION NO. 17-18-44
RESOLUTION OF THE BOARD OF EDUCATION OF
THE RIALTO UNIFIED SCHOOL DISTRICT**

REMUNERATION

March 7, 2018

WHEREAS, The Governing Board of the Rialto Unified School District acknowledges that Board Vice President Edgar Montes was excused from the Wednesday, February 28, 2018, regular meeting of the Board of Education;

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

THEREFORE BE IT RESOLVED, that the Board of Education excuses the absence of Board Vice President Edgar Montes from the Wednesday, February 28, 2018, regular meeting of the Board of Education.

Joseph W. Martinez, Board President

Date

Cuahtémoc Avila, Ed.D., Board Secretary

Date