

Hanford Elementary School District

REGULAR BOARD MEETING AGENDA

Wednesday, October 10, 2012

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

OPEN SESSION

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

CLOSED SESSION

- **Student Discipline** (*Education Code Section 48918...requires closed sessions in order to prevent the disclosure of confidential student record information*)
Administrative Panel Recommendations
Case# 13-02 – King
Case# 13-03 – Wilson
Case# 13-04 – Roosevelt
Case# 13-05 – Simas
- **Public Employee Discipline/Dismissal/Release** (GC 54957) – Classified

OPEN SESSION

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

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

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

2. CONSENT ITEMS

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

- a) Approve warrant listings dated September 21, 2012; September 28, 2012.
- b) Approve minutes of Regular Board Meeting September 26, 2012.
- c) Approve interdistrict transfers as recommended.
- d) Approve donation of \$100 from Cherry Ice LLC dba Kona Ice to Hamilton School. (Espindola)
- e) Approve donation of twenty (20) Walmart gift certificates for Roosevelt teachers in the amount of \$50 each for a total of \$1,000.00. (Carrillo)
- f) Approve donations of \$1443.60 and \$500.00 from Monroe PTC to Monroe

- *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.*

School. (Martinez)

3. INFORMATION ITEMS

None

4. BOARD POLICIES AND ADMINISTRATION

- a) Consider approval of consultant contract with Tara Rodriguez, Kindermusik Director. (Terry)
- b) Hear public comments and accept Memorandum of Understanding and accompanying Disclosure of Collective Bargaining Agreement between Hanford Elementary School District (HESD) and California School Employees Association (CSEA) to have the 2012-2014 CSEA Collective Bargaining Agreement Remain status quo for the 2012-13 school year. (Williams)
- c) Consider adoption of the following revised Board Policy: (Williams)
 - BP 4119.1 – Civil and Legal Rights (revised)
- d) Consider adoption of the following revised Board Policy: (Williams)
 - BP 4111 – Recruitment and Selection (revised)
- e) Consider adoption of the following revised Board Policy: (Williams)
 - BP 4119 – Employees with Infectious Disease

5. PERSONNEL (Williams)

a) Employment

Certificated

- Charles G. Cole, Special Education Intern, effective 10/8/12
- Tamra Garcia, Short-term Intervention Teacher, Lincoln, effective 9/24/12 to 11/16/12

Classified

- Oralia Alvidrez, Food Service Worker I – 3.25 hrs., Washington, effective 10/1/12

Temporary Employees/Substitutes/Yard Supervisors

- Kimberly Alexander-Key, Short-term Yard Supervisor – 1.25 hrs., Hamilton, effective 9/28/12 to 11/16/12
- Tyson Azevedo, Short-term Custodian II – 5.0 hrs., Jefferson, effective 9/24/12 to 11/16/12
- Brandy Ellis, Short-term Yard Supervisor – 1.75 hrs., Washington, effective 10/1/12 to 11/16/12
- Brigid Fogg, Substitute Yard Supervisor, effective 9/14/12
- Ramona Mendoza, Substitute Yard Supervisor, effective 9/18/12
- Tammy Morrison, Short-term Yard Supervisor – 1.5 hrs., Monroe, effective 9/28/12 to 11/16/12
- Susan Requejo, Substitute Clerk Typist I, effective 9/24/12
- Lori Richardson, Substitute READY Program Tutor, effective 9/17/12
- Adriana Solis, Substitute Clerk Trainee, Translator: Oral Interpreter and Written Translator, effective 9/17/12
- Celina Valero, Short-term Yard Supervisor – 1.0 hrs., Monroe, effective 9/28/12 to 11/16/12

b) Resignations

- Mary Lucero, Yard Supervisor – 2.5 hrs., Monroe, effective 9/28/12
- Amber Purdy, Special Education Aide – 5.0 hrs., Lincoln, effective 10/5/12
- Thomas Robb, Special Education Teacher, Hamilton, effective 9/27/12
- Christian Yarbrough, Yard Supervisor – 3.0 hrs., Simas, effective 10/1/12

c) More Hours

- Genella Alvarez, Yard Supervisor, from 1.5 hrs. to 2.0 hrs., Hamilton, effective 9/13/12
- Terri Fredrick, Yard Supervisor, from 3.25 hrs. to 3.5 hrs., Washington, effective 9/19/12
- Debora Harris, Yard Supervisor, from 1.5 hrs. to 2.0 hrs., Hamilton, effective 9/13/12
- Loretta King, Yard Supervisor, from 2.75 hrs. to 3.25 hrs., Wilson, effective 9/14/12
- Carrie Serna, Yard Supervisor, from 1.5 hrs. to 2.5 hrs., Monroe, effective 10/1/12
- Dilia Silveira, Yard Supervisor, from 3.5 hrs. to 3.75 hrs., Richmond, effective 9/24/12
- June Strong, Yard Supervisor, from 2.25 hrs. to 2.5 hrs., Roosevelt, effective 9/13/12

d) Decrease in Hours

- Veronica Leach, Yard Supervisor, from 3.5 hrs to 3.0 hrs., Hamilton, effective 9/13/12

e) Volunteers

<u>Name</u>	<u>School</u>
Kathy Farlery	Jefferson
Karen Hernandez	Jefferson
Laurel Jolly	Jefferson
Diana Lugo	Jefferson
Maria Ortiz-Briones	Jefferson
Jennifer Ward	Jefferson
Antonio Lourenco	JFK
Maria Valdez	King
Cristel Aubery	Monroe
Alejandra Martinez	Monroe
Erik Beam	Simas
Crystal Cervantes	Simas
Sonia Gil	Simas

ADJOURN MEETING

HANFORD ELEMENTARY SCHOOL DISTRICT
AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Liz Simas
DATE: September 27, 2012

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

Date you wish to have your item considered: October 10, 2012

ITEM: Student Discipline

PURPOSE: Administrative Panel Recommendations

Case# 13-02 – King

Case# 13-03 – Wilson

Case# 13-04 – Roosevelt

Case# 13-05 - Simas

Hanford Elementary School District
Minutes of the Regular Board Meeting
September 26, 2012

Minutes of the Regular Board Meeting of the Hanford Elementary School District Board of Trustees on September 26, 2012, at the Hamilton School cafeteria, 1269 Leland Way, Hanford, CA.

Call to Order President Hill called the meeting to order at 5:30 p.m. Trustees Garner, Hernandez, Revious, and Jay were present.

HESD Managers Present Dr. Paul J. Terry, Superintendent, and the following administrators were present: Don Arakelian, Doug Carlton, Anthony Carrillo, Silvia Duvall, Kenny Eggert, Javier Espindola, Joy Gabler, David Goldsmith, Lucy Gomez, Jaime Martinez, Karen McConnell, Gerry Mulligan, Jennifer Pitkin, Jill Rubalcava, Liz Simas, Jason Strickland, Nancy White, and Diane Williams.

PRESENTATIONS, REPORTS AND COMMUNICATIONS

Introductions and Recognitions Dr. Terry introduced the HESD Management Team, Literacy Coaches and Induction Coaches.

Dr. Terry introduced newly tenured teachers. New certificated staff to HESD were introduced to the Board of Trustees and welcomed to the District.

Reception and Refreshments Trustees took a break at 6:00 p.m. and invited all in attendance to join them for a short reception and refreshments.

The meeting resumed at 6:30 p.m.

Public Comments None.

Board and Staff Comments Vice President Revious acknowledged the District Kitchen for providing refreshments, "the food was excellent as always."

Vice President Revious also stated that he attended the staff softball games with his wife on September 22. Donnie Arakelian, Youth Development Director, stated, "It was a good day, and for a good cause. We raised \$1804.00 for the American Cancer Society."

Requests to Address the Board None.

Dates to Remember Vice President Hill reviewed dates to remember: September 27 ACSA Annual Fall Conference at NAS-Lemoore; September 29 Grades 4-6 Fall Round Robin #1; October 10 next regular Board Meeting; October 18 Girls' Spiker Classic (volleyball) at JFK gym; October 20 Grades 4-6 Fall Round Robin #2; October 24 regular Board Meeting.

INFORMATION ITEMS

MOU with CSEA

Diane Williams, Assistant Superintendent Human Resources, presented for information a Memorandum of Understanding and accompanying Disclosure of Collective Bargaining Agreement between Hanford Elementary School District (HESD) and California School Employees Association (CSEA).

BP 4119.1

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

- BP 4119.1 – Civil and Legal Rights (revised)

BP 4111

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

- BP 4111 – Recruitment and Selection (revised)

BP 4119.41

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

- BP 4119.41 – Employees with Infectious Disease (revised)

CONSENT ITEMS

Trustee Revious made a motion to take consent items "a" through "i" together. Trustee Hernandez seconded, motion carried 4-0. Trustee Revious then made a motion to approve consent items "a" through "f". Trustee Hernandez seconded, motion carried 4-0. The items approved are:

- a) Warrant listings dated September 7, 2012 and September 14, 2012.
- b) Minutes of September 12, 2012 Regular Board Meeting.
- c) Interdistrict transfers as recommended.
- d) Donation of \$115.95 from Target to Lincoln School.
- e) Donation of \$338.42 from Target to Monroe School.
- f) Donation of \$189.17 from Target to MLK School.
- g) Donation of \$282.09 from Target to Roosevelt School.
- h) Donation of \$503.77 from Washington PTC to Washington School.
- i) Donation of \$5,000.00 from Washington PTC to Washington School.

Trustee Revious thanked and acknowledged donors Target and Washington PTC for their generous support of HESD schools.

PUBLIC HEARING: Instructional Materials

At 6:35 p.m. President Hill opened the public hearing regarding Sufficiency of Instructional Materials. Joy Gabler, Assistant Superintendent Curriculum, Instruction and Professional Development, reviewed with the Board the core instructional materials for 2012-13 and presented an opportunity for the public to comment on the sufficiency of instructional materials. President Hill called for questions from the audience. There being none, the President Hill closed the public hearing at 6:37 p.m.

BOARD POLICIES AND ADMINISTRATION

- 2012-13 Board Goals adopted** Trustee Revious made a motion to adopt the 2012-13 Board Goals as presented. Trustee Hernandez seconded; motion carried 5-0.
- Consultant Contract** Trustee Garner made a motion to approve consultant contract with Consultant/Author Ben Mikaelson for presentation to students and parents at MLK. Trustee Hernandez seconded; motion carried 5-0.
- Resolution #2-13** Trustee Jay made a motion to adopt Resolution #2-13 pertaining to the Sufficiency of Instructional Materials. Trustee Garner seconded; motion carried 5-0.
- Certification of Compliance** Trustee Hernandez made a motion to certify compliance with Education Code Section 60422(a) and California Code of Regulation (CCR), Title 5 Section 9531(a). Trustee Garner seconded; motion carried 5-0.
- BCBA Supervision stipend** Trustee Revious made a motion to approved Board Certified Behavior Analyst (BCBA) supervision stipend. Trustee Hernandez seconded; motion carried 5-0.
- BP 4312.1 adopted** Trustee Revious made a motion to adopt the following proposed Board Policy regarding administrative and supervisory personnel contracts. Trustee Jay seconded; motion carried 5-0:
- BP 4312.1 – Contracts (new)

PERSONNEL

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

Item "a" – Employment Certificated

- Christina Novielli, Teacher, Probationary I, effective 9/17/12

Temporary/Substitutes/Yard Supervisors

- Laura Benavides, Short-term READY Program Tutor – 4.5 hrs., Washington, effective 9/17/12 to 10/19/12
- Edward Bielik, Substitute Educational Interpreter and Signing Aide, effective 9/6/12
- Inez Carreiro, Short-term Yard Supervisor – 2.0 hrs., King, effective 9/10/12
- Teresita Espinoza, Short-term Yard Supervisor – 2.75 hrs., Richmond, effective 9/10/12 to 10/31/12
- Joseph Hernandez, Coach, Junior High Drum – 55 units, effective 9/5/12 to 6/7/13
- Liz Ibarra, Short-term Administrative Secretary I – 8.0 hrs., Human Resources, effective 9/5/12 to 11/30/12
- Sharon Maggio, Substitute Food Service Worker I/II and Yard Supervisor, effective 9/12/12
- Crystal Zeno-Jaworski, Short-term Yard Supervisor – 1.25 hrs., Monroe, effective 9/17/12 to 11/16/12

- Item "b" – Resignations**
- Shayna Dobbins, Teacher, King, effective 9/14/12
 - Amber Lepper, Substitute READY Program Tutor and Yard Supervisor, effective 9/4/12

- Item "c" – Decrease in Hours**
- Tracy Heinrich, Yard Supervisor, from 3.0 hrs. to 3.25 hrs., Monroe, effective 9/13/12
 - Jessica Szalai, Yard Supervisor, from 3.0 hrs. to 3.25 hrs., Monroe, effective 9/13/12

- Item "d" – More Hours/Transfer**
- Rogelio Espinoza, Custodian II, from 5.0 hrs., Jefferson to 8.0 hrs., King, effective 9/24/12

Item "e" – Volunteers

<u>Name</u>	<u>School</u>
Brigid Fogg	Hamilton
Adriana Solis	Hamilton
Kelty Davis	Jefferson
Faith Faria	Jefferson
Maria Rojo-Gonzalez	Jefferson
Jana Dudley	JFK
Kristopher Bailey	King
Rosie Cervantes	King
Shannon Callahan	Monroe
Leah Martinez	Monroe
Erica Yanez	Richmond
Patricia Martinez	Roosevelt
Adam Minick	Washington

FINANCIAL

Unaudited Actual Financial Report 2011-12 Trustee Jay made a motion to approve Unaudited Actual Financial Report for 2011-12. Trustee Revious seconded; motion carried 5-0.

Resolution #5-13 Trustee Garner made a motion to approve Resolution #5-13: Gann Amendment. Trustee Hernandez seconded; motion carried 5-0.

Addendum to Developer Fees Agreement Trustee Jay made a motion to approve Addendum to Agreement with the County of Kings for the collection and distribution of Developer Fees. Trustee Revious seconded; motion carried 5-0.

At 6:52 p.m. the Trustees adjourned to closed session. They returned to Open Session at 7: 28 p.m.

Expulsion #13-01 Trustee Jay made a motion to accept the Findings of Facts and expel Case # 13-01 for the remainder of the 2012-2013 school year for violation of Education Code 48900 and/or 48915 as determined by the Administrative Panel at hearings held on September 24, 2012. However, Trustee Jay further moved that the parents may apply for readmission on or after January 7, 2013. If readmission is granted, the expulsion order shall be suspended and student may attend regular school in probationary status on a Behavior Conditions Plan through June 7, 2013. Trustee Revious seconded; motion carried 5-0.

There being no further business, Trustee Hill adjourned the meeting at 7:32 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-073	A	Wilson	Armona	10/10/12
I-036	A	Washington	Kings River	10/10/12

Inters - OUT

No	A/D	Sch Req'd	Home Sch	BD Date
O-133	A	Armona	Lincoln	10/10/2012
GF	A	Kit Carson	Washington	10/10/2012
GF	A	Kit Carson	Washington	10/10/2012
GF	A	Corcoran	Wilson	10/10/2012
O-134	A	Kit Carson	Hamilton	10/10/2012
O-135	A	Kit Carson	Hamilton	10/10/2012

HANFORD ELEMENTARY SCHOOL DISTRICT
AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Javier Espindola

DATE: September 26, 2012

FOR: ☒ Board Meeting
 ☐ Superintendent's Cabinet

FOR: ☐ Information
 ☒ Action

Date you wish to have your item considered: October 10, 2012

ITEM: Donation of \$100.00 from Cherry Ice LLC dba Kona Ice.

PURPOSE: For Student of the Month and Jr. Tutors reward luncheons provided through District Food Services.

FISCAL IMPACT: Increase of \$100.00 to Hamilton Budget Account
 # 0100-0000-0-1110-1000-575030-029-0000.

RECOMMENDATION: Accept donation.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Anthony Carrillo

DATE: September 25, 2012

For: ☒ Board Meeting
☐ Superintendent's Cabinet

For: ☐ Information
☒ Action

Date you wish to have your item considered: October 10, 2012

ITEM: Donation of twenty (20) WalMart gift certificates for teachers valued at \$50 each for a total of \$1,000.


PURPOSE: Accept donation of gift certificates from Walmart to be used by Roosevelt teachers.

FISCAL IMPACT (if any): \$1,000
Please credit to account #: Not applicable.

RECOMMENDATION (if any): Approve request to accept the donation.

HANFORD ELEMENTARY SCHOOL DISTRICTAGENDA REQUEST FORM

TO: Paul Terry

FROM: Jaime Martinez 

DATE: October 3, 2012

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

Date you wish to have your item considered: October 10, 2012

ITEM: Donation of \$1,443.60 from Monroe PTCPURPOSE: Accept donation of \$1,443.60 from Monroe PTC for the following:Study Trip; 1st Grade to Vossler Farms:

Transportation: \$681.60

0100-0000-0-1110-1000-571020-024-0000

Entrance Fees: \$762.00


0100-0000-0-1110-1000-460001-024-0000

FISCAL IMPACT (if any): \$1,443.60RECOMMENDATION (if any): Action.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Paul Terry

FROM: Jaime Martinez 

DATE: October 3, 2012

For: ☒ Board Meeting
☐ Superintendent's Cabinet

For: ☐ Information
☒ Action

Date you wish to have your item considered: October 10, 2012

ITEM: Donation of \$500.00 from Monroe PTC

PURPOSE: Accept donation of \$500.00 from Monroe PTC for the following:

Food Services:

0100-0000-0-0000-2700-575030-024-0000

Student Incentives

FISCAL IMPACT (if any): \$500.00

RECOMMENDATION (if any): Action.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Dr. Paul J. Terry

DATE: September 24, 2012

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: October 10, 2012

ITEM: Consider approval of Consultant Contract with Tara Rodriguez, Kindermusik Director.

PURPOSE: To provide music class curriculum for parents and children 0-7 years of the HESD Migrant Program three times per year in 4-week sessions.


FISCAL IMPACT: Up to \$3,000.00 from Migrant funds for 2012-13.

RECOMMENDATIONS: Approve.

Hanford Elementary School District
HUMAN RESOURCES DEPARTMENT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Diane Williams 

DATE: October 1, 2012

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☐ Information
☒ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **October 10, 2012**

ITEM: Hear Public comments and accept Memorandum of Understanding and accompanying Disclosure of Collective Bargaining Agreement between Hanford Elementary School District (HESD) and California School Employees Association (CSEA) to have the 2012-2014 CSEA Collective Bargaining Agreement remain status quo for the 2012-13 school year. The only changes will be to Article 23 – Pay and Allowance to reflect current dates as well as the removal of the reference to “Interim” on the Classified Salary Schedule.

PURPOSE: To meet the public hearing requirements of Government Code Section 3547, and authorize implementation of this Memorandum of Understanding, changes to Article 23 Pay and Allowances, the 2012-2013 Classified Salary Schedule and the Disclosure of the Collective Bargaining Agreement to the CSEA contract. This MOU and changes were ratified by CSEA on September 20, 2012.

FISCAL IMPACT: The costs of the contract amendments and funding sources were disclosed at the September 26, 2012, regular Board meeting.

RECOMMENDATION: Hear public comments and accept Memorandum of Understanding and Disclosure of Collective Bargaining Agreement.

HANFORD ELEMENTARY SCHOOL DISTRICT


MEMORANDUM OF UNDERSTANDING

This MEMORANDUM OF UNDERSTANDING IS ENTERED into by and between Hanford Elementary School District, hereinafter referred to as "District," and the California School Employees Association, hereinafter referred to as "CSEA."

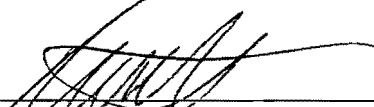
The District and CSEA Negotiating teams agree not to negotiate during the 2012-2013 school year.

FOR THE DISTRICT:

FOR CSEA:



Diane Williams
Chief Negotiator
Hanford Elementary School District



Ron Riso, President
Chapter, #344
California School Employees Association

Date Signed: 9-24-12Date Signed: 9/24/2012

ARTICLE 23: PAY AND ALLOWANCES

- A. The 2010-2011 Classified Salary Schedules shall remain in effect for the 2011-~~2012~~ ~~2012-2013~~ school year.
- B. All new employees shall be placed on the salary schedule in a uniform manner.
 - 1. All new employees shall be rated in not higher than Step 2. Three (3) years of prior work experience in a similar job classification are required for Step 2 placement. The District with mutual agreement will have flexibility to go beyond Step 2 for hard to fill job classifications.
 - 2. An employee who is promoted to a higher classification shall be entitled to the lowest step in the higher range which exceeds the employee's rate of pay by a minimum of five percent (5%). This minimum five percent (5%) increase shall be based on what the employee would have earned during the twelve months following the date of the promotion including step advancement, if any, had s/he not been promoted.
- C. **Frequency:** Employees shall be paid once per month payable on or before the last working day of the month. If the normal pay date falls on a holiday, the paycheck shall be issued on the preceding work day.
- D. **Step Advancement:**
 - 1. Employees' step advancement date shall be July 1 of each year.
 - 2. New employees shall receive a step increase on July 1 if they were employed effective on or before December 31 of the preceding year.
- E. An employee regularly contracted to work in two (2) separate job classifications in one (1) fiscal year shall be paid for all hours in paid status at the range and step of the classification which is the higher of the two.
- F. **Longevity Pay:** The District shall pay longevity pay for each employee who qualifies as follows:
 - 1. Beginning with the 2011-2012 school year and every school year thereafter, a one-time non-renewable bonus of Five Hundred dollars (\$500), less taxes and deductions, shall be paid to each full-time employee in his/her fifteenth (15th) year of service to the District with his/her June 30th pay warrant.

~~For the 2011-12 school year only, a one-time non-renewable bonus of Five Hundred dollars (\$500), less applicable taxes and deductions, shall be paid to each full-time employee who, during 2011-12, is in his/her sixteenth (16th),~~

~~seventeenth (17th), eighteenth (18th), or nineteenth (19th), year of District service with his/her June 30th pay warrant.~~

2. Full-time employees shall receive annual longevity pay when they complete milestone years of service as indicated below:
 - a. Twenty (20) years: Five Hundred Dollars (\$500)
 - b. Twenty-Five (25) years: Seven Hundred and Fifty Dollars (\$750) + Five Hundred Dollars (\$500) = One-Thousand Two Hundred and Fifty Dollars (\$1,250)
 - c. Thirty (30) years: One Thousand Dollars (\$1,000) + Five Hundred Dollars (\$500) + Seven Hundred and Fifty (\$750) = Two Thousand Two Hundred and Fifty Dollars (\$2,250)
 3. Part-time employees shall receive the appropriate pro rata share when they complete milestone years of service:
 4. Employees shall receive longevity pay on July 1 if they reached one of the above milestones on or before December 31 of the current year.
- G. **Bilingual Stipend:** Any employee who is required to use a second language from time to time in his/her regular assignment and who has demonstrated competency in the second language as established by the District shall receive a stipend in accordance with the following schedule. Said payments shall be paid each month on a one-twelfth (1/12) basis for each twelve (12) month employee, on a one-eleventh (1/11) basis for each eleven (11) month employee, and on a one-tenth (1/10) basis for each ten (10) month employee as part of the employee's regular monthly paycheck. Eligibility for said stipend shall commence on the first of the month following the completion of demonstrated competency. Stipend payment is not to be considered a part of the employee's regular rate of pay.

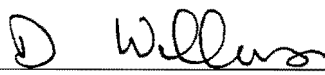
BILINGUAL STIPEND SCHEDULE

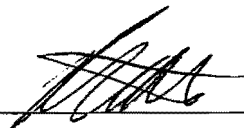
8 hour employee	\$400 per year
7 hour but less than 8 hour employee.....	\$350 per year
6 hour but less than 7 hour employee.....	\$300 per year
5 hour but less than 6 hour employee.....	\$250 per year
4 hour but less than 5 hour employee.....	\$200 per year
3 hour but less than 4 hour employee.....	\$150 per year
2 hour but less than 3 hour employee.....	\$100 per year
1 hour but less than 2 hour employee.....	\$ 50 per year

- H. **Out of Classification Work:** An employee who temporarily performs the essential functions of a higher classification shall be entitled to the lowest step in the higher range which exceeds the employee's rate of pay by a minimum of five percent (5%).
- I. Upon appropriate written authorization from the employee, the District shall deduct from the salary of any employee and make appropriate remittance for annuities, credit union, savings bonds, charitable donations, or any other plans or programs jointly approved by the Union and the District.
- J. **Substitute Bus Driver Stipend.** For a limited number of classified employees who work within the District and who serve in classifications other than Bus Driver or Bus Driver/Service Worker, but who are willing to obtain the required training and licenses to operate a school bus and serve as a substitute bus driver as needed, the District will pay a stipend of Five Hundred Dollars and No Cents (\$500.00) per year to each employee. The number of substitute Bus Drivers needed and eligibility for the stipend shall be evaluated and determined by the District at the commencement of each school year.
- K. **LVN Licensure Incentive:** Any Health Care Assistant (or Bilingual Health Care Assistant) who secures and maintains a valid California Licensed Vocational Nurse (L.V.N.) licensure shall be entitled to a five percent (5%) incentive increase in his or her hourly rate of pay for all hours worked. The five percent (5%) incentive increase will become effective the first of the month following documentation and receipt of a California L.V.N. license and will remain in effect as long as a valid L.V.N. license is maintained. The employee is responsible to provide annual verification to the District of a current L.V.N. licensure in order to receive the incentive.

FOR THE DISTRICT:

FOR CSEA:

 9.24.12
 Diane Williams, Chief Negotiator Date
 Hanford Elementary School District

 9/24/2012
 Ron Riso, President Date
 CSEA Chapter #344

HANFORD ELEMENTARY SCHOOL DISTRICT
2012-2013 CLASSIFIED SALARY SCHEDULE (Interim)

21/45

Range	Position		Step 1	Step 2	Step 3	Step 4	Step 5
1		*per Month per Hour	1,779 10.34	1,868 10.86	1,961 11.40	2,059 11.97	2,162 12.57
2		per Month per Hour	1,868 10.86	1,961 11.40	2,059 11.97	2,162 12.57	2,269 13.19
3	Clerk Trainee	per Month per Hour	1,961 11.40	2,059 11.97	2,162 12.57	2,269 13.19	2,382 13.85
4		per Month per Hour	2,059 11.97	2,162 12.57	2,269 13.19	2,382 13.85	2,503 14.55
5	Clerk -Typist I Food Service Worker I Instructional Aide	per Month per Hour	2,162 12.57	2,269 13.19	2,382 13.85	2,503 14.55	2,626 15.27
6	Bilingual Aide I Bilingual Clerk-Typist I Food Service Worker II Alternative Education Program Aide READY Program Tutor	per Month per Hour	2,269 13.19	2,382 13.85	2,503 14.55	2,626 15.27	2,759 16.04
7	Account Clerk I Custodian I Educational Tutor, K-6 Groundskeeper I Lead READY Program Tutor Signing Aide Special Circumstances Aide Special Education Aide Substitute Telephone Clerk	per Month per Hour	2,382 13.85	2,503 14.55	2,626 15.27	2,759 16.04	2,896 16.84
8	Account Clerk II Bilingual Aide II Clerk-Typist II Cook/Baker Food Service Utility Worker Media Services Aide	per Month per Hour	2,503 14.55	2,626 15.27	2,759 16.04	2,896 16.84	3,041 17.68
9	Bilingual Clerk-Typist II Bilingual Translator/Clerk Custodian II Delivery Worker Groundskeeper II Maintenance Worker I	per Month per Hour	2,626 15.27	2,759 16.04	2,896 16.84	3,041 17.68	3,194 18.57
10	Bus Driver Health Care Assistant Help Desk Technician Secretary	per Month per Hour	2,759 16.04	2,896 16.84	3,041 17.68	3,194 18.57	3,352 19.49
11	Bilingual Health Care Assistant Irrigation Specialist Lead Custodian	per Month per Hour	2,896 16.84	3,041 17.68	3,194 18.57	3,352 19.49	3,521 20.47
12	Account Technician I Warehouse/Reprographic & Mail Technician	per Month per Hour	3,041 17.68	3,194 18.57	3,352 19.49	3,521 20.47	3,696 21.49

22/45	Head Custodian Maintenance Worker II Mechanic Migrant Services Specialist Painter/Maintenance Worker II Teacher Resource Center Specialist	per Month per Hour	3,194 18.57	3,352 19.49	3,521 20.47	3,696 21.49	3,882 22.57
14	Administrative Secretary I	per Month per Hour	3,352 19.49	3,521 20.47	3,696 21.49	3,882 22.57	4,076 23.70
15	Account Technician II Administrative Secretary II Child Welfare and Attendance Specialist Computer Maintenance Technician Database Specialist I	per Month per Hour	3,521 20.47	3,696 21.49	3,882 22.57	4,076 23.70	4,279 24.88
16	Account Technician III Educational Interpreter Student Specialist	per Month per Hour	3,696 21.49	3,882 22.57	4,076 23.70	4,279 24.88	4,493 26.12
17	Bilingual Student Specialist Heating, Ventilation & Air Conditioning Specialist Locksmith	per Month per Hour	3,882 22.57	4,076 23.70	4,279 24.88	4,493 26.12	4,718 27.43
18	Account Technician IV Database Specialist II Lead Mechanic (Automotive) Network Engineer Student Advocate Junior High Systems Engineer	per Month per Hour	4,076 23.70	4,279 24.88	4,493 26.12	4,718 27.43	4,954 28.80
19		per Month per Hour	4,279 24.88	4,493 26.12	4,718 27.43	4,954 28.80	5,201 30.24
20		per Month per Hour	4,493 26.12	4,718 27.43	4,954 28.80	5,201 30.24	5,461 31.75

*Monthly rate is based on an 8-hour per day, 12-month employee

Each range is based on meeting minimum requirements. Persons not meeting minimum requirements will stay on current range.

Translator - Employees who are assigned translation duties (verbal or written) outside their regularly assigned shift shall be paid at the current rate of pay for their regular position. Any time worked by an employee as a Translator shall not count toward benefit accrual within his/her regularly assigned position, including but not limited to health and welfare benefits, increased hours, or vacation and leave credit.

Yard Duty - Employees who assume yard supervision duties in addition to their regular position shall be paid for such extra duties at their current rate of pay for their regular position.

Longevity - A one-time non-renewable bonus of Five Hundred dollars (\$500) shall be paid to each full-time employee in his/her fifteenth (15th) year of service to the District with his/her June 30th pay warrant.

Longevity - Full-time Employees shall receive annual longevity pay when they complete milestone years of service as indicated below:

20 Years - \$ 500
25 Years - \$1,250
30 Years - \$2,250

Employees shall receive longevity pay on July 1 if they reached one of the above milestones on or before December 31 of the current year.

Part-time employees shall receive the appropriate pro rata share when they complete milestone years of service.

Adopted: __/__/12

DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT

In Accordance with AB 1200 (Statutes of 1991, Chapter 1213); G.C. 3547.5

Hanford Elementary School District

Name of Bargaining Unit: Classified School Employees Association, Chapter #344Certificated _____ Classified XNew Agreement _____ or Reopener X

The proposed agreement is a three-year agreement that covers the period beginning July 1, 2011 and ending June 30, 2014 and will be acted upon by the Governing Board at its meeting on October 10, 2012.

A.(1) Proposed Change in Compensation

Compensation	Cost Prior to Proposed Agreement	Fiscal Impact of Proposed Agreement Increase (Decrease) and Percentage Change		
		*Current Year 2012-13	*Year 2 2013-14	*Year 3 2014-15
1. Base Salary		\$ 0	\$ 0	\$ 0
	\$4,928,723	0%	0%	0%
2. Other Compensation – i.e. Stipends or Bonuses		\$ 0	\$ 0	\$ 0
	\$ 0	0%	0%	0%
3. Total Salary - (Sum of 1 & 2)		\$ 0	\$ 0	\$ 0
	\$4,928,723	0%	0%	0%
4. Statutory Benefits - STRS, PERS, FICA, WC, UI, Medicare		\$ 0	\$ 0	\$ 0
	\$1,141,837	0%	0%	0%
5. Health/Welfare Benefits		\$ 0	\$ 0	\$ 0
	\$ 760,000	0%	0%	0%
6. Total Benefits - (Total Lines 4 & 5)		\$ 0	\$ 0	\$ 0
	\$1,901,837	0%	0%	0%
7. Total Compensation – (sum of 3 & 6)		\$ 0	\$ 0	\$ 0
	\$6,830,560	0%	0%	0%

DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT

In Accordance with AB 1200 (Statutes of 1991, Chapter 1213); G.C. 3547.5

- A.(2) Provide a brief narrative of the proposed change in compensation, including percentage change(s), effective date(s), and comments and explanations as necessary:

The District and the CSEA negotiating teams agreed to no changes in compensation for the 2012-2013 school year.

- B. **Proposed Negotiated Changes in Non-Compensation Items** (class size adjustments, staff development days, teacher prep time, etc.)

None

- C. What are the specific impacts on instructional and support programs to accommodate the settlement? **Include the impact of non-negotiated changes such as staff reductions and program reductions/eliminations.**

None

DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT

25/45

In Accordance with AB 1200 (Statutes of 1991, Chapter 1213); G.C. 3547.5

- D. What contingency language is included in the proposed agreement?** Include specific areas identified for reopeners, applicable fiscal years, and specific contingency language.

No contingency language is included in the proposed Agreement.

- E. Source of Funding for Proposed Agreement**

1. Current Year

Not applicable for 2012-2013

2. How will the ongoing cost of the proposed agreement be funded in future years?

Not applicable

3. If multi-year agreement, what is the source of funding, including assumptions used, to fund these obligations in future years? (Remember to include compounding effects in meeting obligations)

Not applicable

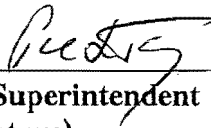
- 3A. For multi-year agreements, please provide a multi-year financial projection covering the term of the agreement. Include all assumptions used in the projections, growth, COLA, etc.

DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT

In Accordance with AB 1200 (Statutes of 1991, Chapter 1213); G.C. 3547.5

G. Certification

The information provided in this document summarizes the financial implications of the proposed agreement and is submitted to the Governing Board for public disclosure of the major provisions of the agreement in accordance with the requirements of AB 1200 and G.C. 3547.5.



District Superintendent
(Signature)

September 26, 2012
Date

Contact Person: Nancy White Telephone No.: (559) 585-3628

IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET/45
In accordance with AB3141 (Statutes of 1994, Chapter 650) (EC42142)

	(Col. 1) Latest Board- Approved Budget	(Col. 2) Adjustments as a Result of Settlement (from page 1)	(Col. 3) Other Revisions (provide explanation)	(Col. 4) Total Impact on Budget (Col. 1+2+3)
REVENUES				
Revenue Limit Source (8010-8099)				
Remaining Revenues (8100-87991)				
TOTAL REVENUES				
EXPENDITURES				
1000 Certificated Salaries		No Change –		
2000 Classified Salaries		Not Applicable for 2012-2013		
3000 Employees' Benefits				
4000 Books and Supplies				
5000 Services and Operating Exps				
6000 Capital Outlay				
7000 Other				
TOTAL EXPENDITURES				
OPERATING SURPLUS (DEFICIT)				
OTHER SOURCES AND TRANSFERS IN				
OTHER USES AND TRANSFERS OUT				
CURRENT YEAR INCREASE (DECREASE) IN FUND BALANCE				
BEGINNING BALANCE				
CURRENT-YEAR ENDING BALANCE				
COMPONENTS OF ENDING BALANCE:				
Reserved Amounts				
Reserved for Economic Uncertainties				
Board Designated Amounts				
Unappropriated Amounts				

A. Date of governing board approval of budget revisions in Col. 1 Not Applicable

Contact Person: Nancy White

Date: September 26, 2012

**CERTIFICATION #1: CERTIFICATION OF THE DISTRICT'S ABILITY TO MEET THE COSTS OF
COLLECTIVE BARGAINING AGREEMENT**

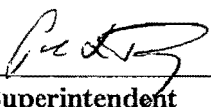
The disclosure document must be signed by the district Superintendent and Chief Business Officer at the time of public disclosure.

In accordance with the requirements of Government Code Section 3547.5, the Superintendent and Chief Business Officer of Hanford Elementary School District, hereby certify that the District can meet the costs incurred under the Collective Bargaining Agreement between the District and the Classified School Employees Association, Chapter #344 Bargaining Unit, during the term of the agreement from July 1, 2011 to June 30, 2014.

The budget revisions necessary to meet the costs of the agreement in each year of its term are as follows:

*	
Budget Adjustment	
<u>Budget Adjustment Categories</u>	<u>Increase (Decrease)</u>
<u>Revenues/Other Financing Sources</u>	<u>\$ 0</u>
<u>Expenditures/Other Financing Uses</u>	<u>\$ 0</u>
<u>Ending Balance Increase (Decrease)</u>	<u>\$ 0</u>

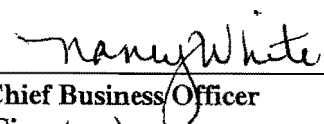
N/A X (No budget revisions necessary)



District Superintendent
(Signature)

September 26, 2012

Date



Chief Business Officer
(Signature)

September 26, 2012

Date

CERTIFICATION #2

The disclosure document must be signed by the district Superintendent or designee at the time of public disclosure and by the President or Clerk of the Governing Board at the time of formal board action on the proposed agreement.

The information provided in this document summarizes the financial implications of the proposed agreement and is submitted to the Governing Board for public disclosure of the major provisions of the agreement (as provided in the "Public Disclosure of Proposed Collective Bargaining Agreement" in accordance with the requirements of AB1200 and Government Code Section 3547.5.

District Superintendent (or Designee)
(Signature)

Date October 10, 2012

Contact Person

Phone (559) 585-3628

After public disclosure of the major provisions contained in this summary, the Governing Board at its meeting on October 10, 2012, took action to approve the proposed Agreement with the Classified School Employees Association, Chapter #344 Bargaining Unit.

President (or Clerk), Governing Board
(Signature)

Date October 10, 2012

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Diane Williams *DW*

DATE: October 1, 2012

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☐ Information
☒ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **October 10, 2012**

ITEM: Consider adoption of the following revised Board Policy.

PURPOSE: The following Board Policy 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 4119.1 – Civil and Legal Rights (revised)

FISCAL IMPACT: None.

RECOMMENDATION: Adopt.

All Personnel

BP 4119.1(a)

4219.1

CIVIL AND LEGAL RIGHTS

4319.1

The Board of Trustees believes that the personal life of an employee is not an appropriate concern of the district, except as it may directly relate to the employee's performance of his/her duties.

An employee's personal beliefs and activities, including religious, or political activities cultural, social, or other beliefs or activities, or lack thereof, shall not be grounds for ~~any discrimination or disciplinary action by the district against the employee~~, provided that these beliefs or activities do not violate law, Board policy, or administrative regulation.

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)

~~A teacher shall have the right to refuse to submit to any evaluation or survey conducted by the district concerning personal values, attitudes, and beliefs; sexual orientation; political affiliations or opinions; critical appraisals of other individuals with whom the teacher has a family relationship; or religious affiliations or beliefs. (Education Code 49091.24)~~ The district shall make no inquiry concerning the personal values, attitudes, and beliefs of district employees or their sexual orientation or political or religious affiliations, beliefs, or opinions except when authorized by law. In addition, no district employee shall be required to provide critical appraisals of other individuals with whom the employee has a familial relationship. However, the district reserves the right to access any publicly available information about any employee.

Employees do not have a reasonable expectation of privacy with regards to district property under an employee's control including, but not limited to, desks, classrooms, offices, file cabinets, computers, or phones. As necessary to protect the health, welfare, or safety of students and staff, school officials may search such items, ~~in order to uncover evidence that the employee is violating the law, Board policy, administrative regulation, or other rules of the district or school.~~

(cf. 3515 - Campus Security)

(cf. 4040 - Employee Use of Technology)

Whistleblower Protection

An employee shall have the right to disclose to a Board member, a school administrator, a member of the County Board of Education, County Superintendent of Schools, or the Superintendent of Public Instruction any improper governmental activity by the district or a district employee that violates state or federal law, is economically wasteful, or involves gross misconduct, incompetency, or inefficiency. When the employee has reasonable cause to believe that the information discloses a violation of state or federal statute or a violation or noncompliance with a state or federal rule or regulation, he/she has the right to disclose such

information to a government or law enforcement agency or to refuse to participate in any such activity. (Education Code 44112, 44113; Labor Code 1102.5)

The Superintendent or designee shall prominently display in lettering larger than size 14 point type a list of employees rights and responsibilities under the whistleblower laws, including the telephone number of the whistleblower hotline maintained by the Office of the California Attorney general. (Labor Code 1102.8)

No employee shall use or attempt to use his/her official authority or influence to intimidate, threaten, coerce, or command another employee for the purpose of interfering with that employee's right to disclose improper governmental activity. (Education Code 44113)

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

An employee who has disclosed improper governmental activity and believes that he/she has subsequently been subjected to acts or attempted acts of reprisal shall file a written complaint in accordance with the district's complaint procedures. After filing a complaint with the district, he/she may also file a copy of the complaint with local law enforcement and/or seek civil law remedies against the supervisor or administrator who retaliated or attempted to retaliate against him/her in accordance with Education Code 44114.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4144/4244/4344 - Complaints)

Protection Against Liability.

No employee shall be liable for harm caused by his/her act or omission when acting within the scope of employment or district responsibilities; ~~For the protection against liability to apply, the act or omission must be~~ when the employee's act or omission is in conformity with federal, or state, and local laws and must, district policy, or administrative regulation; or when the employee's act or omission is ~~be~~ in furtherance of an effort to control, discipline, expel, or suspend a student, or to maintain order or control in the classroom or school. (20 USC 6736)

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

(cf. 9260 - Legal Protection)

The protection against liability shall not apply when: (20 USC 6736)

1. The employee acted with willful or criminal misconduct, gross negligence, recklessness, or a conscious, flagrant indifference to ~~the harmed person's rights to~~ or safety of the individual harmed.
2. The employee caused harm by operating a motor vehicle or other vehicle requiring license or insurance.
3. The employee was not properly licensed, if required, by state law for such activities.

4. The employee was found by a court to have violated a federal or state civil rights law.
5. The employee was under the influence of alcohol or any drug at the time of the misconduct.
6. The misconduct constituted a crime of violence pursuant to 18 USC 16 or an act of terrorism for which the employee has been convicted in a court.
7. The misconduct involved a sexual offense for which the employee has been convicted in a court.
8. The misconduct occurred during background investigations, or other actions, involved in the employee's hiring.

(cf. 4030 – Nondiscrimination in Employment)

(cf. 4119.11/4219.11/4319.11 – Sexual Harassment)

Legal Reference: (see next page)

Legal Reference:

EDUCATION CODE

200-262.4 *Prohibition of discrimination on the basis of sex*

7050-7058 *Political activities of school officers and employees*

44040 *Discrimination based on employee's appearance before certain boards or committees*

44110-44114 *Reporting by school employees of improper governmental activity*

48907 *Student freedom of expression; employee's protection of student rights*

48950 *Speech and other communication*

49091.24 *Teacher rights to refuse evaluation/survey of personal life*

CIVIL CODE

51 *Unruh Civil Rights Act*

GOVERNMENT CODE

815.3 *Intentional torts*

820-823 *Tort Claims Act*

825.6 *Indemnification of public entity*

3540.1 *Public employment definitions*

3543.5 *Interference with employee's rights prohibited*

12650-12656 *False claims actions*

12940-12951 *Discrimination prohibited; unlawful practices*

LABOR CODE

1102.5-1106 *Whistleblower protections*

UNITED STATES CODE, TITLE 18

16 *Crime of violence defined*

UNITED STATES CODE, TITLE 20

6731-6738 *Teacher liability protection*

UNITED STATES CODE, TITLE 42

2000d-2000d-7 *Title VI, Civil Rights Act*

2000e-2000e-17 *Title VII, Civil Rights Act of 1964 as amended*

2000h-2000h-6 *Title IX, 1972 Education Act Amendments*

12101-12213 *Americans with Disabilities Act*

COURT DECISIONS

Hartnett v. Crosier, (2012) 205 Cal.App.4th 685

Johnson v. Poway Unified School District, (2011) 658 F.3d 954

Ohton v. CSU San Diego, (2007) 56 Cal.Rptr.3d 111

Garcetti v. Ceballos, (2006) 543 U.S. 1186

O'Conner v. Ortega, (1987) 480 U.S. 709

New Jersey v. T.L.O., (1985) 468 U.S. 325

Management Resources:

WEB SITES

California Attorney General: <http://eaag.state.ca.us> www.org.ca.gov

Policy

adopted: February 18, 2003

revised: November 10, 2004

revised: October 7, 2009

revised: _____, 2012

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Diane Williams *DW*

DATE: October 1, 2012

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☐ Information
☒ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **October 10, 2012**

ITEM: Consider adoption of the following revised Board Policy.

PURPOSE: The following Board Policy 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 4111 – Recruitment and Selection (revised)

FISCAL IMPACT: None.

RECOMMENDATION: Adopt.

All Personnel

BP 4111(a)

4211

Recruitment and Selection

4311

The Board of Trustees desires to employ the most highly qualified and appropriate person available for each open position in order to improve student achievement and efficiency in district operations.

(cf. 0100 – Goals for the School District)

(cf. 4000 - Concept and Roles)

(cf. 4100 - Certificated Personnel)

(cf. 4200 - Classified Personnel)

(cf. 4300 - Management, Supervisory and Confidential Personnel)

(cf. 9000 - Role of the Board)

The Superintendent shall develop fair, open, and transparent recruitment and selection processes and procedures which ensure that employees are selected based on demonstrated knowledge, skills, and competence and not on any bias, personal preference, or unlawful discrimination.

When a vacancy occurs, the Superintendent or designee shall recruit candidates for open positions based on an assessment of the district's needs for specific skills, knowledge and abilities. He/she shall ~~develop~~ review job descriptions for the position to ensure that it accurately describes all essential and marginal major functions and duties of each position, and He/she shall also disseminate job announcements to ensure a wide range of candidates.

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

The Superintendent or designee shall develop selection procedures that identify the best possible candidate for each position based on screening processes, interviews, observations and recommendations from previous employers. He/she may establish an interview committee, as appropriate, to rank candidates and recommend finalists. All discussions and recommendations shall be confidential in accordance with law.

During job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job. No inquiry shall be made with regard to any category of discrimination prohibited by state or federal law.

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

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

(cf. 4032 - Reasonable Accommodation)

(cf. 4111.2/4211.2/4311.2 - Legal Status Requirement)

For each position, the Superintendent or designee shall present to the Board one candidate who meets all qualifications established by law and the Board for the position. No person shall be employed by the Board without the recommendation or endorsement of the Superintendent or designee.

BP 4111(b)
4211
4311

Recruitment and Selection (continued)

(cf. 4112 - Appointment and Conditions of Employment)
(cf. 4112.2 - Certification)
(cf. 4212 - Appointment and Conditions of Employment)
(cf. 4312.1 - Contracts)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex
44066 Limitations on certification requirement
44259 Teaching credential; exception; designated subjects; minimum requirements
44735 Incentive grants for recruiting teachers for low-performing schools
44740-44741 Personnel Management Assistance Teams
44750-44754.5 Regional teacher recruitment centers
44830-44831 Employment of certificated persons
44858 Age or marital status in certificated positions
44859 Prohibition against certain rules and regulations re residency
45103-45138 Employment (classified employees)
49406 Examination for tuberculosis
52051 Academic Performance Index

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, including:
12940-12956 Discrimination prohibited; unlawful practices

UNITED STATES CODE, TITLE 8

1324a Unlawful employment of aliens
1324b Unfair immigration related practices

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended
2000h-2-2000h-6 Title IX, 1972 Education Act Amendments
12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Human Resources, 1996

WEB SITES

Equal Employment Opportunity Commission: <http://www.eeoc.gov>
Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>
CalTeach: <http://www.calteach.org>
Education Job Opportunities Information Network: <http://www.edjoin.org>

Policy

adopted: May 24, 1991
revised: November 7, 2001
revised: February 18, 2003
revised: _____, 2012

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Diane Williams *DW*

DATE: October 1, 2012

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☐ Information
☒ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **October 10, 2012**

ITEM: Consider adoption of the following revised Board Policy.

PURPOSE: The following Board Policy 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 4119.41 – Employees With Infectious Disease (revised)

FISCAL IMPACT: None.

RECOMMENDATION: Adopt.

THIS BOARD POLICY REPLACES CURRENT POLICY**All Personnel**

BP 4119.41(a)

4219.41

Employees With Infectious Disease

4319.41

The Board of Trustees desires to promote the health of district students and staff in order to reduce absenteeism and enhance employee and student performance. The Superintendent or designee shall develop strategies to prevent the outbreak or spread of infectious diseases at district schools.

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

(cf. 4261.1 - Personal Illness/Injury Leave)

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

An infectious disease is one that is caused by a microorganism and is potentially transmittable to another individual, whether through airborne transmission, bloodborne transmission, skin-to-skin contact, foodborne transmission, or other casual or noncasual means. A communicable infectious disease, such as influenza or chicken pox, is contagious and can be readily transmitted by infectious bacteria or viral organisms.

In accordance with law, job applicants shall be required to provide evidence that they are free of tuberculosis or any other communicable infectious disease prior to beginning employment.

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

To prevent the outbreak or spread of infectious diseases, the Superintendent or designee may provide infection prevention supplies and information to employees, including information about recommended vaccinations. Employees also shall observe universal precautions to avoid contact with potentially infectious blood or other bodily fluids.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Plans for addressing a communicable infectious disease outbreak, including, but not limited to, plans for addressing employee shortages during such an outbreak, shall be included in the district's emergency preparedness plan.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.31 - Immunizations)

BP 4119.41(b)
4219.41
4319.41

Employees With Infectious Disease (continued)

The Superintendent or designee shall immediately report to the local health officer the presence or suspected presence of any communicable infectious disease. In addition, a school nurse or other health care provider who knows of or is in attendance on a case or suspected case of any of the diseases or conditions listed in 17 CCR 2500 shall make a report to the local health officer. If no health care provider is in attendance, any individual having knowledge of a person who is suspected to be suffering from one of the specified diseases or conditions may make a report to the local health officer. (17 CCR 2500, 2508)

(cf. 5141.6 - School Health Services)

Nondiscrimination/Reasonable Accommodation

The district shall not discriminate against any employee or job applicant who has an infectious disease that meets the federal or state definition of a disability under the Americans with Disabilities Act, California Fair Employment and Housing Act, or Section 504 of the Federal Rehabilitation Act. (Government Code 12900-12996; 29 USC 794; 42 USC 12101-12213)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

Upon request, any qualified person with a disability shall be provided reasonable accommodation to perform the essential duties of his/her position in accordance with the criteria and processes described in AR 4032 - Reasonable Accommodation.

(cf. 4032 - Reasonable Accommodation)

Legal Reference: See next page

BP 4119.41(c)
4219.41
4319.41

Employees With Infectious Disease

Legal Reference:

EDUCATION CODE

44839 Medical certificate; periodic medical examination

44839.5 Requirements for employment of retirant

49406 Examination for tuberculosis (employees)

CIVIL CODE

56-56.37 Confidentiality of medical information

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act

HEALTH AND SAFETY CODE

120975-121020 Mandated blood testing and confidentiality to protect public health

CODE OF REGULATIONS, TITLE 2

7293.5-7294.2 Discrimination based on disability

CODE OF REGULATIONS, TITLE 5

5502-5504 Medical certification

CODE OF REGULATIONS, TITLE 17

2500 Reportable diseases and conditions

2508 Reporting of communicable diseases; duty of schools

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

COURT DECISIONS

Chevron USA v. Echazabal, (2002) 536 U.S. 73, 122 S.Ct. 2045

School Board of Nassau County, Florida v. Arline, (1987) 408 U.S. 273

Management Resources:

CSBA PUBLICATIONS

H1N1 Influenza (Swine Flu), Fact Sheet, April 2009

Pandemic Influenza, Fact Sheet, September 2007

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS

California HIV/AIDS Laws, 2009, January 2010

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, October 2002

WEB SITES

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

California Department of Public Health: <http://www.cdph.ca.gov>

California School Nurses Organization: <http://www.csno.org>

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

Equal Employment Opportunity Commission: <http://www.eeoc.gov>

U.S. Department of Health and Human Services: <http://www.hhs.gov>

Policy

adopted: May 24, 1991

revised: November 7, 2001

revised: February 18, 2003

revised: _____, 2012

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

- Delete -

All Personnel

BP 4119.41(a)

4219.41

EMPLOYEES WITH INFECTIOUS DISEASE

4319.41

A. Legal Protections established for disabled persons extend to individuals significantly impaired by infectious disease including, but not limited to, those caused by the hepatitis virus and the human immunodeficiency virus (HIV). When informed that an employee has a disabling infectious disease that requires accommodation, the Superintendent or designee shall determine on a case-by-case basis whether the employee can remain at work and, if so, what accommodations would be possible and appropriate in each case.

1. The Superintendent or designee may consult with the employee or his/her representative, the employee's treating physician, and appropriate public health officials and physicians regarding the employee's ability to perform the essential functions of his/her job with reasonable accommodation and without posing a significant health or safety risk to the employee or other.

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

2. Before contacting the employee's physician, the Superintendent or designee shall obtain a written, signed statement from the employee, authorizing release of medical information to the district to facilitate the above process.
3. The Superintendent or designee may recommend reassignment or other accommodations of the employee, or recommend leave if the employee is unable to perform his/her job responsibilities because of illness or because the employee's illness significantly endangers his/her health or safety or the health or safety of others.

(cf. 4161.1/4261.1/4361.1 - Personal Illness/Injury Leave)

B. The Superintendent or designee shall prepare and forward to the Board of Trustees for review and consideration a confidential report which includes his/her recommendation and the medical information upon which it is based.

C. The Board and the Superintendent or designee shall ensure that employee rights to confidentiality and reasonable accommodation are strictly observed.

1. The district shall disclose medical record information only to the extent required or permitted by law. The medical records of any employee with a disabling infectious disease shall be held in strict confidence.

(cf. 4119.23/4219.23/4319.23 - Confidential/Privileged Information)

2. The employee shall not be discriminated against because of his/her disability.

BP 4119.41(b)
4219.41
4319.41

EMPLOYEES WITH INFECTIOUS DISEASE (continued)

(cf. 4030 – Nondiscrimination in Employment)
(cf. 4032 – Reasonable Accommodation)

- D. The Superintendent or designee shall re-evaluate the job assignment of an employee with a disabling infectious disease whenever there is a change in the employee's medical condition or regimen which might affect his/her assignment.

Legal Reference:

CIVIL CODE

56-56.37 Confidentiality of medical information

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act

HEALTH AND SAFETY CODE

120975-121020 Mandated blood testing and confidentiality to protect public health

UNITED STATES CODE, TITLE 29

701 et seq. Rehabilitation Act

UNITED STATES CODE, TITLE 42

12101-12213 Americans With Disabilities Act

COURT DECISIONS

School Board of Nassau County, Fla. v. Arline, 408 U.S. 273 (1987)

Policy

adopted: December 1, 1993

revised: November 7, 2001

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department

AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Diane Williams
DATE: October 1, 2012
RE: (X) Board Meeting
() Superintendent's Cabinet
() Information
(X) Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **October 10, 2012**

ITEM: Consider approval of personnel transactions and related matters.

PURPOSE:

a. Employment

Certificated

- Charles G. Cole, Special Education Intern, effective 10/8/12
- Tamra Garcia, Short-term Intervention Teacher, Lincoln, effective 9/24/12 to 11/16/12

Classified

- Oralia Alvidrez, Food Service Worker I – 3.25 hrs., Washington, effective 10/1/12

Temporary Employees/Substitutes/Yard Supervisors

- Kimberly Alexander-Key, Short-term Yard Supervisor – 1.25 hrs., Hamilton, effective 9/28/12 to 11/16/12
- Tyson Azevedo, Short-term Custodian II – 5.0 hrs., Jefferson, effective 9/24/12 to 11/16/12
- Brandy Ellis, Short-term Yard Supervisor – 1.75 hrs., Washington, effective 10/1/12 to 11/16/12
- Brigid Fogg, Substitute Yard Supervisor, effective 9/14/12
- Ramona Mendoza, Substitute Yard Supervisor, effective 9/18/12
- Tammy Morrison, Short-term Yard Supervisor – 1.5 hrs., Monroe, effective 9/28/12 to 11/16/12
- Susan Requejo, Substitute Clerk Typist I, effective 9/24/12
- Lori Richardson, Substitute READY Program Tutor, effective 9/17/12
- Adriana Solis, Substitute Clerk Trainee, Translator: Oral Interpreter and Written Translator, effective 9/17/12
- Celina Valero, Short-term Yard Supervisor – 1.0 hr., Monroe, effective 9/28/12 to 11/16/12

b. Resignations

- Mary Lucero, Yard Supervisor – 2.5 hrs., Monroe, effective 9/28/12
- Amber Purdy, Special Education Aide – 5.0 hrs., Lincoln, effective 10/5/12
- Thomas Robb, Special Education Teacher, Hamilton, effective 9/27/12
- Christian Yarbrough, Yard Supervisor – 3.0 hrs., Simas, effective 10/1/12

c. More Hours

- Genella Alvarez, Yard Supervisor, from 1.5 hrs. to 2.0 hrs., Hamilton, effective 9/13/12
- Terri Fredrick, Yard Supervisor, from 3.25 hrs. to 3.5 hrs., Washington, effective 9/19/12
- Debora Harris, Yard Supervisor, from 1.5 hrs., to 2.0 hrs., Hamilton, effective 9/13/12
- Loretta King, Yard Supervisor, from 2.75 hrs. to 3.25 hrs., Wilson, effective 9/14/12
- Carrie Serna, Yard Supervisor, from 1.5 hrs. to 2.5 hrs., Monroe, effective 10/1/12
- Dilia Silveira, Yard Supervisor, from 3.5 hrs., to 3.75 hrs., Richmond, effective 9/24/12
- June Strong, Yard Supervisor, from 2.25 hrs., to 2.5 hrs., Roosevelt, effective 9/13/12

d. Decrease in Hours

- Veronica Leach, Yard Supervisor, from 3.5 hrs., to 3.0 hrs., Hamilton, effective 9/13/12

e. Volunteers

<u>Name</u>	<u>School</u>
Kathy Farley	Jefferson
Karen Hernandez	Jefferson
Laurel Jolly	Jefferson
Diana Lugo	Jefferson
Maria Ortiz-Briones	Jefferson
Jennifer Ward	Jefferson
Antonio Lourenco	JFK
Maria Valdez	King
Cristel Aubery	Monroe
Alejandra Martinez	Monroe
Erik Beam	Simas
Crystal Cervantez	Simas
Sonia Gil	Simas

RECOMMENDATION: Approve.

