

Hanford Elementary School District

Wednesday, December 12, 2012

District Office Board Room

714 North White Street, Hanford

ANNUAL ORGANIZATIONAL MEETING

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

CLOSED SESSION

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

Administrative Panel Recommendations

Case # 13-21 Wilson

Case # 13-22 Kennedy

OPEN SESSION

6:00 p.m.

- Take action on Student Discipline Matters
- Report action taken, if any, in closed session

1. Board Organization

Oath of Office for Elected Board members

Election and appointment of officers

- President
- Vice President
- Clerk

Designate trustee participation on district committees

- Finance Committee (2)
- Budget Committee (2)
- Kings County School Board Association (1)
- HESD Educational Foundation (1)

Adopt Board Meeting Calendar for 2013

2. 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

- *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.*

3. 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: November 14, 2012; November 26, 2012; and November 30, 2012.
- b) Approve minutes of November 28, 2012 Board Meeting.
- c) Approve interdistrict transfers as recommended.
- d) Approve donation of \$100.00 from PG&E Corporation to MLK School. (Colvard)
- e) Approve donation of 50 pair of shoes from Education Employees Credit Union to Hanford Elementary School District. (Simas)

4. INFORMATION ITEMS

- a) Receive information about the effect of Proposition 30 on District budget development. (Terry)
- b) Receive 2013-14 Budget Calendar. (White)

5. BOARD POLICIES AND ADMINISTRATION

- a) Consider adoption of the following revised Board Policy and Administrative Regulation: (Simas)
 - BP/AR 5117 – Interdistrict Attendance
- b) Consider adoption of the following revised Administrative Regulation: (Simas)
 - AR 5144.1 – Suspension and Expulsion/Due Process
- c) Consider adoption of the following revised Board Policy and Administrative Regulation: (Williams)
 - BP/AR 4121 – Temporary/Substitute Personnel (revised)
- d) Consider approval of waiver renewal to California Department of Education to combine school site councils of Community Day School and Hamilton School. (Carlton)
- e) Consider approval of consultant contract with EL Achieve to provide 1 day of initial training on Systematic English Language Development (ELD) to school site Leadership Teams. (Gabler)
- f) Consider approval to grant an easement to Southern California Edison for utility and site improvements to the Kings County Office of Education tower located at Lincoln School. (Mulligan)

6. PERSONNEL (Williams)**a) Employment**Classified

- Sherry Hutsell, Food Service Worker I – 2.75 hrs., Jefferson, effective 11/27/12
- Cynthia Long, Food Service Worker I – 2.5 hrs., Roosevelt, effective 12/3/12

Temporary Employees/Substitutes/Yard Supervisors

- Barbara Colucci, Short-term Yard Supervisor – 1.75 hrs., Simas, effective 11/26/12 to 2/28/13
- Samantha Cortez, Short-term Yard Supervisor – 2.5 hrs., Lincoln, effective 12/3/12 to 2/28/13
- Brigid Fogg, Short-term Yard Supervisor – 2.0 hrs., King, effective 11/26/12 to 2/28/13
- Christine Houk, Short-term Special Circumstance Aide – 5.75 hrs. (M,T,Th,F) and 4.5 hrs. (W), Hamilton, effective 11/28/12 to 1/31/13

- Liz Ibarra, Short-term Administrative Secretary I – 8.0 hrs, Human Resources, effective 12/3/12 to 12/18/12
 - Ana Lizarraga, Short-term Bilingual Clerk Typist I – 5.0 hrs., Lincoln, effective 1/7/13 and 3/22/13
 - Lauree Mallard, Substitute Yard Supervisor, effective 11/26/12; Short-term Yard Supervisor – 1.0 hr. (M,Th,F), Washington, effective 11/26/12 to 6/6/13
 - Paula Massey, Substitute READY Program Tutor, effective 11/30/12
 - Michael "Mac" McWay, Short-term Yard Supervisor – 1.0 hr. (T,Th,F), Washington, effective 11/27/12 to 6/6/13
 - Sylvia Reyna, Short-term Yard Supervisor - .75 hr., King, effective 11/26/12 to 2/28/13
 - Olivia Tiel, Substitute Bilingual Clerk Typist II, Clerk Typist II, Educational Tutor K-6, Translator: Oral Interpreter and Written Translator, effective 11/19/12; Short-term Educational Tutor K-6 – 6.0 hrs., various sites, effective 11/20/12 to 5/31/13
 - Melisa Wakefield, Substitute Yard Supervisor, effective 11/27/12; Short-term Yard Supervisor – 1.0 hr. (T,Th,F), Washington, effective 11/27/12 to 6/6/13
 - Kimberly Weeks, Substitute Clerk Typist II, effective 11/30/12
- b) Resignations
- Andrea Grijalva, Substitute Yard Supervisor, effective 5/17/12
 - Fatima Hernandez, Substitute Yard Supervisor and Translator: Oral Interpreter, effective 5/15/12
 - Michelle Rodriguez, READY Program Tutor – 4.5 hrs., Monroe, effective 12/14/12
- c) Retirement
- Arthur Portugal, Groundskeeper II -8.0 hrs., DSF/Grounds, effective 2/8/13
- d) Leave of Absence
- Yvette Alvarez, Yard Supervisor – 3.0 hrs., Lincoln, effective 11/26/12 to 1/25/13, maternity
- e) Job Description
- Personnel Specialist – Benefits (revised)
- f) Consider approval of Co-Sponsor Partnership Agreement between the Tulare County Office of Education IMPACT Intern Program and the Hanford Elementary School District
- Authorize agreement to collaborate with Tulare County Office of Education by developing and delivering a quality teacher preparation program through PROJECT IMPACT; a District internship program with Single Subject and Education Specialist teacher candidates for the 2012-2013 school year.
- g) Volunteers
- | <u>Name</u> | <u>School</u> |
|------------------|---------------|
| Denise Morelock | Hamilton |
| Michelle Davis | Jefferson |
| Elizabeth Fabela | JFK |
| Victor Lopez | King |
| LeeAndra Tamayo | Lincoln |
| Christine Zamora | Lincoln |
| Jennifer Weber | Monroe |
| Selena Reis | Simas |

7. FINANCIAL (White)

- a) Consider approval of Certification of Signatures.
- b) Consider acceptance of Report of Developer Fees Collected and Spent.
- c) Consider approval of Certification of First Interim Report for 2012-13.
- d) Consider approval of consultant contract with Demsey, Filliger and Associates for an actuarial study on the District's Self-Funded Dental Plan.

ADJOURN MEETING

HANFORD ELEMENTARY SCHOOL DISTRICT
AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Liz Simas
DATE: November 29, 2012

For: ☒ Board Meeting
☐ Superintendent's Cabinet
☐ Information
☒ Action

Date you wish to have your item considered: December 12, 2012

ITEM: Student Discipline

PURPOSE: Administrative Panel Recommendations

Case# 13-21 – Wilson

Case# 13-22 – Kennedy

Hanford Elementary School District

REGULAR BOARD MEETING SCHEDULE
January 2013 – December 2013

Regular Board Meetings are normally held on the 2nd and 4th Wednesday of the month. (The calendar may be modified for holiday months). Unless otherwise noted, board meetings begin at 5:30 p.m.

January 9, 2013
January 23, 2013

February 13, 2013
February 27, 2013

March 13, 2013

April 10, 2013
April 24, 2013

May 8, 2013
May 22, 2013

June 12, 2013
June 26, 2013

July 10, 2013 (if needed)

August 14, 2013
August 28, 2013

September 11, 2013
September 25, 2013

October 9, 2013
October 23, 2013

November 13, 2013

December 4, 2013
December 18, 2013

Adopted:

Hanford Elementary School District
Minutes of the Regular Board Meeting
November 28, 2012

Minutes of the Regular Board Meeting of the Hanford Elementary School District Board of Trustees on November 28, 2012, at the District Office Board Room, 714 N. White Street, Hanford, CA.

- Call to Order** President Hill called the meeting to order at 5:30 p.m. Trustees Hernandez, Revious, and Jay were present. Trustee Garner was absent for a reason deemed acceptable by the board.
- Closed Session** Trustees immediately adjourned to closed session for:
- Student Discipline pursuant to Education Code section 48918
- Trustees returned to open session at 6:05 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, Joy Gabler, Jaime Martinez, Karen McConnell, Gerry Mulligan, Jill Rubalcava, Liz Simas, Jason Strickland, Nancy White, and Diane Williams.
- Expulsions #13-** Trustee Jay made a motion to accept the Findings of Facts and expel Cases #13-18, 13-19, and 13-20 for the remainder of the 2012-2013 school year for violation of Education Code 48900 as determined by the Administrative Panel at hearings held November 26, 2012. Parents may apply for readmission on or after June 7, 2013. Trustee Hernandez seconded; motion carried 4-0.
- Expulsion #13** Trustee Jay made a motion to accept the Findings of Facts and expel Case #13-17 for the remainder of the 2012-2013 school year for violation of Education Code Section 48900 as determined by the Administrative Panel at hearings held on November 26, 2012. However, Trustee Jay 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 7, 2013. Trustee Revious seconded; motion carried 4-0.

PRESENTATIONS, REPORTS AND COMMUNICATIONS

- Public Comments** None.
- Board and Staff Comments** Superintendent Dr. Terry stated that Roosevelt School Principal Carrillo and his wife welcomed a baby boy to their family this afternoon.
- Requests to Address the Board at Future Meetings** None.
- Dates to Remember** President Hill reviewed Dates to Remember: Saturday December 1 Hanford Jr. High Wrestling Tournament at WW gym 9:00 a.m.; Saturday December 8 at 9:30 a.m. JFK Boys' Roundball Invitational at JFK gym; next regular Board meeting – Annual Organizational Meeting will be held Wednesday December 12, 5:30 p.m.; Friday December 14 will be a minimum day and Winter Break from December 17, 2012 through January 4, 2013.

CONSENT ITEMS

Trustee Revious made a motion to take consent items "a" through "g" together. Trustee Hernandez seconded, motion carried 4-0. Then Trustee Revious made a motion to approve consent items "a" through "g" and Trustee Jay seconded; motion carried 4-0. The items approved are:

- a) Warrant listings dated November 9, 2012 and November 16, 2012.
- b) Minutes of the Regular Board Meeting November 14, 2012.
- c) Interdistrict transfers as recommended.
- d) Donation of \$1,100.00 from Washington PTC to Washington School.
- e) Donation \$1,000.00 from Walmart to Roosevelt School.
- f) Donation of \$1,000.000 from Walmart to Hamilton School.
- g) Donation of \$13.71 from Savemart Shares; and donation of \$75.00 from Edison International to Simas School.

President Hill acknowledged donors Washington PTC, Walmart, Savemart Shares, and Edison International and thanked them for their generous support of our schools and programs.

INFORMATION ITEMS

BP/AR 5117

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

- BP/AR 5117 – Interdistrict Attendance

AR 5144.1

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

- AR 5144.1 – Suspension and Expulsion/Due Process

BP/AR 4121

Diane Williams, Assistant Superintendent Human Resources, presented for information the following revised Board Policy and Administrative Regulation:

- BP/AR 4121 – Temporary/Substitute Personnel (revised)

BOARD POLICIES AND ADMINISTRATION

**BP 4119.21 and
Corresponding Exhibits**

Trustee Revious made a motion to adopt the following revised Board Policy and new and revised corresponding exhibits. Trustee Jay seconded; motion carried 4-0:

- BP 4119.21 – Professional Standards (new policy replaces current)
- E 4119.21 – Professional Standards (new exhibit replaces current)
- E 4219.21 – Professional Standards (new exhibit)
- E 4319.21 – Professional Standards (new exhibit replaces current)

**AR 4112.6
4212.6
4312.6**

Trustee Jay made a motion to adopt the following revised Administrative Regulation. Trustee Hernandez seconded; motion carried 4-0:

- AR 4112.6, 4212.6, 4312.6 – Personnel Files (revised)

PERSONNEL

Note: Superintendent Dr. Terry noted that the volunteers listed as item **5e)** on the cover page of the agenda were approved at the last meeting. The volunteers as submitted on page 80 of the supporting materials are to be approved at this meeting as Item "e" of the Personnel agenda. With that correction noted:

Trustee Jay made a motion to take Personnel items "a" through "e" collectively. Trustee Hernandez seconded; motion carried 4-0. Then Trustee Hernandez made a motion to approve Personnel items "a" through "e". Trustee Revious seconded; the motion carried 4-0. The following items were approved:

**Item "a" –
Employment***Certificated*

- Kaylee Bosworth, Teacher, Probationary I, effective 11/26/12
- Tamra Garcia, Short-term Intervention Teacher, Lincoln, effective 11/26/12 through 12/7/12 and 1/7/13 through 3/1/13

Temporary Employees/Substitutes/Yard Supervisors

- Yolanda Bell, 4-6 Girls Basketball Coach – 2 units, Roosevelt, effective 11/26/12 through 2/2/13
- Leandra Brieno, Substitute READY Program Tutor, effective 11/5/12
- Javantae Farmah, Short-term Special Circumstance Aide – 3.5 hrs. and Yard Supervisor – 1.25 hrs., Roosevelt, effective 11/26/12 to 1/31/13
- Andrea Keel, Substitute Yard Supervisor, effective 11/5/12
- Victoria Naranjo, Substitute Bilingual Clerk Typist I, Clerk Typist I, Translator: Oral Interpreter and Written Translator, effective 11/5/12
- Sherman Royal, 4-6 Girls Basketball Coach – 2 units, Monroe, effective 11/26/12 to 2/2/13; Substitute Yard Supervisor, effective 11/26/12
- Julyssa Villagomez, Substitute Clerk Typist I and Special Education Aide, effective 11/16/12

**Item "b" –
Resignations**

- Nina Davila, Yard Supervisor – 3.0 hrs., Kennedy, effective 11/16/12
- Guadalupe Gonzalea, Jr., Substitute READY Program Tutor, effective 8/11/12
- Damien Navarro, Yard Supervisor – 2.5 hrs., Lincoln, effective 11/30/12

**Item "c" –
More Hours**

- Amalia Cavazos, Yard Supervisor, from 1.75 hrs. to 3.0 hrs., Simas, effective 11/5/12

**Item "d" –
Leave of Absence**

- Eulalia "Lolly" Barron, Yard Supervisor – 3.25 hrs., Richmond, effective 3/4/13 to 3/11/13
- Irene Garza, Bilingual Clerk Typist II – 8.0 hrs., Lincoln, effective 1/7/13 to 3/22/13, personal

**Item "e" –
Volunteers**

<u>Name</u>	<u>School</u>
Veronica Leach	JFK
Jose Gurrola	King
Jose Lira	King
Sara Lira	King
Samantha Cortez	Lincoln
Zujey Garcia	Lincoln
Yanet Mendoza	Lincoln
Sherman Royal	Monroe
Jennifer Yarbrough	Monroe
Ron Boen II	Washington
Victor Uribe	Wilson

FINANCIAL

Resolution #8-13 Trustee Revious made a motion to approve Resolution #8-13: Revision of the 2012-13 Budget. Trustee Jay seconded; motion carried 4-0.

Adjournment There being no further business, President Hill adjourned the meeting at 6:20 p.m.
Respectfully submitted,

Paul J. Terry
Secretary to the Board of Trustees

Approved:

Dennis Hill, President

James L. Jay III, Clerk

Inters - IN

No	A/D	Sch Req'd	Home Sch	Date
I-082	A	Richmond	Pioneer	12/12/12
I-083	A	Monroe	Pioneer	12/12/12
I-084	A	Monroe	Pioneer	12/12/12

Inters - OUT

No	A/D	Sch Req'd	Home Sch	BD Date
O-210	A	Lemoore	Wilson	12/12/2012
O-211	A	Lemoore	Kennedy	12/12/2012
O-212	A	Kit Carson	Simas	12/12/2012
O-213	A	Kit Carson	Simas	12/12/2012
O-214	A	Kit Carson	Simas	12/12/2012
O-215	A	Kit Carson	Wilson	12/12/2012
O-216	A	Visalia	Simas	12/12/2012
O-217	A	Kit Carson	Wilson	12/12/2012
O-218	A	Armona	Wilson	12/12/2012

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Debra Colvard

DATE: 12/4/12

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: December 12, 2012

ITEM: Donation of \$100.00 from PG&E Corporation to MLK School.**PURPOSE:** For instructional materials and classroom supplies

FISCAL IMPACT: Increase in MLK general budget account #
0100-0000-0-1110-1000-430001-022-0000

RECOMMENDATIONS: Accept donation

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Liz Simas
DATE: November 28, 2012

For: ☒ Board Meeting
☐ Superintendent's Cabinet
☐ Information
☒ Action

Date you wish to have your item considered: December 12, 2012

ITEM: Donation: 50 pair of shoes

PURPOSE: Hanford Elementary School District was selected by employees at the Education Employees Credit Union (EECU) to receive 50 pair of shoes for students in need. Each Principal in the district selected five students from their school to receive a new pair of shoes thanks to the employees at EECU.

FISCAL IMPACT (if any): None

RECOMMENDATION (if any): Accept donation

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Dr. Paul J. Terry

FROM: Nancy White

DATE: December 3, 2012

FOR: (X) Board Meeting
() Superintendent's Cabinet

FOR: (X) Information
() Action

Date you wish to have your item considered: December 12, 2012

ITEM:

Receive 2013-14 Budget Calendar.

PURPOSE:

Attached for your information is the timeline we will follow for the preparation of the District Budget for 2013-14.

FISCAL IMPACT:**RECOMMENDATION:**

Hanford Elementary School District
2012-13 BUDGET CALENDAR
For the 2013-14 BUDGET

2012		
August – December		• Request Dental Benefits Actuarial study (<i>study required every three years – last completed Dec. 2009 – required Dec. 2012</i>)
August – December (n/a for 12/13)		• Request GASB 45 – OPEB Actuarial Study (<i>study required every two years – last completed Dec. 2011 and therefore due in Dec. 2013</i>)
December		• Requests for audit quotes/select auditor (<i>current contract is for 09/10, 10/11 & 11/12</i>)
2013		
January	18	• Site Allocation Planning. Determine School/Department planning figures for 13-14 Personnel and Supply allocation (<i>Terry/White</i>)
	25	• Personnel – Projects percentage split determined at Annual Staff Planning - Meeting #1
	25	• Receive Early/Late Bus Supervision hours for 13-14 from Gerry Mulligan
	25	• Receive 13-14 Lunch Schedules from Anneliese Roa
	31	• Send copy of District audit to AMBAC (<i>Insurers of 1993/1998 G.O. Bonds</i>)
February	1	• Send 13-14 Classified Allocation History to S.O.O./Managers/HR
March		• Superintendent to review Department budgets with managers at briefings
	1	• Distribute budget materials to Schools and Departments
	1 - 22	• Principals/Department Heads to develop budgets
	1	• Send reminder to Schools and Departments regarding 12-13 Purchase Order Deadline – P.O.'s will be closed off April 19th
	8	• ADA projection for calculation of income (<i>Terry/White</i>)
	14	• 13-14 Annual Staffing - Certificated
	22	• 13-14 General Purpose, Special Ed and State Textbook budgets due to Fiscal Services
April	12	• Establish Budget Committee
	15	• Review Personnel - Project percentage splits – during Exec. Council
	19	• Close off 12-13 Purchase Orders – Projects and District
	28	• Review 13-14 proposed income and expenditures. Make any necessary adjustments to balance (<i>Terry/White</i>)
	28	• Projects percentage splits memo to Dept. Heads/HR (<i>White/Carlton</i>)
	30	• 13-14 Annual Staff Planning - Classified
May	3	• 13-14 Categorical & Cafeteria Budgets due to Fiscal Services
	10	• Public Notice on budget adoption to be sent to KCOE for submission to Hanford Sentinel for publication on May 29
	10	• Principals/Dept. Heads submit final 12-13 donations to be added to the 12-13 budget
	10	• Principals/Dept. Heads submit final 12-13 budget changes if necessary
	13	• Budget Committee meets 3:30 p.m. Conference Room C
	29	• Public Notice re: 13-14 Budget Adoption (<i>14 days prior to adoption</i>)
June	3 - 6	• Submit budget for adoption to Board (<i>agenda item due</i>)
	12	• Board Meeting – ADOPT 13-14 Budget
August	1 (<i>or sooner</i>)	• County approves and returns Adopted Budget
	15 deadline (<i>may be later</i>)	• Adopt, within 45 days after the Governor signs the budget, revisions to reflect changes in income or expenditures stemming from the State budget
September		• Compute 13-14 Gann Limit. Place on Board agenda for adoption.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Liz Simas
DATE: November 29, 2012

For: ☒ Board Meeting
☐ Superintendent's Cabinet
☐ Information
☒ Action

Date you wish to have your item considered: December 12, 2012

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 -Interdistrict 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 parents/guardians of students who reside in one district may for a variety of reasons, choose to attend school enroll their child in a school in another district, and that such choices are made for a variety of reasons.

The Board may enter into an agreement with any other school district, for a term not to exceed five school years, for the interdistrict attendance of students who are residents of the districts (Education Code 46600)

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

~~The Superintendent or designee shall ensure that interdistrict permits~~ The agreement shall 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 under which interdistrict attendance shall be permitted or denied. It also may contain standards agreed to by both districts for reapplication and/or revocation of the student's permit (Education Code 46600.)

Upon receiving a permit for transfer into the district that has been approved by the student's district of residence, or upon receiving a written request from the parent/guardian of a district student who wishes to enroll in another district, the Superintendent or designee shall review the request and may approve or deny the permit subject to the terms and conditions of the interdistrict agreement.

~~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 beyond any school attendance area. . However, Upon request, the Superintendent or designee may authorize transportation for students living outside an attendance area~~ interdistrict transfer students 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)

The district may deny a transfer of a student out of the district to a school district of choice if the Board determines that the transfer would negatively impact a court-ordered or voluntary desegregation plan of the district. (Education Code 48301)

Legal Reference:

EDUCATION CODE

41020 Annual district audits

46600-46611 Interdistrict attendance agreements

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

48918 Rules governing expulsion procedures

48980 Notice at beginning of term

52317 Regional Occupational Center/Program, enrollment of students, interdistrict attendance

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>

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: April 13, 2005 Hanford, California

revised: March 16, 2011

revised November 2012

Hanford ESD

Administrative Regulation

Interdistrict Attendance

AR 5117

Students

The Superintendent or designee may approve an interdistrict attendance permit for the following reasons:

1. When the student has been determined by staff of either the district of residence or district of proposed attendance to be a victim of an act of bullying as defined in Education Code 48900 (r). Such a student shall be given priority for interdistrict attendance under any existing interdistrict attendance agreement or, in the absence of an agreement, shall be given consideration for the creation of a new permit (Education Code 4660)
- 1.2. 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.
- 2.3. To meet a student's special mental or physical health needs as certified by a physician, school psychologist or other appropriate school personnel.
- 3.4. When a student has a sibling(s) attending school in the receiving district, to avoid splitting the family's attendance.
- 4.5. To allow a student to complete a school year when his/her parents/guardians have moved out of the district during that year.
6. To allow the student to remain with a class graduating that year from an elementary, middle, or senior high school
- 5.7. 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
- 6.8. Parent/guardian is employed within the attendance boundaries of the school of request

~~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.~~

Interdistrict Denials

The Superintendent or designee may deny initial requests for interdistrict attendance permits if:

- ~~1. That the transfer would negatively impact the district's court-ordered or voluntary desegregation plan;~~
- ~~2.1.~~ 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).
- ~~3.2.~~ That the additional cost of educating the student would exceed the amount of additional state aid received as a result of the transfer;
- ~~4.3.~~ That the student has been recommended for expulsion or is currently under an expulsion order;
- ~~5.4.~~ 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;
- ~~6.5.~~ 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;
- ~~7.6.~~ That the student has not demonstrated appropriate behavior at his/her previous school as determined by the Superintendent or designee
- ~~8.7.~~ That the student has not demonstrated good attendance practices up to and including arriving to school on time.
- ~~9.8.~~ 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

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)

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.

Pending a decision by the two districts or an appeal by the County Board, the Superintendent or designee may provisionally admit a student who resides in another district pending the outcome of the appeal. (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)

Revocation of Interdistrict Attendance Permit

Based upon a recommendation by the school site Principal, and upon concurrence by the district Superintendent, an Interdistrict permit may be revoked for the following reasons:

1. 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.
2. Student has not maintained good attendance up to and including arriving to school on time.
3. Student is recommended for expulsion pursuant to Education Code 48918 (Education Code 48309)
4. The parent/guardian does not support the school program or district policies

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT
approved: March 16, 1988 Hanford, California
revised: March 25, 2008
revised: October 16, 2008
revised: March 16, 2011
revised: November 2012

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Liz Simas
DATE: November 29, 2012

For: ☒ Board Meeting
☐ Superintendent's Cabinet
☐ Information
☒ Action

Date you wish to have your item considered: December 12, 2012

ITEM: Consider for adoption the following revised Administrative Regulation:

- AR 5144.1 - Suspension and Expulsion/Due Process

PURPOSE: The revised 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.

FISCAL IMPACT (if any): None

RECOMMENDATION (if any): Adopt

Hanford ESD

Administrative Regulation

Suspension And Expulsion/Due Process

AR 5144.1
Students

Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Board of Trustees for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(u))

Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, suspension, and expulsion. (Education Code 35291, 48900.1, 48980)

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

Any student, including a student with disabilities may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as controlled substance, alcoholic beverage, or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))
7. Stole or attempted to steal school property or private property. (Education Code 48900(g))
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products. (Education Code 48900(h))

(cf. 5131.62 - Tobacco)
9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))
11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

(cf. 5131.4 - Student Disturbances)
12. Knowingly received stolen school property or private property. (Education Code 48900(l))
13. Possessed an imitation firearm. (Education Code 48900(m))

Imitation firearm means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness. (Education Code 48900(o))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. (Education Code 48900(p))

17. Engaged in, or attempted to engage in, hazing. (Education Code 48900(q))

Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events. (Education Code 48900(q))

18. Engaged in an act of bullying (Education Code 48900 (r))

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicated to have the effect of placing a reasonable student in fear of harm to himself/herself or his/her property; cause the student to experience a substantially detrimental effect on his/her physical or mental health; or cause the student to experience substantial interferences with his/her academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying shall include any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 (items #20-22 below), that has any of the effects described above on a reasonable student.

Electronic act means the transmission of a communication, including, but not limited to, a message, text, sound, image, or post on a social network Internet website, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. A post on a social network Internet web site shall include, but not limited to, the posting or creation of a burn page or the creation of a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.

Reasonable student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of his/her age, or for a person of his/her age with his/her disability. (Education Code 48900 (r))

- ~~18.~~19. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person, or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. (Education Code 48900.7)

A student in grades 4 through 8 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

- ~~1920.~~ Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)

Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2)

(cf. 5145.7 - Sexual Harassment)

- ~~2021.~~ Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233. (Education Code 48900.3)

Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion nationality, disability, gender, gender identity, gender expression or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

(cf. 5145.9 - Hate-Motivated Behavior)

- ~~2122.~~ Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school or within any other school district, at any time, including, but not limited to, the following: (Education Code 48900)

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus

(cf. 5112.5 - Open/Closed Campus)

4. During, going to, or coming from a school-sponsored activity

(cf. 5131.1 - Bus Conduct)

~~The Superintendent or principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(v))~~

~~(cf. 5138 - Conflict Resolution/Peer Mediation)~~

~~(cf. 6164.2 - Guidance/Counseling Services)~~

~~Alternatives to suspension or expulsion shall be used with students who are truant, tardy, or otherwise absent from assigned school activities.~~

~~(cf. 5113 - Absences and Excuses)~~

~~(cf. 5113.1 - Truancy)~~

Removal from Class by a Teacher/Parental Attendance

A teacher may remove any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

~~A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)~~

When removing a student from his/her class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. The student If that action requires the continuing presence of the student at school, he/she shall be appropriately supervised during the class periods from which he/she has been removed. (Education Code 48910)

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Pursuant to Board policy, a teacher may ~~provide that~~ require the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
2. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

Suspension by Superintendent, Principal, or Principal's Designee

The Superintendent, principal, or designee may ~~impose a suspension~~ suspend ~~upon a first offense if determines that the student violated items #1-5~~ a student for any of the acts listed in "Grounds for Suspension and Expulsion" above. A student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct in the student. (Education Code 48900.5)

However, the Superintendent, principal, or designee may impose a suspension upon a first offense if he/she determines that the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

In addition, the Superintendent, ~~or principal,~~ or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence
2. Brandishing a knife, as defined in Education Code 48915(g)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above

5. Possession of an explosive as defined in 18 USC 921

Explosive means a destructive device and includes, but is not limited to, any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device. A destructive device includes any other type of weapon (except a shotgun or shotgun shell recognized by the United States Secretary of Army as suitable for sporting purposes) which might be converted to project an explosive. (18 USC 921)

The Superintendent, ~~or principal~~, or designee may suspend a student from school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

(cf. 6184 - Continuation Education)

The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. **Informal Conference:** Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or ~~principal's~~ designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, presented with the evidence against him/her, and given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911)

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911)

2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)
3. **Notice to Parents/Guardians:** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

In addition, the notice may state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. **Parent/Guardian Conference:** Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's his/her child's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)

5. **Extension of Suspension:** If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if the Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal, or Principal's Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold closed sessions if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

Supervised Suspension Classroom

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school, students, or staff may be assigned to a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to a supervised suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing. (Education Code

48911.1)

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code 48915)

For all other grounds listed above under "Grounds for Suspension and Expulsion," the Board also may shall order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon the recommendation by of the principal, Superintendent, hearing officer, or administrative panel, based on either or both of the following finding(s): (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal or the Superintendent or designee shall recommend a student's expulsion for any of the following acts: (Education Code 48915(a))

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance, as listed in Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

Mandatory Recommendation and Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the firearm from a certificated school employee, with the principal or designee's concurrence
2. Brandishing a knife as defined in Education Code 48915(g) at another person
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above
5. Possessing an explosive as defined in 18 USC 921

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

Any student recommended for expulsion shall be ~~The student is~~ entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal, Superintendent or designee determines that the student has committed one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion. (Education Code 48918(a))

If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

After a determination that one of the grounds listed above under "Grounds for Suspension and

Expulsion" has occurred, the Superintendent, principal, or designee shall offer the student and his/her parent/guardian the option to waive a hearing and stipulate to the expulsion. The stipulation agreement shall be in writing and shall be signed by the student and his/her parent/guardian.

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing

Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918(b))

1. The date and place of the hearing.
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

(cf. 5119 - Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a nonattorney advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Nonattorney advisor means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

6. The right to inspect and obtain copies of all documents to be used at the hearing.
7. The opportunity to confront and question all witnesses who testify at the hearing.
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918 (c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))
3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the

personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. **Presentation of Evidence:** Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion" above. (Education Code 48918(h))

Findings of fact shall be based solely on the evidence at the hearing. While no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. **Testimony by Complaining Witnesses:** The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)
 - a. Any complaining witness shall be given five days' notice before being called to testify.
 - b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
 - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.

- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
 - (c) Permit one of the support persons to accompany the complaining witness to the witness stand
- 6. Decision: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918 (a))
- 7. ~~Decision Within 40 School Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in~~

~~writing that the decision be postponed. (Education Code 48918(a))~~

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing." (Education Code 48918(d))

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated. The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order. (Education Code 48918(f))

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion for a period of one year. (Education Code 48917, 48918)

~~The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))~~

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final

and the student shall be reinstated immediately.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during the summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include: (Education Code 48916)

1. Periodic review, as well as assessment at the time of review, for readmission
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (Education Code 48916.5)

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in ~~Education Code 48900, 48900.2, 48900.3, 48900.4, 48900.7, or 48915~~ "Grounds for Suspension and Expulsion." (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to

Education Code 48915.1 (Education Code 48918)

Decision Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

1. The student's pattern of behavior
2. The seriousness of the misconduct
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall also inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the time of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (b) (Education Code 48918(j))

7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

The student shall submit a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board. The district shall provide the student with these documents within 10 school days following the student's written request. (Education Code 48919)

Notification to Law Enforcement Authorities

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance. In addition, law enforcement authorities shall be notified regarding any acts by students or nonstudents regarding the possession, sale, or furnishment of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Post-Expulsion Placements

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

1. Appropriately prepared to accommodate students who exhibit discipline problems
2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at such a site

3. Not housed at the school site attended by the student at the time of suspension

(cf. 6158 - Independent Study)
(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and ~~#19-21~~ 20-22 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school. (Education Code 48915)

The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12. (Education Code 48916.1)

Readmission After Expulsion

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
5. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
6. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)

7. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

Maintenance of Records

The ~~Board district~~ shall maintain a record of each suspension and expulsion, including the specific cause(s). (Education Code 48900.8) ~~of the expulsion.~~

~~The expulsion record~~ Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon receipt of a written request by the admitting school. (Education Code 48900.8, 48918(k))

(cf. 5125 - Student Records)

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

Outcome Data

The Superintendent or designee shall maintain the following data: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion
2. The specific grounds for each recommended expulsion
3. Whether the student was subsequently expelled
4. Whether the expulsion order was suspended
5. The type of referral made after the expulsion
6. The disposition of the student after the end of the expulsion period

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT
 approved: June 16, 2010
 revised: 11/12 Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Diane Williams DW

DATE: December 3, 2012

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☐ Information
☒ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **December 12, 2012**

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

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

- BP/AR 4121 - Temporary/Substitute Personnel (revised)

FISCAL IMPACT: None.

RECOMMENDATION: Adopt.

All Personnel

BP 4121(a)

TEMPORARY/SUBSTITUTE PERSONNEL

~~A. Employment~~

- ~~1. The Superintendent or designee may employ day-to-day or long-term substitutes in positions of regular certificated employees who are on leave, or temporary personnel in certificated positions of a temporary nature.~~
- ~~2. Each new substitute or temporary employee hired by the district, except day-to-day substitutes, shall be provided with a written contract, clearly indicating the temporary nature of the employment, the length of time for which the person is being employed, and the rate of pay or salary to be paid.~~
- ~~3. Each certificated substitute or temporary employee shall hold the appropriate credential or permit for the position for which employed, and shall meet other conditions for certificated employment.~~

~~(cf. 4111.2/4211.2/4311.2 - Legal Status Requirement)~~~~(cf. 4112.2 - Certification)~~~~(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)~~~~(cf. 4112.4/4212.4/4312.4 - Health Examinations)~~~~(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)~~

- ~~4. Temporary and substitute certificated employees serve at the pleasure of the Board and may be released at any time. Credentialed temporary and long-term substitutes who served more than 75% of the school year may have reemployment rights in vacant positions in accordance with law.~~

A. Employment

1. The Governing Board recognizes that substitute and temporary personnel perform an essential role in promoting student achievement and desires to employ highly qualified, appropriately credentialed employees to fill such positions.

(cf. 4112.2. - Certification)

2. The Superintendent or designee shall recommend candidates for substitute or temporary positions for Board approval, and shall ensure that all substitute and temporary employees are assigned in accordance with law and the authorizations specified in their credential.

(cf. 4113 - Assignment)

3. Substitute personnel may be employed on an on-call, day-to-day basis. In addition, after September 1 of any school year, the Board may employ substitute personnel for the remainder of the school year for positions for which no regular employee is available. The district shall first demonstrate to the Commission on

TEMPORARY/SUBSTITUTE PERSONNEL (continued)

Teacher Credentialing the inability to acquire the services of a qualified regular employee. (Education Code 44917)

4. Permanent or probationary certificated employees who were laid off pursuant to Education Code 44955 and who have a preferred right of reappointment shall be given priority for substitute service in the order of their original employment. (Education Code 44956, 44957)

(cf. 4117.3 – Personnel Reduction)

B. Compensation and Benefits

1. ~~Certificated employees serving in full-time temporary positions for one trimester or longer shall be part of the certificated employee association with all the rights and benefits under the collective bargaining agreement, including salary and benefits, except the right to continued employment.~~
2. ~~Certificated substitutes serving in the place of regular employees absent from their duties shall be paid in accordance with the Board approved pay schedule for certificated substitutes and home teachers; and shall not be entitled to health and welfare or leave benefits.~~

(cf. 4151.1 – Substitute and Home Teacher Pay)

B. Classification

1. At the time of initial employment and each July thereafter, the Board shall classify substitute and temporary employees as such. (Education Code 44915, 44916)
2. The Board may classify as substitute personnel a teacher hired to fill the position of a regularly employed person who is absent from service. (Education Code 44917)
3. The Board may classify as a temporary employee a teacher who is employed for at least one semester and up to one complete school year based on the need for additional certificated employees when regular employees are absent due to leaves or long-term illness. Any person whose service begins in the second semester and before March 15 may be classified as a temporary employee even if employed for less than a semester. The Board shall determine the number of persons who shall be so employed, which shall not exceed the identified need based on the absence of regular employees. (Education Code 44920)
4. The Board also shall classify as temporary employees those certificated persons, other than substitute employees, who are employed to:

TEMPORARY/SUBSTITUTE PERSONNEL (continued)

- a. Serve from day-to-day during the first three months of any school term to teach temporary classes which shall not exist after that time, or perform any other duties which do not last longer than the first three months of any school term (Education Code 44919)
- b. Teach in special day and evening classes for adults or in schools of migratory population for not more than four months of any school term. (Education Code 44919)
- c. Serve in a limited assignment supervising student athletic activities provided such assignments have first been made available to teachers presently employed in the district (Education Code 44919)

(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)

- d. Serve in a position for a period not to exceed 20 working days in order to prevent the stoppage of district business during an emergency when persons are not immediately available for probationary classification (Education Code 44919)
- 5. Any employee hired to provide services in a categorically funded program or project may be employed for a period less than a full school year. He/she may be classified as a temporary employee if the period of employment will end at the expiration of that program or project. (Education Code 44909)

C. Compensation and Benefits

- 1. The Board shall adopt and make public a salary schedule setting the daily or pay period rate(s) for substitute employees for all categories or classes of certificated employees of the district. (Education Code 44977, 45030)
- 2. Certificated employees serving in full-time temporary positions for one trimester or longer shall be part of the certificated employee association with all the rights and benefits under the collective bargaining agreement, including salary and benefits, except the right to continued employment.
- 3. Certificated substitutes serving in the place of regular employees absent from their duties shall be paid in accordance with the Board-approved pay schedule for certificated substitutes and home teachers, and shall not be entitled to health and welfare or leave benefits.

(cf. 4140/4240/4340 - Bargaining Units)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

(cf. 4151.1 Substitutes and Home Teacher Pay)

BP 4121(d)

TEMPORARY/SUBSTITUTE PERSONNEL (continued)D. Release from Employment/Dismissal

1. The Board may release a temporary employee at its discretion if the employee has served less than 75 percent of the number of days the regular schools of the district are maintained. After serving 75 percent of the number of days that district schools are maintained during one school year, a temporary employee may be released as long as he/she is notified, before the last day of June, of the district's decision not to reelect him/her for the following school year. (Education Code 37200, 44954)

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*E. Reemployment as a Probationary Employee

1. Unless released from employment pursuant to Education Code 44954, any person employed for one complete school year as a temporary employee shall, if reemployed for the following school year in a vacant position requiring certification qualifications, be classified as a probationary employee. With the exception of on-call, day-to-day substitutes, if a temporary or substitute employee performs the duties normally required of certificated employees for at least 75 percent of the number of days the regular schools of the district were maintained in that school year and is then employed as a probationary employee for the following school year, his/her previous employment as a temporary or substitute employee shall be credited as one year's employment as a probationary employee for purposes of acquiring permanent status. (Education Code 44917, 44918, 44920)

(cf. 4116 - Probationary/Permanent Status)

2. Vacant position means a position in which the employee is qualified to serve and which is not filled by a permanent or probationary employee. It shall not include a position which would be filled by a permanent or probationary employee except for the fact that such employee is on leave. (Education Code 44920, 44921)
3. A temporary employee hired pursuant to item E.1. and E.2. in the section "Classification" above shall be classified as a probationary employee if the duties continue beyond the time limits of the assignment. (Education Code 44919)
4. With the exception of on-call, day-to-day substitutes, a temporary or substitute employee who was released pursuant to Education Code 44954 but who has nevertheless served for two consecutive school years, for at least 75 percent of each year, shall receive first priority if the district fills a vacant position for the subsequent school year at the grade level at which the employee served during either year. In the case of a departmentalized program, the employee shall have

TEMPORARY/SUBSTITUTE PERSONNEL (continued)

taught the subject matter in which the vacant position occurs. (Education Code 44918)

EF. Performance Standards and Evaluation

1. First-time substitute and temporary certificated employees shall be given an orientation to their duties and responsibilities, and district/school policies and procedures.

(CF. 4112.9/4212.9/4312.9 – Child Abuse Reporting)

2. All certificated substitute and temporary employees shall be held accountable for professional conduct in the same manner as regular certificated employees.
3. Temporary certificated employees who are represented by the certificated employee association shall be evaluated in accordance with the standards and provisions of the collective bargaining agreement and Board Policy and Administrative Regulations.
4. Substitutes and temporary personnel with serious or repeated performance or conduct problems shall be released from employment in accordance with law.
5. The performance and any conduct incidents of substitute teachers and temporary teachers not covered by the collective bargaining agreement shall be reported in accordance with regulations and procedures proscribed by the Superintendent or designee.

FG. The Superintendent or designee shall develop administrative regulations implementing this policy and ensuring proper classification, orientation, assignment, supervision, evaluation, and release of substitute and temporary certificated employees

*Legal Reference:***EDUCATION CODE**

22455.5 Provision of retirement plan information to potential members

22515 Irrevocable election to join retirement plan

37200 School calendar

44252.5 State basic skills assessment required for certificated personnel

44300 Emergency teaching or specialist permits

44830 Employment of certificated persons; requirements of proficiency in basic skills

44839.5 Employment of retirant

44845 Date of employment

44846 Criteria for reemployment preferences

44909 Employees providing services through categorically funded programs

44914 Substitute and probationary employment computation for classification as permanent employee

TEMPORARY/SUBSTITUTE PERSONNEL (continued)*Legal Reference: (continued)*

- 44915 Classification of probationary employees*
- 44916 Time of classification; statement of employment status*
- 44917 Classification of substitute employees*
- 44918 Substitute or temporary employee deemed probationary employee; reemployment rights*
- 44919 Classification of temporary employees*
- 44920 Employment of certain temporary employees; classifications*
- 44921 Employment of temporary employees; reemployment rights (unified and high school districts)*
- 44953 Dismissal of substitute employees*
- 44954 Release of temporary employees*
- 44955 Layoff of permanent and probationary employees*
- 44956 Rights of laid-off permanent employees to substitute positions*
- 44957 Rights of laid-off probationary employees to substitute positions*
- 44977 Salary schedule for substitute employees*
- 45030 Substitutes*
- 45041 Computation of salary*
- 45042 Alternative method of computation for less than one school year*
- 45043 Compensation for employment beginning in the second semester*
- 56060-56063 Substitute teachers in special education*
- GOVERNMENT CODE**
- 3540.1 Educational Employment Relations Act, definitions*
- CODE OF REGULATIONS, TITLE 5**
- 5502 Filing of notice of physical examination for employment of retired person*
- 5503 Physical examination for employment of retired persons*
- 5590 Temporary athletic team coach*
- 80025-80025.5 Emergency substitute teaching permits*

COURT DECISIONS

- McIntyre v. Sonoma Valley Unified School District (2012) 206 Cal.App.4th 170*
- Stockton Teachers Association CTA/NEA v. Stockton Unified School District (2012) 204 Cal.App.4th 446*
- Neily v. Manhattan Beach Unified School District, (2011) 192 Cal.App.4th 187*
- California Teachers Association v. Vallejo City Unified School District, (2007) 149 Cal.App.4th 135*
- Bakersfield Elementary Teachers Assn. v. Bakersfield City School District, (2006) 145 Cal.App.4th 1260, 1277*
- Kavanaugh v. West Sonoma Union High School District, (2003) 29 Cal.4th 911*

Management Resources: (see next page)

TEMPORARY/SUBSTITUTE PERSONNEL (continued)

Management Resources:

WEB SITES

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

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Policy
revised: November 7, 2001
revised: _____, 2012

HANFORD ELEMENTARY SCHOOL DISTRICT
Hanford, California

All Personnel

AR 4121(a)

TEMPORARY/SUBSTITUTE PERSONNEL**A. ~~Certificated Substitutes~~**

1. ~~Substitute personnel may be employed on an on call, day to day basis for short-term absences of employees~~
2. ~~In addition, after September 1 of any school year, the Board may employ personnel in substitute status for the remainder of the school year for positions for which no regular employee is available. The district shall first demonstrate to the Commission on Teacher Credentialing the inability to acquire the services of a qualified regular employee (Education Code 44917).~~

*(cf. 4117.14 - Employment of Retired Teachers)***A. Qualifications**

1. Any candidate recommended by the Superintendent or designee for a substitute or temporary position requiring certification qualifications shall possess the appropriate credential or permit authorizing his/her employment in such position and shall meet all other requirements of law for certificated positions. (Education Code 44830)

*(cf. 4111.2/4211.2/4311.2 - Legal Status Requirement)**(cf. 4112.2 - Certification)**(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)**(cf. 4112.4/4212.4/4312.4 - Health Examinations)**(cf. 4112.5/4312.5 - Criminal Record Check)*

2. The district shall not initially hire a certificated person on a substitute or temporary basis in a capacity designated on his/her credential unless he/she has demonstrated basic skills proficiency in reading, writing, and mathematics pursuant to Education Code 44252.5, unless exempted by law. (Education Code 44830)
3. A noncredentialed person shall not substitute for any special education certificated position. The Superintendent or designee shall recruit and maintain lists of appropriately credentialed substitute teachers for special education positions. He/she shall contact institutes of higher education with approved special education programs for possible recommendations of appropriately credentialed special education personnel. (Education Code 56060, 56063)

B. ~~Temporary Certificated Employees~~

TEMPORARY/SUBSTITUTE PERSONNEL (continued)

~~— The Board may classify as a temporary employee a teacher who is employed at least one semester and up to one complete school year. Any person whose service begins in the second semester and before March 15 may be classified as a temporary employee even if employed for less than a semester. The Board shall determine the number of persons who shall be so employed based on the absence of regular employees due to leaves or long-term illness. (Education Code 44920)~~

~~— The Board also shall classify as temporary employees those certificated persons, other than substitute employees, who are employed to:~~

- ~~1. — Serve from day to day during the first three months of any semester to teach temporary classes which shall not exist after that time, or perform any other certificated duties which do not last longer than the first three months of any semester (Education Code 44919);~~
- ~~2. — Teach in special day or evening classes for adults or in migrant program positions for not more than four months of any school semester (Education Code 44919);~~
- ~~3. — Serve in a limited assignment supervising student athletic activities (Education Code 44919);~~

~~(cf. 4127/4227/4327 — Temporary Athletic Team Coaches)~~

- ~~4. — Serve in a position for a period not to exceed 20 working days in order to prevent the stoppage of district business during an emergency when persons are not immediately available for probationary classification (Education Code 44919);~~
- ~~5. — Serve under emergency permits;~~
- ~~6. — Serve under out of state credentials pending passage of the California Basic Educational Skills Test and;~~
- ~~7. — Serve in categorically funded positions which are not mandated by California or federal statutes;~~

~~At the time of initial employment and each July thereafter, the Board shall classify substitute and temporary employees as such (Education Code 44915, 44916).~~

~~Before his/her first day of work, each new substitute and temporary employee shall receive a written statement at the time of initial employment during each school year confirming his/her employment status and salary. This statement shall clearly indicate the temporary nature of the employment and the length of time for which the person is being employed. (Education Code 44916)~~

AR 4121(c)

TEMPORARY/SUBSTITUTE PERSONNEL (continued)

~~The Superintendent or designee shall ensure that substitute and temporary employees are appropriately trained, assigned, oriented, and evaluated.~~

~~(cf. 4113—Assignment)~~

~~(cf. 4115—Evaluation/Supervision)~~

~~(cf. 4131—Staff Development)~~

CB. Recruitment and Employment

1. The district is under contract with the Kings County Office of Education for recruitment and clearance of substitute teachers. The County Office provides the district with a roster of cleared substitute teachers for on-call service. All requests for short-term substitutes shall be directed to the Substitute ~~Recruitment Clerk~~ Caller assigned to the Human Resources Department in accordance with administrative regulations.

(cf. 4121.1 – Scheduling and Assignment of Substitute Teachers)

2. A person who holds an emergency 30-day substitute permit, emergency career substitute permit, emergency substitute permit for prospective teachers, or emergency substitute permit for career technical education shall be restricted in the number of days he/she may substitute for any one teacher in accordance with 5 CCR 80025-80025.5.
3. In placing substitute teachers in special education classrooms, the district shall give first priority to substitute teachers with the appropriate special education credential(s), second priority to substitute teachers with any other special education credential, and third priority to substitute teachers with a regular teaching credential. An inappropriately credentialed substitute teacher shall not serve as a substitute for a special education teacher for a period of more than 20 cumulative school days for each special education teacher absence during each school year. The district may apply to the Superintendent of Public Instruction for an extension of 20 school days, or for a longer period in extraordinary circumstances. (Education Code 56060-56062)
- 2.4. Requests for recruitment of long-term substitutes or temporary certificated employees shall be communicated to the certificated personnel manager at the Human Resources Department. Long-term substitutes or personnel needed to fill temporary certificated positions may be recruited from the County Office substitute list, from a hirable list established during previous recruitments for regular positions, or through a new recruitment.

TEMPORARY/SUBSTITUTE PERSONNEL (continued)

35. Each new long-term substitute employed for one semester or longer and temporary employee shall be issued a contract at the time of employment, indicating the temporary nature of employment, including a reference to the Education Code that applies to the temporary employment per Section A. and B. above, the length of time for which the person is being employed, and the appropriate rate of compensation:

- a. Board-approved Substitute Teacher Pay Rate schedule for day-to-day substitutes and long-term substitutes contracted for less than a semester;

(cf. 4151.1 – Certificated Substitute and Home Teacher Pay Rates)

- b. Appropriate negotiated Certificated Salary Schedule for temporary employees contracted for one semester or longer.

46. Except for temporary employees eligible for membership in the teachers' association, substitutes and temporary certificated employees are not eligible for district health and welfare benefits or leave allowances.

57. All ~~long-term substitute and~~ temporary certificated employment shall be approved by the Board of Trustees.

C. Notifications

1. At the time of initial employment during each school year, each new temporary employee shall receive a written statement indicating his/her employment status and salary. This statement shall clearly indicate the temporary nature of the employment and the length of time for which the person is being employed. (Education Code 44916)

(Cf. 4112.9/4212.9/4312.9 – Employee Notifications)

2. The Superintendent or designee shall notify all temporary non-substitute certificated employees, within 30 days of their hire, of their right to elect membership in a defined benefit program under a qualified retirement plan. The employee shall sign a form provided by the system to acknowledge receipt of this notice and to indicate whether he/she elects or declines membership. Election of membership shall be irrevocable for all future employment to perform creditable service (Education Code 22455.5, 22515). All day-to-day substitutes hired by the Kings County Office of Education (KCOE) (B.1.) will receive this notification from KCOE.

AR 4121(e)

TEMPORARY/SUBSTITUTE PERSONNEL (continued)**~~D. Qualifications and Employment Requirements~~**

- ~~1. Any person employed on a substitute or temporary basis in a position requiring certification qualifications shall possess the appropriate credential or permit authorizing his/her employment in such positions and shall meet all other requirements of law for certificated positions.~~

~~(cf. 4111.2/4211.2/4311.2 Legal Status Requirement)~~~~(cf. 4112.2 Certification)~~~~(cf. 4112.3/4212.3/4312.3 Oath or Affirmation)~~~~(cf. 4112.4/4212.4/4312.4 Health Examinations)~~~~(cf. 4112.5/4312.5 Criminal Record Check)~~

- ~~2. All persons employed on a substitute or temporary basis in a capacity designated in his/her credential or permit shall be required to have passed the California Basic Skills Test, unless exempted by Education Code 44830.~~

~~E. Qualifications for Special Education~~

- ~~1. A noncredentialed person shall not substitute for any special education certificated position. (Education Code 56060)~~
- ~~2. A person holding a valid credential authorizing substitute teaching may serve as a substitute for a special education teacher for a period not to exceed 20 cumulative school days for each special education teacher absent during each school year. Upon application by the district, the Superintendent of Public Instruction may approve an extension of 20 school days. In extraordinary circumstances the district may seek an extension beyond the initial 20 school days. (Education Code 56061)~~
- ~~3. In placing substitute teachers in special education classrooms, the district shall give first priority to substitute teachers with the appropriate special education credential(s), second priority to substitute teachers with any other special education credential, and third priority to substitute teachers with a regular teaching credential. (Education Code 56062)~~
- ~~4. The Superintendent or designee shall recruit and maintain lists of appropriately credentialed substitute teachers. He/she shall contact institutes of higher education with approved special education programs for possible recommendations of appropriately credentialed special education personnel. (Education Code 56063)~~

TEMPORARY/SUBSTITUTE PERSONNEL (continued)**FD. Salary/Benefits**

1. The Board shall adopt and make public a salary schedule setting the daily or pay period rate(s) for substitute employees for all categories or classes of certificated employees of the district. (Education Code 44977, 45030)

GE. Granting Probationary Status

1. Unless released from employment pursuant to Education Code 44954, and with the exception of on-call, day-to-day substitutes, any substitute or temporary employee who performs the duties normally required of certificated employees for at least 75 percent of the number of days the regular schools of the district were maintained in that school year. Shall be deemed to have serviced a complete school year as a probationary employee (if employed as a probationary employee for the following school year). (Education Code 44918)

(cf. 4116 – Probationary/Permanent Status)

2. A temporary employee hired to teach temporary classes or perform other certificated duties not expected to last more than the first three months of any semester, or to teach special day and evening classes for adults, or in schools for migratory populations for the first four months of a semester, shall be classified as a probationary employee if the duties continue beyond the time limits. (Education Code 44919)

HF. Orientation, Supervision, Evaluation

1. The school principal or designee shall provide an orientation to substitutes or temporary teachers on the first day of their assignment at the school. The orientation shall include, but not be limited, to school facilities, rules, and procedures; the curriculum being taught at the grade level/subject to which the substitute/temporary employee is assigned; lesson plans; and expectations of performance, conduct and communications.
2. Substitute and temporary certificated employees shall be supervised by a certificated school administrator. The administrator shall conduct regular random observations, counsel and assist the employees as needed, and report any incidents and evaluate the employee in accordance with district rules and timetables.

(cf. 4121.3/4221.3 – Substitute and Temporary Employee Incident and Performance Reports)

AR 4121(g)

TEMPORARY/SUBSTITUTE PERSONNEL (continued)**IG. Release from Employment and Reemployment Rights**

1. Day-to-day substitutes and employees who served less than 75% of the school year may be released at any time and have no continuing employment or reemployment rights. (Education Code 44953)
2. The Board may release a Temporary employee at its discretion if the employee has served less than 75 percent of the number of days the regular schools of the district are maintained. After serving during one school year 75 percent of the number of days the regular schools of the district are maintained, a temporary employee may be released as long as the employee is notified before the end of the school year of the district's decision not to reelect him/her for the following school year. (Education Code 44954)

Regulation
approved: May 23, 1997
revised: November 7, 2001
revised: January 14, 2004
revised: _____, 2012

HANFORD ELEMENTARY SCHOOL DISTRICT
Hanford, California

✓

60/80

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Paul Terry, Ed.D.

FROM: Doug Carlton

DATE: November 28, 2012

For: ☒ Board Meeting
☐ Superintendent's Cabinet

For: ☐ Information
☒ Action

Date you wish to have your item considered: December 12, 2012

ITEM:

Consider approval of waiver renewal to California Dept. of Education to combine school site councils of Community Day School and Hamilton School.

PURPOSE:

The small student and teacher population, combined with students' temporary placement at CDS make it difficult to maintain a stable School Site Council. Combining the SSCs from Hamilton and CDS provides a consistent, stable School Site Council. The joint SSC draws proportional school council representation from both schools.

FISCAL IMPACT:

None.

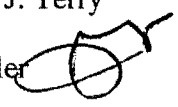
RECOMMENDATION:

Approve waiver renewal to CDE to combine CDS and Hamilton school site councils.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Joy Gabler 

DATE: 12/03/12

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: 12/12/12

ITEM: Consider approval of consultant contract with EL Achieve to provide 1 day of initial training on Systematic English Language Development (ELD) to school site Leadership Teams.

PURPOSE: EL Achieve consults with educational agencies in creating effective systems for English learners. Systematic ELD is one component of EL Achieve which provides a student-centered, language-focused approach to planning, teaching, and assessing English learners at their English proficiency level. The one day initial training will provide an overview of Systematic ELD to school site Leadership Teams along with planning for professional development with teachers.

FISCAL IMPACT: \$1,500.00 plus travel expenses funded from the ELAP (English Learner Acquisition Program) funds.

0100-6286-0-0000-2100-580009-053-0000

RECOMMENDATIONS: Approve.

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Dr. Paul J. Terry
FROM: Gerry Mulligan
DATE: December 4, 2012
FOR: (X) Board Meeting
() Superintendent's Cabinet
FOR: () Information
(X) Action

Date you wish to have your item considered: December 12, 2012

ITEM

Consider approval to grant an easement to Southern California Edison for utility and site improvements to the Kings County Office of Education tower located at Lincoln School.

PURPOSE

The easement will allow Southern California Edison to have site access to upgrade utilities and make site improvements for the installation of cellular equipment.

FISCAL IMPACT

None

RECOMMENDATION

Approve granting an easement to Southern California Edison for utility and site improvements to the Kings County Office of Education tower located at Lincoln School.

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department

AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Diane Williams *DW*
DATE: December 3, 2012
RE: (X) Board Meeting
 () Superintendent's Cabinet
 () Information
 (X) Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **December 12, 2012**

ITEM: Consider approval of personnel transactions and related matters.

PURPOSE:

a. Employment

Classified

- Sherry Hutsell, Food Service Worker I – 2.75 hrs., Jefferson, effective 11/27/12
- Cynthia Long, Food Service Worker I – 2.5 hrs., Roosevelt, effective 12/3/12

Temporary Employees/Substitutes/Yard Supervisors

- Barbara Colucci, Short-term Yard Supervisor – 1.75 hrs., Simas, effective 11/26/12 to 2/28/13
- Samantha Cortez, Short-term Yard Supervisor – 2.5 hrs., Lincoln, effective 12/3/12 to 2/28/13
- Brigid Fogg, Short-term Yard Supervisor – 2.0 hrs., King, effective 11/26/12 to 2/28/13
- Christine Houk, Short-term Special Circumstance Aide – 5.75 hrs. (M,T,Th,F) and 4.5 hrs. (W), Hamilton, effective 11/28/12 to 1/31/13
- Liz Ibarra, Short-term Administrative Secretary I – 8.0 hrs., Human Resources, effective 12/3/12 to 12/18/12
- Ana Lizarraga, Short-term Bilingual Clerk Typist I – 5.0 hrs., Lincoln, effective 1/7/13 to 3/22/13
- Lauree Mallard, Substitute Yard Supervisor, effective 11/26/12; Short-term Yard Supervisor – 1.0 hr. (M,Th,F), Washington, effective 11/26/12 to 6/6/13
- Paula Massey, Substitute READY Program Tutor, effective 11/30/12
- Michal "Mac" McWay, Short-term Yard Supervisor – 1.0 hr. (T,Th,F) Washington, effective 11/27/12 to 6/6/13
- Sylvia Reyna, Short-term Yard Supervisor - .75 hr., King, effective 11/26/12 to 2/28/13

Temporary Employees/Substitutes/Yard Supervisors (cont.)

- Olivia Tiel, Substitute Bilingual Clerk Typist II, Clerk Typist II, Educational Tutor K-6, Translator: Oral Interpreter and Written Translator, effective 11/19/12;
- Short-term Educational Tutor K-6 – 6.0 hrs., various sites, effective 11/20/12 to 5/31/13
- Melisa Wakefield, Substitute Yard Supervisor, effective 11/27/12; Short-term Yard Supervisor – 1.0 hr. (T,Th,F) Washington, effective 11/27/12 to 6/6/13
- Kimberly Weeks, Substitute Clerk Typist II, effective 11/30/12

b. Resignations

- Andrea Grijalva, Substitute Yard Supervisor, effective 5/17/12
- Fatima Hernandez, Substitute Yard Supervisor and Translator: Oral Interpreter, effective 5/15/12
- Michelle Rodriguez, READY Program Tutor – 4.5 hrs., Monroe, effective 12/14/12

c. Retirement

- Arthur Portugal, Groundskeeper II – 8.0 hrs., DSF/Grounds, effective 2/8/13

d. Leave of Absence

- Yvette Alvarez, Yard Supervisor – 3.0 hrs., Lincoln, effective 11/26/12 to 1/25/13, maternity

e. Job Description

- Personnel Specialist – Benefits (revised)

f. Consider approval of Co-Sponsor Partnership Agreement between the Tulare County Office of Education IMPACT Intern Program and the Hanford Elementary School District

Authorize agreement to collaborate with Tulare County Office of Education by developing and delivering a quality teacher preparation program through PROJECT IMPACT; a District internship program for Multiple Subject, Single Subject and Education Specialist teacher candidates for the 2012-2013 school year.

g. Volunteers

<u>Name</u>	<u>School</u>
Denise Morelock	Hamilton
Michelle Davis	Jefferson
Elizabeth Fabela	JFK
Victor Lopez	King
LeeAndra Tamayo	Lincoln
Christine Zamora	Lincoln
Jennifer Weber	Monroe
Selena Reis	Simas

RECOMMENDATION: Approve.

HANFORD ELEMENTARY SCHOOL DISTRICT

Job Description:
PERSONNEL SPECIALIST – BENEFITS

DEFINITION

The Personnel Specialist is responsible for a variety of specialized technical and clerical work related to personnel functions, including but not limited to: health insurance benefits, workers' compensation insurance, ~~leave administration~~, FMLA/CFRA/PDL notifications and tracking, ~~and related research~~, data entry, reports, correspondence, and records.

DISTINGUISHING CHARACTERISTICS

The Personnel Specialist performs highly specialized and responsible work under ~~only~~ general supervision, requiring specialized knowledge and correct application of employment, and insurance ~~and risk management~~ laws, rules, and procedures; accurate recording and processing of important employment and labor relations data and information; and strict confidentiality in all matters protected by privacy laws and in labor negotiations. The position is designated as "confidential" due to access to/knowledge of the District's collective bargaining strategies and records.

SUPERVISION

The Personnel Specialist works under the supervision of the administrators in the Human Resources Department.

ESSENTIAL FUNCTIONS

The Personnel Specialist may be assigned to any or all of the following duties:

- Creates and Mmaintains up-to-date all group insurance records and computer data bases of participants
- Provides all benefit information, and brochures, summary plans and related insurance information to employees and district retirees for plan changes, rate changes, enrollments, HIPAA certifications and COBRA notices
- Conducts annual open enrollments program for health and welfare benefits
- Enrolls and disenrolls employees and retirees, and their dependents, in District group health and welfare insurance programs
- Collects and prepares information for GASB 45 review, insurance audits and insurance census needs as requested
- Assists in the development of procedures and policies to support implementation of PPACA rules and mandates
- Updates and maintains benefit information on the Human Resources' Portal Page.
- Conducts insurance benefit research, surveys and summarizes information in support of management positions for the collective bargaining process

ESSENTIAL FUNCTIONS (continued)

- ~~Prepares and sends out correspondence to employees and retirees regarding health benefits and premium changes, plan changes,~~
- Prepares monthly invoices and reports of group health and welfare enrollments/changes
- ~~Prepares monthly invoices for group insurances~~
- ~~Issues COBRA notices and HIPAA Certification in accordance with law~~
- Assists with researching and resolving group insurance complaints/problems
- ~~Assists in retirement plan enrollments, membership and separation as needed~~
- ~~Processes all new workers' compensation claims~~
- Updates Logs all new workers' compensation claims and maintains all workers' compensation claims records and computer databases
- Prepares monthly and annual district workers' compensation claims reports; prepares annual Occupational Injury Report (OSHA) for federal and state posting requirements.
- ~~Prepares annual Occupational Injury Report in compliance with federal posting law~~
- ~~Prepare annual report of industrial injuries based upon fiscal year~~
- ~~Prepares monthly workers' compensation summary log for Meet and Consult meetings~~
- Works with workers' compensation plan administrators in monitoring claims, tracking workers' compensation leaves, and modified work assignments.
- ~~Assists in monitoring workers compensation claims and case management reports to Classified Personnel Manager on status and progress~~
- Processes long term paid and unpaid leaves employee letters and notifications for FMLA/CFRA and PDL leaves and prepares related correspondence and records as directed including notifications for FMLA eligibility, COBRA notifications
- ~~Prepares Co-curricular contracts for certificated and classified employees and walk-on coaches.~~
- ~~Organizes, collects, revises and completes the annual District Staff Directory~~
- Develops and conducts regular safety training and activities for all HESD employees such as Hepatitis B training, and work safety; ~~and Drug and Alcohol Abuse.~~ Prepares notices and maintains records.
- Processes unemployment insurance claims and verifications of employment as needed.
- Maintains logs of collective bargaining time and costs for Mandated Cost Reports
- Completes other Human Resources Department duties and responsibilities during co-worker absences, staff shortages, peak-periods and as requested or needed.
- Serves as the recording secretary for labor negotiations during the absence of the regularly assigned employee
- Performs any other personnel tasks as assigned

OTHER DUTIES

- ~~Assists with HR activities and functions as needed, the preparations for annual employee events as directed (employee recognition, retirement workshops and new employee orientation).~~
- ~~Assists other department staff with duties clerical/secretarial assignments as needed during periods of employee absences and/or peak workloads.~~
- ~~Performs any other personnel task as assigned.~~

QUALIFICATION REQUIREMENTS

Education and Experience: High School Diploma or equivalent. Professional seminars/workshops in benefits administration, labor law and risk management.

Experience: Four years of administrative support in a position requiring complex, difficult work. A minimum of two years of recent responsible paid experience in personnel-related work, preferably to include compensation and benefits administration.

Knowledge of: General office operations, procedures, and equipment, ~~including the operation of a personal computer with email~~, word processing, complex databases, power-point and spread sheet applications such as Excel and Access; working knowledge of health insurance benefits, workers' compensation and labor relations. ~~workers' compensation, and health insurance required.~~ Proficiency in COBRA/FMLA/CFRA/PDL/HIPAA and PPACA rules is essential.

Ability to: Type with a high degree of precision and efficiency at a speed of 60 wpm net of errors; use a 10-key with accuracy and speed; take accurate notes, redact and consolidate, and prepare minutes of meetings; work at a consistently high level of productivity; meet timelines, deadlines, and urgent task requirements; pay attention to detail and prepare accurate records and reports; learn, understand, and correctly apply laws, regulations, and procedures, and communicate them in clear terms; prepare written communications with correct spelling, grammar, and punctuation; maintain strict confidentiality in all matters of a sensitive nature; exercise good judgment within the realm of authority; establish and maintain cooperative working relationships; and project a professional and helpful image at all times.

WORKING CONDITIONS

Environment: Office environment; subject to frequent interruptions.

Physical Abilities: Hearing and speaking to exchange information in person and on the telephone; vision sufficient to read written materials, including small print, and Personal Computer video screen; sitting for extended periods of time; occasional walking to other offices and standing for brief periods; bending and reaching to place or retrieve files, office supplies, binders and other reference materials; dexterity of hands and fingers to operate a Personal Computer, typewriter, and other office equipment.

Adopted: 10/07/98

Revised: 08/25/04

Revised: 02/08/06

Revised: / /12

Co-Sponsor Partnership Agreement

Between the Tulare County Office of Education IMPACT Intern Program And the
Hanford Elementary School District

The purpose of this Co-Sponsor Partnership Agreement, is to describe how the Tulare County Office of Education IMPACT Program (hereinafter, "TCOE") and the **Hanford Elementary School District** (hereinafter, "District") will collaborate with respect to the ever increasing need for highly qualified educators in California by developing and delivering a quality teacher preparation program through PROJECT IMPACT: a district internship program for Multiple Subject, Single Subject and Education Specialist teacher candidates.

A co-sponsor agreement must be in place in order to comply with CCTC requirement, since your district Tulare County Office of Education has recently hired one or more of our program participants (**Charles Cole**). IMPACT interns meet the NCLB definition of "highly qualified."

The responsibilities of the district include the following:

1. Identification of a veteran (buddy) teacher to provide on-site support for each intern.
2. Assignment of a district representative, usually the Assistant Superintendent or Director of Personnel, who will act as contact person to TCOE.
3. Access to the intern's site administrator or evaluator for consultation with program personnel.
4. Establish monthly payroll deduction for IMPACT Tuition for those Interns in Tulare County, Kings County and other counties with payroll agreements.
5. Provide data as requested under the conditions of the grant, including survey completion, demographic and/or retention information, and completion of SB 1209 reporting requirement.
6. If the intern's site is located outside the area we are able to support (e.g. more than an hour away from TCOE), the district agrees to assist in identifying a Practicum Supervisor.
7. Provide \$1500 matching in-kind support per intern teacher. In-kind support is support provided by the District, at no cost to the CCTC grant, and may include instructional materials, facilities, and the services of the, credential analyst, clerical personnel, and on site peer coach.

8. Release Project IMPACT intern teachers to participate in 2 half days of professional development observations as part of in-kind match.
9. Ensure that the business office administrator is informed of the requirement for payroll deduction of fees for Interns participating in the TCOE District Intern PROJECT IMPACT Program.

The above mentioned responsibilities constitute the state-mandated in-kind match, which the districts are required to provide (in-kind *services* only-no mandated fiscal in-kind). For most districts the support mentioned is already being provided at some level and this does not create a hardship. If there needs to be some flexibility, we would be pleased to sit down to create a workable partnership.

10. During the period beginning the effective date TCOE will:

- a. Provide administration, management and coordination of the TCOE PROJECT IMPACT PROGRAM as described in the grant approved by the CCTC.
- b. Provide PROJECT IMPACT training and materials to each participating teacher.
- c. Provide training to administrators to acquaint them with the PROJECT IMPACT goals, requirements for participants, and administrator responsibilities.
- d. Coordinate and provide developing teacher Practicum Supervision (approx. 20 visits year one, and 10 visits year two).
- e. Assume overall fiscal responsibility for administration of the grant funds, to include submission of year end expenditure reports, and any other documentation sought by the CCTC and San Joaquin Office of Education.
- f. Coordinate Administrative Committee meetings to provide an ongoing system of program development and evaluation that leads to substantive program improvements in teacher development associated with the grant requirements.
- g. Serve as Coordinator and contact between the San Joaquin County Office of Education and the CCTC.
- h. Maintain records of the TCOE IMPACT PROJECT teachers; provide advisement and feedback to the Participant as to their progress.

Tulare County Office of Education

Jim Vidak, County Superintendent of Schools

Co-Sponsor Page

TO BE COMPLETED BY THE LEAD SPONSORING ORGANIZATION

Grant #: 904

Name of Program: Project IMPACT District Intern Program

Name of Lead Educational Agency (LEA): Tulare County Office of Education

Program Director: Donna Glassman-Sommer Email: donnags@tcoe.org

Contact Person: Karen Phillips, Program Specialist

Telephone: 559-733-6398

FAX: 559-733-6499

Email: karenp@tcoe.org

Signature of Program Director: Donna Glassman-Sommer Date: November 5, 2012

TO BE COMPLETED BY CO-SPONSOR

Type of Organization:

COE ☐ District ☒ Charter ☐ CDS Code (7 or 14 digits):

Name of Organization:

Mailing Address:

City, State, Zip:

Contact Person:

Telephone: FAX:

Email:

Co-Sponsor Authorized Participation Has Been Approved By:

Name of Approving Official:

Position/Title:

Signature of Approving Official: Date:

By signing this page, you are indicating that you understand and are willing to fulfill your roles and responsibilities regarding how to support the terms and conditions of the grant, as outlined on pages 1-2 of this co-sponsor agreement.

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Dr. Paul J. Terry

FROM: Nancy White

DATE: December 3, 2012

FOR: (X) Board Meeting
() Superintendent's Cabinet

FOR: () Information
(X) Action

Date you wish to have your item considered: December 12, 2012

ITEM:

Consider approval of Certification of Signatures.

PURPOSE:

The attached Certification of Signatures will supersede the Certification dated December 7, 2011.

FISCAL IMPACT:

None

RECOMMENDATION:

Approve Certification of Signatures.

HANFORD ELEMENTARY SCHOOL DISTRICT CERTIFICATION OF SIGNATURES

As Secretary to the governing board of the above named school district, I certify that the signatures shown below in Column 1 are the verified signatures of the members of the governing board. I certify that the signatures as shown in Column 2 are the verified signatures of the person or persons authorized to sign Notices of Employment, Contracts, and Orders drawn on the funds of the school district. These certifications are made in accordance with the provisions of Education Code Sections 42632, 42633 and 44843. If persons authorized to sign orders as shown in Column 2 are unable to do so, the law requires the signatures of the majority of the governing board.

These approved signatures are valid for the period of: December 12, 2012 to the annual reorganization meeting in December 2013 in accordance with governing board approval dated December 12, 2012.

Signature: _____
Secretary of the Board

Column 1

Signatures of Members of Governing Board:

Signature _____
Type Name _____
President of the Board of Trustees

Signature _____
Type Name _____
Vice President of the Board of Trustees

Signature _____
Type Name _____
Clerk of the Board of Trustees

Signature _____
Type Name _____
Member of the Board of Trustees

Signature _____
Type Name _____
Member of the Board of Trustees

Column 2

Signatures of Personnel authorized to sign Warrants, Orders for Payment, Notices of Employment and Contracts:

Signature _____
Type Name _____
Title Paul J. Terry, Ed.D.
Superintendent

Signature _____
Type Name _____
Title Nancy White
Asst. Supt., Fiscal Services

Signature _____
Type Name _____
Title Diane Williams
Asst. Supt., Human Resources

Signature _____
Type Name _____
Title Joy Gabler
Asst. Supt., Curriculum, Instruction
& Professional Development

*Signature _____
Type Name _____
Title Anneliese Roa
Program Manager, Food Services

Number of Signatures Required (*Ed Code Sections 42632; 42633; 44843*)

On Orders of Payment	1
On Notice of Employment	1
On Contracts	1

* The signature of the Program Manager, Food Services is restricted to the following areas: 1) Food Service checks and 2) all reports applicable to the daily Food Service operation including, but not limited to, the Commodity Processing Agreements.

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Dr. Paul J. Terry

FROM: Nancy White

DATE: December 3, 2012

FOR: (X) Board Meeting
() Superintendent's Cabinet

FOR: () Information
(X) Action

Date you wish to have your item considered: December 12, 2012

ITEM:

Consider acceptance of Report of Developer Fees Collected and Spent.

PURPOSE:

Attached is a report of developer fees collected and spent. The law requires the money to be used within five years or returned to taxpayers. All fees collected five (5) years ago by the Hanford Elementary School District have been expended.

FISCAL IMPACT:

RECOMMENDATION:

Accept Report of Developer Fees Collected and Spent.

HANFORD ELEMENTARY SCHOOL DISTRICT
Fund 2500 – Capital Facilities Fund (Developer Fees)

The fees collected in this Fund are collected pursuant to Government Code Section 53080, which authorizes school districts to levy a fee against any development project for the construction or reconstruction of school facilities. The fee currently levied is \$2.97 per square foot for residential development and \$.47 per square foot for commercial development. This fee is shared with the Hanford Joint Union High School District. The elementary district receives 60% of the fee and the high school district receives 40% of the fee.

Report of Developer Fees Collected and Spent

<u>FISCAL YEAR</u>	<u>BEGINNING BALANCE</u>	<u>DEVELOPER FEES COLLECTED*</u>	<u>FUNDS SPENT</u>
1986-89***	0	463,195	243,217
1989-90	219,978	389,012	213,220
1990-91	395,770	528,965	389,438
1991-92	535,297	354,849	579,638
1992-93	310,508	406,493	538,604
1993-94	178,397	301,628	316,722
1994-95	163,303	262,663	344,807
1995-96	81,159	299,872	326,471
1996-97	54,560	275,795	176,506
1997-98	153,849	291,839	318,719
1998-99	126,969	232,212	281,076
1999-00	78,105	165,933	166,697
2000-01	77,341	320,896	239,061
2001-02	159,176	454,887	236,060
2002-03	378,003	706,588	431,063
2003-04	653,528	681,163	944,425
2004-05	390,266	1,002,325	700,580
2005-06	692,011	1,183,917	645,572
2006-07	1,230,356	497,614	1,144,778
2007-08	583,192	396,339	636,561
2008-09	342,970	222,273	308,348
2009-10	256,895	450,032	191,957
2010-11	514,970	197,828	379,732
2011-12	333,066	159,288	327,546
2012-13	164,808	**	**
TOTAL		10,245,606	10,080,798

All fees collected five (5) years ago have been expended.

*Includes interest accrued on Developer Fees Fund 2500.

A total of \$1,961 interest was earned in Fund 2500 for 2011-12.

**Income and Expenditure figures for 2012-13 are not available, as the year is not complete.

***Combined 1986/87 through 1988/89

HANFORD ELEMENTARY SCHOOL DISTRICT
Fund 2500 – Capital Facilities Fund (Developer Fees)
Detailed Report of 2011-12 Expenditures

Project	Cost	Project Status	% of Total Cost
Portable Classroom Leases – Twenty-five Portables	\$121,190	On Going	100%
Furniture & Equipment – New Classrooms	\$104,787	One-time	100%
Addition of Administration/Library Building – Richmond School	\$101,569	Payment #9 of 10. Payments will be complete in 2012-13.	10%
	<u>\$327,546</u>		

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Dr. Paul J. Terry

FROM: Nancy White

DATE: December 3, 2012

FOR: (X) Board Meeting
() Superintendent's Cabinet

FOR: () Information
(X) Action

Date you wish to have your item considered: December 12, 2012

ITEM:

Consider Certification of First Interim Report for 2012-13.

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 first 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 of the District's First Interim Report for 2012-13.

2012-13 First 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	25,435,247.00	27,860,997.00	4,154,153.26	27,860,997.00	0.00	0.0%
2) Federal Revenue		8100-8299	2,747,890.00	3,591,323.00	199,345.08	3,591,323.00	0.00	0.0%
3) Other State Revenue		8300-8599	8,812,910.00	8,890,935.00	3,058,156.62	8,890,935.00	0.00	0.0%
4) Other Local Revenue		8600-8799	2,199,626.00	2,495,960.00	621,853.92	2,495,960.00	0.00	0.0%
5) TOTAL, REVENUES			39,195,673.00	42,839,215.00	8,033,508.88	42,839,215.00		
B. EXPENDITURES								
1) Certificated Salaries		1000-1999	20,695,442.00	21,037,124.00	5,580,745.31	21,037,124.00	0.00	0.0%
2) Classified Salaries		2000-2999	7,543,202.00	7,532,319.00	2,144,748.79	7,532,319.00	0.00	0.0%
3) Employee Benefits		3000-3999	9,213,667.00	9,198,016.00	2,293,645.48	9,198,016.00	0.00	0.0%
4) Books and Supplies		4000-4999	1,821,420.00	2,361,990.00	591,767.34	2,361,990.00	0.00	0.0%
5) Services and Other Operating Expenditures		5000-5999	2,951,622.00	3,245,587.00	891,335.05	3,245,587.00	0.00	0.0%
6) Capital Outlay		6000-6999	138,383.00	194,109.00	20,826.97	194,109.00	0.00	0.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299 7400-7499	258,681.00	270,846.00	55,124.72	270,846.00	0.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	(65,076.00)	(65,076.00)	0.00	(65,076.00)	0.00	0.0%
9) TOTAL, EXPENDITURES			42,557,341.00	43,774,915.00	11,578,193.66	43,774,915.00		
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)			(3,361,668.00)	(935,700.00)	(3,544,684.78)	(935,700.00)		
D. OTHER FINANCING SOURCES/USES								
1) Interfund Transfers								
a) Transfers In		8900-8929	0.00	0.00	0.00	0.00	0.00	0.0%
b) Transfers Out		7600-7629	0.00	194,222.00	0.00	194,222.00	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			0.00	(194,222.00)	0.00	(194,222.00)		

2012-13 First Interim
General Fund
Summary - Unrestricted/Restricted
Revenues, Expenditures, and Changes in Fund Balance

79/80
165000000
Form 011

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)			(3,361,668.00)	(1,129,922.00)	(3,544,684.78)	(1,129,922.00)		
F. FUND BALANCE, RESERVES								
1) Beginning Fund Balance								
a) As of July 1 - Unaudited		9791	6,987,665.00	8,441,998.00		8,441,998.00	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)			6,987,665.00	8,441,998.00		8,441,998.00		
d) Other Restatements		9795	0.00	0.00		0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			6,987,665.00	8,441,998.00		8,441,998.00		
2) Ending Balance, June 30 (E + F1e)			3,625,997.00	7,312,076.00		7,312,076.00		
Components of Ending Fund Balance								
a) Nonspendable								
Revolving Cash		9711	5,050.00	5,050.00		5,050.00		
Stores		9712	117,572.00	117,572.00		117,572.00		
Prepaid Expenditures		9713	0.00	0.00		0.00		
All Others		9719	0.00	0.00		0.00		
b) Restricted		9740	1,295,818.00	1,644,235.00		1,644,235.00		
c) Committed								
Stabilization Arrangements		9750	0.00	0.00		0.00		
Other Commitments		9760	0.00	0.00		0.00		
d) Assigned								
Other Assignments		9780	700,000.00	700,000.00		700,000.00		
e) Unassigned/Unappropriated								
Reserve for Economic Uncertainties		9789	1,487,500.00	3,052,000.00		3,052,000.00		
Unassigned/Unappropriated Amount		9790	20,057.00	1,793,219.00		1,793,219.00		

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Dr. Paul J. Terry

FROM: Nancy White

DATE: December 3, 2012

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: December 12, 2012

ITEM

Consider approval of consultant contract with Demsey, Filliger and Associates for an actuarial study on the District's Self-Funded Dental Plan.

PURPOSE

The actuarial study for our self-funded dental fund is three years old and needs to be updated. Demsey, Filliger and Associates have performed our previous actuarial studies and their fee has always been competitive. We have been pleased with their previous work and would recommend contracting with them again.

FISCAL IMPACT

The fee of \$2,000 will be paid from the Self-Funded Dental Fund.

RECOMMENDATION

Approve consultant contract with Demsey, Filliger and Associates for an actuarial study on the District's Self-Funded Dental Plan.