

Hanford Elementary School District

REGULAR BOARD MEETING AGENDA

Wednesday, March 16, 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*)

Readmissions

Case # 34-10 MLK

Case # 47-10 MLK

Case # 49-10 MLK

Administrative Panel Recommendations

Case # 47-11 Wilson

Case # 48-11 Kennedy

Case # 49-11 Kennedy

Case # 50-11 Kennedy

- **Personnel** (*Pursuant to Government Code Section 54956.9, trustees will adjourn to Closed Session to discuss the items listed below. The items to be discussed shall be announced in accordance with Government Code Section 54954.5 and/or under Education Code provisions.*)
 - Conference with Labor Negotiator (GC 54957.6) – CSEA
 - District Negotiators: Paul Terry/Diane Williams

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 February 25, and March 4, 2011.

- *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.*

- b) Approve minutes of Regular Board Meeting March 2, 2011.
- c) Approve interdistrict transfers as recommended.
- d) Approve donation of a set of encyclopedias from Lina Schouten to Washington School.(Hines)

3. INFORMATION ITEMS

- a) Review Board Goals. (Terry)

4. BOARD POLICIES AND ADMINISTRATION

- a) Consider approval of consultant contract with Heather Brasil (former HESD PE teacher) to present Parent Awareness Workshops. (Arakelian)
- b) Consider adoption of the following revised Board Policy and Administrative Regulation: (Simas)
 - BP/AR 5116.1 – Intradistrict Open Enrollment
- c) Consider adoption of the following revised Board Policy and Administrative Regulation: (Simas)
 - BP/AR 5117 – Interdistrict Attendance
- d) Consider adoption of the following revised Board Policy and Administrative Regulation: (Simas)
 - BP/AR 5118 – Open Enrollment Act Transfers
- e) Consider adoption of the following revised Administrative Regulation: (Simas)
 - AR 5141.4 – Child Abuse Prevention and Reporting
- f) Consider adoption of the following revised Board Policy and Administrative Regulation: (Simas)
 - BP/AR 6158 – Independent Study
- g) Consider adoption of the following revised Administrative Regulation: (Simas)
 - AR 6173.1 – Education of Foster Youth

5. PERSONNEL

- a) Employment
 - Temporary Employees/Substitutes/Yard Supervisors – 4-6 Grade Boys Track Coach; Substitute Bilingual Clerk Typist I; Substitute Clerk Typist II, Educational Tutor K-6 and READY Program Tutor; Substitute Yard Supervisor; Substitute Yard Supervisor, Translator – Oral Interpreter; Substitute READY Program Tutor, Substitute Yard Supervisor*
- b) Resignations – Student Advocate; Food Service Worker II; Substitute Yard Supervisor; Special Circumstance Aide; Media Services Aide
- c) Transfers – 2 READY Program Tutors
- d) More Hours – Yard Supervisor

(Personnel Items continued on next page)

- e) Leave of Absence – Special Education Aide; Teacher; Bilingual Student Specialist; Food Service Utility Worker; READY Program Tutor
- f) Volunteers – as listed

6. FINANCIAL

- a) Consider Certification of Second Interim Report 2010-11.
- b) Consider approval of Resolution #15-11: Deposit to Special Reserve Fund 1700 – Instructional Furniture, Equipment, Materials and Supplies.

ADJOURN MEETING

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Liz Simas
DATE: March 4, 2011

FOR: Board Meeting
 Superintendent's Cabinet
 Information
 Action

Date you wish to have your item considered: March 16, 2011

ITEM: Student Discipline

PURPOSE: Administrative Panel Recommendations and Readmissions

Readmissions

Case# 34-10 - MLK

Case# 47-10 - MLK

Case# 49-10 - MLK

Administrative Panel Recommendations

Case# 47-11 - Wilson

Case# 48-11 - Kennedy

Case# 49-11 - Kennedy

Case# 50-11 - Kennedy

DRAFT

Hanford Elementary School District
Minutes of the Regular Board Meeting
March 2, 2011

Minutes of the Regular Board Meeting of the Hanford Elementary School District Board of Trustees on March 2, 2011, at the District Office Board Room, 714 N. White Street, Hanford, CA.

Call to Order President Garner called the meeting to order at 5:32 p.m. Trustees Hernandez, Hill, Jay, and Revious were present.

Closed Session Trustees immediately adjourned to closed session for:

- Student Discipline pursuant to Education Code section 48918
- Public Employee Discipline/Dismissal/Release (GC 54957) - Certificated

Trustees returned to open session at 6:10 p.m.

HESD Managers Present

Dr. Paul J. Terry, Superintendent, and the following administrators were present: Don Arakelian, Doug Carlton, Debra Colvard, Silvia Duvall, Kenny Eggert, Javier Espindola, Joy Gabler, David Goldsmith, Lucy Gomez, Charlotte Hines, Karen McConnell, Gerry Mulligan, Jeanne Rios, Jill Rubalcava, Liz Simas, Jason Strickland, Nancy White, and Diane Williams.

Revoke Readmission Case #60-10

Trustee Revious made a motion to revoke readmission for Case #60-10 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 June 3, 2011. Trustee Hill seconded; motion carried 5-0.

Expulsion Case #42-11

Trustee Revious made a motion to accept the Findings of Facts and expel Case #42-11 for the remainder of the 2010-2011 school year for violation of Education Code 48900 and/or 48915 as determined by the Administrative Panel at hearings held on February 28, 2011. Parents may apply for readmission on or after June 3, 2011. Trustee Hill seconded; motion carried 5-0.

#43-11

Trustee Revious made a motion to accept the Findings of Facts and expel Case #43-11 for the remainder of the 2010-2011 school year and the first semester of the 2011-12 school year for violation of Education Code 48900 and/or 48915 as determined by the Administrative Panel at hearings held on February 28, 2011. Parents may apply for readmission on or after January 9, 2012. Trustee Hill seconded; motion carried 5-0.

#44-11

Trustee Revious made a motion to accept the Findings of Facts and expel Case #44-11 for the remainder of the second semester of the 2010-2011 and the first semester of the 2011-12 school year for violation of Education Code 48900 and/or 48915 as determined by the Administrative Panel at hearings held on February 28, 2011. However, Trustee Revious further moved that the parent may apply for readmission on or after June

3, 2011. 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 January 9, 2012. Trustee Hill seconded; motion carried 4-1, Trustee Jay dissenting.

#45-11, 46-11

Trustee Revious made a motion to accept the Findings of Facts and expel Cases #45-11 and #46-11 for the remainder of the 2010-2011 school year for violation of Education Code 48900 and/or 48915 as determined by the Administrative Panel at hearings held on February 28, 2011. However, Trustee Revious further moved that the Expulsion Order be suspended. The student may attend regular school in probationary status provided that the student complies with a Behavior Conditions Plan through June 3, 2011. Trustee Hill seconded; motion carried 5-0.

PRESENTATIONS, REPORTS AND COMMUNICATIONS

Public Comments

None.

**Board and Staff
Comments**

Superintendent Dr. Terry noted that EdSource recently conducted a study of the effectiveness of middle school instruction. Woodrow Wilson Junior High School participated in the study and is included in the report and policy brief developed from that study. Today EdSource contacted us to invite further discussion of exemplary practices in teaching middle school students algebra. Dr. Terry advised EdSource that identical outcomes have been obtained at JFK Junior High and our program improvement schools have exited program improvement.

Trustee Hill stated he is "very elated" with the work that is being done.

**Requests to Address
the Board**

None.

Dates to Remember

President Garner reviewed Dates to Remember: Next regular Board meeting March 16; JFK baseball and softball tournament March 26; and a regular Board meeting scheduled for April 6.

CONSENT ITEMS

Trustee Hill made a motion to take consent items "a" through "e" together. Trustee Hernandez seconded, motion carried 5-0. Trustee Hill then made a motion to approve consent items "a" through "e". Trustee Revious seconded, motion carried 5-0. The items approved are:

- a) Warrant listings dated February 11 and February 18, 2011.
- b) Minutes of February 16, 2011 Regular Board Meeting.
- c) Interdistrict transfers as recommended.
- d) Donation of laptop computer to Roosevelt School.
- e) Donation of \$2,150.00 from Hanford Youth Softball League.

President Garner thanked and acknowledged donors.

INFORMATION ITEMS

FLI Program brochure

Silvia Duvall, principal of Simas School, provided to the Board a Foreign Language Institute brochure available to parents and members of the community who may be interested in the program.

Student Information Systems

David Goldsmith, Director Information Systems, provided information regarding status of Student Information Systems. Zangle, C-Innovations closed their doors unexpectedly, with litigation and bankruptcy pending. Looking forward we don't have the annual support from C-Innovations, so the District is examining vendors that may offer special pricing to migrate to a new system. Careful consideration will be given to make sure any choice ultimately made is cost effective.

BP/AR

Liz Simas, Program Coordinator, Child Welfare and Attendance, presented for information the following revised Board Policy and Administrative Regulation:

- BP/AR 5116.1 – Intradistrict Open Enrollment

Liz Simas, Program Coordinator, Child Welfare and Attendance, presented for information the following revised Board Policy and Administrative Regulation:

- BP/AR 5117 – Interdistrict Attendance

Liz Simas , Program Coordinator, Child Welfare and Attendance, presented for information the following revised Board Policy and Administrative Regulation:

- BP/AR 5118 Open Enrollment Act Transfers

Liz Simas, Program Coordinator, Child Welfare and Attendance, presented for information the following revised Administrative Regulation:

- AR 5141.4 - Child Abuse Prevention and Reporting

Liz Simas, Program Coordinator, Child Welfare and Attendance, presented for information the following revised Board Policy and Administrative Regulation:

- BP/AR 6158 – Independent Study

Liz Simas, Program Coordinator, Child Welfare and Attendance, presented for information the following revised Administrative Regulation:

- AR 6173 – Education of Foster Youth

BOARD POLICIES AND ADMINISTRATION

Trustee Hill made a motion to approve 2011-12 School Calendar. Trustee Hernandez seconded, motion carried 5-0.

Trustee Hill made a motion to approve sending Rebecca Strong to the 32nd Annual LRP's National Institute of Legal Issues of Educating Individuals with Disabilities Conference on May 1, 2011 through May 4, 2011 in Phoenix, Arizona. Trustee Jay seconded, motion carried 5-0.

Trustee Revious made a motion to approve contract with Rick Morris of New Management, Inc. as the keynote speaker at the Private School Special Education Summit jointly hosted by Hanford Elementary School District. Trustee Hernandez seconded, motion carried 5-0.

PERSONNEL

Trustee Jay made a motion to take Personnel items "a" through "e" collectively. Trustee Hernandez seconded; motion carried 5-0. Then Trustee Hernandez made a motion to approve Personnel items "a" through "e". Trustee Hill seconded; the motion carried 5-0. The following items were approved:

***Item "a" –
Employment***

Classified: Henry Gonzales, READY Program Tutor

Temporary Employees/Substitutes/Yard Supervisors: Dorcel Boyd, Substitute Clerk Trainee; Samantha Brooks, Substitute READY Program Tutor; Adriana Gallegos, Substitute READY Program Tutor; Edith Silguero, Short-term Educational Tutor K-6; Amanda Spaulding, Short-term READY Program Tutor; Ernestine Velez, Short-term Yard Supervisor; Danelle Widdis, Short-term Yard Supervisor; Sheila Yurkus, Substitute READY Program Tutor; Graciela Zevada, Short-term Yard Supervisor

***Item "b" –
Resignations***

Valerie Alcorn, Teacher; Diana Ledesma, Teacher; Nicholas Pelham, Teacher; Joseph Pursell, Teacher; Kathryn Sealey, Teacher; Clara Wilson, Teacher

***Item "c" –
Decrease in Hours***

Georgia Freeman, Yard Supervisor, as listed.

***Item "d" –
Leave of Absence***

Cecilia Hanson, Teacher; Florita Magallon, Bilingual Student Specialist; Daisy Maya Gaona, Food Service Worker I; Kristen Stockton, Teacher; as listed.

***Item "e" –
Volunteers***

As listed.

FINANCIAL

Resolution #14-11 Trustee Hill made a motion to approve Resolution #14-11: Revision of 2010-2011 Budget. Trustee Hernandez seconded; motion carried 5-0.

There being no further business, President Garner adjourned the meeting at 6:50 p.m.

Respectfully submitted,

Paul J. Terry,
Secretary to the Board of Trustees

Approved:

Jeff Garner, President

Tim Revious, Clerk

Inters - IN

No.	A/D	Sch Req'd	Home Sch	Date
I-156	D	Kennedy	Armona	3/16/11

Inters - OUT

No.	A/D	Sch Req'd	Home Sch	BD Date
GF	A	Central Union	Monroe	3/16/11
GF	A	Central Union	Monroe	3/16/11
GF	A	Kit Carson	Kennedy	3/16/11

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Charlotte Hines

DATE: March 7, 2011

FOR: Board Meeting
 Superintendent's Cabinet

FOR: Information
 Action

Date you wish to have your item considered: March 16, 2011

ITEM: Donation of a set of encyclopedias from Lina Schouten

PURPOSE: a researching tool to be used by students in the 5th grade

FISCAL IMPACT: None

RECOMMENDATIONS: Accept Donation

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Donnie Arakelian

DATE: March 2, 2011

FOR: Board Meeting
 Superintendent's Cabinet

FOR: Information
 Action

Date you wish to have your item considered: March 16, 2011

ITEM: Consultant Contract with Heather Brasil (former HESD PE teacher).

PURPOSE: Request permission to contract with Heather Brasil to provide several Parent Awareness Workshops over the next couple of months. These parent education courses will include--but not be limited to--information on health, nutrition, exercise, and diabetes prevention.

FISCAL IMPACT: \$3,000

RECOMMENDATIONS: Approve

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Liz Simas
DATE: March 3, 2011

For: Board Meeting
 Superintendent's Cabinet
 Information
 Action

Date you wish to have your item considered: March 16, 2011

ITEM: Consider for adoption 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 changes.

- BP/AR 5116.1 - Intradistrict Open Enrollment

FISCAL IMPACT (if any): None

RECOMMENDATION (if any): Adopt

Hanford ESD

Board Policy

Intradistrict Open Enrollment

BP 5116.1
Students

The Board of Trustees desires to provide enrollment options that meet the diverse needs and interests of district students. The Superintendent or designee shall establish procedures for the selection and transfer of student among district schools in accordance with law, Board policy and administrative regulation.

The parents/guardians of any student who resides within district boundaries may apply to enroll their child in any district school, regardless of the location or residence within the district (Education Code 35160.5)

The Board shall annually review this policy. (Education Code 35160.5, 48980)

Enrollment Priorities

Priority for attendance outside a student's attendance area shall be given as follows:

1. If a district school is receiving Title I funds is identified for program improvement, corrective action or restructuring, all students enrolled in that school shall be provided an option to transfer to another district school or charter school. (20 USC 6316)
2. ~~Beginning in the 2003-04 school year, If while on school grounds a student becomes a~~ the victim of a violent criminal offense, as defined by the State Board of Education, or attends a school designated by the California Department of Education as persistently dangerous, he/she shall be provided an option to transfer to another district school or charter school. (20 USC 7912, ~~5 CCR 11992~~)
3. If a student attends a school designated by the California Department of Education as "persistently dangerous he/she shall be provided an option to transfer to another school or charter school. (20 USC 7912; 5 CCR 11991)
4. The Superintendent or designee may approve a student's transfer to a district school when special circumstances exist that may be harmful or dangerous to ~~that particular~~ the student in the current attendance area, ~~included~~ including but not limited to, threats of bodily harm or threats to the emotional stability of the student.

To grant priority under these circumstances, the Superintendent or designee must have received either: (Education Code 35160.5)

a. A written statement from a representative of an appropriate state or local agency, ~~including but not limited to such as~~ a law enforcement official, ~~or~~ social worker, or a properly licensed or registered professional, ~~including, but not limited to,~~ such as a psychiatrist, psychologist or marriage and family therapist.

b. A court order, including a temporary restraining order or injunction

4. ~~5.~~ Priority may be given to siblings of students already in attendance at that school.

~~5.~~ 6. Priority ~~shall be~~ may be given to any students whose parent/guardian is assigned to that school as his/her primary place of employment.

For all other applications for enrollment from outside a school's attendance area, the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever a school receives admission requests that are in excess of the school's capacity.

Enrollment decisions shall not be based on a student's academic or athletic performance, except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants. Academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students. (Education Code 35160.5)

No student currently residing within a school's attendance area shall be displaced by another student transferring from outside the attendance area (Education Code 35160.5)

Transportation

Except as required by 20 USC 6316, for transfers out of Title I program improvement schools, the district shall not be obligated to provide transportation for students who attend school outside the school's their attendance area. However, upon request, the Superintendent or designee may authorize transportation contingent upon available space and funds.

Legal Reference:

EDUCATION CODE

35160.5 District policies; rules and regulations

35291 Rules

35351 Assignment of students to particular schools

48980 Notice at beginning of term

UNITED STATES CODE, TITLE 20

6316 Transfers from program improvement schools

7912 Transfers from persistently dangerous schools

CODE OF REGULATIONS, TITLE 5

11992-11994 Definition of persistently dangerous schools

CODE OF FEDERAL REGULATIONS, TITLE 34

200.36 Dissemination of information
 200.37 Notice of program improvement status, option to transfer
 200.39 Program improvement, transfer option
 200.42 Corrective action, transfer option
 200.43 Restructuring, transfer option
 200.44 Public school choice, program improvement schools
 200.48 Transportation funding for public school choice

COURT DECISIONS

Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

ATTORNEY GENERAL OPINIONS

85 Ops.Cal.Atty.Gen. 95 (2002)

Management Resources:

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Public School Choice, December 4, 2002

Unsafe School Choice Option, July 23, 2002

WEB SITES

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

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

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

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: March 16, 1994 Hanford, California

revised: May 3, 1995

revised: April 4, 2001

revised: February 4, 2004

revised: March 2011

Hanford ESD

Administrative Regulation

Intradistrict Open Enrollment

AR 5116.1
Students

Enrollment under the No Child Left Behind Act

Transfers for Victims of a Violent Criminal Offense

Within a reasonable amount of time, after it has been determined that a student has been the victim of a violent criminal offense while on school grounds, the student's parents/guardians shall be offered an option to transfer their child to an eligible school identified by the Superintendent or designee. In determining whether a student has been a victim of a violent criminal offense, the superintendent or designee shall consider the specific circumstances of the incident on a case-by-case basis and consult with local law enforcement as appropriate. Examples of violent criminal offenses include, but are not limited to, attempted murder, battery with serious bodily injury, assault with a deadly weapon, rape, sexual battery, robbery, extortion, or hate crimes.

The Superintendent or designee shall consider the needs and preferences of the affected student and his/her parent/guardian in making the offer. If the parent/guardian elects to transfer his/her child, the transfer shall be completed as soon as practicable.

Transfers from a "Persistently Dangerous" School

~~After learning that a school has been designated as "persistently dangerous," the Superintendent or designee, in a timely manner, shall notify parents/guardians of the school's designation and of their option to transfer.~~

Within 10 school days after receiving notification from the California Department of Education (CDE) that a school has been designated as "persistently dangerous" the Superintendent or designee shall notify parents/guardians of the school's designation. Within 10 school days after this notification has been provided to parents/guardians, the Superintendent or designee shall notify parents/guardians of their option to transfer their child.

Parents/guardians who desire to transfer their child out of a "persistently dangerous" school shall provide written notification to the Superintendent or designee and shall rank-order their preferences from among all schools identified by the Superintendent or designee as eligible to receive transfer students. The Superintendent or designees may establish reasonable timeline.

not to exceed seven school days, for the submission of parent/guardian requests.

~~The Superintendent or designee shall notify parents/guardians of their school assignment in a timely manner.~~ The Superintendent or designee shall consider the needs and preferences of students and parents/guardians before making an assignment, but is not obligated to accept the parent/guardian's preference if the assignment is not feasible due to space constraints or other considerations. For students who accept the offer, the transfer shall generally be made within 30 school days of receiving the notice of the school's designation from the CDE. ~~Upon assignment, the transfer shall be completed as soon as practicable.~~ If parents/guardians decline the assignment school, the student may remain in his/her current school.

The transfer shall remain in effect as long as the student's school of origin is identified as persistently dangerous. The Superintendent or designee may choose to make the transfer permanent based on the educational needs of the student, parent/guardian preferences, and other factors affecting the student's ability to succeed if returned to the school of origin.

Other Intradistrict Enrollment

Parents/guardians shall have an opportunity to apply for an intra-district transfer to a school of choice, subject to constraints created by the district's growth patterns, available facilities and impact on ethnic balances.

Applications may be submitted to the Superintendent's Office September 15th through October 1st for the current school year.

School of choice transfers shall be considered based on the following:

1. That district retains the authority to maintain appropriate racial and ethnic balances among district schools;
2. That students residing within the attendance boundaries of the school and currently enrolled, will not be displaced by students transferring from outside the attendance areas;
3. That admission to a particular school shall not be influenced by a student's academic or athletic performance.
4. That when schools receive more applications than vacancies, a lottery type selection procedure will be used;
5. That when school capacity is reached, waivers for siblings to attend the same school may be considered by the Superintendent.
6. That when school capacity is reached, waiver for children whose parent/guardian is assigned to that school as his/her primary place of employment may be considered by the Superintendent.

7. That when school capacity is reached, waiver for special circumstances (harmful or dangerous situation) will be considered by the Superintendent.
8. That students who request transfers to schools for the purpose of participation in classes providing special educational services must meet existing entrance criteria to participate in the classes requested;
9. That students who are approved as a school of choice transfer shall receive the same consideration as those living within the school attendance area.
10. That students who wish to return to the school they previously attended may apply for such enrollment the following school year.
11. That once enrolled in a school of choice, a student may not have to apply for readmission, and however, the student may be subject to displacement back to their neighborhood school due to rezoning or excessive enrollment.
12. That students who are granted enrollment in a school of choice who move to a new attendance area within district boundaries may request, in writing, to terminate their status in the school of choice in order to enroll in the school in the attendance area in which they now reside. Such requests shall be granted pending space.
13. That, if approved, transportation to and from the school of choice is the responsibility of the parent/guardian.

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT
approved: March 16, 1988 Hanford, California
revised: February 12, 2001
revised: April 4, 2001
revised: February 23, 2004
revised: March 2011

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul Terry
 FROM: Liz Simas
 DATE: March 3, 2011

For: Board Meeting
 Superintendent's Cabinet
 Information
 Action

Date you wish to have your item considered: March 16, 2011

ITEM: Consider for adoption 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 changes.

- BP/AR 5117 -Interdistirct Attendance

FISCAL IMPACT (if any): None

RECOMMENDATION (if any): Adopt

Hanford ESD

Board Policy

Interdistrict Attendance

BP 5117
Students

The Board of Trustees recognizes that students who reside in one district may choose to attend school in another district and that such choices are made for a variety of reasons.

~~The Board desires to communicate with parents/guardians and students regarding the educational programs and services that are available in the district.~~

The Superintendent or designee may approve interdistrict attendance agreements with other districts on a case-by-case basis to meet individual student needs.

~~The interdistrict attendance agreement shall not exceed a term of five years and shall stipulate the terms and conditions under which interdistrict attendance shall be permitted or denied (Education Code 4660)~~

The Superintendent or designee shall ensure that interdistrict permits specify the terms and conditions agreed to by both districts for the granting, denial, or revocation of the permit as well as the standards for reapplication.

The Superintendent or designee may deny the granting of an interdistrict attendance permit because of overcrowding within district schools or limited district resources.

The district shall not provide transportation outside any school attendance area. However, upon request, the Superintendent or designee may authorize transportation for students living outside an attendance area to and from designated bus stops within the attendance area if space is available. Priority for such transportation shall be based on demonstration of financial need.

The Superintendent or designee may limit the number of student transfers out of the district to a school district of choice based on the percentages of average daily attendance specified in Education Code 48307.

In addition, transfers out of the district may be limited during a fiscal year when the County Superintendent of Schools has given the district a negative budget certification or when the County Superintendent has determined that the district will not meet the state's standards and criteria for fiscal stability in the subsequent fiscal year exclusively as a result of student transfers from this district to a school district of choice (Education Code 48307)

Legal Reference:
EDUCATION CODE

46600-46611 Interdistrict attendance agreements
48204 Residency requirements for school attendance
48300-48315 Student attendance alternatives
48915 Expulsion; particular circumstances
48915.1 Expelled individuals: enrollment in another district
48918 Rules governing expulsion procedures
48980 Notice at beginning of term
52317 ROP, enrollment of students, interdistrict attendance

GOVERNMENT CODE

6250-6270 Public Records Act

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 198 (2001)

87 Ops.Cal.Atty.Gen. 132 (2004)

COURT DECISIONS

Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

Management Resources:

WEB SITES

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

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

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: April 13, 2005 Hanford, California

Revised: 03/11

Hanford ESD

Administrative Regulation

Interdistrict Attendance

AR 5117
Students

~~Students shall attend the school of their residence area unless they have an approved Interdistrict Transfer Agreement. Requests for Interdistrict Transfers shall be obtained from the Superintendent's Office.~~

The Superintendent or designee may ~~recommend approval for~~ approve an interdistrict ~~Transfers~~ attendance permit for the following reasons:

1. For child care needs when either before or after school child care need of the student will result in severe hardship to the student or parents/guardians.
2. To meet a ~~child's~~ student's special mental or physical health needs as certified by a physician, school psychologist or other appropriate school personnel.
3. When a student has a sibling(s) attending school in the receiving district, to avoid splitting the family's attendance.
4. To allow a student to complete a school year when his/her parents/guardians have moved out of the district during that year.
5. When the parent/guardian provides written evidence that the family will be moving to the district in the immediate future and would like the student to start the year in the district.
6. Parent/guardian is employed within the attendance boundaries of the school of request
- ~~3. For special circumstances which substantially affect the welfare of the family and/or child. Included but not limited to:~~

~~Terms and Conditions of Approval Interdistrict Agreement~~

An interdistrict attendance permit shall not exceed a term of five years. Each permit shall stipulate the terms and conditions established by both districts under which interdistrict attendance shall be permitted, denied, or revoked, and any standards for reapplication.
(Education Code 46600)

Once a student is enrolled in a school, he/she shall not be required to reapply for an interdistrict transfer and shall be allowed to continue to attend the school in which he/she is enrolled, unless

reapplication standards are otherwise specified in the permit.

Within 30 days of a request for an interdistrict permit, the Superintendent or designee shall notify the parents/guardians of a student who is denied interdistrict attendance regarding the process for appeal to the County Board of Education as specified in Education Code 46601. (Education Code 46601)

Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or decisions while expulsion proceedings are pending or during the term of expulsion. (Education Code 46601)

1. ~~Parents/guardians are responsible for transportation to and from school of request. However, upon request, the Superintendent or designee may authorize transportation for students living outside the attendance area to and from designated bus stops within the attendance areas if space is available. Priority for such transportation shall be based on demonstrated financial need.~~
2. ~~For employment related transfers, parents/guardians shall not have to reapply in the next school year to attend a school within that district; if the parent/guardian so chooses on the condition that the Superintendent or designee determine the student has demonstrated appropriate behavior and attendance up to and including arriving to school on time. Prior to enrolling, proof of employment shall be required and may be required subsequently at regular intervals determined by the Superintendent or designee. Continued attendance, however, may be denied by the receiving school district based upon Board Policy pursuant to Education Code 48204, paragraphs (1) to (6).~~

Revocation of Interdistrict Attendance Permit

Based upon a recommendation by the School Site Principal, and upon concurrence by the district Superintendent, an Interdistrict Agreement may be revoked for the following reasons:

- a. Student receives a Level C Student Citation; or student receives four (4) Level B Student Citations; or student receives a cumulative total of ten (10) Level A and Level B Student Citations.
- b. Student has not maintained good attendance up to and including arriving to school on time.
- e. ~~Student receives 10 Student Citations for misconduct~~
- c. Student is recommended for expulsion pursuant to Education Code 48918 (Education Code 48309)
- d. The parent/guardian does not support the school program or district policies

~~e. If the school's facilities are overcrowded at the relevant grade level~~

Interdistrict Denials

The Superintendent or designee may deny initial requests for interdistrict attendance permits if: ~~transfer requests may be recommended for denial if the Board of Trustees determines:~~

- a. That the transfer would negatively impact the district's court-ordered or voluntary desegregation plan;
- b. The transfer into the district would require the district to create a new program to serve that student, except that the district shall not reject the transfer of a student with disabilities or an English learner. (Education Code 48303).
- c. That the additional cost of educating the student would exceed the amount of additional state aid received as a result of the transfer;
- ~~4. The number of transfers out of the district exceeds the limit specified in Education Code 48307.~~
- d. That the student has been recommended for expulsion or is currently under an expulsion order;
- e. That attendance of the student from out-of-district will increase a district's class size above the maximums established by the State of California or above the maximums provided for in the District's Collective Bargaining agreement;
- f. That the student or the parent/guardian of the student has falsely claimed residence in a given school district for the purpose of school attendance in that district;
- g. That the student has not demonstrated appropriate behavior at his/her previous school as determined by the Superintendent or designee
- h. That the student has not demonstrated good attendance practices up to and including arriving to school on time.
- i. school facilities are overcrowded at the relevant grade level or based on other considerations that are not arbitrary. However, once a student is admitted, the district may not deny him/her continued attendance because of overcrowded facilities at the relevant grade level.

Interdistrict Appeals

Parents/guardians of students, whose inter-district request has been recommended for denial,

may request, in writing, an appeal to the Board.

All appeals to the Board must be submitted in writing to an administrative panel. The parent/guardian will present his/her written and oral appeal to this panel who will make a recommendation to the Board.

The Board's decision on the appeal shall be based upon the following documentation only:

1. The request for transfer and attachments (if any);
2. The written denial of request for transfer;
3. Correspondence and notes related to the transfer request;
4. The appellant's written statement and attachments (if any);
5. A written statement by the Superintendent or designee and attachments (if any.)

If the appeal to the Board is denied, the parents/guardians shall be notified that they may appeal to the Kings County School Board within 30 days of the denial of their request.

Regulation	HANFORD ELEMENTARY SCHOOL DISTRICT	
approved:	March 16, 1988	Hanford, California
revised:	February 1, 2005	
revised:	March 25, 2008	
revised:	October 16, 2008	
revised:	March 2011	

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Liz Simas
DATE: March 3, 2011

For: Board Meeting
 Superintendent's Cabinet
 Information
 Action

Date you wish to have your item considered: March 16, 2011

ITEM: Consider for adoption the following new Board Policy and Administrative Regulation.

PURPOSE: The following Board Policy and Administrative Regulation reflect new law allowing a student attending an open enrollment school identified by the Superintendent of Public Instruction to transfer to another school that has a higher Academic Performance Index (API) than the school in which the student was enrolled. This new policy aligns with recommendations by CSBA and State law.

- BP/AR 5118 - Open Enrollment Act Transfers

FISCAL IMPACT (if any): None

RECOMMENDATION (if any): Adopt

Hanford ESD

Board Policy

Open Enrollment Act Transfers

BP 5118

Students

The Governing Board desires to offer enrollment options in order to provide children with opportunities for academic achievement that meet their diverse needs. Such options shall also be provided to children who reside within another district's boundaries in accordance with law, Board policy, and administrative regulation.

Whenever a student is attending a district school on the Open Enrollment List as identified by the Superintendent of Public Instruction, he/she may transfer to another school within or outside of the district, as long as the school to which he/she is transferring has a higher Academic Performance Index. (Education Code 48354, 48356)

A parent/guardian whose child is attending a district school on the Open Enrollment List and who wishes to have his/her child attend another school within the district shall apply for enrollment using BP/AR 5116.1 - Intradistrict Open Enrollment.

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

~~In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, the Board hereby waives the January 1 deadline in Education Code 48354 for all applications for transfer from nonresident parents/guardians of children attending a school on the Open Enrollment List in another district.~~ Transfer applications shall be submitted between November 15th and January 1st of the preceding school year for which the transfer is requested.

(cf. 5111.1 - District Residency)

(cf. 5111.12 - Residency Based on Parent/Guardian Employment)

The Board may deny a transfer out of or into the district upon a determination by the Board that the transfer would negatively impact a court-ordered or voluntary desegregation plan in accordance with Education Code 48355.

Standards for Rejection of Transfer Applications

Pursuant to Education Code 48356, the Board has adopted the following standards for acceptance and rejection of transfer applications submitted by a parent/guardian of a student attending a school in another district on the Open Enrollment List. The Superintendent or

designee shall apply these standards in accordance with Board policy and administrative regulation and shall ensure that the standards are applied uniformly and consistently.

As applicable, the Superintendent or designee may deny a transfer application under any of the following circumstances:

1. Upon a determination that approval of the transfer application would negatively impact the capacity of a program, class, grade level, or school building, including:
 - a. The class or grade level exceeding the district's limits pursuant to the state Class Size Reduction Program or the Morgan/Hart Class Size Reduction Program for Grades 9-12
 - b. The site, classroom, or program exceeding the maximum student-teacher ratio specified in the district's collective bargaining agreement
 - c. The site or classroom exceeding the physical capacity of the facility pursuant to the district's facilities master plan or other facility planning document
 - d. The class or grade level exceeding capacity pursuant items #a-#c above in subsequent years as the student advances to other grade levels at the school

(cf. 6151 - Class Size)

(cf. 7110 - Facilities Master Plan)

2. Upon a determination that approval of the transfer application would have an adverse financial impact on the district, including:
 - a. The hiring of additional certificated or classified staff
 - b. The operation of additional classrooms or instructional facilities
 - c. Expenses incurred by the district that would not be covered by the apportionment of funds received from the state resulting in a reduction of the resources available to resident students
3. If the applicant has been recommended for expulsion or has been expelled for any amount of time, regardless of whether the expulsion was suspended, or if the applicant has been cumulatively suspended for more than 10 (ten) schooldays or suspended on more than three (3) separate occasions (regardless of the duration of the suspensions), within the previous two (2) school years.
4. If the student has 5 truancies or unexcused absences or more than 10 days excused absence in a school year or the students has accumulated 5 or more tardies in a school year.

Appeal Process for Denials of Transfer Applications

A parent/guardian may appeal the district's denial of a transfer application to the Board by filing a written request of appeal with the Superintendent or designee within 10 days of the receipt of the written notification of denial. In addition, a parent/guardian who believes he/she has been subject to discrimination may file an appeal using the district's Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

The parent/guardian will present his/her written and oral appeal to the Superintendent and his/her designee who will make a recommendation to the Board.

~~The Board shall schedule an appeal hearing as soon as practicable, at a regular or special meeting of the Board. At the hearing, the parent/guardian shall have the right to present oral or written evidence, rebut district evidence, and question any district witnesses. Unless the parent/guardian requests that the hearing be held in open session, the hearing shall be held in closed session in order to protect the privacy of students in accordance with law.~~

~~(cf. 9321 - Closed Session Purposes and Agendas)~~

The Board shall make its decision by the next regularly scheduled meeting and shall send its decision to all concerned parties. The Board's decision shall be final.

Program Evaluation

The Superintendent or designee shall collect data regarding the number of students who transfer out of the district pursuant to the Open Enrollment Act. He/she also shall collect data regarding the number of students who apply to transfer into the district, the number of requests granted, denied, or withdrawn, and the district schools and programs receiving applications.

When the Superintendent or designee anticipates that a particular school will receive a large number of transfer applications, he/she shall study the enrollment pattern at that school in order to anticipate future resident enrollment at the school and at the district schools into which those students would normally matriculate.

~~The Superintendent or designee shall regularly report to the Board regarding the implementation of this program.~~

Legal Reference:

EDUCATION CODE

200 Prohibition of discrimination

35160.5 District policies, rules, and regulations

46600-46611 Interdistrict attendance agreements
48200 Compulsory attendance
48204 Residency requirements for school attendance
48300-48316 Student attendance alternatives, school district of choice program
48350-48361 Open Enrollment Act
48915 Expulsion; particular circumstances
48915.1 Expelled individuals: enrollment in another district
52317 Regional Occupational Center/Program, enrollment of students, interdistrict attendance

FAMILY CODE

6500-6552 Caregivers

UNITED STATES CODE, TITLE 20

6316 Transfers from program improvement schools

CODE OF REGULATIONS, TITLE 5

4700-4703 Open Enrollment Act

CODE OF FEDERAL REGULATIONS, TITLE 34

200.36 Dissemination of information

200.37 Notice of program improvement status, option to transfer

200.39 Program improvement, transfer option

200.42 Corrective action, transfer option

200.43 Restructuring, transfer option

200.44 Public school choice, program improvement schools

ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen. 132 (2004)

84 Ops.Cal.Atty.Gen. 198 (2001)

COURT DECISIONS

Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

Management Resources:

WEB SITES

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

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

~~CSBA Sample~~

Hanford ESD

Administrative Regulation

Open Enrollment Act Transfers

AR 5118
Students

Definitions

District of enrollment means the district, other than the district in which the student's parent/guardian resides, in which the parent/guardian intends to enroll his/her child. (Education Code 48352)

District of residence means the district in which the parent/guardian of a student resides and in which the student would otherwise be required to enroll pursuant to Education Code 48200. (Education Code 48352)

(cf. 5111.1 - District Residency)

Open enrollment school means a "~~low-achieving~~" school identified by the Superintendent of Public Instruction (SPI) pursuant to Education Code 48352 and 5 CCR 4701. (Education Code 48352; 5 CCR 4701)

Transfer Applications into a District School

Enrollment priority shall be available to students who reside within this district. No student who resides within a school's attendance area or who is currently enrolled in a school shall be displaced by a student who is transferring pursuant Education Code 48350-48361 or 5 CCR 4700-4703. (Education Code 48354, 48356)

Applications shall be submitted within the deadlines established by Board policy.

However, the application deadline shall not apply to an application requesting a transfer if the parent/guardian with whom the student resides is enlisted in the military and was relocated by the military within 90 days prior to submitting the application. (Education Code 48354)

(cf. 6173.2 - Education of Children of Military Families)

The parent/guardian's application may request enrollment of his/her child in a specific school or program. Requests for admission to a ~~magnet school or~~ special program ~~designed to serve gifted and talented students~~ shall be subject to the usual admission requirements established by the district for district students. Except for such specialized admission requirements, the

Superintendent or designee shall not consider the student's previous academic achievement, athletic performance, physical condition, English language proficiency, family income, or any of the prohibited bases for discrimination listed in Education Code 200. (Education Code 48354, 48356)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 6172 - Gifted and Talented Student Program)

Students applying for open enrollment transfers shall be assigned priority for approval as follows: (Education Code 48356)

1. First priority for the siblings of students who already attend the desired school
2. Second priority for students transferring from a program improvement school ranked in decile 1 on the Academic Performance Index (API)

If the number of students who request a particular school exceeds the number of spaces available at that school, the Superintendent or designee shall conduct a lottery, in the group priority order identified in items #1 and #2 above, to select students at random until all of the available spaces are filled. (Education Code 48356)

Within 60 days of receiving the application, the Superintendent or designee shall provide written notification to the parent/guardian and the student's district of residence as to whether the application has been accepted or rejected. If the application has been rejected, the notice shall state the reasons for the rejection. If the application has been approved, the notification shall specify the particular school site and the school's address to which the student has been admitted. (Education Code 48357; 5 CCR 4702)

Terms of Approval

The Superintendent or designee shall ensure that the school to which the student is transferring has a higher API than the school in which the student was previously enrolled. (Education Code 48356)

The parent/guardian shall enroll his/her child on or before the first day of instruction or within 14 calendar days of receipt of the district's notice of approval of the application, whichever is later. If the parent/guardian fails to enroll his/her child within this timeframe, the district may decline to enroll the student. (5 CCR 4703)

Upon enrollment, the district shall grant the student any credits towards graduation that he/she received from his/her district of residence. The student shall be eligible for graduation from district schools upon completion of state and district graduation requirements. (Education Code 48358)

(cf. 6143 - Courses of Study)
(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)
(cf. 6162.52 - High School Exit Examination)

A student admitted to a district school through this process shall be deemed to have fulfilled district residency requirements pursuant to Education Code 48204 and shall not be required to reapply for enrollment in that school, regardless of whether his/her school of residence remains on the Open Enrollment List. (Education Code 48356; 5 CCR 4702)

Once admitted, a transfer student who wishes to matriculate into a district ~~middle or~~ junior high school or transfer to another district school shall reapply for admission to the new school pursuant to the requirements of Board policy and administrative regulation.

Parents/guardians are responsible for transporting their children to school.

Transfers out of District Schools on the Open Enrollment List

Upon identification by the California Department of Education (CDE) that a district school is on the Open Enrollment List, the Superintendent or designee shall notify the parents/guardians of each student enrolled in the school of the option to transfer. This notice shall be provided by the first day of instruction. However, if the CDE has not notified the district whether a school is on the list by the first day of instruction, the notification shall be provided no later than 14 calendar days after the Open Enrollment List is posted on the CDE's web site. (Education Code 48354; 5 CCR 4702)

(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 5145.6 - Parental Notifications)

11/10 03/11

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Liz Simas
DATE: March 3, 2011

For: Board Meeting
 Superintendent's Cabinet
 Information
 Action

Date you wish to have your item considered: March 16, 2011

ITEM: Consider for adoption the following revised Administrative Regulation.

PURPOSE: The following 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 changes.

- AR 5141.4 - Child Abuse Prevention and Reporting

FISCAL IMPACT (if any): None

RECOMMENDATION (if any): Adopt

Hanford ESD

Administrative Regulation

Child Abuse Prevention And Reporting

AR 5141.4
Students

Definitions

Child abuse or neglect includes the following: (Penal Code 11165.5, 11165.6)

1. A physical injury or death inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1
3. Neglect of a child as defined in Penal Code 11165.2
4. Willful harming or injuring of a child or the endangering of the person or health of a child as defined in Penal Code 11165.3
5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4

Child abuse or neglect does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code 11165.6)

(cf. 3515.3 - District Police/Security Department)

3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the student (Education Code 49001)

(cf. 5144 - Discipline)

5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student (Education Code 49001)

Mandated reporters include, but are not limited to, teachers; instructional aides; teacher's aides or assistants; classified employees; certificated pupil personnel employees; administrative officers or supervisors of child attendance; administrators and employees of a licensed day care facility; Head Start teachers; district police or security officers; licensed nurses or health care providers; and administrators, presenters, and counselors of a child abuse prevention program. (Penal Code 11165.7)

Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect. However, reasonable suspicion does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

Reportable Offenses

A mandated reporter shall make a report using the procedures provided below whenever, in his/her professional capacity or within the scope of his/her employment, he/she has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. (Penal Code 11166)

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (Penal Code 11166.05, 11167)

~~Any person shall notify a peace officer if~~ Any district employee who reasonable believes that he/she reasonably believes that he/she has observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury, where the victim is a child under age 14 shall notify a peace officer. (Penal Code 152.3, 288)

Responsibility for Reporting

The reporting duties of mandated reporters are individual and cannot be delegated to another person. (Penal Code 11166)

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so

shall thereafter make the report. (Penal Code 11166)

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report. (Penal Code 11166)

Any person not identified as a mandated reporter who has knowledge of or observes a child whom he/she knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code 11166)

Reporting Procedures

1. Initial Telephone Report

Immediately or as soon as practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (excluding a school district police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (Penal Code 11166)

Kings County Child Protective Services
1200 South Dr.
Hanford, CA 93230
559-582-8776

When the initial telephone report is made, the mandated reporter shall note the name of the official contacted, the date and time contacted, and any instructions or advice received.

2. Written Report

Within 36 hours of knowing or observing the information concerning the incident, the mandated reporter shall then prepare and either send, fax, or electronically submit to the appropriate agency a written follow-up report, which includes a completed Department of Justice form (SS 8572) Submit form SS 8572 to Kings County Child Protective Services, 1200 South Drive, Hanford, CA 93230. (Penal Code 11166, 11168)

Mandated reporters may obtain copies of the Department of Justice form from either the Department of Justice website, Child Welfare and Attendance Office, your School Operations Officer, or ~~the appropriate agency~~ other appropriate agencies, such as the county probation or welfare department or the police or sheriff's department.

Reports of suspected child abuse or neglect shall include, if known: (Penal Code 11167)

a. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter

- b. The child's name and address, present location and, where applicable, school, grade, and class
- c. The names, addresses, and telephone numbers of the child's parents/guardians
- d. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information
- e. The name, address, telephone number, and other relevant personal information about the person who might have abused or neglected the child

The mandated reporter shall make a report even if some of this information is not known or is uncertain to him/her. (Penal Code 11167)

The mandated reporter may give to an investigator from an agency investigating the case, including a licensing agency, an information relevant to the incident of child abuse or neglect also may be given to an investigator from an agency that is investigating the case or to a report made for serious emotional damage pursuant to Penal Code 11166.05. (Penal Code 11167)

3. Internal Reporting

The mandated reporter shall not be required to disclose his/her identity to his/her supervisor, the principal, or the Superintendent or designee. (Penal Code 11166)

However, employees reporting child abuse or neglect to an appropriate agency are encouraged, but not required, to notify the principal as soon as possible after the initial telephone report to the appropriate agency. When so notified, the principal shall inform the Superintendent or designee.

The principal so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation. At the mandated reporter's request, the principal may assist in completing and filing the necessary forms.

Reporting the information to an employer, supervisor, principal, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code 11166)

Training

Training of mandated reporters shall include identification and mandated reporting of child abuse and neglect. (Penal Code 11165.7)

Training shall also include guidance in the appropriate discipline of students, physical contact with students, and maintenance of ethical relationships with students to avoid actions that may be misinterpreted as child abuse.

(cf. 4119.21/4219.21/4319.21 - Professional Standards)
 (cf. 4131 - Staff Development)
 (cf. 4231 - Staff Development)
 (cf. 4331 - Staff Development)
 (cf. 5145.7 - Sexual Harassment)

Victim Interviews by Social Services

Whenever a representative from the Department of Social Services or another government agency investigating suspected child abuse or neglect deems it necessary, a suspected victim may be interviewed during school hours, on school premises, concerning a report of suspected child abuse or neglect that occurred within the child's home or out-of-home care facility. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her of the following requirements: (Penal Code 11174.3)

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (Penal Code 11174.3)

Release of Child to Peace Officer

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Superintendent or designee and/or principal shall not notify the parent/guardian, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)

Parent/Guardian Complaints

Upon request, the Superintendent or designee shall provide parents/guardians with a copy of this

administrative regulation which contain procedures for reporting suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is other than English, such procedures shall be in their primary language and, when communicating orally regarding those procedures, an interpreter shall be provided.

(cf. 5145.6 - Parental Notifications)

To file a complaint against a district employee or other person suspected of child abuse or neglect at a school site, parents/guardians may file a report by telephone, in person, or in writing with any appropriate agency identified above under "Reporting Procedures." If a parent/guardian makes a complaint about an employee to any other employee, the employee receiving the information shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. The employee also is obligated pursuant to Penal Code 11166 to file a report himself/herself using the procedures described above for mandated reporters.

(cf. 1312.1 - Complaints Concerning District Employees)

In addition, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education pursuant to 5 CCR 4650.

(cf. 1312.3 - Uniform Complaint Procedures)

Notifications

The Superintendent or designee shall provide to all new employees who are mandated reporters a statement that informs them of their status as mandated reporters, of their reporting obligations under Penal Code 11166, and of their confidentiality rights under Penal Code 11167. The district also shall provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (Penal Code 11165.7, 11166.5)

Before beginning employment, employees shall sign a statement indicating that they have knowledge of the reporting obligations under Penal Code 11166 and that they will comply with those provisions. The signed statements shall be retained by the Superintendent or designee. (Penal Code 11166.5)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

The Superintendent or designee also shall notify all employees that:

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of his/her professional capacity or outside the scope of his/her employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)

2. If a mandated reporter fails to report an incident of known or reasonably suspected child abuse or neglect, he/she may be guilty of a crime punishable by a fine and/or imprisonment. (Penal Code 11166)

3. No employee shall be subject to any sanction by the district for making a report. (Penal Code 11166)

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT
approved: September 1, 2010 Hanford, California
revised: March 2011

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Liz Simas
DATE: March 3, 2011

For: Board Meeting
 Superintendent's Cabinet
 Information
 Action

Date you wish to have your item considered: March 16, 2011

ITEM: Consider for adoption 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 changes.

- BP/AR 6158 - Independent Study

FISCAL IMPACT (if any): None

RECOMMENDATION (if any): Adopt

Hanford ESD

Board Policy Independent Study

BP 6158

Instruction

The Governing Board authorizes independent study as an optional alternative instructional strategy for eligible students, whose needs may be best met through study outside of the regular classroom setting. Independent Study shall offer a means of individualizing the educational plan and enabling students to reach curriculum objectives and fulfill graduation requirements. As necessary to meet student needs, independent study may be offered on a full-time basis or on a part-time basis in conjunction with part- or full-time classroom study.

(cf. 0420.4 - Charter Schools)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6181 - Alternative Schools/Programs of Choice)

(cf. 6200 - Adult Education)

A student's participation in independent study shall be voluntary. Students participating in independent study shall have the right, at any time, to enter or return to the regular classroom mode of instruction. (Education Code 51747; 5 CCR 11700)

Parents/guardians of students who are interested in independent study shall contact the Superintendent or designee. The Superintendent or designee shall approve independent study for an individual student only upon determining that the student is prepared to meet the district's requirements for independent study and is likely to succeed in independent study as well as or better than he/she would in the regular classroom.

The minimum period of time for any independent study option shall be five consecutive school days.

The Superintendent or designee shall ensure that a written independent study agreement, as prescribed by law, exists for each participating student. (Education Code 51747)

~~Supervising teachers should carefully set the duration of independent study assignments, within the limits specified by the Board~~

=

The written agreement shall specify the length of time in which each independent study

assignment must be completed. Because excessive leniency in the duration of independent study assignments may result in a student falling behind his/her peers and increase the risk of dropping out of school, independent study assignments shall be no more than **ten school days** for all grade levels and types of program. However, when necessary based on the specific circumstances of the student's approved program, the Superintendent or designee may allow for a longer period of time between the date an assignment is made and when it is due, up to the termination date of the agreement.

When a participating student misses three assignments, an evaluation shall be conducted to determine whether it is in the student's best interest to remain in independent study. However, a student's written agreement may specify a lower or higher number of missed assignments that will trigger an evaluation when the Superintendent or designee determines it appropriate based on the nature of the assignments, the total number of assignments, and/or other unique circumstances.

Supervising teachers should establish an appropriate schedule for student-teacher conferences in order to help identify students falling behind in their work or in danger of failing or dropping out of school. Except in unusual circumstances, it is expected that the supervising teacher will meet, either in person or by electronic means, with each participating student at least once a week to discuss the student's progress.

~~To foster each student's success in independent study, the Board establishes 10 school days for all grades (K-8) as the maximum length of time which may elapse between the time an assignment is made and date by which the student must complete the assigned work.~~

~~When circumstances justify a longer time, the Superintendent or designee may extend the maximum length of an assignment to a period not to exceed eight weeks, pursuant to a written request (cf. 5147 - Dropout Prevention)~~

Missing appointments with justification:

~~When any student fails to complete 5 missed assignments per quarter consecutive independent study assignments, the Superintendent or designee shall conduct the supervising teacher without valid reasons also may trigger an evaluation to determine whether it is in the student's best interest to the student should remain in independent study. Evaluation findings shall be kept in the student's permanent record.~~

Legal Reference:

EDUCATION CODE

17289 Exemption for facilities

41976.2 Independent study programs; adult education funding

42238 Revenue limits

44865 Qualifications for home teachers and teachers in special classes and schools; consent to assignment

46300-46300.646307.1 Methods of computing ADA average daily attendance

47612.5 Independent study in charter schools
 48204 Residency based on parent employment
 48206.3 Home or hospital instruction; students with temporary disabilities
 48220 Classes of children exempted
 48340 Improvement of pupil attendance
 48915 Expulsion; particular circumstances
 48916.1 Educational program requirements for expelled students
 48917 Suspension of expulsion order
 51225.3 Requirements for high school graduation
 51745-51749.3 Independent study programs
 52206 Gifted and talented education; use of independent study to augment program
 52522 Adult education alternative instructional delivery
 52523 Adult education as supplement to high school curriculum; criteria
 56026 Individuals with exceptional needs
 58500-58512 Alternative schools and programs of choice

FAMILY CODE

6550 Authorization affidavits

CODE OF REGULATIONS, TITLE 5

11700-11703 Independent study

19819 State audit compliance

COURT DECISIONS

Modesto City Schools v. Education Audits Appeal Panel, (2004) 123 Cal.App.4th 1365

EDUCATION AUDIT APPEALS PANEL DECISIONS

Lucerne Valley Unified School District, Case No. 03-02 (2005)

Management Resources:

CDECALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Independent Study Operations Manual, 2000 edition~~Edition~~

Elements of Exemplary Independent Study

Approaches to Satisfying No Child Left Behind Act of 2001 Teacher Requirements for

Independent Study in Secondary Schools, January 28, 2010

WEB SITES

California Consortium for Independent Study: <http://www.ccis.org>

California Department of Education, Independent Study: <http://www.cde.ca.gov/sp/eo/is>

~~Policy HANFORD ELEMENTARY SCHOOL DISTRICT~~

~~Adopted: May 16, 2001 Hanford, California~~

~~Revised: November 20, 2002~~

~~Revised: May 26, 2005~~ Education Audit Appeals Panel: <http://www.eaap.ca.gov>

(6/98 3/05) 7/10 02/11

Hanford ESD

Administrative Regulation

Independent Study

AR 6158
Instruction

Educational Opportunities

Educational opportunities offered through independent study may include, but are not limited to: (Education Code 51745)

A request by the parent/guardian due to ~~emergencies~~ an emergency, vacation, or illness—
~~Independent, independent~~ study may be used on a short-term basis to ensure that the student is able to maintain academic progress in his/her regular classes.

(cf. 5113 - Absences and Excuses)

Equivalency-

The district's independent study option shall be substantially equivalent in quality and quantity to classroom instruction, ~~thus enabling students to enable~~ participating in independent study students to complete the district's adopted course of study within the customary time frame. Students in independent study shall have access to the same services and resources as is that are available to other students in the school and shall have equal rights and privileges. (5 CCR 11700, 11701.5)

(cf. 0410 - Nondiscrimination in District Programs and Activities)

The district shall not provide independent study students and their parents/guardians with funds or items of value that are not provided for other students and their parents/guardians. (Education Code 46300.6, 51747.3)

Eligibility for Independent Study

~~Parents/Guardians of students who are interested in independent study should contact the school principal. Approval for participation shall be based on the following criteria:~~

- ~~1. Evidence that the student will work independently to complete the program~~
- ~~2. Availability of experienced certificated staff with adequate time to supervise the student effectively~~

3. — That the student is approaching or meeting district standards in Mathematics and Language Arts.

4. — Student has good attendance

5. — It is not during the Standardized Testing and Reporting period. ~~Requests for Independent Study may be approved during the Standardized Testing and Reporting period only in the case of an emergency as determined by the school Principal.~~

~~A student's participation in independent study shall be voluntary. (Education Code 51747)~~

~~Students enrolling~~

Provided that experienced certificated staff are available to effectively supervise students in independent study, the Superintendent or designee may approve the participation of a student who demonstrates the motivation, commitment, organizational skills, and academic skills necessary to work independently. A student whose academic performance is not at grade level may participate in independent study only if the school is able to provide appropriate support, such as supplemental instruction, tutoring, counseling, ongoing diagnostic assessments, and/or differentiated materials, to enable the student to be successful. **Students must demonstrate good attendance at school.** For an elementary student, the Superintendent or designee may consider the parent/guardian's level of commitment to assist the student. **Requests for Independent Study may be approved during the Standardized Testing and Reporting period only in the case of an emergency as determined by the school Principal.**

~~A student participating in independent study must be residentsa resident of the local county or an adjacent county. (Education Code 51747.3)~~

~~Full-time independent study shall not be available to students whose district residency status is based on their parent/guardian's employment within district boundaries pursuant to Education Code 48204. (Education Code 46300.2, 51747.3)~~

(cf. 5111.12 - Residency Based on Parent/Guardian Employment)

~~AFor a student with disabilities, as defined in Education Code 56026, shall not participateparticipation in independent study unlessshall be approved only if his/her Individualized Education Programindividualized education program specifically provides for such participation. (Education Code 51745)~~

(cf. 6159 - Individualized Education Program)

~~A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 by means of independent study. (Education Code 51745)~~

(cf. 6183 - Home and Hospital Instruction)

Written Agreements

A written agreement shall be developed and implemented for each student participating in independent study for five or more consecutive school days. (Education Code 46300, 51747)

The written agreement shall include general student data, including the student's name, address, grade level, birth date, school of enrollment, and program placement.

The independent study agreement for each participating student also shall include, but not be limited to, all of the following: (Education Code 51747; 5 CCR 11700)

1. The manner, time, frequency, ~~time~~ and place for submitting the student's assignments and for reporting his/her progress.
2. The objectives and methods of study for the student's work; and the methods used to evaluate that work.—
3. The specific resources, including materials and personnel, that will be made available to the student.
- ~~4. The Board's independent study policy describing~~
4. A statement of the Board's policy detailing the maximum length of time allowed between an assignment and its completion and the number of missed assignments which will trigger an evaluation of whether the student should be allowed to continue in independent study.
5. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement. ~~No independent study agreement shall be valid for any period longer than, with a maximum of one semester, or one-half year for a~~ if the school is on a year-round calendar.
6. A statement of the number of course credits or, for ~~the~~ an elementary ~~grades~~ student, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion.
7. A statement that independent study is an optional educational alternative in which no student may be required to participate.
8. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, ~~the agreement shall also include the~~ a statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction.

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

~~The curriculum and methods of study specified in the written agreement shall be consistent with Board policy, administrative regulations and procedures for curriculum and instruction. (5 CCR~~

11702)

(cf. 6143—Courses of Study)

Before ~~beginning~~ the student begins the independent study, ~~each~~ the written agreement shall be signed and dated by the student, the parent/guardian or caregiver of the student if the student is under 18 years of age 18, the certificated employee designated as responsible for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the student. (Education Code 51747; 5 CCR 11702)

~~The agreement shall state that the parent/guardian's signature confers his/her permission for the student's independent study as specified in the agreement.~~

Student Rights and Responsibilities

~~Students participating in independent study shall have the right, continuously, to enter or return to the regular classroom mode of instruction, including upon termination of the agreement.~~

Monitoring Student Progress

~~Independent study students who are late, miss scheduled conferences, or do not submit assigned work on time shall not be reported as tardy or truant.—~~

~~However, the independent study administrator and/or supervising teacher shall promptly and directly address any failure by the student to meet the terms of his/her written agreement. The following supportive strategies may be used:~~

- ~~1. A letter to the student and/or parent/guardian, as appropriate~~
- ~~2. A meeting between the student and the teacher and/or counselor~~
- ~~3. A meeting between the student and the independent study administrator, including the parent/guardian if appropriate~~
- ~~4. An increase in the amount of time the student works under direct supervision~~

~~When the student has missed the number of assignments specified in Board policy the written agreement as precipitating an evaluation, the Superintendent or designee shall conduct an evaluation which to determine whether or not independent study is appropriate for the student. This evaluation may result in termination of the independent study agreement, with and the student's return to a regular classroom or alternative instructional school program.~~

(cf. 1312—Complaints Concerning the Schools)

(cf. 1312.1—Complaints Concerning District Employees)

Administration Responsibilities of Independent Study Administrator

~~Each student's independent study shall be coordinated, evaluated and carried out under the general supervision of a certificated employee. (Education Code 51747.5)~~

Administration of Independent Study

~~Each student's independent study shall be coordinated, evaluated and carried out under the general supervision of a certificated employee (Education Code 51747.5)~~

The responsibilities of the independent study administrator shall be to:

1. Ensure that the district's independent study option is operated in accordance with law, Board policy, and administrative regulation, and is substantially equal in quality and quantity to the classroom instruction
2. Obtain and maintain current information and skills required for the operation of an independent study program that meets established standards for the district's educational programs
3. Develop and manage the budget for independent study
4. Authorize the selection of certificated staff to be assigned as independent study teachers
5. Supervise any staff assigned to independent study functions who are not regularly supervised by another administrator
6. Approve or deny the participation of students requesting independent study
37. Facilitate the completion of written independent study agreements
48. Assure a smooth transition for students into and out of the independent study mode of instruction
9. Approve all credits earned through independent study and forward the information to the appropriate staff so that the information becomes part of the student's record
5. Authorize the selection of staff to be assigned to supervise independent study
6. Supervise any staff assigned to independent study functions who are not regularly supervised by another administrator
710. Complete or coordinate the preparation of all necessary records and reports
8. Establish and maintain in a systematic manner all records required by law, Board policy, and, or administrative regulations, regulation

9. — ~~Monitor student participation in independent study so that the district stays within prescribed limits and income to the district is maximized.~~

10. — ~~Develop and manage the budget for independent study~~

11. — ~~Obtain and maintain current information and skills required for the operation of an independent study strategy that meets established standards for the district's educational programs.~~

12. — ~~Assure a smooth transition into and out of~~ Assignment and Responsibilities of Independent Study Teachers

Each student's independent study shall be coordinated, evaluated, and carried out under the general supervision of a certificated employee who consents to the assignment. (Education Code 44865, 51747.5; 5 CCR 11700)

(cf. 4112.2 - Certification)

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind)

The principal and independent study mode of instruction

13. — ~~Prepare and submit reports as required by the Board to the Superintendent~~

~~Supervising Teachers~~

~~The Principal administrator may recommend and the independent study administrator Superintendent shall approve the assignment of teachers who to directly supervise independent study. The teacher may be the student's regular and/or work with students on specific subject matter. The Superintendent or designee shall ensure that independent study teachers have access to professional development and support comparable to classroom teacher, particularly-based teachers.~~

(cf. 4131 - Staff Development)

The ratio of student average daily attendance to full-time equivalent certificated employees responsible for elementary students independent study shall not exceed the equivalent ratio for all other education programs in the district. (Education Code 51745.6)

~~Independent study teachers~~ The responsibilities of the supervising teacher shall be to:

1. Complete designated portions of the written independent study agreement and add additional information to the written agreement when appropriate
2. Supervise and approve coursework

3. Design all-lesson plans and make assignments
4. ~~Write the~~ Maintain records of student assignments showing the date the assignment is given and the date the assignment is due
5. ~~Provide direct instruction and counsel as necessary for students-~~ individual student success
5. ~~Assess all student work and determine and assign grades or other approved measures of achievement.~~
6. ~~Personally judge~~ Regularly meet with the student to discuss the student's progress
7. ~~Judge the time value of assigned work or work products completed and submitted by the student~~
78. ~~Assess student work and determine and assign grades or other approved measures of achievement~~
9. ~~Select and save with each agreement-~~ representative samples of the student's completed and evaluated assignments on not less than a monthly basis, preferably biweekly, and for each subject, signed or initialed and dated in accordance with item #3 in the section on "Records" below
8. ~~Sign and complete the agreement when the student has reached his/her objectives or the agreement is terminated~~
910. ~~Maintain a daily or hourly attendance register in accordance with item #4 in the section on "Records" below~~
11. ~~Maintain any other required records and files on a current basis~~

Records

~~For audit purposes, the~~ The Superintendent or designee shall maintain the following ensure that records: are maintained for audit purposes. These records shall include, but not be limited to:
(Education Code 51748; 5 CCR 11703)

1. A copy of the Board policy, administrative regulation, and other procedures related to independent study.
2. A separate listing of the students ~~and adult education students,~~ by grade level, program, and school, who have participated in independent study, identifying. This listing shall identify units of the curriculum attempted and units of the curriculum completed by students in grades K-8.

3. A file of all agreements, with representative samples of each ~~student's or adult education~~ student's work products bearing the supervising teacher's signed or initialed and dated notations indicating that he/she has personally evaluated the work or that he/she has personally reviewed the evaluations made by another certificated teacher.

4. A daily or hourly attendance register, as appropriate to the program in which the students ~~or adult education students are enrolled~~ participating, separate from classroom attendance records, and maintained on a current basis as time values of student ~~or adult education~~ work products are personally judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons.

The district (cf. 3580 - District Records)

The above records shall be maintained for three years, excluding the current fiscal year.

The Superintendent or designee also shall maintain a record of grades and other evaluations issued to each student for independent study assignments.

Each school shall maintain records for the students at that school.

A written record of the findings of any evaluation conducted after the student has missed the number of assignments specified in Board policy shall be treated as a mandatory interim student record which shall be maintained for three years from the date of the evaluation. (Education Code 51747)

Regulation — HANFORD ELEMENTARY SCHOOL DISTRICT
 Approved: — May 16, 2001 Hanford, California
 Revised: — April 27, 2005 (cf. 5125 - Student Records)

(2/99 3/05) 7/10; 02/11

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Liz Simas
DATE: March 3, 2011

For: Board Meeting
 Superintendent's Cabinet
 Information
 Action

Date you wish to have your item considered: March 16, 2011

ITEM: Consider for adoption the following revised Administrative Regulation.

PURPOSE: The following 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 changes.

- AR 6173.1 - Education for Foster Youth

FISCAL IMPACT (if any): None

RECOMMENDATION (if any): Adopt

Hanford ESD

Administrative Regulation

Education For Foster Youth

AR 6173.1

Instruction

Definitions

Foster youth means a child who has been subject to one of the following: (Education Code 48853.5)

1. Has been removed from his/her home pursuant to Welfare and Institutions Code 309 (temporary custody)
2. Is the subject of a petition filed under Welfare and Institutions Code 300 or 602 (jurisdiction of juvenile court)
3. Has been removed from his/her home and is the subject of a petition filed under Welfare and Institutions Code 300 or 602

Person holding the right to make educational decisions means a responsible adult appointed by a court pursuant to Welfare and Institutions Code 361 or 727.

School of origin means the school that the foster youth attended when permanently housed or the school in which the student was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that the foster youth attended within the preceding 15 months and with which the youth is connected, the district liaison shall, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, determine, in the best interest of the foster youth, which school is the school of origin. (Education Code 48853.5)

Best interest means ~~a placement that ensures that the youth is placed in the least restrictive educational program and has access to academic resources, services, and extracurricular and enrichment activities that are available to district students. (Education Code 48853)~~ that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the foster youth's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students. (Education Code 48850, 48853).

District Liaison

The Superintendent or designee designates the following position as the district liaison for foster youth: (Education Code 48853.5)

Liz Simas, Coordinator
Child Welfare and Attendance
P.O. Box 1067
Hanford, CA 93232
(559) 585-3641

(cf. 6173 - Education for Homeless Children)

The district's liaison for foster youth shall:

1. Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of students in foster care (Education Code 48853.5)

(cf. 1400 - Relations between Other Governmental Agencies and the Schools)
(cf. 5141.6 - Student Health and Social Services)

2. Assist foster youth when transferring from one school to another or from one district to another in ensuring proper transfer of credits, records and grades, including ensuring that records reflect full or partial credit for courses taken. (Education Code 48645.5, 48853.5)

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 5125 - Student Records)
(cf. 6146.3 - Reciprocity of Academic Credit)

3. As necessary, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973.

4. Ensure that students in foster care receive appropriate school-based services, such as supplemental instruction, counseling, or after-school ~~programs~~ services.

5. Develop protocols and procedures so that district staff, including principals, school registrars, and attendance clerks, are aware of the requirements for the proper enrollment, placement, and transfer of foster youth

6. Collaborate with the county placing agency, social services, probation officers, juvenile court officers, nonprofit organizations, and advocates to help coordinate services for the district's foster youth.

Enrollment

A foster youth placed in a licensed children's institution or foster family home shall attend programs operated by the district unless one of the following circumstances applies: (Education

Code 48853)

1. The student has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency or in another local educational agency.

(cf. 6159 - Individualized Education Program)

(cf. 6159.2 - Nonpublic Nonsectarian School and Agency Services for Special Education)

2. The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best interest of the student to be placed in another educational program.

3. ~~The student is entitled to remain in his/her school of origin as defined above.~~

At the initial placement or any subsequent change in placement, the student exercises his/her right to continue in his/her school of origin, as defined above

a. ~~of a foster youth, the district shall allow the student to~~ The student may continue his/her education in the school of origin for the duration of the academic school year court's jurisdiction or, if the court's jurisdiction is terminated prior to the end of a school year, then for remainder of the school year.

b. To provide the student the benefit of matriculating with his/her peers in accordance with the established feeder patterns of school districts, a student who is transitioning between school grade levels shall be allowed to continue in the district or origin in the same attendance area. A student who is transitioning to a middle school or high school shall be allowed to enroll in the school designated for matriculation in another school district.

However, The district liaison may, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, recommend that the youth's right to attend the school of origin be waived and he/she be enrolled in any school that students living in the attendance area in which the foster youth resides are eligible to attend. All decisions shall be made in accordance with the foster youth's best interest. (Education Code 48853.5)

Prior to making any recommendation to move a foster youth from his/her school of origin, the liaison shall provide the youth and the person holding the right to make educational decisions for the youth with a written explanation of the basis for the recommendation and how this recommendation serves the youth's best interests. (Education Code 48853.5)

The role of the liaison shall be advisory with respect to placement decisions and determination of the school of origin. (Education Code 48853.5)

If the liaison, in consultation with the foster youth and the person holding the right to make educational decisions for the foster youth, agrees that the best interests of the youth would be served by his/her transfer to a school other than the school of origin, the principal or designee of the new school shall immediately enroll the foster youth, The youth shall be immediately

enrolled even if the youth has outstanding fees, fines, textbooks, or other items of monies due to the school last attended or is unable to produce records, such as academic, medical or proof of residency, or clothing normally required for enrollment. (Education Code 48853.5)

(cf. 5132 - Dress and Grooming)

(cf. 5141.31 - Immunizations)

Within two business days of a request for enrollment, the liaison shall contact the school last attended by the student to obtain all academic and other records. Upon receiving a request from a new school, the liaison ~~for the school last attended~~ shall provide all records within two business days of receiving the request. (Education Code 48853.5)

~~If the parent/guardian or foster youth~~ If a person with the right to make educational decisions for a foster youth or the foster youth disagrees with the liaison's enrollment, recommendation he/she may appeal ~~the decision~~ to the Superintendent. The Superintendent shall make a determination within 30 days of receipt of the appeal. Within 30 days of receipt of the Superintendent's decision, the parent/guardian or foster youth may appeal that decision to the Board of Trustees. The Board shall consider the issue at its next regularly scheduled meeting. The Board's decision shall be final.

If any dispute arises regarding the request of a foster youth to remain in the school of origin, the youth has the right to remain in the school of origin pending resolution of the dispute. (Education Code 48853.5)

(cf. 1312.3 - Uniform Complaint Procedures)

The district shall not be responsible for providing transportation to and from the school or origin.

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT
approved: June 23, 2004 Hanford, California
revised: June 2006
revised: April 2007
revised: May 20, 2009
revised: March 2011

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department

AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Diane Williams
DATE: March 7, 2011
RE: (X) Board Meeting
 () Superintendent's Cabinet
 () Information
 (X) Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **March 16, 2011**

ITEM: Consider approval of personnel transactions and related matters.

PURPOSE:

a. Employment

Temporary Employees/Substitutes/Yard Supervisors

- Ellis Howard, 4-6 Grade Boys Track Coach – 2 units, Lincoln, effective 3/1/11 to 5/4/11
- Erika Castorena, Substitute Bilingual Clerk Typist I, effective 2/25/11
- Jessica Fordham, Substitute Clerk Typist II, Educational Tutor K-6 and READY Program Tutor, effective 2/23/11
- Kimberly Hulsey, Substitute Yard Supervisor, effective 2/23/11
- Juana Melendrez, Substitute Yard Supervisor, Translator – Oral Interpreter, effective 3/8/11
- Rachel Mescher, Substitute READY Program Tutor, effective 2/23/11
- Melissa Molina, Substitute Yard Supervisor, effective 3/3/11
- Lili Villaseñor, Substitute Yard Supervisor, effective 2/25/11

b. Resignations

- Connie Armerding, Student Advocate – 8.0 hrs., Wilson, effective 6/10/11
- Alyssa Barnes, Food Service Worker II – 2.0 hrs., Wilson, effective 2/25/11
- Ross Bechtel, Substitute Yard Supervisor, effective 2/23/10
- Keisha Kamplain, Special Circumstances Aide – 5.75 hrs., Simas, effective 6/3/11
- Rachel Rasmussen, Media Services Aide – 5.5 hrs., Wilson, effective 6/10/11

c. Transfers

- Miguel Cortez, READY Program Tutor – 4.5 hrs., from Hamilton to Richmond, effective 3/7/11
- Angelica Gomez, READY Program Tutor – 4.5 hrs., from Richmond to Hamilton, effective 3/7/11

d. More Hours

- June Strong, Yard Supervisor, from 1.0 hr. to 1.5 hrs., Roosevelt, effective 2/25/11

e. Leave of Absence

- Jennifer Levinson, Special Education Aide – 5.0 hrs., Kennedy, effective 3/3/11 to 6/3/11, personal
- Jaclyn Lowdermilk, Teacher, King, effective 2/28/11 to 4/8/11, baby bonding
- Florita Magallon, Bilingual Student Specialist – 8.0 hrs., Roosevelt, effective 2/8/11 to 3/8/11, personal (revised)
- Candy Mullins, Food Service Utility Worker – 3.5 hrs., Food Services, effective 3/2/11 to 4/3/11, personal
- Robert Thomas Torres, READY Program Tutor – 4.5 hrs., Hamilton, effective 3/17/11 to 3/25/11, military; 3/28/11 to 4/1/11, personal

f. Volunteers

<u>Name</u>	<u>School</u>
Margie Mendiola	Hamilton
Ceilara Sparks	Hamilton
John Stafford	Hamilton
Julie Lopez	King
Kelly Stone–Van Natta	Monroe
Donna Shipp	Monroe
Kimberly Hernandez-Willhite	Simas
Juana Melendrez	Washington
Laree Rivas	Washington
Kathryn Silva	Washington

RECOMMENDATION: Approve.

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Dr. Paul J. Terry
FROM: Nancy White
DATE: March 7, 2011
FOR: (X) Board Meeting
() Superintendent's Cabinet
FOR: () Information
(X) Action

Date you wish to have your item considered: March 16, 2011

ITEM:

Consider Certification of Second Interim Report for 2010-11.

PURPOSE:

Provisions of AB2861 require the School District Superintendent to submit two Interim Reports each year to the District Governing Board indicating whether or not the school district will be able to meet its financial obligations. This is the second of such reports for this fiscal year. The school district must certify whether or not the school district will be able to meet its financial obligations for the remainder of the school year.

FISCAL IMPACT:

None.

RECOMMENDATION:

We recommend a positive certification that the District will be able to meet its financial obligations for the remainder of the current fiscal year and subsequent two fiscal years.

2010-11 Second Interim
 General Fund
 Summary - Unrestricted/Restricted
 Revenues, Expenditures, and Changes in Fund Balance

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
A. REVENUES								
1) Revenue Limit Sources		8010-8099	25,795,037.00	27,579,730.00	15,570,467.37	27,579,730.00	0.00	0.0%
2) Federal Revenue		8100-8299	3,900,653.00	6,568,734.00	2,736,470.96	6,568,734.00	0.00	0.0%
3) Other State Revenue		8300-8599	8,735,865.00	9,214,349.00	4,211,701.23	9,214,349.00	0.00	0.0%
4) Other Local Revenue		8600-8799	1,793,103.00	2,394,447.00	1,142,009.23	2,394,447.00	0.00	0.0%
5) TOTAL, REVENUES			40,224,658.00	45,757,260.00	23,660,648.79	45,757,260.00		
B. EXPENDITURES								
1) Certificated Salaries		1000-1999	20,121,320.00	20,505,096.00	11,044,672.92	20,505,096.00	0.00	0.0%
2) Classified Salaries		2000-2999	7,635,960.00	7,586,444.00	4,182,998.91	7,586,444.00	0.00	0.0%
3) Employee Benefits		3000-3999	8,961,426.00	9,050,065.00	4,784,872.65	9,050,065.00	0.00	0.0%
4) Books and Supplies		4000-4999	1,884,549.00	2,672,183.00	1,256,055.51	2,672,183.00	0.00	0.0%
5) Services and Other Operating Expenditures		5000-5999	3,127,987.00	3,240,612.00	1,570,158.48	3,240,612.00	0.00	0.0%
6) Capital Outlay		6000-6999	224,448.00	379,265.00	188,057.90	379,265.00	0.00	0.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299 7400-7499	223,529.00	325,288.00	221,857.80	325,288.00	0.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	(108,901.00)	(108,901.00)	0.00	(108,901.00)	0.00	0.0%
9) TOTAL, EXPENDITURES			42,070,318.00	43,650,052.00	23,248,674.17	43,650,052.00		
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)			(1,845,660.00)	2,107,208.00	411,974.62	2,107,208.00		
D. OTHER FINANCING SOURCES/USES								
1) Interfund Transfers								
a) Transfers In		8900-8929	0.00	10,000.00	10,000.00	10,000.00	0.00	0.0%
b) Transfers Out		7600-7629	190,767.00	333,423.00	142,656.00	333,423.00	0.00	0.0%
2) Other Sources/Uses								
a) Sources		8930-8979	0.00	0.00	0.00	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.00	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.00	0.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			(190,767.00)	(323,423.00)	(132,656.00)	(323,423.00)		

2010-11 Second Interim
General Fund
Summary - Unrestricted/Restricted
Revenues, Expenditures, and Changes in Fund Balance

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			(2,036,427.00)	1,783,785.00	279,318.62	1,783,785.00		
F. FUND BALANCE, RESERVES								
1) Beginning Fund Balance								
a) As of July 1 - Unaudited		9791	5,554,993.00	6,221,317.00		6,221,317.00	0.00	0.0%
b) Audit Adjustments		9793	0.00	0.00		0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)			5,554,993.00	6,221,317.00		6,221,317.00		
d) Other Restatements		9795	0.00	0.00		0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			5,554,993.00	6,221,317.00		6,221,317.00		
2) Ending Balance, June 30 (E + F1e)			3,518,566.00	8,005,102.00		8,005,102.00		
Components of Ending Fund Balance								
a) Reserve for								
Revolving Cash		9711	5,050.00	5,050.00		5,050.00		
Stores		9712	200,068.00	117,572.00		117,572.00		
Prepaid Expenditures		9713	0.00	0.00		0.00		
All Others		9719	0.00	0.00		0.00		
General Reserve		9730	0.00	0.00		0.00		
Legally Restricted Balance		9740	0.00	0.00		0.00		
b) Designated Amounts								
Designated for Economic Uncertainties		9770	1,473,500.00	2,473,500.00		2,473,500.00		
Designated for the Unrealized Gains of Investments and Cash in County Treasury		9775	0.00	0.00		0.00		
Other Designations		9780	700,000.00	700,000.00		700,000.00		
c) Undesignated Amount						4,708,980.00		
d) Unappropriated Amount		9790	1,139,948.00	4,708,980.00				

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Dr. Paul J. Terry

FROM: Nancy White

DATE: March 7, 2011

FOR: Board Meeting
 Superintendent's Cabinet

FOR: Information
 Action

Date you wish to have your item considered: March 16, 2011

ITEM:

Consider approval of Resolution #15-11: Deposit to Special Reserve Fund 1700 – Instructional Furniture, Equipment, Materials and Supplies.

PURPOSE:

The District terminated its membership in SISC II – Property & Liability JPA as of June 30, 2010. Each year after the annual audit and actuarial valuation is complete, SISC will determine HESD's portion of the net assets. SISC II has now returned the District's net assets balance as of June 30, 2010, in the amount of \$65,104. Since these are one-time funds, I recommend setting them aside for future potential one-time expenses such as:

1. Furniture, equipment, materials and supplies that would be needed for the re-opening of Jefferson School or,
2. Textbook adoption (portion of the total expense).

This Special Reserve Fund is set up for this type of savings.

FISCAL IMPACT:

\$65,104 will be transferred from the General Fund to the Special Reserve Fund – Instructional Furniture, Equipment, Materials and Supplies. The balance in the Fund will now be \$212,239.

RECOMMENDATION:

Approve Resolution #15-11: Deposit to Special Reserve Fund 1700 – Instructional Furniture, Equipment, Materials and Supplies.

RESOLUTION #15-11

HANFORD ELEMENTARY SCHOOL DISTRICT
SPECIAL RESERVE FUND – #1700
Instructional Furniture, Equipment, Materials and Supplies

WHEREAS, Education Code Sections 42840 – 42843 provide authority for the governing board of the Hanford Elementary School District to establish a special reserve fund; and

WHEREAS, the governing board of the Hanford Elementary School District has determined the need to set the funds aside for instructional furniture, equipment, materials and supplies;

THEREFORE, BE IT RESOLVED that a deposit be made to the Special Reserve Fund – Instructional Furniture, Equipment, Materials and Supplies by the following transfer,

FROM:	0100 0000 0 0000 9300 761200 000 0000	\$65,104
TO:	1700 0000 0 0000 0000 891200 000 0000	\$65,104

BOARD OF TRUSTEES

Adopted: March 16, 2011

