

# Hanford Elementary School District

## REGULAR BOARD MEETING AGENDA

*Wednesday, November 2, 2011*

HESD District Office Board Room  
714 N. White Street, Hanford, CA

### OPEN SESSION

- 5:30 p.m.
- Call to Order
  - Members present
  - Pledge to the Flag

### CLOSED SESSION

- **Student Discipline** (*Education Code Section 48918...requires closed sessions in order to prevent the disclosure of confidential student record information*)

#### Administrative Panel Recommendations and Readmissions

- Case # 28-11 – Wilson
- Case # 12-12 – Kennedy

### OPEN SESSION

#### 6:00 p.m. 1. PRESENTATIONS, REPORTS AND COMMUNICATIONS

*(In order to insure that members of the public are provided an opportunity to address the Board on agenda items or non-agenda items that are within the Board's jurisdiction, agenda items may be addressed either at the public comments portion of the agenda, or at the time the matter is taken up by the Board. A person wishing to be heard by the Board shall first be recognized by the president and identify themselves. Individual speakers are allowed three minutes to address the Board. The Board shall limit the total time for public input on each item to 20 minutes.)*

- a) Public comments
- b) Board and staff comments
- c) Requests to address the Board at future meetings
- d) Review Dates to Remember

#### 2. CONSENT ITEMS

*(Items listed are considered routine and may be adopted in one motion. If discussion is required, a particular item may be removed upon request by any Board member and made a part of the regular business.)*

- a) Approve warrant listings dated October 14, and October 21, 2011.
- b) Approve minutes of Regular Board Meeting October 19, 2011.
- c) Approve interdistrict transfers as recommended.
- d) Approve donation of \$522.53 from Target to Simas School. (Duvall)
- e) Approve donation of \$265.94 from Target to Roosevelt School. (Carrillo)

#### 3. INFORMATION ITEMS

- a) Receive the following revised Board Policy and Administrative Regulation for information: (Williams)
  - BP/AR 4158, 4258, 4358 – Employee Security (revised)

- *Materials related to an item on this agenda submitted to the Board after distribution of the agenda packet are available for public inspection at the Superintendent's Office located at 714 N. White Street, Hanford, CA during regular business hours.*
- *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 in writing.*

#### 4. BOARD POLICIES AND ADMINISTRATION

- a) Consider approval of Memorandum of Understanding with First 5 Kings County Linkages to Learning Program. (Terry)
- b) Consider approval of consultant contract with Rebecca Seargeant, Musical Chairs Academy. (Terry)
- c) Consider adoption of the following new Board Policy and Administrative Regulation: (Terry)
  - BP/AR 3320 – Claims and Actions Against the District (New)
- d) Consider adoption of the following new Administrative Regulation: (Terry)
  - AR 3514.2 – Integrated Pest Management (New)
- e) Consider adoption of the following revised Board Policy and Administrative Regulation: (Terry)
  - BP/AR 3516 – Emergencies and Disaster Preparedness Plan (revised)
- f) Consider adoption of the following revised Administrative Regulation: (Terry)
  - AR 7160 – Charter School Facilities (revised)
- g) Consider adoption of the following revised Board Policy and Administrative Regulation: (Williams)
  - BP/AR 4222 – Teacher Aides/Paraprofessionals (revised)

#### 5. PERSONNEL

##### a) Employment

###### Temporary Employees/Substitutes/Yard Supervisors

- Juan Covarrubias, Boys/Girls 7<sup>th</sup>/8<sup>th</sup> Wrestling Coach – 3 units, Kennedy, effective 11/1/11 to 1/30/12
- Teaila Kidd, Girls 7<sup>th</sup>/8<sup>th</sup> Basketball Coach – 6 units, Wilson, effective 11/1/11 to 1/28/12
- Angelica Aguilar, Short-term Yard Supervisor - .75 hr., King, effective 10/17/11 to 11/18/11
- Annie Alvarado, Substitute Translator: Oral Interpreter and Written Translator, effective 10/14/11
- Bryant Barger, Short-term READY Program Tutor – 4.5 hrs., Hamilton, effective 10/17/11 to 11/18/11
- Francisca Gonzalez, Substitute Yard Supervisor, effective 10/20/11
- Andrea Grijalva, Short-term Yard Supervisor – 2.25 hrs., Richmond, effective 10/17/11 to 11/18/11
- Jeremiah Kemp, Substitute Custodian II, effective 10/12/11
- Anjanette McMurray, Substitute Yard Supervisor, effective 10/13/11; Short-term Yard Supervisor – 1.0 hr., Washington, effective 10/13/11 to 11/18/11
- Victoria Naranjo, Substitute Translator: Oral Interpreter and Written Translator and Yard Supervisor, effective 10/11/11
- Maria Reyes, Substitute Bilingual Health Care Assistant, Translator: Oral Interpreter and Written Translator, effective 10/14/11
- Jose Rojas, II, Substitute READY Program Tutor and Yard Supervisor, effective 10/17/11
- Laura Sandoval, Short-term Yard Supervisor – 3.0 hrs., Simas, effective 10/17/11 to 11/18/11

##### b) Resignations

- Mary "Gladys" Brindis, Bilingual Student Specialist – 5.0 hrs. (M,T,Th,F) and 4.0 hrs. (W), Washington, effective 10/21/11
- Delia Griffith, Yard Supervisor – 2.25 hrs., Richmond, effective 9/9/11
- Jodi Lovejoy, Substitute Special Circumstance Aide and Special Education Aide, effective 9/16/11
- Sarah Luna, Substitute Yard Supervisor, effective 8/23/11

- c) More Hours
  - Brenda Rosas, Short-term Yard Supervisor, from 2.0 hrs. to 3.0 hrs., Simas, effective 9/13/11
- d) Transfer/More Hours
  - Damien Navarro, Yard Supervisor, from 2.25 hrs., Simas, to 2.5 hrs, Lincoln, effective 10/13/11
- e) Voluntary Demotion and More Hours
  - Stephanie Carroll, from Educational Tutor K-6 – 3.5 hrs., Monroe, to READY Program Tutor – 4.5 hrs., Roosevelt, effective 10/17/11

f) Volunteers

<u>Name</u>	<u>School</u>
Pearl Rodriguez	Hamilton/Kennedy
Jennifer La Serna	Jefferson
Margarita Corchado	Monroe
Linda Gipson	Monroe
Alyse Pittman	Monroe
Michelle Gonzales	Simas
Esther Murguia	Kennedy

**ADJOURN MEETING**

HANFORD ELEMENTARY SCHOOL DISTRICT  
AGENDA REQUEST FORM

TO: Dr. Paul Terry  
FROM: Liz Simas  
DATE: October 20, 2011

For:  Board Meeting  
 Superintendent's Cabinet  
 Information  
 Action

Date you wish to have your item considered: November 2, 2011

ITEM: Student Discipline

PURPOSE: Administrative Panel Recommendations and Readmissions

Case# 28-11 - Wilson

Case# 12-12 – Kennedy

**Hanford Elementary School District**  
**Minutes of the Regular Board Meeting**  
**October 19, 2011**

Minutes of the Regular Board Meeting of the Hanford Elementary School District Board of Trustees on October 19, 2011, at the District Office Board Room, 714 N. White Street, Hanford, CA.

- Call to Order** Vice President Hill called the meeting to order at 5:30 p.m. Trustees Revious and Jay were present. Trustee Garner was absent, and Trustee Hernandez was absent, for reasons deemed acceptable by the Board.
- Closed Session** Trustees immediately adjourned to closed session for:
- Student Discipline pursuant to Education Code section 48918
  - Public Employee Discipline/Dismissal/Release (GC 54957) - Classified
- Trustees returned to open session at 6:15 p.m.
- HESD Managers Present** Dr. Paul J. Terry, Superintendent, and the following administrators were present: Don Arakelian, Doug Carlton, Anthony Carrillo, Javier Espindola, Joy Gabler, Lucy Gomez, Jaime Martinez, Karen McConnell, Gerry Mulligan, Jennifer Pitkin, Jeanne Rios, Liz Simas, Jason Strickland, Diane Williams, and Nancy White.
- Revoke Readmission Case #30-11** Trustee Revious made a motion to revoke readmission for Case #30-11 based upon the student's failure to abide by school and district rules upon return to regular school. Parents may apply for readmission on or after January 9, 2012. Trustee Jay seconded; motion carried 3-0.
- Readmission approved #44-11** Trustee Revious made a motion to approve readmission for Case# 44-11 based upon the student's compliance with the Plan of Rehabilitation. Trustee Jay seconded; motion carried 3-0.
- Expulsion #12-09** Trustee Revious made a motion to accept the Findings of Facts and expel Case # 12-09 for the remainder of the 2011-2012 school year for violation of Education Code 48900 and/or 48915 as determined by the Administrative Panel at hearings held on October 17, 2011. Parents may apply for readmission on or after June 8, 2012. Trustee Jay seconded; motion carried 3-0.
- Expulsion #12-10** Trustee Revious made a motion to accept the Findings of Facts and expel Case # 12-10 for the remainder of the 2011-2012 school year for violation of Education Code 48900 and/or 48915 as determined by the Administrative Panel at hearings held on October 17, 2011. However, Trustee Revious further moved that the parents may apply for readmission on or after January 9, 2012. If readmission is granted, the expulsion order shall be suspended and student may attend regular school in probationary status on a Behavior Conditions Plan through June 8, 2012. Trustee Jay seconded; motion carried 3-0.

## PRESENTATIONS, REPORTS AND COMMUNICATIONS

<b>Public Comments</b>	None.
<b>Board and Staff Comments</b>	None
<b>Requests to Address the Board at Future Meetings</b>	None.
<b>Dates to Remember</b>	Vice President Hill reviewed Dates to Remember: Fall Round Robin #2 at Richmond/JFK October 22; JFK Fall Band Concert October 26; November 2 next regular Board Meeting.

## INFORMATION ITEMS

<b>Quarterly report on Williams Uniform Complaints</b>	Superintendent Dr. Terry reported that the District received no Williams Uniform Complaints for the first quarter of 2011-12.
<b>BP/AR 3320</b>	Superintendent Dr. Terry presented the following new Board Policy and Administrative Regulation for information: <ul style="list-style-type: none"> <li>• BP/AR 3320 – Claims and Actions Against the District (new)</li> </ul>
<b>AR 3514.2</b>	Superintendent Dr. Terry presented the following new Administrative Regulation for information: <ul style="list-style-type: none"> <li>• AR 3514.2 – Integrated Pest Management (new)</li> </ul>
<b>BP/AR 3516</b>	Superintendent Dr. Terry presented the following revised Board Policy and Administrative Regulation for information: <ul style="list-style-type: none"> <li>• BP/AR 3516 - Emergencies and Disaster Preparedness Plan (revised)</li> </ul>
<b>AR 7160</b>	Superintendent Dr. Terry presented the following revised Administrative Regulation for information: <ul style="list-style-type: none"> <li>• AR 7160 – Charter School Facilities (revised)</li> </ul>
<b>BP/AR 4222</b>	Diane Williams, Assistant Superintendent Human Resources, presented the following revised Board Policy and Administrative Regulation for information: <ul style="list-style-type: none"> <li>• BP/AR 4222 – Teacher Aides/Paraprofessionals (revised)</li> </ul>

## CONSENT ITEMS

Trustee Revious made a motion to take consent items "a" through "g" together. Trustee Jay seconded, motion carried 3-0. Trustee Revious then made a motion to approve consent items "a" through "g". Trustee Jay seconded, motion carried 3-0. The items approved are:

- a) Warrant listings dated September 30, 2011; and October 7, 2011.
- b) Minutes of October 5, 2011 Regular Board Meeting.

- c) Interdistrict transfers as recommended.
- d) Donation of \$55.95 from Target to Hamilton School.
- e) Donation of \$1,500.00 from Monroe PTC to Monroe School for study trips.
- f) Donation of \$308.08 from Washington PTP Club to Washington School.
- g) Donation of eight (8) Dell computers from McLellan Industries.

Trustee Revious thanked and acknowledged Target, Monroe PTC, Washington PTP, and McLellan Industries for their generous support of our schools.

### **BOARD POLICIES AND ADMINISTRATION**

**BP/AR 1325**

- a) Trustee Jay made a motion to adopt the following revised Board Policy and Administrative Regulation. Trustee Revious seconded; motion carried 3-0:
  - BP/AR 1325 – Advertising and Promotion (revised)

**BP 3312**

- b) Trustee Revious made a motion to adopt the following revised Board Policy. Trustee Jay seconded; motion carried 3-0:
  - BP 3312 – Contract (revised)

**BP/AR 3514**

- c) Trustee Revious made a motion to adopt the following revised Board Policy and Administrative Regulation. Trustee Jay seconded; motion carried 3-0:
  - 3514 – Environmental Safety (revised)

**BP 3515**

- d) Trustee Jay made a motion to adopt the following new Board Policy. Trustee Revious seconded; motion carried 3-0:
  - 3515 – Campus Security (new)

**BB 9223**

- e) Trustee Jay made a motion to adopt the following revised Board Bylaw. Trustee Revious seconded; motion carried 3-0:
  - BB 9223 – Filling Vacancies (revised)

**BP 4221.1**

- f) Trustee Revious made a motion to adopt the following revised Board Policy. Trustee Jay seconded; motion carried 3-0:
  - BP 4221.1 – Wages for Temporary and Substitute Work (revised)

**CSEA Initial Proposal**

- g) Trustee Jay made a motion to accept California School Employees Association's (CSEA) initial proposal for 2011-2012 amendments to the 2011-2014 Collective Bargaining Agreement between Hanford Elementary School District (HESD) and CSEA (reopened articles). Trustee Revious seconded; motion carried 3-0.

**HESD Initial Proposal**

- h) Trustee Revious made a motion to accept HESD's initial proposal for 2011-2012 amendments to the 2011-2014 Collective Bargaining Agreement between HESD and CSEA (reopened articles). Trustee Jay seconded; motion carried 3-0.

**PERSONNEL**

Trustee Jay made a motion to take Personnel items "a" through "f" collectively. Trustee Revious seconded; motion carried 3-0. Then Trustee Jay made a motion to approve Personnel items "a" through "f". Trustee Revious seconded; the motion carried 3-0. The following items were approved:

**Item "a" –  
 Employment**

Certificated:

- Rick Calvillo, Teacher, Temporary, effective 10/3/11

Certificated Short-term

- Irene Mendes, Short-term School Nurse – 4.0 hrs., Special Services, effective 10/3/11 to 10/24/11 (6 days only)
- Jeanne Russ, Short-term School Nurse – 4.0 hrs., Special Services, effective 10/3/11 to 10/26/11 (6 days only)

Temporary Employees/Substitutes/Yard Supervisors:

- Sandra Acevedo, Substitute Translator: Oral Interpreter and Written Translator, effective 9/27/11
- Bryant Barger, Substitute READY Program Tutor, effective 10/3/11
- Javantae Farmah, Short-term Yard Supervisor – 1 hr., (M,Th,Th,F), Washington, effective 10/3/11 to 11/18/11
- Evette Gonzalez, Short-term Yard Supervisor – 1.75 hrs., King, effective 10/3/11 to 11/18/11
- Amber Lepper, Substitute Yard Supervisor, effective 9/28/11
- Martha Martinez, Substitute Alternative Education Aide, Bilinigual Aide I, Educational Tutor K-6, Instructional Aide, READY Program Tutor, and Special Education Aide, effective 10/10/11
- Martin Southall, Substitute Yard Supervisor, effective 10/6/11
- Tamara Taylor, Substitute Babysitter and Yard Supervisor, effective 10/4/11
- Mercedes Yang, Substitute Yard Supervisor, effective 9/27/11

**Item "b" –  
 Resignations**

- Tanya M. Jimenez, Yard Supervisor – 2.5 hrs., King, effective 9/30/11
- Martha Martinez, READY Program Tutor – 4.5 hrs., Roosevelt, effective 10/7/11

**Item "c" –  
 Retirement**

- Geri Rocha, Food Service Worker I – 2.25 hrs., Simas, effective 9/29/11

**Item "d" –  
 Voluntary Transfer**

- Naomi Gaffney, Food Service Worker I – 2.25 hrs., from Washington to Simas, effective 10/3/11

**Item "e" –  
 Leave of Absence**

- Zujey Garcia Zavala, Yard Supervisor – 1.75 hrs., King, effective 8/18/11 to 9/27/11, child rearing

**Item "f" –  
 Volunteers**

<u>Name</u>	<u>School</u>
Paula Alapisco	Hamilton
Toby Cano	Hamilton
Teresa Dominguez	Hamilton
Melissa Chavez	Jefferson
Megan Allen	Monroe
Maria Correia	Monroe
Sonia Correia	Monroe
Crystal Zeno Jaworski	Monroe
Jessie Lane	Monroe
Irene Mackey	Monroe
Yvonne Ramirez	Monroe
Adrian Young	Richmond
Tracy Siegart	Roosevelt
Sandra Neighbors	Simas
Erin Aguilar	Washington



**FINANCIAL**

**Resolution #8-12** Trustee Revious made a motion to approve Resolution #8-12: Final revision of the 2010-11 Budget. Trustee Jay seconded; motion carried 3-0.

**Resolution #9-12** Trustee Revious made a motion to adopt Resolution #9-12: Revision of the 2011-12 Budget. Trustee Jay seconded; motion carried 3-0.

There being no further business, Vice President Hill adjourned the meeting at 6:37 p.m.

Respectfully submitted,

Paul J. Terry,  
Secretary to the Board of Trustees

Approved:

\_\_\_\_\_  
Jeff Garner, President

\_\_\_\_\_  
Tim Revious, Clerk

10/71

Inters - In

No	A/D	Sch Req'd	Home Sch	Date
I-063	A	Wilson	Armona	11/2/11
I-064	A	Hamilton	Pioneer	11/2/11
I-065	A	Hamilton	Pioneer	11/2/11
I-066	A	Hamilton	Pioneer	11/2/11


Inters - OUT

No	A/D	Sch Req'd	Home Sch	BD Date
O-094	A	Lakeside	Wilson	11/2/11
O-095	A	Tulare	Hamilton	11/2/11

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Silvia Duvall 

DATE: 10/19/11

FOR:  Board Meeting  
 Superintendent's Cabinet

FOR:  Information  
 Action

Date you wish to have your item considered: 11/2/11

ITEM: Donation from Target Take Charge of Education Program for \$522.53

PURPOSE: instructional supplies

FISCAL IMPACT: \$522.53

RECOMMENDATIONS: accept donations

✓  
12/71

## HANFORD ELEMENTARY SCHOOL DISTRICT

### AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Anthony Carrillo

DATE: October 24, 2011

For:  Board Meeting  
 Superintendent's Cabinet

For:  Information  
 Action

Date you wish to have your item considered: November 2, 2011

ITEM: Donation of \$265.94

PURPOSE: Accept donation of \$265.94 from Target.  
Please credit to:  
Account #: 0100-0000-0-1110-1000-430001-026-0000

FISCAL IMPACT (if any): \$265.94

RECOMMENDATION (if any): Action.

HANFORD ELEMENTARY SCHOOL DISTRICT  
Human Resources Department  
**AGENDA REQUEST FORM**

TO: Dr. Paul Terry

FROM: Diane Williams *DW*

DATE: October 24, 2011

FOR:  Board Meeting  
 Superintendent's Cabinet

Information  
 Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **November 2, 2011**

**ITEM:** Receive the following revised Board Policy and Administrative Regulation for information.

**PURPOSE:** The following Board Policy and Administrative Regulation reflects changes (see underlined and strikeouts) that are necessary to align with current practices and procedures as well as recommendations by CSBA due to State and federal law mandates and Education Code changes.

- BP/AR 4158, 4258, 4358 – Employee Security (revised)

**FISCAL IMPACT:** None.

**RECOMMENDATION:** Consider for adoption at next regular board meeting.

## All Personnel

BP 4158(a)

4258

## EMPLOYEE SECURITY

4358

- A. The Governing Board of Trustees desires to provide a safe, and orderly working environment for all employees. As part of the district's comprehensive school safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for assisting providing them in the event of an with necessary assistance and support when emergency situations occur.

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 3515 - Campus Security)*

*(cf. 5131.4 - Campus Student Disturbances)*

1. Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. The Superintendent or designee shall develop administrative regulations to ensure that the appropriate employees are informed, in accordance with law, about crimes and offenses committed by students who may pose a danger in the classroom, on school grounds, or at school events.
2. ~~When violence is directed at, or a credible threat of violence is made against, an employee by any individual and the employee so notified the district, the Superintendent or designee shall ensure that appropriate initiate legal and security measures are taken, such as a restraining order or injunction, to protect the employee while on district and others in the workplace. In addition, the Superintendent or designee may initiate legal proceedings against any individual to recover damages for injury caused by the willful misconduct of that individual to the person or property of an employee or another person on district premises.~~

*(cf. 3320 - Claims and Actions Against the District)*

*(cf. 3515.4 - Recovery for Property Loss or Damage)*

32. The Superintendent or designee shall ensure that employees are trained in crisis prevention and intervention techniques in order to protect themselves and students, including. Staff development may include training and information about in classroom management, effective communication techniques, and safety measures during crisis situations resolution.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

- B. 3. The Board recognizes that access to two-way communications devices allows Superintendent or designee also shall ensure that employees to call for assistance from their supervisor or law enforcement are informed, in accordance with law, of crimes and offenses committed by students who may pose a danger in the event of a threat of violence or medical emergency classroom.

BP 4158(b)  
4258  
4358

**EMPLOYEE SECURITY (continued)**

4. The Superintendent or designee may make available at appropriate locations, including, but not limited to, district district shall provide such communications devices in and school offices, gyms, and classrooms to the extent possible, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

*(cf. 5141 - Health Care and Emergencies)*

**B. Reporting of Injurious Objects**

The Board required employees to take immediate action upon being made aware that any person is in possession of an unauthorized injurious object on school grounds or at a school-related or school-sponsored activity. The employee shall use his/her own judgment as to the potential danger involved and, based upon this analysis, shall do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action
3. Immediately call 911 and the principal

(cf. 5131.7 – Weapons and Dangerous Instruments)

(cf. 5144 – Discipline)

(cf. 5144.1 – Suspension and Expulsion/Due Process)

(cf. 5144.2 – Suspension and Expulsion/Due Process (Students with Disabilities))

When informing the principal about the possession or seizure of a weapon or dangerous device, the employee shall report the name(s) of persons involved, witnesses, location and the circumstances of any seizure.

*Legal Reference: (see next page)*

**EMPLOYEE SECURITY (continued)***Legal Reference:*EDUCATION CODE*32210-32212 Willful disturbance, public schools or meetings**32225-32226 Communication devices**35208 Liability insurance**35213 Reimbursement for loss, destruction or damage of school property**44014 Report of assault by pupil against school employee**44807 Duty concerning conduct of students**48201 Transfer of student records**48900-48926 Grounds for Suspension or expulsion**~~48902 Notification of law enforcement authorities if student violates assault or controlled substance provision~~**48904 Parental liability**48905 Injury or damage to person or property of school district employee; request for legal action**49079 Notification to teacher; student who has engaged in acts constituting grounds for suspension or expulsion**49330-49335 Definition of Injurious Objects**49331 Removal of injurious object from possession of pupil by designated employee*CIVIL CODE*51.7 Freedom from violence or intimidation*CODE OF CIVIL PROCEDURE*527.8 Workplace violence safety act*GOVERNMENT CODE*995-996.4 Defense of public employees*PENAL CODE*71 Threatening public officers and employees and school officials**240-246.3 Definition of assault Assault and battery, including:**~~241.2 Assault on school or park property against any person~~**241.3 Assault against school bus drivers**241.6 Assault on school employee includes board member**~~243.2 Battery on school or park property against any person~~**243.3 Battery against school bus drivers**243.6 Battery against school employee includes board member**245.5 Assault with deadly weapon; school employee includes board member**290 Registration of sex offenders**601 Trespass by person making credible threat**~~626.9 Gun-Free School Zone Act of 1995~~**626-626.11 School Crimes**~~626.10 Exceptions to bringing weapons on school grounds~~**646.9 Stalking**12403.7 Weapons approved for self defense*WELFARE AND INSTITUTIONS CODE*827 Juvenile court proceedings; reports; confidentiality**828.1 District police or security department, disclosure of juvenile records*COURT DECISIONS*City of San Jose v. William Garbett, (2010) 190 Cal. App. 4<sup>th</sup> 526*



BP 4158(d)  
4258  
4358

**EMPLOYEE SECURITY** (continued)

Management Resources:

WEB SITES

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

California Department of Education, Safe Schools and Violence Prevention Office:

<http://www.cde.ca.gov/ss/ss>

Policy  
adopted: November 7, 2001  
Revised: \_\_\_\_\_, 2011

**HANFORD ELEMENTARY SCHOOL DISTRICT**  
Hanford, California

**All Personnel**

AR 4158(a)

4258

**EMPLOYEE SECURITY**

4358

**A. ~~Attacks, Assault, or Threats~~**

~~1.~~An employee may use reasonable force ~~when and~~ and necessary to ~~protect himself/herself from attack, to protect force for his/her self-defense, defense of another person, or protection of property;~~ to quell a disturbance threatening physical injury to others; or to obtain possession of weapons or other dangerous objects ~~on or~~ within the control of a student. (Education Code 44807, 49001)

*(cf. ~~3515 – School Safety and Security~~)*

*(cf. ~~3515.2 – Disruptions~~)*

*(cf. ~~5131.7 – Weapons and Dangerous Instruments~~)*

*(cf. ~~5144 – Discipline~~)*

2. Employees shall ~~immediately~~ promptly report to ~~their~~ the principal or other immediate supervisor any attack, assault, or physical threat made against them by a student ~~or by any other individual.~~

3. The Both the employee and/or the principal or other immediate supervisor shall promptly report such instances to the appropriate local law enforcement agency ~~and to the Superintendent or designee.~~ (Education Code 44014)

**B. ~~Notification of Student Offenses Subject to Suspension or Expulsion~~**

In addition, employees shall promptly report to the principal or supervisor, and may report to law enforcement, any attack, assault, or threat made against them on school grounds by any other individual.

(cf. 3512.2 – Disruptions)

Reports of attack, assault, or threat shall be forwarded immediately to the Superintendent or designee.

(cf. 3320 – Claims and Actions Against the District)

(cf. 3515.4 – Recovery for Property Loss or Damage)

(cf. 3530 – Risk Mangement/Insurance)

**Notice Regarding Student Offenses Committed While Under School Jurisdiction**

1. The ~~school principal~~ Superintendent or designee shall inform the teacher(s) of ~~any~~ each student who has engaged in, or is reasonably suspected of, any act during the previous three school years which could constitute grounds for suspension or expulsion under ~~any of the causes listed in~~ Education Code 48900, with the exception of the possession or use of tobacco products, ~~under~~ or Education Code 48900.2 (~~sexual harassment~~), 48900.3 (~~hate violence~~), 48900.4 (~~harassment, threats, or intimidation of a student~~), or 48900.7 (~~terroristic threats~~). This information shall be based upon district records maintained in the ordinary course of business or records received ~~from~~ from a law enforcement agency. (Education Code 49079)

AR 4158(b)  
4258  
4358

## EMPLOYEE SECURITY

(cf. 5125 – Student Records)  
(cf. 5144.1 – Suspension and Expulsion/Due Process)

2- Upon receiving a transfer student's record regarding acts committed by the student that resulted in his/her suspension or expulsion form, the school district he/she formerly attended, the school principal Superintendent or designee shall inform each of the student's teacher(s) that the student was suspended or expelled from his/her former district and of the act(s) that resulted in the suspension or expulsion. (Education Code 48201)

3- Information about student offenses received by teacher(s) shall be treated as confidential materials received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher(s). (Education Code 49079)

### ~~C.~~ Notification of Notice Regarding Student Offenses Committed While Outside School Jurisdiction

When a minor student has been found by a court of competent jurisdiction to have illegally used, sold, or possessed a controlled substance or committed specified crimes involving serious acts of violence, the district police or security department may provide written notification to the Superintendent. (Welfare and Institutions Code 828).

(cf. 3515.3 – District Police/Security Department)

1- When informed by the court that a minor student has been found by a court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall so inform the school principal. (Welfare and Institutions Code 827)

The principal shall disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress. The principal also may inform any teacher or administrator he/she thinks may need the information so as to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)

2- Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

When a student is removed from school as a result of his/her offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)

AR 4158(c)  
4258  
4358

## EMPLOYEE SECURITY

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

### **Procedures to Maintain Confidentiality of Student Offenses**

In order to maintain confidentiality when providing information about student offenses to counselors and teachers of classes/programs to which a student is assigned, the principal or designee shall inform the staff member that one of his/her students has committed an offense that requires his/her review of a student's file in the school office. This notice shall not name or otherwise identify the student.

The staff member shall also initial the student's file when reviewing it in the school office. Once the district has made a good faith effort to comply with the notification requirement of Education Code 49079 and Welfare and Institutions Code 827, an employee's failure to review the file constitutes district compliance with the requirement to provide notice to the teacher.

Regulation  
approved: July 22, 1997  
revised: November 7, 2001  
revised: \_\_\_\_\_, 2011

**HANFORD ELEMENTARY SCHOOL DISTRICT**  
Hanford, California

## HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees  
FROM: Paul J. Terry  
DATE: October 24, 2011  
FOR:  Board Meeting  
 Superintendent's Cabinet  
FOR:  Information  
 Action

Date you wish to have your item considered: November 2, 2011

**ITEM:** Consider approval of Memorandum of Understanding (MOU) with First 5 Kings County Linkages to Learning Program.

**PURPOSE:** Coordination of efforts with First 5 Kings County toward preparing children to enter school ready to succeed in the transition to kindergarten. Participating schools will be Hamilton, Lincoln, Monroe, Richmond, Roosevelt, Simas and Washington.

**FISCAL IMPACT:**

**RECOMMENDATION:** Approve.

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) stands as evidence that the First 5 Kings County and the Hanford Elementary School District intend to work together toward the mutual goal of improving the ability of families, schools, and communities to prepare children to enter school ready to succeed. Both agencies believe that implementation of the **Linkages to Learning Program** will further this goal. To this end, each agency agrees to participate in the program, by coordinating/providing the following services for the period November 1, 2011 through June 30, 2014. Either agency may independently elect to terminate this Memorandum of Understanding for the subsequent year of implementation by providing written notice by May 15<sup>th</sup>.

First 5 Kings County will provide the following services:

1. Coordination and facilitation of Linkages to Learning Kindergarten Transition Teams (3 meetings/year).
2. Support for the implementation of the Kindergarten Transition Action Plan(s) as approved by the Transition Team.
3. Annual Stipend to participating school site:
  - i. \$500 for school site administration
  - ii. \$435/Kindergarten teacher for participation in all L2L planning meetings (3) and activities as specified in Plan.
4. School Site Implementation funds equal to \$20/incoming Kindergarten, based on an anticipated 80% participation rate.
5. Provision of backpacks for all incoming kindergarten students.
6. Provision of staff support in the purchase of implementation items for use at activities supported by Transition plan.
7. Participate in intermittent meetings to discuss partnership, concerns, and/or opportunities for growth.

Participating schools will provide the following:

1. Coordinate with School Readiness Coordinator to establish and participate in kindergarten transition meetings (3 meetings/year).
2. School site point person to act as liaison between First 5 and school site staff supporting transition plan activities on/with school site.
3. Coordinate with First 5 Kings County to recruit parent participation on the Kindergarten Transition Team.
4. Provision of support in hosting events and/or services that are identified in Kindergarten Transition team.
5. Collection of participation data/parent surveys and submission to First 5 staff.
6. Participation by Kindergarten staff at:
  - i. 3 transition team meetings/year
  - ii. Identified Linkages to Learning Activities as established in Transition Plan.
7. Participate in intermittent meetings to discuss partnership, concerns, and/or opportunities for growth.
8. Participating schools will be Hamilton, Lincoln, Monroe, Richmond, Roosevelt, Simas and Washington.

We, the undersigned, as authorized representative of the Hanford Elementary School District and First 5 Kings County, do hereby approve this agreement.

By: \_\_\_\_\_ Date \_\_\_\_\_  
First 5 Kings County

By: \_\_\_\_\_ Date \_\_\_\_\_  
HESD Elementary School

## HANFORD ELEMENTARY SCHOOL DISTRICT

## AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Dr. Paul J. Terry

DATE: October 19, 2011

FOR:  Board Meeting  
 Superintendent's Cabinet

FOR:  Information  
 Action

Date you wish to have your item considered: November 2, 2011

**ITEM:** Consider approval of Consultant Contract with Rebecca Seargeant, Musical Chairs Academy.

**PURPOSE:** To provide music class curriculum for parents and children of the HESD Migrant Program three times per year in 4-week sessions.

**FISCAL IMPACT:** Up to \$3,000.00 from Migrant funds.

**RECOMMENDATIONS:** Approve.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees  
FROM: Paul J. Terry, Ed. D.  
DATE: October 24, 2011  
FOR:  Board Meeting  
 Superintendent's Cabinet  
FOR:  Information  
 Action

Date you wish to have your item considered: November 2, 2011.

**ITEM:** Receive the following new Board Policy and Administrative Regulation for information:  

- BP/AR 3320 – Claims and Actions Against the District (New)

**PURPOSE:** This new policy is necessary to align with current practices and legal requirements.

**FISCAL IMPACT:** None

**RECOMMENDATION:** Adopt



# Hanford ESD

## Board Policy

### Claims And Actions Against The District

BP 3320

#### Business and Noninstructional Operations

The Governing Board desires to ensure that the district's operations are conducted in a manner that minimizes risk, protects district resources, and promotes the health and safety of students, staff, and the public. Any and all claims for money or damages against the district shall be presented to and acted upon in accordance with law, Board policy, and administrative regulation as well as the district's Joint Powers Authority (JPA) agreement or insurance coverage.

(cf. 3530 - Risk Management/Insurance)

(cf. 5143 - Insurance)

Any claim for money or damages not governed by the Government Claims Act (Government Code 810-996.6) or excepted by Government Code 905 shall be presented consistent with the manner and time limitations in the Government Claims Act, unless a procedure for processing such claims is otherwise provided by state or federal law.

Upon notice to the district of a claim, the Superintendent or designee shall take all necessary steps to protect the district's rights under any applicable contractual agreements, including the right to indemnification from its insurance or other coverage provider.

In accordance with Government Code 935.4, the Board delegates to the Superintendent the authority to allow, compromise, or settle claims of \$50,000 or less pursuant to any conditions of coverage in the district's JPA agreement or insurance.

This policy applies retroactively to any existing causes of action and/or claims for money and/or damages.

#### Roster of Public Agencies

The Superintendent or designee shall file the information required for the Roster of Public Agencies with the Secretary of State and the County Clerk. This information shall include the name of the school district, the mailing address of the Board, and the names and addresses of the Board presiding officer, the Board clerk or secretary, and other members of the Board.

(Government Code 53051)

Any changes to such information shall be filed within 10 days after the change has occurred.

(Government Code 53051)

Legal Reference:

EDUCATION CODE

35200 Liability for debts and contracts

35202 Claims against districts; applicability of Government Code

CODE OF CIVIL PROCEDURE

340.1 Damages suffered as result of childhood sexual abuse

GOVERNMENT CODE

800 Cost in civil actions

810-996.6 Claims and actions against public entities

6500-6536 Joint exercise of powers

53051 Information filed with secretary of state and county clerk

PENAL CODE

72 Fraudulent claims

COURT DECISIONS

City of Stockton v. Superior Court, (2007) 42 Cal. 4th 730

Connelly v. County of Fresno, (2006) 146 Cal.App.4th 29

CSEA v. South Orange Community College District, (2004) 123 Cal.App.4th 574

CSEA v. Azusa Unified School District, (1984) 152 Cal.App.3d 580

Management Resources:

WEB SITES

California Secretary of State's Office: <http://www.sos.ca.gov>

Adopted:

# Hanford ESD

## Administrative Regulation

### Claims And Actions Against The District

AR 3320

#### Business and Noninstructional Operations

#### Time Limitations

The following time limitations apply to claims against the district:

1. Claims for money or damages relating to a cause of action for death or for injury to person, personal property, or growing crops shall be presented to the Governing Board not later than six months after the accrual of the cause of action. (Government Code 905, 911.2)
2. Claims for money or damages as authorized in Government Code 905 and not included in item #1 above, including claims for damages to real property, shall be presented not later than one year after the accrual of the cause of action. (Government Code 905, 911.2)

#### Receipt of Claims

A claim, any amendment thereto, or an application to present a late claim shall be deemed presented and received when delivered to the district office or deposited in a post office, subpost office, substation, or mail chute or other like facility maintained by the U.S. Government, in a sealed envelope properly addressed to the district office with postage paid or when otherwise actually received in the district office or by the Board secretary or clerk. (Government Code 915, 915.2)

Upon receipt of a claim against the district pursuant to the Government Claims Act, the Superintendent or designee shall promptly provide written notice to the district's JPA or insurance carrier in accordance with the applicable conditions of coverage.

#### Review of Contents of the Claim

The Superintendent or designee shall review any claim received to ensure that the claim contains all of the following information as specified in Government Code 910 and 910.2:

1. The name and post office address of the claimant
2. The post office address to which the person presenting the claim desires notices to be sent
3. The date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted

4. A general description of the indebtedness, obligation, injury, damage, or loss incurred insofar as it may be known at the time of presentation of the claim
5. The name(s) of the public employee(s) causing the injury, damage, or loss if known
6. The amount claimed if it totals less than \$10,000 as of the date of the presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds \$10,000, the dollar amount shall not be included in the claim and the claimant shall indicate whether the claim is a "limited civil case."
7. The signature of the claimant or the person acting on his/her behalf

#### Notice of Claim Insufficiency

If a claim is found insufficient or not to satisfy the form requirements under Government Code 910 and 910.2, the Board or its designee shall, within 20 days of receipt of the claim, personally deliver or mail to the claimant, at the address stated in the claim or application, a notice that states the particular defects or omission in the claim. (Government Code 910.8, 915.4)

The Board shall not act upon the claim until at least 15 days after such notice is given. (Government Code 910.8)

#### Amendment to Claims

Within the time limits provided under the section entitled "Time Limitations" above or prior to final action by the Board, whichever is later, a claim may be amended if, as amended, it relates to the same transaction or occurrence which gave rise to the original claim. (Government Code 910.6)

#### Late Claims

For claims under item #1 in the section entitled "Time Limitations" above, any person who presents a claim later than six months after the accrual of the cause of action shall present, along with the claim, an application to present a late claim. Such claim and the application to present a late claim shall be presented not later than one year after the accrual of the cause of action. (Government Code 911.4)

If the claim is presented late and is not accompanied by an application to present a late claim, the Board or its designee may, within 45 days, give written notice that the claim was not presented timely and that it is being returned without further action. (Government Code 911.3)

The Board shall grant or deny the application to present a late claim within 45 days after it is presented. This 45-day period may be extended by written agreement of the claimant and the Board provided that such agreement is made before the expiration of the 45-day period. (Government Code 911.6)

The Board shall grant the application to present a late claim where one or more of the following conditions are applicable: (Government Code 911.6)

1. The failure to present the claim was through mistake, inadvertence, surprise, or excusable neglect and the district was not prejudiced in its defense regarding the claim by the claimant's failure to present the claim within the time limit.
2. The person who sustained the alleged injury, damage, or loss was a minor during all of the time specified for presentation of the claim.
3. The person who sustained the alleged injury, damage, or loss was physically or mentally incapacitated during all of the time specified for presentation of the claim and the disability was the reason he/she failed to present the claim.
4. The person who sustained the alleged injury, damage, or loss died before the expiration of the time specified for the presentation of the claim.

If the application to present a late claim is denied, the claimant shall be given notice in substantially the same form as set forth in Government Code 911.8. (Government Code 911.8)

If the Board does not take action on the application to present a late claim within 45 days, the application shall be deemed to have been denied on the 45th day unless the time period has been extended, in which case it shall be denied on the last day of the period specified in the extension agreement. (Government Code 911.6)

#### Action on Claims

Within 45 days after the presentation or amendment of a claim, the Board shall take action on the claim. This time limit may be extended by written agreement between the district and the claimant before the expiration of the 45-day period. If the 45-day period has expired, the time limit may be extended if legal action has not commenced or been barred by legal limitations. (Government Code 912.4)

The Board may act on the claim in one of the following ways: (Government Code 912.4, 912.6)

1. If the Board finds that the claim is not a proper charge against the district, the claim shall be rejected.
2. If the Board finds that the claim is a proper charge against the district and is for an amount justly due, the claim shall be allowed.
3. If the Board finds that the claim is a proper charge against the district but is for an amount greater than is justly due, the Board shall either reject the claim or allow it in the amount justly due and reject it as to the balance.

4. If legal liability of the district or the amount justly due is disputed, the Board may reject or compromise the claim.
5. If the Board takes no action on the claim, the claim shall be deemed rejected.

If the Board allows the claim in whole or in part or compromises the claim and the claimant accepts the amount allowed or offered to settle the claim, the Board may require the claimant to accept it in settlement of the entire claim. (Government Code 912.6)

The Board or its designee shall transmit to the claimant written notice of action taken or of inaction which is deemed rejection. The notice shall be in the form set forth in Government Code 913 and shall either be personally delivered or mailed to the address stated in the claim or application. (Government Code 913, 915.4)

## HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees  
FROM: Paul J. Terry, Ed. D.  
DATE: October 24, 2011  
FOR:  Board Meeting  
 Superintendent's Cabinet  
FOR:  Information  
 Action

Date you wish to have your item considered: November 2, 2011.

**ITEM:** Receive the following new Administrative Regulation for information:  
• AR 3514.2 – Integrated Pest Management (New)

**PURPOSE:** This new policy is necessary to align with current practices and legal requirements.

**FISCAL IMPACT:** None

**RECOMMENDATION:** Adopt

# Hanford ESD

## Administrative Regulation

### Integrated Pest Management

AR 3514.2

#### **Business and Noninstructional Operations**

#### Definition

Integrated Pest Management (IPM) means a strategy that focuses on long-term prevention or suppression of pest problems through a combination of techniques such as monitoring for pest presence and establishing treatment threshold levels, using nonchemical practices to make the habitat less conducive to pest development, improving sanitation, and employing mechanical and physical controls. Pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property, and the environment are used only after careful monitoring indicates they are needed according to pre-established guidelines and treatment thresholds. (Food and Agricultural Code 13181)

#### Procedures

The Superintendent or designee shall designate a staff person to develop, implement, and coordinate an IPM program that incorporates effective, least toxic pest management practices. The district's program shall include the following elements:

1. Carefully monitoring and identifying the pest population levels and identifying practices that could affect pest populations. Strategies for managing the pest shall be influenced by the pest species and whether that species poses a threat to people, property, or the environment.
2. Setting action threshold levels to determine when pest populations or vegetation at a specific location might cause unacceptable health or economic hazard that would indicate corrective action should be taken.
3. Modifying or eliminating pest habitats to deter pest populations and minimize pest infestations.
4. Considering a full range of possible alternative treatments. Such alternative treatments may include taking no action or controlling the pest by physical, horticultural, or biological methods. Cost or staffing considerations alone will not be adequate justification for use of chemical control agents.
5. Selecting nonchemical pest management methods over chemical methods whenever such methods are effective in providing the desired control or, when it is determined that chemical methods must be used, giving preference to those chemicals that pose the least hazard to people and the environment.



6. Ensuring that persons applying pesticides follow label precautions and are trained in the principles and practices of IPM.
7. Limiting pesticide purchases to amounts needed for the year. Pesticides shall be stored at a secure location that is not accessible to students and unauthorized staff. They shall be stored and disposed of in accordance with state regulations and label directions registered with the U.S. Environmental Protection Agency (EPA) as well as any disposal requirements indicated on the product label.

#### Prohibited Pesticides

The IPM Coordinator shall not use a pesticide on a school site if that pesticide has been granted a conditional or interim registration or an experimental use permit by the California Department of Pesticide Regulation (DPR) or if the pesticide is subject to an experimental registration issued by the EPA and either of the following conditions exists: (Education Code 17610.1)

1. The pesticide contains a new active ingredient.
2. The pesticide is for new use.

In addition, the IPM Coordinator shall not use a pesticide on a school site if DPR cancels or suspends registration or requires that the pesticide be phased out from use. (Education Code 17610.1)

#### Notifications

The IPM Coordinator shall annually notify staff and parents/guardians of students enrolled at a school site, in writing, regarding pesticide products expected to be applied at the school facility in the upcoming year. The notification shall include at least the following: (Education Code 17612)

1. The Internet address (<http://www.schoolipm.info>) used to access information on pesticides and pesticide use reduction developed by the DPR pursuant to Food and Agricultural Code 13184.
2. The name of each pesticide product expected to be applied in the upcoming year and the active ingredient(s) in it.
3. An opportunity for interested persons to register to receive notification of individual pesticide application at the school site. The IPM Coordinator shall notify such registered persons of individual pesticide applications at least 72 hours prior to the application. The notice shall include the product name, the active ingredient(s) in the product, and the intended date of application.
4. Other information deemed necessary by the Superintendent or IPM Coordinator.

If a pesticide product not included in the annual notification is subsequently intended for use at a school site, the IPM Coordinator shall provide written notification of its intended use to staff and parents/guardians of students enrolled at the school, at least 72 hours prior to the application. (Education Code 17612)

Whenever the IPM Coordinator deems that the immediate use of a pesticide is necessary to protect the health and safety of students, staff, or other persons at the school site, he/she shall make every effort to provide the required notifications prior to the application of the pesticide. (Education Code 17612)

#### Posting of Warning Signs

The IPM Coordinator shall post a warning sign at each area of the school site where pesticides will be applied that shall be visible to all persons entering the treated area. The sign shall be posted at least 24 hours prior to the application and until 72 hours after the application. The warning sign shall display the following information: (Education Code 17612)

1. The term "Warning/Pesticide Treated Area"
2. The product name, manufacturer's name, and the EPA's product registration number
3. Intended areas and dates of application
4. Reason for the pesticide application

When advance posting is not possible due to an emergency condition requiring immediate use of a pesticide, the warning sign shall be posted immediately upon application and shall remain posted until 72 hours after the application. (Education Code 17609, 17612)

#### Records

Each school site shall maintain records of all pesticide use at the school for four years, and shall make the information available to the public, upon request, in accordance with the California Public Records Act. Such records may be maintained by retaining a copy of the warning sign posted for each pesticide application with a recording on that copy of the amount of the pesticide used. (Education Code 17611)

#### Legal Reference:

##### EDUCATION CODE

17366 Legislative intent (fitness of buildings for occupancy)

17608-17613 Healthy Schools Act of 2000

48980 Notice at beginning of term

48980.3 Notification of pesticides

##### FOOD AND AGRICULTURAL CODE

11401-12408 Pest control operations and agricultural chemicals

13180-13188 Healthy Schools Act of 2000

GOVERNMENT CODE

3543.2 Scope of representation; right to negotiate safety conditions

6250-6270 California Public Records Act

CODE OF REGULATIONS, TITLE 8

340-340.2 Employer's obligation to provide safety information

UNITED STATES CODE, TITLE 7

136-136y Insecticide, Fungicide and Rodenticide Act

Management Resources:

U.S. ENVIRONMENTAL PROTECTION AGENCY

Pest Control in the School Environment: Adopting Integrated Pest Management, 1993

WEB SITES

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

California Department of Pesticide Regulation, School IPM: <http://schoolipm.info>

U.S. Environmental Protection Agency, Integrated Pest Management at Schools:

<http://www.epa.gov/pesticides/ipm>

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees  
FROM: Paul J. Terry, Ed. D.  
DATE: October 24, 2011  
FOR:  Board Meeting  
 Superintendent's Cabinet  
FOR:  Information  
 Action

Date you wish to have your item considered: November 2, 2011.

**ITEM:** Receive the following revised Board Policy and Administrative Regulation for information:

- BP/AR 3516 – Emergencies and Disaster Preparedness Plan (revised)

**PURPOSE:** These revisions reflect changes (see underlines and strikeouts) that are necessary to align with current practices and procedures.

**FISCAL IMPACT:** None

**RECOMMENDATION:** Adopt

# Hanford ESD

## Board Policy

### Emergencies And Disaster Preparedness Plan

BP 3516

#### Business and Noninstructional Operations

In order to save lives and protect property, all district staff and students must be prepared to respond quickly and responsibly to emergencies, disasters and events which threaten to result in a disaster.

The Superintendent or designee shall develop and maintain a disaster preparedness plan which details provisions for handling all foreseeable emergencies and disasters and which shall be included in the district's comprehensive school safety plan. ~~The Superintendent or designee may appoint a committee to regularly review the disaster preparedness plan and recommend changes.~~ (Education Code 32282)

The Superintendent or designee shall also develop and maintain emergency plans for each school site.

In developing the district and school emergency plans, the Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators.

The Board shall grant the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall cooperate with such agencies in furnishing and maintaining whatever services they deem necessary to meet the community's needs. (Education Code 32282)

School employees are considered disaster service workers and are subject to disaster service activities assigned to them. (Government Code 3100)

~~The principal or designee shall augment the district plan with working plans and procedures specific to each school. He/she shall present a copy of these site plans and procedures to the Superintendent.~~

District and site plans shall address at least the following situations:

1. ~~Fire on school grounds which endangers students~~
2. ~~Natural or man-made disasters~~

(cf. 3516.3 — Earthquake Emergency Procedure System)

~~3. Bomb threat or actual detonation~~

~~(cf. 3516.2 Bomb Threats)~~

~~4. Attack or disturbance by individuals or groups~~

~~(cf. 0450 Comprehensive Safety Plan)~~

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

~~(cf. 3514 Environmental Safety)~~

~~(cf. 3515 Campus Security)~~

~~(cf. 3515.2 Disruptions)~~

~~(cf. 3530 Risk Management/Insurance)~~

~~(cf. 5131.4 Campus Disturbances)~~

~~The Superintendent or designee should ensure that the plan includes:~~

~~1. Procedures for personal safety and security~~

~~2. Ways to ensure smooth administrative control of operations during a crisis~~

~~3. Procedures to establish a clear, effective communications system~~

~~4. Guidelines for law enforcement involvement, including specific steps for law enforcement intervention depending upon the intensity of the crisis~~

The Superintendent or designee shall use state-approved Standard Emergency Management System guidelines *and the National Incident Command System* when updating district and site-level emergency and disaster preparedness plans.

The Superintendent or designee shall consult with city and/or county agencies so that district and site plans may provide the best possible way of handling each situation and also provide for emergency communications systems between these agencies and each district school.

The Superintendent or designee may provide a plan which allows bus seating capacity limits to be exceeded when a disaster or hazard requires students to be moved immediately to ensure their safety. (Education Code 38051)

~~(cf. 3543 Transportation Safety and Emergencies)~~

~~Disaster preparedness exercises shall be held regularly at each school site and shall demonstrate how safety procedures may be applied to various types of emergencies. All students and employees shall receive instruction regarding emergency plans.~~

The Board encourages all employees to become proficient in first aid and cardiopulmonary resuscitation (CPR). The Superintendent or designee shall ascertain that at least one staff

~~member at each school holds a valid certificate in these areas. The Superintendent or designee shall provide for CPR inservice training to be offered at least once a year for district staff.~~

Legal Reference:

EDUCATION CODE

32001 Fire alarms and drills

~~32000-32004 Uniform fire signals (with requirement that every school building with capacity of 50 or more students be provided with a fire warning system)~~

32040 Duty to equip school with first aid kit

32280-32289 School safety plans

32290 Safety devices

~~35295-35297 Earthquake emergency procedures~~

~~38051- 39834 Operating overloaded bus~~

~~38132 Mass care and welfare shelters~~

46390-46392 Emergency average daily attendance in case of disaster

49505 Natural disaster; meals for homeless students; reimbursement

GOVERNMENT CODE

3100 Public employees as disaster service workers

8607 Standard emergency management system

CODE OF REGULATIONS, TITLE 5

550 Fire drills

560 Civil defense and disaster preparedness plans

CODE OF REGULATIONS, TITLE 19

2400 et seq. Standardized Emergency Management System Regulations

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

WEB SITES

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

American Red Cross: <http://www.redcross.org>

California Department of Education, Crisis Preparedness: <http://www.cde.ca.gov/lr/ss/cp>

California Emergency Management Agency: <http://www.calema.ca.gov>

California Seismic Safety Commission: <http://www.seismic.ca.gov>

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

Contra Costa County Office of Education, Pandemic influenza resources:

[http://www.ccooe.k12.ca.us/about/flu/resources\\_flu\\_action\\_kit](http://www.ccooe.k12.ca.us/about/flu/resources_flu_action_kit)

Federal Emergency Management Agency: <http://www.fema.gov>

U.S. Department of Education, Emergency Planning:

<http://www.ed.gov/admins/lead/safety/emergencyplan>

U.S. Department of Homeland Security: <http://www.dhs.gov>

Management Resources:

CDE PROGRAM ADVISORIES

0224.94 Contingency Planning for School Campus Emergencies, CIL: 93/94-04

GOVERNOR'S OFFICE OF EMERGENCY SERVICES

Standardized Emergency Management System (SEMS) Guidelines, March 1995

~~SEMS Approved Course of Instruction, March 1995~~

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: December 18, 1996 Hanford, California

reviewed: May 16, 2001

revised:



# Hanford ESD

## Administrative Regulation

### Emergencies And Disaster Preparedness Plan

AR 3516

#### Business and Noninstructional Operations

##### Components of the Plan

The Superintendent or designee shall ensure that district and school site plans address, at a minimum, the following types of emergencies and disasters:

1. Fire on or off school grounds which endangers students and staff

(cf. 3516.1 - Fire Drills and Fires)

2. Earthquake or other natural disasters

(cf. 3516.3 - Earthquake Emergency Procedure System)

3. Environmental hazards

(cf. 3514 - Environmental Safety)

(cf. 3514.2 - Integrated Pest Management)

4. Attack or disturbance, or threat of attack or disturbance, by an individual or group

(cf. 3515 - Campus Security)

(cf. 3515.2 - Disruptions)

(cf. 5131.4 - Student Disturbances)

5. Bomb threat or actual detonation

(cf. 3516.2 - Bomb Threats)

6. Biological, radiological, chemical, and other activities, or heightened warning of such activities

7. Medical emergencies and quarantines, such as a pandemic influenza outbreak

(cf. 5141.22 - Infectious Diseases)

The Superintendent or designee shall ensure that the district's procedures include strategies and actions for prevention/mitigation, preparedness, response, and recovery, including, but not limited to, the following:

1. Regular inspection of school facilities and equipment and identification of risks

(cf. 3530 - Risk Management/Insurance)

2. Instruction and practice for students and employees regarding emergency plans, including:

a. Training of staff in first aid and cardiopulmonary resuscitation

b. Regular practice of emergency procedures by students and staff

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

3. Specific determination of roles and responsibilities of staff during a disaster or other emergency, including determination of:

a. The appropriate chain of command at the district and, if communication between the district and site is not possible, at each site

b. Individuals responsible for specific duties

c. Designation of the principal for the overall control and supervision of activities at each school during the emergency, including authorization to use his/her discretion in situations which do not permit execution of prearranged plans

d. Identification of at least one person at each site who holds a valid certificate in first aid and cardiopulmonary resuscitation

e. Assignment of responsibility for identification of injured persons and administration of first aid

4. Personal safety and security, including:

a. Identification of areas of responsibility for supervision of students

b. Procedures for evacuation of students and staff, including posting of evacuation routes

c. Procedures for release of students, including a procedure to release students when reference to the emergency card is not feasible

(cf. 5141 - Health Care and Emergencies)

(cf. 5142 - Safety)

d. Identification of transportation needs, including a plan which allows bus seating capacity limits to be exceeded when a disaster or hazard requires students to be moved immediately to ensure their safety

(cf. 3543 - Transportation Safety and Emergencies)

e. Provision of a first aid kit to each classroom

f. Arrangements for students and staff with special needs

(cf. 4032 - Reasonable Accommodation)

(cf. 6159 - Individualized Education Program)

g. Upon notification that a pandemic situation exists, adjustment of attendance policies for students and sick leave policies for staff with known or suspected pandemic influenza or other infectious disease

(cf. 4161.1/4361.1 - Personal Illness/ Injury Leave)

(cf. 4261.1 - Personal Illness/Injury Leave)

(cf. 5113 - Absences and Excuses)

(cf. 6183 - Home and Hospital Instruction)

5. Closure of schools, including an analysis of:

a. The impact on student learning and methods to ensure continuity of instruction

b. How to provide for continuity of operations for essential central office functions, such as payroll and ongoing communication with students and parents/guardians

(cf. 3516.5 - Emergency Schedules)

6. Communication among staff, parents/guardians, the Governing Board, other governmental agencies, and the media during an emergency, including:

a. Identification of spokesperson(s)

(cf. 1112 - Media Relations)

b. Development and testing of communication platforms, such as hotlines, telephone trees, and web sites

(cf. 1113 - District and School Web Sites)

c. Development of methods to ensure that communications are, to the extent practicable, in a language and format that is easy for parents/guardians to understand

d. Distribution of information about district and school site emergency procedures to staff, students, and parents/guardians

7. Cooperation with other state and local agencies, including:

a. Development of guidelines for law enforcement involvement and intervention

b. Collaboration with the local health department, including development of a tracking system to alert the local health department to a substantial increase of student or staff absenteeism as indicative of a potential outbreak of an infectious disease

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

8. Steps to be taken after the disaster or emergency, including:

a. Inspection of school facilities

b. Provision of mental health services for students and staff, as needed

(cf. 6164.2 - Guidance/Counseling Services)

The district disaster preparedness plan shall be available to staff, students and the public in the office of the Superintendent and in the office of each principal. Individual school site disaster plans shall be provided to each teacher and shall be available for public inspection at the principal's office. The principal shall make certain that students and staff are familiar with their site plan.

~~The Board of Trustees shall grant the use of school buildings, grounds and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall cooperate with such agencies in furnishing and maintaining whatever services it deems necessary to meet the community's needs. (Education Code 38132)~~

#### Release of Students

The following procedures shall be followed in releasing students in the event of an emergency or disaster:

1. The principal or designee shall receive authorization from the Superintendent or designee before releasing students.
2. Individual students shall not leave a school site without receiving permission from the principal or designee.

3. If possible, staff shall release students only to persons authorized on the student emergency card.
4. In absence of an emergency card or in an emergency in which reference to the emergency card is impossible, individual students shall be released, upon presentation of identification, to parents/guardians, persons authorized by the parents/guardians, or to authorized persons representing public agencies that may take responsibility, when necessary, for the safety of the student.
5. The principal or designee shall record the release of all students.

#### Role of Staff

School staff are considered disaster service workers and are subject to disaster service activities assigned to them. (Government Code 3100)

(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)

During an emergency, staff shall fulfill the following roles:

(cf. 4119.3/4219.3/4319.3 - Duties of Personnel)

1. The principal or designee shall assume overall control and supervision of activities at the school site during an emergency. He/she shall have authority to use discretionary judgment in emergency situations which do not permit execution of prearranged plans. The principal or designee shall:
  - a. Direct evacuation of buildings
  - b. Arrange for transfer of students when their safety is threatened
  - c. Ensure individuals with disabilities and their classroom teachers know and understand the emergency procedures and allowances are provided as appropriate.
  - d. Inform the Superintendent or designee of all emergency actions taken as soon as possible
  - e. Schedule monthly fire drills and other disaster preparedness exercises and keep appropriate records
  - f. Post directions for fire drills and civil defense drills in classrooms, multipurpose rooms, etc.
2. Teachers shall be responsible for supervision of students in their charge. Teachers shall:
  - a. Direct evacuation of students in their charge in accordance with the principal's

instruction

- b. Give the DROP command as necessary
  - c. Take attendance, stay with the students and provide supervision
  - d. Report missing students to the principal or designee
  - e. Send students in need of first aid to the school nurse or a person trained in first aid
  - f. Ensure individual with disabilities know and understand emergency procedures and accommodations are provided as appropriate.
3. Custodians are responsible for the use of emergency equipment, the handling of supplies and the use of available utilities. Custodians shall:
  - a. Survey and report damage to the principal
  - b. Direct rescue operations as required
  - c. Direct fire-fighting efforts until regular fire-fighting personnel take over
  - d. Control main shutoff valves for gas, water and electricity and ascertain that no hazard results from broken gas, water mains or fallen electrical lines
  - e. Disburse supplies and equipment as needed
4. The school operation officer and secretarial staff shall:
  - a. Report a fire or disaster to the appropriate authorities
  - b. Answer telephones and monitor radio emergency broadcasts
  - c. Provide for the safety of essential school records and documents
  - d. Assist the principal as needed
5. The school nurse shall:
  - a. Administer first aid
  - b. Supervise the administration of first aid
  - c. Organize first aid and medical supplies
6. The cafeteria manager shall direct the use and preparation of the cafeteria stock and water

supply whenever the feeding of students becomes necessary during a disaster.

7. The bus driver(s) shall:

- a. Supervise students if a disaster occurs while they are on the bus
- b. Issue the DROP command as necessary while students are on the bus
- c. Transfer students to a new location when directed by the principal or designee.

Regulation approved: HANFORD ELEMENTARY SCHOOL DISTRICT  
revised: May 16, 2001 Hanford, California  
revised: March 29, 2005  
revised:

HANFORD ELEMENTARY SCHOOL DISTRICT  
AGENDA REQUEST FORM

TO: Board of Trustees  
FROM: Paul J. Terry, Ed. D.  
DATE: October 24, 2011  
FOR:  Board Meeting  
 Superintendent's Cabinet  
FOR:  Information  
 Action

Date you wish to have your item considered: November 2, 2011.

**ITEM:** Receive the following revised Administrative Regulation for information:  
• AR 7160 – Charter School Facilities (revised)

**PURPOSE:** These revisions reflect changes (see underlines and strikeouts) that are necessary to align with current practices and procedures.

**FISCAL IMPACT:** None

**RECOMMENDATION:** Adopt



# Hanford ESD

## Administrative Regulation

### Charter School Facilities

AR 7160  
**Facilities**

#### Definitions

Average daily classroom attendance (ADA) or classroom ADA is ADA for classroom-based apportionment as used in Education Code 47612.5. (5 CCR 11969.2)

In-district classroom ADA is classroom ADA attributable to in-district students. In-district students are those charter school students who are entitled to attend a district school. Students eligible to attend district schools based on an interdistrict attendance agreement or parent/guardian employment shall be considered students of the district where they reside. (5 CCR 11969.2)

(cf. 5111.1 - District Residency)  
 (cf. 5117 - Interdistrict Attendance)

\*\*\*Note: 5 CCR 11969.2 provides that the district need not provide facilities for nonclassroom-based charter school students, unless it so chooses. Items #1-2 below are optional.\*\*\*

The district may allow a charter school to include nonclassroom ADA in the ADA calculation only: (5 CCR 11969.2)

1. To the extent of the instructional time that the students generating the nonclassroom-based ADA are actually in the classroom under the direct supervision of and control of a charter school employee
2. If the district and charter school agree upon the time(s) that the facilities devoted to students generating the nonclassroom-based ADA will be used

An eligible charter school operating in the district is one that is either currently providing public education to in-district students or has identified at least 80 in-district students who are meaningfully interested in enrolling in the charter school for the following year, regardless of whether the district is or is proposed to be the chartering entity and whether or not the charter school has a facility inside the district's boundaries. (Education Code 47614; 5 CCR 11969.2)

Furnished and equipped means the facilities include reasonably equivalent furnishing necessary to conduct classroom instruction and to provide for student services that directly support classroom instruction as found in the comparison group schools established under 5 CCR

11969.3(a) and that the facilities have equipment that is reasonably equivalent to the comparison group schools. Equipment means property that does not lose its identity when removed from its location and is not changed materially or consumed immediately (e.g., within one year). Equipment has relatively permanent value and its purchase increases the total value of the district's physical properties. Examples include furniture, vehicles, machinery, motion picture film, videotape, furnishings that are not an integral part of the building or building system, and certain intangible assets such as major software programs. Furnishings and equipment acquired for a school site or immediately adjacent to with nondistrict resources are excluded when determining reasonable equivalence. (5 CCR 11969.2)

#### Determination of Reasonably Equivalent Facilities

The district shall provide facilities to a charter school sufficient to accommodate charter school students in conditions reasonably equivalent to those in which the students would be accommodated if they were attending other public schools of the district. (Education Code 47614; 5 CCR 11969.3)

Reasonably equivalent conditions shall be determined on the basis of: (5 CCR 11969.3)

1. A comparison group of district schools with similar grade levels, selected in accordance with 5 CCR 11969.3 (5 CCR 11969.3)

If a charter school's grade-level configuration is different from the configuration of the district's schools, the district is not obligated to pay for the modification of a school site to accommodate the charter school's configuration. (5 CCR 11969.3)

2. Capacity, in accordance with 5 CCR 11969.3, including equivalency of the ratio of teaching stations (classrooms) to ~~average daily attendance~~ ADA as those provided to ~~district students in the school district~~ attending comparison group schools, ~~allocation~~ as well as a share of the specialized classroom space and/or a provision for access to ~~nonteaching station~~ reasonably equivalent specialized classroom space. District ADA shall be determined using projections for the fiscal year and grade levels for which facilities are requested. (5 CCR 11969.3)

The number of teaching stations shall be determined using the classroom inventory prepared pursuant to 2 CCR 1859.31, adjusted to exclude classrooms identified as interim housing. Interim housing means the rental or lease of classrooms used to house students temporarily displaced as a result of the modernization of classroom facilities, as defined in 2 CCR 1859.2, and classrooms used as emergency housing for schools vacated due to structural deficiencies or natural disasters. (5 CCR 11969.3)

The district shall allocate and/or provide access to nonteaching station space commensurate with the in-district classroom ADA of the charter school and the per-student amount of nonteaching station space in the comparison group schools. Nonteaching station space is all of the space that is not identified as teaching station space or specialized classroom space and includes, but is not limited to, administrative, kitchen, multipurpose room, and play area

space. (5 CCR 11969.3)

3. Condition of facilities, as determined by assessing such factors as age of facilities (from last modernization), quality of materials, and state of maintenance, including: (5 CCR 11969.3)

a. School site size

b. Condition of interior and exterior surfaces

c. Condition of mechanical, plumbing, electrical, and fire alarm systems, including conformity to applicable codes

~~d. Conformity of mechanical, plumbing, electrical and fire alarm systems to applicable codes~~

e

~~d.~~ Availability and condition of technology infrastructure

~~f. Suitability.~~ Condition of the facility as a safe learning environment, including, but not limited to, the suitability of lighting, noise mitigation, and size for intended use

~~g. The manner in which~~ Condition of the facility is furnished ~~facility's furnishing and equipped equipment~~

~~g.~~ Condition of athletic fields and/or play area space

(cf. 7111 - Evaluating Existing Buildings)

#### Provision Of Facilities By District

~~As of November 8, 2003, or on the first day of July following the passage of a local school bond measure, the district shall make available to a charter school operating in the district facilities within the district sufficient for the charter school to accommodate all of its in-district students in conditions reasonably equivalent to those in other district schools. Facilities provided to charter schools shall be contiguous and shall be furnished and equipped as necessary to conduct classroom-based instruction. (Education Code 47614; 5 CCR 11969.2, 11969.4)~~

~~(cf. 0420.4 Charter Schools)~~

~~(cf. 7110 Facilities Master Plan)~~

If a charter school was established through the conversion of an existing public school, the condition of the facility previously used by the district shall be considered to be reasonably equivalent for the first year the charter school uses the facility. (5 CCR 11969.3)

#### Request and Provision of Facilities: Timelines and Procedures

The following procedures shall apply to a charter school's request for and the district's provision of facilities:

1. On or before November 1, a

~~The district shall not be required to use unrestricted general fund revenues to rent, buy or lease facilities for charter schools. The district may charge the charter school a pro rata share of its facilities costs that the district pays with unrestricted general fund revenues. (Education Code 47614; 5 CCR 11969.7)~~

~~Procedures for requesting facilities shall include the following steps:-~~

~~1. A charter school must be operating in the district as defined in Education Code 47614 before it submits a request for facilities. A new or proposed charter school is eligible to request facilities for a particular fiscal year only if it submitted its charter petition before November 15 of the fiscal year preceding the year for which facilities are requested. A new charter school is entitled to receive facilities only if its petition was approved before March 1 of the fiscal year preceding the year for which facilities are requested. (5 CCR 11969.9)~~

~~2. The charter school shall submit a written facilities request to the Board of Trustees by October 1 of the preceding fiscal year. A new charter school, as defined in 5 CCR 11969.9, shall submit its request by January 1 of request for facilities to the preceding Superintendent or designee for the next fiscal year. The request shall include: (Education Code 47614; 5 CCR 11969.9)~~

~~a. Reasonable projections of in-district and total average daily attendance and total classroom average daily attendance, broken down by grade level and by the schools that the students would otherwise attend ADA and in-district and total classroom ADA, based on ADA claimed for apportionment, if any, in the fiscal year prior to the fiscal year in which the facilities request is made, adjusted for expected changes in enrollment in the forthcoming fiscal year~~

Projections of in-district ADA, in-district classroom ADA, and the number of in-district students shall be broken down by grade level and by the district school that the student would otherwise attend.

b. A description of the methodology for the projections

~~e. If relevant, c. If relevant (i.e., when a charter school is not yet open or to the extent an operating charter school projects a substantial increase in ADA), documentation of the number of in-district students meaningfully interested in attending the charter school that is sufficient for the district to determine the reasonableness of the projection, but that need not be verifiable for precise arithmetical accuracy~~

d. The charter school's ~~instructional~~ operational calendar

e. Information regarding the district's school site and/or general geographic area in which the charter school wishes to locate

f. Information on the charter school's educational program, if any, that is relevant to assignment of facilities

In submitting a facilities request, the charter school shall use a form specified by the district. The charter school shall distribute, or otherwise make available for review, the written request to interested parties, including, but not limited to, parents/guardians and school staff.

~~3. The Board~~ 2. On or before December 1, the district shall review the charter school's projections of in-district and total ~~average daily attendance~~ ADA and in-district and total classroom ~~average daily attendance~~ ADA, express any objections in writing, and state the projections the district considers reasonable. If the district does not express any objections in writing and state its own projections by the deadline, the charter school's projections are no longer subject to challenge and the district shall providebase its offer of facilities on those projections. (5 CCR 11969.9)

~~3. On or before January 2, the charter school a reasonable opportunity to shall~~ respond to any ~~concerns raised by the district.~~ objections expressed by the district and to the district's attendance projections provided pursuant to item #2 above. The charter school shall reaffirm or modify its previous projections as necessary to respond to the information received from the district pursuant to item #2. If the charter school does not respond by January 2, the district's projections provided pursuant to item #2 are no longer subject to challenge and the district shall base its offer of facilities on those projections. (5 CCR 11969.9)

4. ~~The district may deny a facilities request when the projected average daily attendance for the year is less than 80. (Education Code 47614)~~

~~5. The Board~~ On or before February 1, the district shall prepare a written preliminary proposal regarding the space to be allocated to the charter school and the /or to which the charter school is to be provided access. At a minimum, the preliminary proposal shall include: (5 CCR 11969.9)

a. The projections of in-district classroom ADA on which the proposal is based

b. The specific location(s) of the space

c. All conditions pertaining to the space, including a draft of any proposed agreement pertaining to the charter school's use of the space

d. The projected pro rata share amount, and shall providea description of the methodology used to determine that amount

e. A list and description of the comparison group schools used in developing the district's preliminary proposal and a description of the difference between the preliminary proposal and the charter school's request submitted pursuant to item #1 above

In evaluating and accommodating the charter school's request, the charter school's in-district students shall be given the same consideration as students in the district's schools, subject to the requirement that the facilities provided must be contiguous. (5 CCR 11969.2)

Contiguous facilities are those facilities contained on a school site or immediately adjacent to a school site. If the in-district classroom ADA of the charter school cannot be accommodated on any single school site, contiguous facilities also include facilities located at more than one site, provided that the district minimizes the number of sites assigned and considers student safety. (5 CCR 11969.2)

If none of the district-operated schools has grade levels similar to the charter school, then a contiguous facility shall be an existing facility that is most consistent with the needs of students in the grade levels served at the charter school. The district shall not be obligated to pay for the modification of an existing school site to accommodate the charter school's grade level configuration. (5 CCR 11969.3)

5. On or before March 1, the charter school shall respond in writing to the district's preliminary proposal made pursuant to item #4 above and shall express any concerns, including addressing differences between the preliminary proposal and the charter school's request, and/or make a counter proposal. (5 CCR 11969.9)

6. ~~The Board shall provide~~ On or before April 1, having reviewed any concerns and/or counter proposals made by the charter school pursuant to item #5 above, the district shall submit, in writing, a final notification of the space offered to the charter ~~AR school by April 1~~ ~~preceding the fiscal year for which facilities are requested. The school.~~ The notification shall include a response to the charter school's concerns and/or counter proposal, if any. The final notification shall specifically identify: (5 CCR 11969.9)

a. The teaching ~~station~~stations, specialized classroom spaces, and nonteaching station ~~spaces~~spaces offered for the exclusive use of the charter school and ~~that to be the teaching~~ stations, specialized classroom spaces, and nonteaching spaces to which the charter school is to be provided access on a shared basis with district-operated programs

b. Arrangements for sharing any shared space

c. The assumptions of in-district classroom ~~average daily attendance~~ADA for the charter school upon which the allocation is based, and if the assumptions are different than those submitted by the charter school pursuant to item #3 above, a written explanation of the reasons for ~~any~~the differences ~~than those submitted by the charter school~~

d. The specific location(s) of the space

e. All conditions pertaining to the space

f. The pro rata share amount

eg. The payment schedule for the pro rata amount, which shall take into account the timing of revenues from the state and from local property taxes

7. ~~The charter school shall provide written notification to the Board, by~~ By May 1 or within 30 days after the district notification pursuant to item #6 above, whichever is later, the charter school shall notify the district in writing whether or not it intends to occupy the offered space. (5 CCR 11969.9)

The charter school's notification may be withdrawn or modified before this deadline. After the deadline, if the charter school has notified the district that it intends to occupy the offered space, the charter school is committed to paying the pro rata share amount as identified. If the charter school does not notify the district by this deadline that it intends to occupy the offered space, then the space shall remain available for district programs and the charter school shall not be entitled to use facilities of the district in the following fiscal year. (5 CCR 11969.9)

8. The district and charter school shall negotiate an agreement regarding the use of and payment for the space. The agreement shall contain the information included in item #6 In addition, the district shall provide a draft of any proposed agreement pertaining to the charter school's use of the space in conjunction with the preliminary offer, as detailed in item #4 above. (5 CCR 11969.9)

~~The~~ a. At a minimum, the agreement also shall require the contain the information included in the district's final notification, as listed in item #6 above.

b. The charter school shall maintain general liability insurance naming the district as an additional insured in order to indemnify the district for any damage or loss and losses. The district shall maintain first party property insurance for which the facilities allocated to the charter school is liable, and that the

(cf. 3530 - Risk Management/Insurance)

c. The charter school shall comply with Board policies regarding the operations and maintenance of school facilities, furnishings, and equipment.

(cf. 3530 - Risk Management/Insurance)

d. A reciprocal hold-harmless/indemnification provision shall be established between the district and the charter school.

e. The district shall be responsible for any modifications necessary to maintain the facility in accordance with Education Code 47610(d) or 47610.5.

9. The space allocated to the charter school by the district, or the space to which the district provides the charter school access, shall be furnished, equipped, and available for occupancy at least seven|0 working days prior to the first day of instruction of the charter school. For good cause, the district may reduce the period of availability to a period of not less than seven working

days. (5 CCR 11969.9)

Space allocated for use by the charter school shall not be sublet or used, subject to sharing arrangements, shall be available for the charter school's entire school year regardless of the district's instructional year or class schedule. The charter school shall not sublet or use the facilities for purposes other than those that are consistent with Board policies and district practices without permission of the Superintendent or designee. (5 CCR 11969.5)

(cf. 1330 - Use of School Facilities)

10. Facilities, furnishings, and equipment provided to a charter school by the district shall remain the property of the district. The district shall be responsible for projects eligible to be included in the district's deferred maintenance plan and the replacement of district-provided furnishings and equipment in accordance with district schedules and practices. The ongoing operations and maintenance of facilities, furnishings, and equipment shall be the responsibility of the charter school. (Education Code 47614; 5 CCR 11969.2, 11969.4)

#### Charges for Facilities Costs

The district shall not be required to use unrestricted general fund revenues to rent, buy, or lease facilities for charter schools. The district may charge the charter school for a pro-rata share of the district's facilities costs for the charter school's use of the facilities in accordance with 5 CCR 11969.7. (Education Code 47614)

General fund means the main operating fund of the district which is used to account for all activities except those that are required to be accounted for in another fund. (5 CCR 11969.2)

Unrestricted revenues are those funds whose uses are not subject to specific constraints and that may be used for any purposes not prohibited by law. Restricted revenues are those funds received from external sources that are legally restricted or that are restricted by the donor to specific purposes. Programs funded by a combination of restricted and unrestricted sources will be accounted for and reported as restricted. Funds or activities that are not restricted or designated by the donor, but rather by the Governing Board, shall be accounted for and reported as unrestricted. (5 CCR 11969.2)

Facilities costs are those activities concerned with keeping the physical plant open, comfortable, and safe for use and keeping the grounds, buildings, and equipment in working condition and a satisfactory state of repair. These include the activities of maintaining safety in buildings, on the grounds, and in the vicinity of schools, as well as plant maintenance and operations, facilities acquisition and construction, and facilities rents and leases. (5 CCR 11969.2)

The charter school shall report actual in-district and total ~~average daily attendance-ADA~~ and classroom ~~average daily attendance-ADA~~ to the district every time that the charter school reports ~~average daily attendance-ADA~~ for apportionment purposes. If the charter school generates less ~~average daily attendance-ADA~~ than projected, the charter school shall reimburse the district for



~~the over-allocated space at rates as set forth in 5 CCR 11969.8, unless the district agrees, in response to the notification by the State Board charter school of Education over-allocation, to exercise its sole discretion to use the over-allocated space for district programs. (Education Code 47614; 5 CCR 11969.8, 11969.9)~~

#### ~~Funding For New Construction~~

~~Applications for facilities funding for new construction pursuant to Education Code 17078.52-17078.62 may be submitted by either: (Education Code 17078.53)~~

- ~~1. The district on behalf of a charter school that is physically located within the geographical boundaries of the district~~
- ~~2. A charter school on its own behalf, if the charter school has provided written notification of its intent to both the Board and Superintendent at least 30 days prior to submitting the preliminary application that had demonstrated construction grant eligibility based on current enrollment data~~

~~Any project applying for such funding shall: (Education Code 17078.54)~~

- ~~1. Meet all the requirements for public school construction, including Field Act, plan approvals, toxic substance review, site selection and site approval that apply to noncharter school projects~~

~~(cf. 7150 Site Selection and Development)~~

- ~~2. Fund only new construction to be physically located within the geographical jurisdiction of the district~~

~~If a charter school ceases to use any facilities funded through this program, the facility may be used for other purposes in accordance with the priorities established in Education Code 17078.62.~~

#### ~~Zoning Ordinances~~

~~Upon a two-thirds vote, the Board may render a city or county ordinance inapplicable to a charter school facility if the facility is physically located within the district's geographical jurisdiction. (Government Code 53097.3)~~

~~(cf. 9323.2 Actions by the Board)~~

#### ~~Legal Reference:~~

##### ~~EDUCATION CODE~~

~~17070.10-17080 Leroy F. Greene School Facilities Act of 1998, including:  
17078.52-17078.66 Charter schools facility funding; state bond proceeds~~

~~17280-17317 Field Act~~

~~46600 Interdistrict attendance agreements~~

~~47600-47616.5 Charter Schools Act of 1992, as amended~~

~~48204 Residency requirements for school attendance~~

**GOVERNMENT CODE**

~~53094 Authority to render zoning ordinance inapplicable~~

~~53097.3 Charter school ordinances~~

**CODE OF REGULATIONS, TITLE 2**

~~1859.160-1859.171 Charter school facilities program, new construction~~

**CODE OF REGULATIONS, TITLE 5**

~~11969.1-11969.9 Charter school facilities~~

**COURT DECISIONS**

~~Sequoia Union High School District v. Aurora Charter High School (2003) 112 Cal.App.4th 185~~

~~Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986~~

**ATTORNEY GENERAL OPINIONS**

~~80 Ops. Cal. Atty. Gen. 52 (1997)~~

**Management Resources:**

**WEB SITES**

~~California Department of Education, Charter Schools Office: <http://www.cde.ca.gov/sp/cs>~~

~~CSBA: <http://www.esba.org>~~

~~Coalition for Adequate School Housing: <http://www.cashnet.org>~~

~~Office of Public School Construction: <http://www.opse.dgs.ca.gov>~~

**Policy HANFORD ELEMENTARY SCHOOL DISTRICT**

~~adopted: February 9, 2005 Hanford, California Additional Provisions for Charter School  
Established at an Existing School Site~~

The following provisions apply only to a charter school established at an existing school site pursuant to Education Code 47605(a)(2), 52055.5, 52055.55, or 52055.650 that operated at the site in its first year pursuant to 5 CCR 11969.3(c)(2). (5 CCR 11969.3)

1. The school site, as identified in the school's charter, shall be made available to the charter school for its second year of operation and thereafter upon annual request for facilities from the district pursuant to Education Code 47614 and this administrative regulation. (5 CCR 11969.3)

The district may charge the charter school the pro-rata costs for the site pursuant to 5 CCR 11969.7 and the district shall be entitled to receive reimbursement for over-allocated space from the charter school pursuant to 5 CCR 11969.8. (5 CCR 11969.3)

If, by February 1 of its first year of operation, a charter school notifies the district that it will have over-allocated space in the following fiscal year, the space identified is not subject to reimbursement for over-allocation space pursuant to 5 CCR 11969.8 in the following year or thereafter. The district may occupy all or a portion of the space identified. (5 CCR 11969.3)

A charter school that wants to recover space surrendered to the district shall apply to the district and the district shall evaluate the application in accordance with law and this administrative regulation. (5 CCR 11969.3)

2. If, as a result of a material revision of the charter, either the location of the charter school is changed or the district approves the operation of additional sites by the charter school, then the charter school may request, and the district shall provide, facilities in accordance with the revised charter, law, and this administrative regulation. (5 CCR 11969.3)

a. If the charter school was established pursuant to Education Code 47605(a)(2), the district shall change the school's attendance area only if the State Board of Education (SBE) grants a waiver of the requirement in Education Code 47605(d)(1) that the charter school continuously give admission preference to students residing in the former attendance area of the school site. (5 CCR 11969.3)

b. If the charter school was established pursuant to Education Code 52055.5, 52055.55, or 52055.650, the district shall relocate the school or change the school's attendance area only if the SBE grants a waiver of the provision of statute binding the school to the existing site. (5 CCR 11969.3)

c. If the district decides to change the charter school's attendance areas as provided in #2(a) or 2(b) above, and if the decision occurs between November 1 and June 30 and becomes operative in the forthcoming fiscal year, then the space allocated to the charter school is not subject to reimbursement for over-allocated space pursuant to 5 CCR 11969.8 in the forthcoming fiscal year. (5 CCR 11969.3)

#### Mediation of Disputes

If a dispute arises between the district and a charter school pursuant to Education Code 47614 or 5 CCR 11969.1-11969.10 both parties may agree to settle the dispute using mediation. Mediation consists of the following steps: (5 CCR 11969.10)

1. If both parties agree to mediation, the initiating party shall select a mediator, subject to the agreement of the responding party. If the parties are unable to agree on a mediator, the initiating party shall request the CDE to appoint a mediator within seven days to assist the parties in resolving the dispute. The mediator shall meet with the parties as quickly as possible.

2. Within seven days of the selection or appointment of the mediator, the party initiating the dispute resolution process shall send a notice to the responding party and the mediator. The notice shall include the following information:

a. Name, address, and phone numbers of designated representatives of the parties

b. A statement of the facts of the dispute, including information regarding the parties' attempts to resolve the dispute

c. The specific sections of the statute or regulations that are in dispute

d. The specific resolution sought by the initiating party

3. Within seven days of receiving the notice, the responding party shall file a written response.

4. The mediation shall be entirely informal in nature. Each party shall share copies of exhibits upon which its case is based with the other party. The relevant facts shall be elicited in a narrative fashion to the extent possible, rather than through examination and cross-examination of witnesses.

5. Any agreement reached by the parties shall be in writing and shall not set a precedent for any other case.

6. The mediation shall be terminated if the district and the charter school fail to meet within the specified timelines, have not reached an agreement within 15 days from the first meeting held by the mediator, or if the mediator declares an impasse.

7. The costs of the mediation shall be divided equally between the parties and paid promptly.

HANFORD ELEMENTARY SCHOOL DISTRICT  
Human Resources Department  
**AGENDA REQUEST FORM**

TO: Dr. Paul Terry

FROM: Diane Williams *DW*

DATE: October 24, 2011

FOR:  Board Meeting  
 Superintendent's Cabinet

Information  
 Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **November 2, 2011**

**ITEM:** Consider adoption of the following revised Board Policy and Administrative Regulation.

**PURPOSE:** The following Board Policy and Administrative Regulation reflect changes (see underlined and strikeouts) that are necessary to align with current practices and procedures as well as recommendations by CSBA due to State and federal law mandates and Education Code changes.

- BP/AR 4222 – Teacher Aides/Paraprofessionals (revised)

**FISCAL IMPACT:** None.

**RECOMMENDATION:** Adopt.

**THIS BP REPLACES CURRENT BP****Classified Personnel**

BP 4222

**TEACHER AIDES/PARAPROFESSIONALS**

1. The Board of Trustees recognizes that paraprofessionals support student learning by providing valuable assistance to teachers and other certificated personnel and enabling greater individualized instruction and supervision of students. Such employees may perform instructional and/or administrative tasks in accordance with law, Board policy and administrative regulation.

*(cf. 1240 - Volunteer Assistance)*

*(cf. 4200 - Classified Personnel)*

*(cf. 6171 - Title I Programs)*

2. The Superintendent or designee shall ensure that paraprofessionals possess the qualifications required by law for their positions.
3. Paraprofessionals shall be under the immediate supervision and direction of certificated personnel.
4. In determining the assignment of paraprofessionals, the Superintendent or designee shall consider the greatest benefit to students based on such factors as class size, grade levels, student needs, subject matter and teacher workload.
5. Each paraprofessional shall be provided with a clear definition of his/her roles and responsibilities.
6. The Superintendent or designee shall ensure that all paraprofessionals receive ongoing support and regular performance assessments. Teachers shall receive training in how to collaborate effectively with an assistant and are expected to assign duties consistent with written job descriptions for paraprofessionals.

*(cf. 4131 - Staff Development)*

*(cf. 4212 - Appointment and Conditions of Employment)*

*(cf. 4215 - Evaluation/Supervision)*

*(cf. 4231 - Staff Development)*

7. The Board encourages qualified paraprofessionals to pursue opportunities that lead to attainment of a teaching credential and enable them to increase their skills and experience in the classroom.

*(cf. 4112.2 - Certification)*

*(cf. 4112.21 - Interns)*

*Legal Reference: (see next page)*

**TEACHER AIDES/PARAPROFESSIONALS (continued)**

## Legal Reference:

## EDUCATION CODE

44390-44393 California School Paraprofessional Teacher Training Program

44833 Postsecondary students as nonteaching aides

44835 Duties of nonteaching work study aides

45330 Paraprofessionals

45340-45349 Instructional aides

45350-45354 Teacher assistants

45360-45367 Teacher aides

54480-54486 Special Teacher Employment Programs

## CODE OF REGULATIONS, TITLE 5

12065-12070 Teacher aides for Special Teacher Employment Programs

## UNITED STATES CODE, TITLE 20

6311 State plans

6314 Schoolwide programs

6315 Targeted assistance schools

6318 Parent involvement

6319 Qualifications for teachers and paraprofessionals

## CODE OF FEDERAL REGULATIONS, TITLE 34

200.58-200.59 Qualifications and duties of paraprofessionals

## Management Resources:

## U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Roles for Education Paraprofessionals in Effective Schools, 1997

Title 1 Paraprofessionals, Non-Regulatory Guidance, March 1, 2004

## WEB SITES

CTC Paraprofessional Teacher Training Program: <http://www.ctc.ca.gov/para>CDE: <http://www.cde.ca.gov>CSBA: <http://www.csba.org>U.S. Department of Education: <http://www.ed.gov>California School Employees Association: <http://www.csea.com>National Resource Center for Paraprofessionals: <http://www.nrcpara.org>National Clearinghouse for Paraeducator Resources: <http://www.usc.edu/dept/education/CMMR/Clearinghouse.html>

## Policy

adopted: November 7, 2001

revised: December 30, 2003

revised: \_\_\_\_\_, 2011

**HANFORD ELEMENTARY SCHOOL DISTRICT**

Hanford, California

**Classified Personnel**

BP 4222(a)

**INSTRUCTIONAL AIDES/PARAPROFESSIONALS**

1. The term "instructional aide" as used herein shall apply to all paraprofessional staff, regardless of their job title, employed to assist credentialed staff with instructional activities and programs.
2. The district shall assign instructional aides in those classes and educational programs where they will provide the greatest benefit to students, taking into consideration such factors as large class size, student age, and special needs of students. Employees hired under categorical program funding shall be assigned to support those programs.
3. No person shall be assigned as an instructional aide without having demonstrated, or presented proof of, proficiency in basic reading, writing, and mathematics skills. The Superintendent or designee shall develop rules for acceptable evidence or appropriate testing means to meet these requirements.

*(cf. 4212 - Conditions of Employment).*

4. Instructional aides shall be supervised and assigned appropriate work by a certificated staff person to assist in carrying out activities directly related to instruction of students. The certificated supervisor need not be present at all times to supervise the aide, but must control the work of the aide and retain full responsibility for the instruction and supervision of his/her students. Instructional aides may not grade student work.
5. The Board of Trustees encourages paraprofessionals to seek opportunities leading to a teaching credential. The district shall support these efforts to every extent possible.

*Legal Reference: (see next page)*



**TEACHER AIDES/PARAPROFESSIONALS (continued)**

*Legal Reference:*

EDUCATION CODE

44390-44393 *California School Paraprofessional Teacher Training Program*

44833 *Postsecondary students as nonteaching aides*

44835 *Duties of nonteaching work study aides*

45330 *Paraprofessionals*

45340-45349 *Instructional aides*

45350-45354 *Teacher assistants*

45360-45367 *Teacher aides*

54480-54486 *Special Teacher Employment Programs*

CODE OF REGULATIONS, TITLE 5

12065-12070 *Teacher aides for Special Teacher Employment Programs*

UNITED STATES CODE, TITLE 20

6311 *State plans*

6319 *Qualifications for teachers and paraprofessionals*

*Management Resources:*

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

*Roles for Education Paraprofessionals in Effective Schools, 1997*

*Title I Paraprofessionals, Non-Regulatory Guidance, March 1, 2004*

WEB SITES

*CTC Paraprofessional Teacher Training Program: <http://www.ctc.ca.gov/para>*

*CDE: <http://www.cde.ca.gov>*

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

*California School Employees Association: <http://www.csea.com>*

*National Resource Center for Paraprofessionals: <http://www.nrcpara.org>*

*National Clearinghouse for Paraeducator Resources: <http://www.usc.edu/dept/education/CMMR/Clearinghouse.html>*

Policy

adopted: November 7, 2001

revised: December 30, 2003

**HANFORD ELEMENTARY SCHOOL DISTRICT**

Hanford, California

## Classified Personnel

AR 4222 (a)

**TEACHER AIDES/PARAPROFESSIONALS**

- A. No person shall be initially assigned to assist in instruction as a paraprofessional unless he/she has demonstrated proficiency in reading, writing, and mathematics skills up to or exceeding that required for high school seniors pursuant to Education Code 51220(a) and (f) in the high school district that includes all or the largest portion of the district. (Education Code 45330, 45344.5, 45361.5)
- B. A paraprofessional who has passed a comparable proficiency test in another district shall be considered to have met the district's proficiency standards. (Education Code, 45344.5, 45361.5)
- ~~C. The district also requires the following:~~
- ~~1. A passing score on the Comprehensive Tests of Basic Skills (CTBS) administered by the district. The minimum passing score on each part of the exam shall be:~~
    - ~~a. 10th grade or above for all aides employed for assignment to Kindergarten through 3rd grade classes, and for substitute employees.~~
    - ~~b. 12th grade or above for all aides employed for assignment from pre-school through 8th grade classes.~~
- ~~D. When no candidate who passed the CTBS test with the minimum score on all parts is available and a vacant position must be filled to provide essential services, an applicant who otherwise meets the district's standards of employment may be offered temporary employment with the condition that a passing score on all parts of the CTBS test must be achieved within six months for continued employment.~~
- ~~1. Temporary employees who fail to achieve the minimum passing scores required for their position within six months after hire shall be released from employment as an aide in the district.~~
  - ~~2. Temporary employees who passed all parts of the CTBS exam with the scores required for their position within six months of the date of employment and who meet performance standards shall be continued in service and the time served as a temporary employee shall count toward the probationary service required for permanent status.~~
- C E. Instructional aides shall perform only such duties as, in the judgment of the certificated personnel to whom the instructional aide is assigned, may be performed by a person not licensed as a classroom teacher. These duties shall not include assignment of grades to students. (Education Code 45344)

## AR 4222 (b)

**TEACHER AIDES/PARAPROFESSIONALS (continued)**

D F. Instructional aides need not perform their duties in the physical presence of the teacher, but the teacher shall retain responsibility for the instruction and supervision of the students in his/her charge. (Education Code 45344)

**E G. Qualifications and Duties of Paraprofessionals in Title I Programs**

All paraprofessionals ~~hired after January 8, 2002, to working~~ in a program supported by federal Title I funds shall have received a high school diploma or its equivalent. (20 USC 6319; 34 CFR 200.58; Education Code 45330)

*(cf. 6171 – Title I Programs)*

~~In addition, such paraprofessionals shall have met at least one of the following criteria:~~ at least one of the following criteria shall be met immediately by paraprofessionals hired on or after January 8, 2002, and by the end of the 2005-06 school year by paraprofessionals hired before January 8, 2002: 20 USC 6319; 34 CFR 200.58; Education Code 45330)

1. ~~Completed~~ Completion of at least two years of study at an institution of higher education in accordance with the definition adopted by the State Board of Education, “two years of study” shall be equal to 48 semester units or equivalent quarter units.
2. Possession of an associate’s degree or higher
3. ~~Met a rigorous standard of quality and demonstrated, through a formal local academic assessment, knowledge of and the ability to assist in instructing either:~~ Knowledge of and ability to assist in instructing reading, writing, and mathematics, as demonstrated through a local or state assessment.

A paraprofessional who was hired on or before January 1, 2003, shall be deemed to have met the proficiency exam requirements of item #3 above if he/she has previously demonstrated, through a local assessment, knowledge of and an ability to assist in instructing reading, writing, and mathematics. (Education Code 45330)

a. ~~Reading, writing and mathematics~~

b. ~~Reading readiness, writing readiness and mathematics readiness~~

~~All paraprofessionals hired before January 8, 2002, and working in a program supported by Title I funds shall satisfy one of the above requirements by the end of 2005-2006 school year. (20 USC 6319; Education Code 45330)~~

**TEACHER AIDES/PARAPROFESSIONALS** (continued)

When a paraprofessional has previously worked in another district, the superintendent or designee may determine whether any assessments conducted by the previous district satisfy the proficiency criteria of item #3 above.

Items #1-3 above shall not apply to any paraprofessional who is proficient in English and a language other than English and who provides services primarily to enhance the participation of children in Title I programs by acting as a translator, or whose duties consist solely of conducting parental involvement activities consistent with ~~20 USC 6318~~ 20 USC 6319; 34 CFR 200.59; Education Code 45330).

F H. Paraprofessionals working in a program supported by Title I funds may be assigned to: (20 USC 6319; 34 CFR 200.59)

1. Provide one-on-one tutoring for eligible students, if the tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher
2. Assist with classroom management, such as organizing instructional and other materials
3. Provide assistance in a computer laboratory
4. Conduct parental involvement activities
5. Provide support in a library or media center
6. Act as a translator
7. Provide instructional services to students, provided that the paraprofessional is working under the direct supervision of a teacher.

Title I paraprofessionals may assume limited duties that are assigned to similar personnel in non-Title I programs, including duties beyond classroom instruction or that do not benefit Title I students, in the same proportion of total work time as non-Title I paraprofessionals. (20 USC 6319)

G I. The principal of each school operating a Title I program shall annually attest in writing as to whether the school is in compliance with federal legal requirements regarding the qualifications and duties of paraprofessionals listed above. Copies of attestations shall be maintained at the school and district office and shall be available to the public upon request. (20 USC 6319)

AR 4222 (d)

**TEACHER AIDES/PARAPROFESSIONALS** (continued)

The Human Resources Department shall be responsible for enforcing Board policy and this administrative regulation for verification of proficiencies in basic skills by persons employed as aides in the Hanford Elementary School District.

**H J. Parental Notification**

At the beginning of each school year, parents/guardians shall be notified that they may request information regarding whether their children are provided services by paraprofessionals and, if so, their qualifications. (20 USC 6311)

*(cf. 5145.6 - Parental Notification)*

Regulation

Approved: December 12, 1991

Revised: November 7, 2001

Revised: January 14, 2004

Revised: December 6, 2004

Revised: \_\_\_\_\_, 2011

**HANFORD ELEMENTARY SCHOOL DISTRICT**

Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT  
**Human Resources Department**

**AGENDA REQUEST FORM**

**TO:** Dr. Paul Terry  
**FROM:** Diane Williams<sup>DW</sup>  
**DATE:** October 24, 2011  
**RE:** (X) Board Meeting  
 ( ) Superintendent's Cabinet  
 ( ) Information  
 (X) Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **November 2, 2011**

**ITEM:** Consider approval of personnel transactions and related matters.

**PURPOSE:**

**a. Employment**

Temporary Employees/Substitutes/Yard Supervisors

- Juan Covarrubias, Boys/Girls 7<sup>th</sup>/8<sup>th</sup> Wrestling Coach – 3 units, Kennedy, effective 11/1/11 to 1/30/12
- Teaila Kidd, Girls 7<sup>th</sup>/8<sup>th</sup> Basketball Coach – 6 units, Wilson, effective 11/1/11 to 1/28/12
- Angelica Aguilar, Short-term Yard Supervisor - .75 hr., King, effective 10/17/11 to 11/18/11
- Annie Alvarado, Substitute Translator: Oral Interpreter and Written Translator, effective 10/14/11
- Bryant Barger, Short-Term READY Program Tutor – 4.5 hrs., Hamilton, effective 10/17/11 to 11/18/11
- Francisca Gonzalez, Substitute Yard Supervisor, effective 10/20/11
- Andrea Grijalva, Short-term Yard Supervisor – 2.25 hrs., Richmond, effective 10/17/11 to 11/18/11
- Jeremiah Kemp, Substitute Custodian II, effective 10/12/11
- Anjanette McMurray, Substitute Yard Supervisor, effective 10/13/11; Short-term Yard Supervisor – 1.0 hr., Washington, effective 10/13/11 to 11/18/11
- Victoria Naranjo, Substitute Translator: Oral Interpreter and Written Translator and Yard Supervisor, effective 10/11/11
- Maria Reyes, Substitute Bilingual Health Care Assistant, Translator: Oral Interpreter and Written Translator, effective 10/14/11
- Jose Rojas, II, Substitute READY Program Tutor and Yard Supervisor, effective 10/17/11
- Laura Sandoval, Short-term Yard Supervisor – 3.0 hrs., Simas, effective 10/17/11 to 11/18/11

**b. Resignations**

- Mary "Gladys" Brindis, Bilingual Student Specialist – 5.0 hrs. (M,T, Th, F) and 4.0 hrs. (W), Washington, effective 10/21/11
- Delia Griffith, Yard Supervisor – 2.25 hrs., Richmond, effective 9/9/11
- Jodi Lovejoy, Substitute Special Circumstance Aide and Special Education Aide, effective 9/16/11
- Sarah Luna, Substitute Yard Supervisor, effective 8/23/11

**c. More Hours**

- Brenda Rosas, Short-term Yard Supervisor, from 2.0 hrs. to 3.0 hrs., Simas, effective 9/13/11

**d. Transfer/More Hours**

- Damien Navarro, Yard Supervisor, from 2.25 hrs., Simas to 2.5 hrs., Lincoln, effective 10/13/11

**e. Voluntary Demotion and More Hours**

- Stephanie Carroll, from Educational Tutor K-6 – 3.5 hrs., Monroe, to READY Program Tutor – 4.5 hrs., Roosevelt, effective 10/17/11

**f. Volunteers**

<u>Name</u>	<u>School</u>
Pearl Rodriguez	Hamilton/Kennedy
Jennifer La Serna	Jefferson
Margarita Corchado	Monroe
Linda Gipson	Monroe
Alyse Pittman	Monroe
Michelle Gonzales	Simas
Esther Murguia	Kennedy

**RECOMMENDATION:** Approve.

