

Hanford Elementary School District

REGULAR BOARD MEETING AGENDA

Wednesday, August 28, 2013

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

OPEN SESSION

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 August 9, 2013; and August 16, 2013.
- b) Approve minutes of Regular Board Meeting August 14, 2013.

3. INFORMATION ITEMS

- a) Receive the following revised Board Policy and Administrative Regulation for information: (White)
 - BP/A 3460 – Financial Reports and Accountability
- b) Receive the following revised Board Policy and Administrative Regulation for information: (White)
 - BP/AR 3260 – Fees and Charges

4. BOARD POLICIES AND ADMINISTRATION

- a) Consider approval of the revised 2013-14 HESD Management Organization Chart. (Terry)
- b) Consider approval of consultant contract with Kings County Sports Officials

- 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.

- (Grade 4-6). (Arakelian)
- c) Consider approval of consultant contract with Sports Officiating Service (Junior High sports). (Arakelian)
- d) Consider approval for Analyst and six (6) school psychologists from the Office of Special Services to attend Special Education Laws Made Simple seminar October 3, 2013 in Fresno. (McConnell)
- e) Consider approval of the following revised Board Policy and Administrative Regulation: (McConnell)
 - BP/AR 6164.6 – Identification and Education Under Section 504
- f) Consider approval of the following revised Board Policy and Administrative Regulation: (McConnell)
 - BP/AR 6159.2 – Nonpublic, Nonsectarian School and Agency Service for Special Education
- g) Consider adoption of the following revised Administrative Regulation: (Williams)
 - AR 4117.14/4317.14 – Post-Retirement Employment
- h) Consider adoption of the following revised Exhibit: (Williams)
 - E 4112.9/4212.9/4312.9 – Employee Notifications (revised)
- i) Consider approval of the 2013-2014 Board Goals. (Terry)

5. PERSONNEL (Williams)

a) Employment

Classified

- Courtney Acton, Special Education Aide – 5.0 hrs., Simas, effective 8/15/13
- Ashley Brackins, READY Program Tutor – 4.5 hrs., Richmond, effective 8/9/13
- Erin Holloway, Lead READY Program Tutor – 5.0 hrs., Lincoln, effective 8/9/13
- Denise Hurt, Special Circumstance Aide – 5.75 hrs., Simas, effective 8/15/13

Temporary Employees/Substitutes/Yard Supervisors

- Ashley Brackins, Substitute Alternative Education Program Aide, Special Circumstance Aide and Special Education Aide, effective 8/15/13
- Javantae Farmah, Short-term READY Program Tutor – 4.5 hrs., Lincoln, effective 8/9/13 to 10/21/13
- Gloria Franco, Substitute Yard Supervisor, effective 8/15/13; Short-term Yard Supervisor – 2.5 hrs., (.50 hr./King and 2.0 hrs./Lincoln), effective 8/15/13 to 10/31/13
- Andraya Hernandez, Short-term Yard Supervisor – 2.5 hrs., Simas, effective 8/15/13 to 10/31/13

b) Resignations

- Annie Alvarado, Substitute Translator: Oral Interpreter and Written Translator and Yard Supervisor, effective 5/24/13
- Kelly Holguin, Substitute READY Program Tutor, effective 3/8/13
- Samantha Koutny, Substitute Media Services Aide, effective 8/17/12
- Celina Valero, Yard Supervisor – 1.0 hr., Monroe, effective 6/7/13

c) More Hours

- Patricia Bresee, Short-term Yard Supervisor, from 2.25 hrs., to 3.0 hrs., Simas, effective 8/15/13 to 10/31/13

d) Certificated Transfers/Reassignments/Reinstatements/Combination Classes Involuntary Transfers, effective 8/13/13

- Cori Griffin, from Lincoln Kindergarten to Lincoln 3rd Grade
- Bethany Kuenning, from Washington 2nd Grade to Washington 3rd Grade
- Steve Mueller, from Lincoln 1st Grade to Lincoln 4th Grade

Voluntary Transfers, effective 8/13/13

- Amy Arevalo, from Richmond 1st Grade to Washington 1st Grade
- Erin Boling, from Wilson 7th Grade Language Arts/Social Studies to Wilson 7th Grade Math/Science
- Angel Bravo, from Simas 6th Grade FLI to Simas 5th/6th Grade FLI
- Andrea Ermie, from Hamilton 6th Grade to Wilson 7th Grade ELA/Social Studies
- Despina Gamble, from Richmond 5th Grade to Richmond 4th Grade
- Maria Gonzalez, from Simas 4th Grade FLI to Simas 4th/5th Grade FLI
- Lori Kuckenbaker, from Monroe 1st/2nd Grade to Monroe 5th Grade
- Rosemary Lerma, from Lincoln 3rd Grade to Lincoln, Teacher on Special Assignment
- Christopher Piche, from Lincoln 6th Grade to Wilson 7th Grade Math/Science
- Diana Silva, from Monroe 3rd Grade to Monroe 2nd Grade
- Mica Tan, from Hamilton 5th Grade to Wilson 7th Grade ELA/Social Studies
- Oswaldo Vasquez, from Kennedy 8th Grade ELA/Social Studies to Community Day School 7th-8th Grade
- Jan Wantland, from Richmond 4th Grade to Richmond 1st Grade
- Marla Yadon, from King 4th Grade to King, Teacher on Special Assignment
- Katherine Young, from King 6th Grade to King 4th Grade

Reassignments, effective 8/13/13

- Kelley Mayfield, from Kennedy RSP to Richmond RSP

Reinstatements, effective 8/13/13

- Emily Clarke, from Richmond 2nd/3rd Grade to Richmond 2nd Grade
- Gabriel DeLeon, from Hamilton 1st/2nd Grade to Hamilton 2nd Grade
- Leslie Griffith, from Monroe 5th/6th Grade to Monroe 6th Grade
- Stacie Johnson, from Richmond 5th/6th Grade to Richmond 5th Grade
- Brittney Juarez, from King 5th/6th Grade to King 5th Grade
- Jeremy Princetta, from Simas 5th/6th Grade to Simas 5th Grade

Change in Grade Level, effective 8/13/13

- Kristin Uldall, from Wilson 7th Grade Math/Science to Wilson 8th Grade Math/Science

Change in Work Site, effective 8/13/13

- Veronica Pelayo-Morales, from Simas 3rd Grade FLI to Jefferson 3rd Grade FLI

Return from Leave of Absence, effective 8/13/13

- Kim Washburn, from Leave of Absence to Richmond 1st Grade

Combination Classes effective 8/21/13

- Claudia Davis, from Simas 5th Grade to Simas 5th/6th Grade Combination
- Jessica Knodel, from Hamilton 5th Grade to Hamilton 4th/5th Grade Combination
- Michael Koss, from Roosevelt 5th Grade to Roosevelt 4th/5th Grade Combination
- Sarah Princetta, from Roosevelt 5th Grade to Roosevelt 5th/6th Grade Combination

Involuntary Transfers, effective 8/26/13

- Nicole Bergman, from Lincoln 3rd Grade to Lincoln Kindergarten
- Lindsay Howell, from King 5th Grade to King 6th Grade
- Alexandra Whetton, from Lincoln 6th Grade to Monroe Kindergarten

Combination Classes, effective 8/26/13

- Raquel Alvarez, from Lincoln 5th Grade to Lincoln 4th/5th Grade Combination
- Marci Mendoza, from Roosevelt 2nd Grade to Roosevelt 2nd/3rd Grade Combination
- Patricia Rodriguez, from Simas 2nd Grade to Simas 1st/2nd Grade Combination
- Taryn Schreckengost, from King 5th Grade to King 4th/5th Grade Combination

e) Leave of Absence

- Aristeo Calvillo, Bilingual Clerk Typist II – 8.0 hrs., Hamilton, effective 8/19/13, personal

f) Certify Employment Status of Non-Permanent Certificated Staff for 2013-14 School Year (EC 44916)

See attached listing

g) Volunteers

<u>Name</u>	<u>School</u>
Mari Caballero	Monroe
Ana Lizarraga	Monroe
Robert Angel	Roosevelt
Sabrina Avila	Roosevelt
Ariel Acle	Simas
Ashley Acle	Simas
Stacey Casella	Wilson/Monroe
James Greer (Walmart Employee)	Wilson/Kennedy
Russell Nabors (Walmart Employee)	Wilson/Kennedy
Shawn Robinson (Walmart Employee)	Wilson/Kennedy
Paula Romero (Walmart Employee)	Wilson/Kennedy
Reina Vera (Walmart Employee)	Wilson/Kennedy

ADJOURN MEETING

Hanford Elementary School District
Minutes of the Regular Board Meeting
August 14, 2013

Minutes of the Regular Board Meeting of the Hanford Elementary School District Board of Trustees on August 14, 2013, at the District Office Board Room, 714 N. White Street, Hanford, CA.

Call to Order President Revious called the meeting to order at 5:33 p.m. Trustees Garner, Hernandez, Hill, and Jay were present.

Closed Session Trustees immediately adjourned to closed session for:

- Personnel - Conference with Labor Negotiator (GC 54957.6) HETA & CSEA; District Negotiators: Paul Terry/Diane Williams

Trustees returned to open session at 6:20 p.m.

HESD Managers Present Dr. Paul J. Terry, Superintendent, and the following administrators were present: Don Arakelian, Lindsay Calvillo, Doug Carlton, Ramiro Flores, Joy Gabler, David Goldsmith, Lucy Gomez, Karen McConnell, Gerry Mulligan, Jennifer Pitkin, Jason Strickland, Nancy White, and Diane Williams.

PRESENTATIONS, REPORTS AND COMMUNICATIONS

Public Comments None.

Board and Staff Comments Superintendent Dr. Terry stated that we are ready for school to begin tomorrow with nearly 6000 children at the doorstep. Concrete at Jefferson School was finished yesterday, and a new restroom facility there will be functional tomorrow. He stated that Mr. Mulligan and staff have worked hard over the summer on a number of maintenance and upgrades. School staffs are ready. Dr. Terry acknowledged the presence at this board meeting of new principals Mr. Ramiro Flores (Hamilton Elementary) and Mrs. Lindsey Calvillo (Lee Richmond Elementary).

Trustee Hill stated that he is really happy to be back as part of a school district he considers a progressive organization, with intelligence and compassion towards its students, and he foresees more accolades for the district in the future.

Requests to Address the Board at Future Meetings None.

Dates to Remember President Revious reviewed Dates to Remember: Back to school night at Jefferson Elementary August 27; next regular board meeting August 28 at 5:30 p.m.; Back to school night Woodrow Wilson Junior High School August 29; Labor Day holiday September 2; Back to school night Hamilton Elementary September 3; Back to school night Kennedy Junior High School September 4; Back to school night MLK Elementary September 5; Back to school night Monroe Elementary September 9; Back to school night Lincoln Elementary September 10; regular board meeting September 11.

CONSENT ITEMS

Trustee Jay made a motion to take consent items "a" through "c" together. Trustee Garner seconded, motion carried 5-0. Then Trustee Jay made a motion to approve consent items "a" through "c" and Trustee Garner seconded; motion carried 5-0. The

items approved are:

- a) Warrant listings dated June 21, 2013; June 28, 2013; July 5, 2013; July 12, 2013; July 19, 2013; July 26, 2013; and August 2, 2013.
- b) Minutes of the Regular Board Meeting June 26, 2013.
- c) Donation of \$1,000.00 from Health Net of California, Inc. to Roosevelt School.

Trustee Jay thanked and acknowledged Health Net of California for its donation to Roosevelt School to support the Kids in Motion community event.

INFORMATION ITEMS

Williams Quarterly Report

Superintendent Dr. Terry reported to the Board that the district received no Williams Complaints for the fourth quarter (4/1/13-6/30/13) of 2012-13.

E 4112.9

Diane Williams, Assistant Superintendent Human Resources, presented the following revised Exhibit regarding Employee Notifications for information:

- E 4112.9 – Employee Notifications (revised)

AR 4117.14

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

- AR 4117.14 – Post Retirement Employment (revised)

BP/AR 6146.6

Karen McConnell, Office of Special Services Director, presented the following revised Board Policy and Administrative Regulation for information:

- BP/AR 6146.6 – Identification and Education Under Section 504 (revised)

BP/AR 6159.2

Karen McConnell, Office of Special Services Director, presented the following revised Board Policy and Administrative Regulation for information:

- BP/AR 6159.2 – Nonpublic, Nonsectarian School and Agency Service for Special Education (revised)

Board Goals for 2013-2014

Superintendent Dr. Terry presented to the Board recommendations to consider in formulating Board Goals for 2013-2014, a copy of which is attached hereto and incorporated hereby by reference. Following the presentation the board discussed the addition of board goals that address campus safety and student health and fitness. The board will review the goals at the next board meeting following a recommendation that specific goals be developed to address the above referenced issues.

BOARD POLICIES AND ADMINISTRATION

MOU with Kings Behavioral Health

Trustee Hill made a motion to approve Memorandum of Understanding ("MOU") between the County of Kings Behavioral Health and the Hanford Elementary School District. Trustee Jay seconded, motion carried 5-0.

2012-13 Title I Evaluations

Trustee Hill made a motion to approve the Hanford Elementary School District 2012-2013 Evaluation of Consolidated Programs/Comprehensive Needs Assessment (Title I Evaluation). Trustee Jay seconded; motion carried 5-0.

**School Plans for
2013-2014**

Trustee Jay made a motion to approve 2013-14 School Plans. Trustee Hernandez seconded; motion carried 5-0.

**Interdistrict
Attendance
Agreements**

Trustee Jay made a motion to approve Interdistrict Attendance Agreements with the following districts: Armona Union Elementary; Centrall Union Elementary; Corcoran Unified; Kit Carson; Lakeside Elementary; Lemoore Elementary; Reef-Sunset Unified; Visalia Unified; Tulare City Schools; Fresno Unified. Trustee Garner seconded; motion carried 5-0.

PERSONNEL

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

**Item "a" –
Employment**

Classified Management

- Monica Kraemer, School Operations Officer, Hamilton, effective 8/12/13

Certificated, effective 8/13/13

- Raquel Alvarez, Teacher, Probationary I
- Lauren Franco, Art Teacher, Temporary
- Erika Giacomazzi, Teacher, Probationary I (Rescind)
- Lindsay Howell, Teacher, Probationary I
- Heather Johnston, Teacher, Probationary I
- Melissa Lockhart, Teacher, Probationary I
- Malissa Mendes, Teacher, Probationary I
- Jaimie Richmond, Teacher, Probationary I
- Dana Silva, Teacher, Probationary I
- Megan Smith, Teacher, Probationary I

Classified

- Evelyn Aguilera, Bilingual Clerk Typist II – 5.0 hrs., King, effective 8/1/13
- Branden Barajas, Educational Tutor K-6 – 3.5 hrs., Richmond, effective 8/29/13
- Leandra Brieno, READY Program Program Tutor – 4.5 hrs., Roosevelt, effective 8/9/13
- Shannon Callanan, Account Clerk I – 2.25 hrs., Jefferson, effective 8/14/13
- Taylor Furtado, READY Program Tutor – 4.5 hrs., Simas, effective 8/9/13
- Frank Gonzales, Alternative Education Program Aide -5.5 hrs., Community Day School/Jefferson, effective 8/15/13
- Diane Hill, Food Service Worker I – 3.25 hrs., Richmond, effective 8/14/13
- Robert Ibarra, READY Program Tutor – 4.5 hrs., Richmond, effective 8/9/13
- Maria Jones, Bus Driver – 4.5 hrs., Transportation/DSF, effective 8/13/13
- Audree Mercado, READY Program Tutor – 4.5 hrs., Hamilton, effective 8/9/13
- Nilo Moreno, Food Service Worker I – 3.0 hrs., Jefferson, effective 8/14/13
- Taylor Scaife, READY Program Tutor – 4.5 hrs., Hamilton, effective 8/9/13
- Juana Meza, Educational Tutor K-6 – 3.5 hrs., Richmond, effective 8/29/13
- Melissa Mullins, Food Service Worker I – 3.5 hrs., King, effective 8/14/13
- Erin Shultz, Educational Tutor K-6 – 3.5 hrs., Washington, effective 8/29/13
- Ashley Urbano, READY Program Tutor – 4.5 hrs., Lincoln, effective 8/9/13
- Fred Vargas, Groundskeeper II – 8.0 hrs., Grounds/DSF, effective 6/27/13

Temporary Employees/Substitutes/Yard Supervisors

- Patricia Bresee, Short-term Yard Supervisor – 2.25 hrs., Simas, effective 8/15/13 to 10/31/13
- Angela Byars-Roberg, Yard Supervisor – 1.5 hrs., Roosevelt, effective 8/15/13
- Doreen Champlin, Substitute Clerk Typist II, effective 8/1/13
- Karen George, Substitute READY Program Tutor and Educational Tutor K-6, effective

8/15/13

- Andraya Hernandez, Substitute Yard Supervisor, effective 8/15/13
- Ramona Mendoza, Short-term Yard Supervisor – 1.5 hrs., M,T,Th,F and .5 hr. W, Roosevelt, effective 8/15/13 to 10/31/13
- Juana Meza, Substitute Bilingual Clerk Typist I, Clerk Typist I, Translator: Oral Interpreter and Written Translator, effect 8/15/13
- Anna Orson, Substitute READY Program Tutor, effective 8/15/13
- Lindsey Silva, Substitute READY Program Tutor, effective 8/15/13
- Theresa Simmons, Substitute Food Service Utility Worker, effective 8/14/13
- Sylvia Solorio, Substitute Yard Supervisor, effective 8/15/13
- Brooke Westlund, Substitute READY Program Tutor, effective 8/9/13; Short-term READY Program Tutor – 4.5 hrs., King, effective 8/9/13 to 8/23/13

**Item "b" –
Resignations**

- Nydia Caballero, Substitute READY Program Tutor, Translator: Oral Interpreter and Written Translator and Yard Supervisor, effective 6/7/13
- Barbara Colucci, Substitute Yard Supervisor, effective 6/7/13
- Henry Allen Gonzales, READY Program Tutor – 4.5 hrs, Hamilton, effective 6/7/13
- Colten Ivans, Substitute Custodian I, effective 1/17/13
- Karnell price, School Operations Officer – 8.0 hrs., Hamilton, effective 6/14/13
- Julia Ramirez, Substitute Clerk Typist I, effective 5/25/12
- Jason Roberson, Lead READY Program Program Tutor – 5.0 hrs., Lincoln, effective 6/7/13
- Carolyn Roe, Yard Supervisor – 2.25 hrs., Washington, effective 6/5/13
- Sylvia Reyna, Substitute Yard Supervisor, effective 6/7/13
- Colby Semas, Media Services Aide – 5.5 hrs., Roosevelt, effective 8/15/13
- Audrey Stills, Teacher, Monroe, effective 6/7/13
- Gina Tashima, Teacher, Wilson, effective 6/7/13
- Raul Trejo, Teacher, King, effective 6/7/13
- Stephanie Walbridge, Teacher, Hamilton, effective 6/7/13
- Kimberly Weeks, Substitute Clerk Typist II, effective 3/11/13
- Vallerie Dunn, Administrative Secretary (Confidential) – 8.0 hrs., Fiscal Services/Facilities & Operations, effective 1/8/14

**Item "c" –
Retirement**

**Item "d" –
Promotion**

- Denise Westlund, from Special Circumstances Aide – 5.75 hrs., to Student Specialist – 5.5 hrs., Simas, effective 8/2/13

**Item "e" –
Promotion/Transfer**

- Waive Maze, from Food Service Worker II – 2.0 hrs., Kennedy to Food Service Utility Worker – 3.5 hrs., Food Services, effective 8/14/13

**Item "f" –
Administrative
Transfer**

- Norma Vera, Migrant Services Specialist – 8.0 hrs., from Jefferson to Curriculum & Migrant Services/District Office, effective 8/1/13

**Item "g" –
Transfer/Decrease in
Hours**

- Chantal Harris, from Yard Supervisor – 3.25 hrs., Simas to Yard Supervisor – 2.0 hrs., Richmond, effective 8/15/13

**Item "h" –
Temporary Out of
Class Assignment**

- Aristeo Calvillo, from Bilingual Clerk Typist II – 8.0 hrs., to School Operations Officer – 8.0 hrs., Hamilton, effective 8/1/13 to 8/12/13.

**Item "i" –
Temporary Out of Class
Assignment/Transfer**

- Kristi Ochoa, from READY Program Tutor – 4.5 hrs., Lincoln to Lincoln READY Program Tutor – 5.0 hrs., Simas, effective 8/9/13 to 10/18/13

**Item "j" –
Leave of Absence**

- Brook Fuller, Teacher (40%), Wilson, effective 2013-14 school year, restoration of health

**Item "k" –
Job Description**

- Vice Principal – Junior High School (revised)

Adjournment

There being no further business, President Revious adjourned the meeting 7:06 p.m.

Respectfully submitted,
Paul J. Terry
Secretary to the Board of Trustees

Approved:

Tim Revious, President

Lupe Hernandez, Clerk

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Dr. Paul J. Terry
FROM: Nancy White
DATE: August 19, 2013
FOR: (X) Board Meeting
() Superintendent's Cabinet
FOR: (X) Information
() Action

Date you wish to have your item considered: August 28, 2013

ITEM

Receive the following revised Board Policy and Administrative Regulation for information: BP/AR 3460 – Financial Reports and Accountability.

PURPOSE

This Board Policy has been updated to reflect new law (AB 2662, 2012) which gives the County Superintendent of Schools the authority, upon receipt of a district's interim fiscal report, to change the district's qualified certification to a negative certification. The revised policy also contains material formerly in administrative regulation which refers to Board actions regarding the statement of unaudited actual receipts and expenditures, Gann appropriations limit resolution, interim reports, and audit report.

The Administrative Regulation has been updated to reflect current law regarding restoration of the reserve threshold and to add material regarding submission of audit report pertaining to federal funds to the federal Office of Management and Budget.

FISCAL IMPACT

None

RECOMMENDATION

Consider for adoption at the next regular Board meeting.

Business and Noninstructional Operations

BP 3460(a)

FINANCIAL REPORTS AND ACCOUNTABILITY

The Governing Board is committed to ensuring public accountability and the fiscal health of the district ~~and providing public accountability.~~ The Board shall adopt sound fiscal policies, oversee the district's financial condition, and continually evaluate whether the district's budget and financial operations support the district's goals for student achievement.

(cf. 3100 - Budget)

(cf. 3110 - Transfer of Funds)

(cf. 3300 - Expenditures and Purchases)

(cf. 3430 - Investing)

(cf. 4143/4243 - Negotiations/Consultation)

(cf. 9000 - Role of the Board)

~~The Superintendent or designee shall provide the Board with financial reports throughout the year in accordance with law and as otherwise requested by the Board.~~

The Superintendent or designee shall ensure that all financial reports are prepared in accordance with law and in conformity with generally accepted accounting principles and financial reporting standards stipulated by the Governmental Accounting Standards Board and the California Department of Education. (CDE). He/she shall establish a system of ongoing internal controls to ensure the reliability of financial reporting.

(cf. 3400 - Management of District Assets/Accounts)

~~Based on financial reports provided by the Superintendent or designee and in accordance with law and administrative regulation, the Board shall:~~

- ~~1. Approve and file an annual statement of the district's receipts and expenditures for the preceding fiscal year (Education Code 42100)~~
- ~~2. Adopt a resolution identifying the district's estimated appropriations limit for the current fiscal year and the actual appropriations limit for the preceding fiscal year (Education Code 42132; Government Code 7910)~~
- ~~3. Approve interim fiscal reports and certify whether the district will be able to meet its fiscal obligations for the remainder of the fiscal year and two subsequent fiscal years (Education Code 42130, 42131)~~
- ~~4. Provide for an annual audit, select an independent auditor, and review the audit report (Education Code 41020, 41020.3)~~

~~The independent auditor shall present the audit report to the Board at a public meeting and the Board shall have an opportunity to ask questions of the auditor and request further information.~~

FINANCIAL REPORTS AND ACCOUNTABILITY continued

~~about the audit findings.~~

When required by law or the Board, the Superintendent or designee shall submit to the Board reports of the district's financial status, including, but not limited to, any report specified in this Board policy or accompanying administrative regulation. When any such report must be approved by the Board prior to its submission to a local, state, and/or federal agency, the Superintendent or designee shall provide the report to the Board in sufficient time to enable the Board to carefully review the report and meet any applicable submission deadline.

The Board shall regularly communicate the district's financial position to the public and shall use financial reports to determine what actions and budget amendments, if any, are needed to ensure the district's financial stability.

(cf. 1340 - Access to District Records)

If district conditions predict fiscal distress or indicate that the district might not be able to meet its fiscal obligations, the Board and Superintendent or designee shall act quickly to identify and resolve these conditions. The Board shall work cooperatively with the County Superintendent of Schools to improve the district's fiscal health and may contract with an external individual or organization to advise the district on fiscal matters.

Unaudited Actual Receipts and Expenditures

On or before September 15, the Board shall approve and file with the County Superintendent a statement of the district's unaudited actual receipts and expenditures for the preceding fiscal year. The Superintendent or designee shall prepare this statement using the state's standardized account code structure (SACS) as prescribed by the Superintendent of Public Instruction (SPI). (Education Code 42100)

Gann Appropriations Limit Resolution

On or before September 15, the Board shall adopt a resolution identifying, pursuant to Government Code 7900-7914, the district's estimated appropriations limit for the current fiscal year and the actual appropriations limit for the preceding fiscal year. Documentation used to identify these limits shall be made available to the public on the day of the Board meeting. (Education Code 42132; Government Code 7910)

(cf. 9322 - Agenda/Meeting Materials)

Interim Reports/Certification of Ability to Meet Fiscal Obligations

The Superintendent or designee shall submit two interim fiscal reports to the Board, the first report covering the district's financial and budgetary status for the period ending October 31 and the second report covering the period ending January 31. The reports and supporting data shall

BP 3460(c)

FINANCIAL REPORTS AND ACCOUNTABILITY continued

be made available by the district for public review. (Education Code 42130)

Within 45 days after the close of the period reported, the Board shall approve the interim report and certify, on the basis of the interim report and any additional financial information known by the Board, whether the district will be able to meet its fiscal obligations for the remainder of the fiscal year and, based on current forecasts, for the two subsequent fiscal years. The certification shall be classified as one of the following: (Education Code 42130, 42131)

1. "Positive certification" indicating that the district will meet its financial obligations for the current fiscal year and two subsequent fiscal years
2. "Qualified certification" indicating that the district may not meet its financial obligations for the current fiscal year or two subsequent fiscal years
3. "Negative certification" indicating that the district will be unable to meet its financial obligations for the remainder of the fiscal year or the subsequent fiscal year

The Superintendent or designee shall submit a copy of each interim report and certification to the County Superintendent using the state's SACS software, as prescribed by the SPI. (Education Code 42130, 42131)

If the district's certification is subsequently changed by the County Superintendent from a positive to a qualified or negative certification, or from a qualified to a negative certification, the Board may appeal the decision to the SPI within five days of receiving the notice of change. (Education Code 42131)

Whenever the district receives a qualified or negative certification from the Board or the County Superintendent, the Superintendent or designee shall cooperate in the implementation of any remedial actions taken or prescribed by the County Superintendent under the authority granted to him/her pursuant to Education Code 42131.

If the second interim report is accompanied by a qualified or negative certification, the Board shall, no later than June 1, provide to the County Superintendent, the State Controller, and the SPI a financial statement as of April 30 ("third interim report") that projects the district's fund and cash balances through June 30. (Education Code 42131)

At any time during the year when the County Superintendent conducts a comprehensive review of the district's financial and budgetary conditions after he/she has determined that the district's budget does not comply with state criteria and standards for fiscal stability, the Board shall review the County Superintendent's recommendations at a public Board meeting. Within 15 days of receiving the report, the district shall notify the County Superintendent and the SPI of its

FINANCIAL REPORTS AND ACCOUNTABILITY continued

proposed actions on the recommendation. (Education Code 42637)

Audit Report

By April 1 of each year, the Board shall provide for an annual audit of the district's books and accounts. (Education Code 41020)

To conduct the audit, the Board shall select a certified public accountant or public accountant licensed by the State Board of Accountancy from among those deemed qualified by the State Controller. (Education Code 41020, 41020.5)

The Board shall not select any public accounting firm to provide audit services if the lead or coordinating audit partner having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for the district in each of the six previous fiscal years. (Education Code 41020)

No later than December 15, the report of the audit for the preceding fiscal year shall be filed with the County Superintendent, the CDE, and the State Controller. (Education Code 41020)

Prior to December 15 whenever possible, but in no case later than January 31, the Board shall review, at an open meeting, the annual district audit for the prior year, any audit exceptions identified in that audit, the recommendations or findings of any management letter issued by the auditor, and any description of correction or plans to correct any exceptions or any issue raised in a management letter. (Education Code 41020.3)

The Board shall have an opportunity at the meeting to ask questions of the auditor and request further information about the audit findings.

Legal Reference:***EDUCATION CODE***

- 1240 Duties of county superintendent of schools*
- 14500-14508 Financial and compliance audits*
- 17150-17150.1 Public disclosure of non-voter-approved debt*
- 17170-17199.5 California School Finance Authority*
- 33127 Standards and criteria for local budgets and expenditures*
- 33128 Standards and criteria; inclusions*
- 33129 Standards and criteria; use by local agencies*
- 35035 Powers and duties of superintendent*
- 41010-41023 Accounting system*
- 41326 Emergency apportionment*
- 41344 Repayment of apportionment significant audit exceptions*
- 41344.1 Appeals of audit findings*
- 41455 Examination of financial problems of local districts*

FINANCIAL REPORTS AND ACCOUNTABILITY continued

42100-42105 Requirement to prepare and file annual statement
 42120-42129 Budget requirements
 42130-42134 Financial reports and certifications
 42140-42142 Public disclosure of fiscal obligations
 42637 County superintendent review of district's financial and budgetary conditions
 42652 Revocation or suspension of warrant authority
 48300-48316 Student attendance alternatives
 GOVERNMENT CODE
 3540.2 School district; qualified or negative certification; proposed agreement review and comment
 7900-7914 Appropriations limit
 16429.1 Local agency investment fund
 53646 Reports of investment policy and compliance
 CODE OF REGULATIONS, TITLE 5
 15060 Standardized account code structure
 15070 Submission of reports using standardized account code structure
 15440-15451 Criteria and standards for school district budgets
 15453-15464 Criteria and standards for school district interim reports
 19810-19816.1 Audits
 UNITED STATES CODE, TITLE 31
 7501- 7507 Single audits of federal program funds

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: Fiscal Accountability, 2006

CALIFORNIA DEPARTMENT OF EDUCATION COMMUNICATIONS

New Financial Reporting Requirements for Postemployment Benefits Other than Pensions, February 26, 2007

~~1208-00~~ Audit Resolution Process: Repayment Plans, December 8, 2000

FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS

Fiscal Oversight Guide for AB 1200, AB 2756 and Subsequent Related Legislation, September 2006

GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS

Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, March 2009

GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS (continued)

Statement 45, Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pensions, June 2004

Statement 34, Basic Financial Statements and Management's Discussion and Analysis - For State and Local Governments, June 1999

~~U.S. GENERAL ACCOUNTING OFFICE AND PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY (PCIE) PUBLICATIONS~~

~~Financial Audit Manual, revised 2003~~

~~U.S. OFFICE OF MANAGEMENT AND BUDGET CIRCULARS~~

~~A-133 Audits of States, Local Governments, and Non-Profit Organizations~~

STATE CONTROLLER PUBLICATIONS

Standards and Procedures for Audits of California K-12 Local Educational Agencies (annual publication)

U.S. GOVERNMENT ACCOUNTABILITY OFFICE AND PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY (PCIE) PUBLICATIONS

Government Auditing Standards, 2011

Financial Audit Manual, revised 2008

U.S. OFFICE OF MANAGEMENT AND BUDGET CIRCULARS

A-133 Audits of States, Local Governments, and Non-Profit Organizations

WEB SITES

FINANCIAL REPORTS AND ACCOUNTABILITY continued

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

California Association of School Business Officials: <http://www.casbo.org>

California County Superintendents Educational Services Association: <http://www.ccsesa.org>

California Department of Education, Finance and Grants: <http://www.cde.ca.gov/fg>

Education Audit Appeals Panel: <http://www.eaap.ca.gov>

Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>

Governmental Accounting Standards Board: <http://www.gasb.org>

School Services of California: <http://www.sscal.com>

State Controller's Office: <http://www.sco.ca.gov>

U.S. Government Accounting Accountability Office: <http://www.gao.gov>

U.S. Office of Management and Budget: <http://www.whitehouse.gov/omb>

Policy

adopted: May 16, 2001

revised: June 15, 2011

revised: / /2013

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

Business and Noninstructional Operations

AR 3460(a)

FINANCIAL REPORTS AND ACCOUNTABILITY**~~Unaudited Actual Receipts and Expenditures~~**

~~The Superintendent or designee shall prepare a statement of all unaudited actual receipts and expenditures of the district for the preceding fiscal year, using the state's standardized account code structure (SACS) as prescribed by the Superintendent of Public Instruction (SPI). On or before September 15, the Governing Board shall approve this statement and file it with the County Superintendent of Schools. (Education Code 42100)~~

~~Gann Appropriations Limit Resolution~~

~~The Board shall adopt a resolution on or before September 15 of each year to identify, pursuant to Government Code 7900-7914, the estimated appropriations limit for the district for the current fiscal year and the actual appropriations limit of the district during the preceding year. Documentation used to identify these limits shall be made available to the public on the day of the Board meeting. (Education Code 42132; Government Code 7910)~~

Interim Reports

Each interim report fiscal report developed pursuant to Education Code 42130 shall include an assessment of the district budget as revised to reflect current information regarding the adopted state budget, district property tax revenues, if any, and ending balances for the preceding fiscal year. The report shall be based on criteria and standards adopted by the State Board of Education (SBE) criteria and standards which address fund and cash balances, reserves, deficit spending, estimation of average daily attendance (ADA), projected enrollment, ratio of ADA to enrollment, projected revenue limit, salaries and benefits, other revenues and expenditures, and facilities maintenance.- (Education Code 33128.3, 42130; 5 CCR 15453-15464)

The report shall also provide supplemental information regarding contingent liabilities, use of one-time revenues for ongoing expenditures, contingent revenues, contributions; (i.e., projected contributions from unrestricted general fund resources to restricted general fund resources, projected transfers to or from the general fund to cover operating deficits in the general fund or any other fund, and capital project cost overruns that may impact the general fund budget), long-term commitments, unfunded liabilities, temporary interfund borrowings, the status of labor agreements, and the status of other funds. (Education Code 33128.3, 42130, 42131; 5 CCR 15453-15466, 15464)

~~Within 45 days after the close of the period reported, the Board shall approve the interim fiscal report and certify, on the basis of the interim report and any additional financial information known by the Board to exist at the time of certification, whether the district is able to meet its financial obligations for the remainder of the fiscal year and, based on current forecasts, for the~~

FINANCIAL REPORTS AND ACCOUNTABILITY continued

subsequent fiscal year. The certification shall be classified as one of the following: (Education Code 42130, 42131)

1. ~~"Positive certification" indicating that the district will meet its financial obligations for the current fiscal year and two subsequent fiscal years~~
2. ~~"Qualified certification" indicating that the district may not meet its financial obligations for the current fiscal year or two subsequent fiscal years~~
3. ~~"Negative certification" indicating that the district will be unable to meet its financial obligations for the remainder of the fiscal year or the subsequent fiscal year~~

The Superintendent or designee shall submit a copy of the interim report and certification to the County Superintendent using the state's SACS software, as prescribed by the SPI. (Education Code 42130, 42131)

If the district submits a positive certification that is subsequently changed by the County Superintendent to a qualified or negative certification, the district may appeal the decision to the SPI within five days of receiving the notice of change. (Education Code 42131)

Whenever the district receives a qualified or negative certification as determined by the Board or the County Superintendent, the Superintendent or designee shall cooperate in the implementation of any remedial actions taken by the County Superintendent under the authority granted to him/her pursuant to Education Code 42131.

Whenever the County Superintendent conducts a comprehensive review of the district's financial and budgetary conditions after determining that the district's budget does not comply with SBE-adopted criteria and standards for fiscal stability, the Board shall review the County Superintendent's recommendations at a public Board meeting. Within 15 days of receiving the report, the district shall notify the County Superintendent and the SPI of its proposed actions on the recommendations. (Education Code 42637)

If the second interim report of the fiscal year is accompanied by a qualified or negative certification as determined by the Board or the County Superintendent, the Superintendent or designee shall, no later than June 1, provide to the County Superintendent, the State Controller, and the SPI a financial statement that reports data for the period ending April 30 and projects the district's fund and cash balances as of June 30. (Education Code 42131)

(cf. 3100 - Budget)

(cf. 3111 - Deferred Maintenance Funds)

(cf. 3220.1 - Lottery Funds)

(cf. 3300 - Expenditures and Purchases)

(cf. 3314 - Payment for Goods and Services)

FINANCIAL REPORTS AND ACCOUNTABILITY continued

Audit Report

The Superintendent or designee shall establish a timetable for the completion and review of the audit within the deadlines established by law.

~~To conduct the audit, the Board shall select a certified public accountant or public accountant licensed by the State Board of Accountancy from among those deemed qualified by the State Controller. (Education Code 41020, 41020.5)~~

~~The Board shall not select any public accounting firm to provide audit services if the lead or coordinating audit partner having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for the district in each of the six previous fiscal years. (Education Code 41020)~~

~~While a public accounting firm is performing the audit of the district, it shall not provide any nonauditing, management, or other consulting services for the district except as provided in Government Accounting Standards, Amendment #3, published by the U.S. Government Accounting Office. (Education Code 41020)~~

The Superintendent or designee shall provide the necessary financial records and cooperate with the auditor selected by the Governing Board to ensure that the audit report contains all information required by law and the Governmental Accounting Standards Board (GASB).

The audit shall include an audit of income and expenditures by source of funds for all funds of the district, including the student body and cafeteria funds and accounts and any other funds under the control or jurisdiction of the district, as well as an audit of student attendance procedures. (Education Code 41020)

(cf. 3430 - Investing)

(cf. 3451 - Petty Cash Funds)

(cf. 3452 - Student Activity Funds)

(cf. 3551 - Food Service Operations/Cafeteria Fund)

If the district participates in the school district of choice program to accept interdistrict transfers, the Superintendent or designee shall notify the auditor, prior to the commencement of the audit, that the audit must include a review of the district's compliance with specified program requirements. (Education Code 48301)

(cf. 5117 - Interdistrict Attendance)

~~The Superintendent or designee shall cooperate with the auditor to provide the necessary financial records and to ensure that the audit report contains all information required by law and the Governmental Accounting Standards Board (GASB).~~

FINANCIAL REPORTS AND ACCOUNTABILITY continued

~~By January 31 of each year, the Board shall review, at an open meeting, the annual district audit for the prior year, any audit exceptions identified in that audit, the recommendations or findings of any management letter issued by the auditor, and any description of correction or plans to correct any exceptions or any issue raised in a management letter. (Education Code 41020.3)~~

~~(cf. 9322 - Agenda/Meeting Materials)~~

~~No later than December 15, the Superintendent or designee shall file the report of the audit for the preceding fiscal year with the County Superintendent, the California Department of Education, and the State Controller. (Education Code 41020)~~

When required by federal law, specified records pertaining to the audit of federal funds received and expended by the district shall be transmitted to the federal clearinghouse designated by the federal Office of Management and Budget and shall be made available for public inspection. Such records shall be transmitted within 30 days after receipt of the auditor's report or within nine months after the end of the fiscal year, whichever is sooner, unless a longer period is agreed to in advance by the federal agency or a different period is specified in a program-specific audit guide. (31 USC 7502)

If an audit finding results in the district being required to repay an apportionment or pay a penalty, the district may appeal the finding to the Education Audit Appeals Panel by making an informal, summary appeal within 30 days of receiving the final audit report or initiating a formal appeal within 60 days of receiving the report. (Education Code 41344, 41344.1)

While a public accounting firm is performing the audit of the district, it shall not provide any nonauditing, management, or other consulting services for the district except as provided in Government Auditing Standards, Amendment #3, published by the U.S. Government Accountability Office. (Education Code 41020)

Fund Balance

In accordance with GASB Statement 54, external financial reports shall report fund balances in the general fund within the following classifications based on the relative strength of constraints placed on the purposes for which resources can be used:

1. Nonspendable fund balance, including amounts that are not expected to be converted to cash, such as resources that are not in a spendable form or are legally or contractually required to be maintained intact
2. Restricted fund balance, including amounts constrained to specific purposes by their providers or by law
3. Committed fund balance, including amounts constrained to specific purposes by the Board

FINANCIAL REPORTS AND ACCOUNTABILITY

4. Assigned fund balance, including amounts which the Board or its designee intends to use for a specific purpose
5. Unassigned fund balance, including amounts that are available for any purpose

Negative Balance Report

Whenever the district reports a negative unrestricted fund balance or a negative cash balance in its annual budget or annual audit report, it shall include in the budget a statement that identifies the reasons for the negative unrestricted fund balance or negative cash balance and the steps that have been taken to ensure that the negative balance will not occur at the end of the current fiscal year. (Education Code 42127.5)

Non-Voter-Approved Debt Report

Upon approval by the Board to proceed with the issuance of revenue bonds or any agreement for financing school construction pursuant to Education Code 17170-17199.5, the Superintendent or designee shall notify the County Superintendent of Schools and the county auditor. The Superintendent or designee shall provide the Board, the ~~county auditor~~ County Auditor, the County Superintendent, and the public with related repayment schedules and evidence of the district's ability to repay the obligation. (Education Code 17150)

(cf. 7214 - General Obligation Bonds)

When the Board is considering the issuance of certificates of participation and other debt instruments that are secured by real property and do not require the approval of the voters of the district, the Superintendent or designee shall provide notice to the County Superintendent and ~~county auditor~~ County Auditor no later than 30 days before the Board's approval to proceed with issuance. The Superintendent or designee shall provide the Board, the ~~county auditor~~ County Auditor, the County Superintendent, and the public with information necessary to assess the anticipated effect of the debt issuance, including related repayment schedules, evidence of the district's ability to repay the obligation, and the issuance costs. (Education Code 17150.1)

Other Postemployment Benefits Report (GASB 45)

In accordance with GASB Statement 45, the district's financial statements shall report the annual expense of nonpension other postemployment benefits (OPEBs) on an accrual basis over retirees' active working lifetime, as determined by a qualified actuary procured by the Superintendent or designee. To the extent that these OPEBs are not prefunded, the district shall report a liability on its financial statements.

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

FINANCIAL REPORTS AND ACCOUNTABILITY continued

(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

The Superintendent or designee shall annually present the estimated accrued but unfunded cost of OPEBs and the actuarial report upon which those costs are based at a public meeting of the Board. (Education Code 42140)

The amount of the district's financial obligation for OPEBs shall be reevaluated every two or three years in accordance with GASB 45 depending on the number of members in the OPEB plan.

Workers' Compensation Claims Report

The Superintendent or designee shall annually provide the Board, at a public meeting, information and related actuarial reports showing the estimated accrued but unfunded cost of workers' compensation claims. The estimate of costs shall be based on an actuarial report completed at least every three years by a qualified actuary. (Education Code 42141)

Regulation
approved: May 16, 2001
revised: June 15, 2011

HANFORD ELEMENTARY SCHOOL DISTRICT
Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Dr. Paul J. Terry
FROM: Nancy White
DATE: August 19, 2013
FOR: (X) Board Meeting
() Superintendent's Cabinet
FOR: (X) Information
() Action

Date you wish to have your item considered: August 28, 2013

ITEM

Receive the following revised Board Policy and Administrative Regulation for information: BP/AR 3260 – Fees and Charges.

PURPOSE

This Board Policy has been updated to reflect new law (AB 1575) which clarifies the prohibition against charging of student fees, prescribes the use of uniform complaint procedures for filing a complaint when the charging of an impermissible fee is alleged, and requires information about student fees to be included in the annual notification regarding uniform complaint procedures.

The Administrative Regulation has been updated to reflect new law (SB 1016) which requires the district to charge a fee to families enrolled in part-day preschool programs and/or wraparound child care services in accordance with the fee schedule established by the Superintendent of Public Instruction (currently not applicable to HESD).

FISCAL IMPACT

None

RECOMMENDATION

Consider for adoption at the next regular Board meeting.

Business and Noninstructional Operations

BP 3260(a)

FEES AND CHARGES

~~The Board of Trustees desires to furnish books, materials and instructional equipment as needed for the educational program. Because district needs must be met with limited available funds, the Board may charge fees when specifically authorized by law.~~

~~The district shall consider the student and parent/guardian's ability to pay when establishing fee schedules and granting exceptions.~~

~~(cf. 1321 - Solicitation of Funds from and by Students)~~

~~(cf. 3250 - Transportation Fees)~~

~~(cf. 3290 - Gifts, Grants and Bequests)~~

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

~~(cf. 3553 - Free and Reduced Price Meals)~~

~~(cf. 5143 - Insurance)~~

~~(cf. 6145 - Extracurricular and Cocurricular Activities)~~

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

The Governing Board recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students' participation in the educational program are made available to them. No student shall be required to pay any fees, deposits, or other charges for his/her participation in an educational activity which constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.

(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 3100 - Budget)

(cf. 3290 - Gifts, Grants and Bequests)

(cf. 6145 - Extracurricular and Co Curricular Activities)

As necessary, the Board may approve fees, deposits, and other charges which are specifically authorized by law. For such authorized fees, deposits, and charges, the district shall consider students' and parents/guardians' ability to pay when establishing fee schedules and granting waivers or exceptions.

(cf. 3250 - Transportation Fees)

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

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5143 - Insurance)

(cf. 9323.2 - Actions by the Board)

Whenever a student or parent/guardian believes that an impermissible fee, deposit, or other charge is being required of the student for his/her participation in an educational activity, the student or his/her parent/guardian may file a complaint with the principal or designee using the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 49013)

(cf. 1312.3 - Uniform Complaint Procedures)

FEES AND CHARGES continued

The Superintendent or designee shall include information in the annual notification required by 5 CCR 4622 to be provided to all district students, parents/guardians, employees, and other interested parties about the requirements relating to the prohibition against districts requiring students to pay fees, deposits or other charges in order to participate in an educational activity, unless authorized by law, and the filing of complaints for alleged violations using the uniform complaint procedures. (Education Code 49013)

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

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall include information on Fees and Charges in the Staff Handbook for administrators, teachers, and other personnel to be informed about permissible fees.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Legal Reference:**EDUCATION CODE**

8239 Preschool and wraparound child care services

8263 Child care eligibility

8760-8773 Outdoor science and conservation programs

17551 Property fabricated by students

19910 Malicious cutting, tearing, defacing, breaking or injuring

19911 Willful detention of property Offenses against libraries

32033 Eye protective devices

32221 Insurance for athletic team member

32390 Fingerprinting program

35330-35332 Excursions and field trips

35335 School camp programs

38080-38085 Cafeteria establishment and use

38119 Lease of personal property; caps and gowns

38120 Use of school band equipment on excursions to foreign countries

39807.5 Payment of transportation costs

39837 Transportation of students to places of summer employment

41902 Allowances by Superintendent of Public Instruction (re driver training)

48050 Residents of adjoining states

48052 Tuition for foreign residents

48904 Liability of parent or guardian

48932 Authorization for activities by student organizations; fund raising

49063 Notification of rights

49490-49493 School Breakfast and Lunch Program

49500-49505 Meals

49530-49536 Child Nutrition Act of 1974

FEES AND CHARGES continued~~49550-49560 Meals for needy students~~~~49010-49013 Student fees~~~~49065 Charge for copies~~~~49066 Grades, effect of physical education class apparel~~~~49091.14 Prospectus of school curriculum~~~~51810-51815 Community service classes~~~~52500-Adult 52612 Tuition for adult classes; admission of minors~~~~52500.1 Eligibility of high school students for enrollment~~~~52523 Adult education as supplement for high school curriculum~~~~52613 Nonimmigrant aliens~~~~60410 Students in classes for adults~~**GOVERNMENT CODE**~~6253 Request for copy; fee~~**VEHICLE CODE**~~21113 Public grounds (parking)~~**CALIFORNIA CONSTITUTION**~~Article -9, Section 5 Common school system~~**CODE OF REGULATIONS, TITLE 5**~~350 Fees not permitted~~~~15500 Food sales in elementary schools~~~~15501 Food sales in high schools and junior high schools~~~~15510 Mandatory meals for needy~~~~4622 Notice~~**UNITED STATES CODE, TITLE 8**~~1184 Foreign students~~~~15550-15565 School lunch and breakfast programs~~**COURT DECISIONS**~~Driving School Assn of California v. San Mateo Union High School District (1993) 11 Cal. App. 4th 1513~~~~Driving School Assn of CA v. San Mateo Union HSD (1993) 11 Cal. App. 4th 1513~~~~Arcadia Unified School District v. State Department of Education (1992) 2 Cal 4th 251~~~~Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739~~~~Hartzell v. Connell (1984) 35 Cal. 3d 899~~~~CTA v. Glendale SD Board of Education (1980) 109 Cal. App. 3d 738, 746-748~~~~CTA v. Glendale School District Board of Education (1980) 109 Cal. App. 3d 738~~**Management Resources:****CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT ADVISORIES****1030.97 Fiscal Management Advisory 97-02: Fees, Deposits and Other Charges****WEB SITES****CSBA: <http://www.csba.org>****California Department of Education: <http://www.cde.ca.gov>**

Business and Noninstructional Operations

AR 3260(a)

FEES AND CHARGES

~~The district shall charge only those fees specifically authorized by law. (5 CCR 350)~~
~~The following fees and charges are permissible if approved by the Board of Trustees:~~

The district shall not require any district student to pay any fees, deposits, or charges except as specifically authorized by law. (Education Code 49011; 5 CCR 350)

When approved by the Governing Board, the Superintendent or designee may impose a fee for the following:

1. Insurance for athletic team members, with an exemption for financial hardship (Education Code 32221)

(cf. 5143 - Insurance)

2. Insurance for medical or hospital service for students participating in field trips and excursions (Education Code 35331)

3. Expenses of students' participation in a field trip or excursion to another state, the District of Columbia, or a foreign country, as long as no student is prohibited from making the field trip due to lack of funds (Education Code 35330)

(cf. 6153 - School-Sponsored Trips)

4. Student fingerprinting program (Education Code 32390)

(cf. 5142.1 - Identification and Reporting of Missing Children)

5. School camp programs operated pursuant to Education Code 8760-8773 provided that the fee is not mandatory (Education Code 35335)

(cf. 6142.5 - Environmental Education)

6. Personal property of the district fabricated by students, as long as the cost of the property does not exceed the cost of the materials provided by the district (Education Code 17551)

7. Home-to-school transportation and transportation between ~~school~~ regular, full-time day schools and regional occupational centers, programs, or classes, as long as the fee does not exceed the statewide average nonsubsidized cost per student and ~~seas~~ as long as exemptions are made for indigent and disabled students (Education Code 39807.5)

(cf. 3250 - Transportation Fees)

FEES AND CHARGES continued

~~8. Physical education uniforms~~

~~(cf. 6142.7 - Physical Education)~~

~~9. Rental or lease of personal property needed for district purposes, such as caps and gowns used by seniors in graduation ceremonies (Education Code 38119)~~

~~(cf. 5127 - Graduation Ceremonies and Activities)~~

~~10. 8. Transportation to and from summer employment programs for youth (Education Code 39837)~~

~~9. Deposit for band instruments, music, uniforms, and other regalia which school band members take on excursions to foreign countries (Education Code 38120)~~

~~11. 10. Fees for community service classes (Education Code 51815)-~~

~~(cf. 6142.4 - Service Learning/Community Service Classes)~~

~~12. 11. Eye safety devices, at a price not to exceed the district's actual costs (Education Code 32033)~~

~~(cf. 5142 - Safety)~~

~~12. Actual cost of furnishing copies of any student's records except, if he/she is a former student, up to two transcripts or two verifications of his/her various records (Education Code 49065)~~

~~(cf. 5125 - Student Records)~~

~~13. Actual costs of duplication for copies of public records (Government Code 6253)~~

~~(cf. 1340 - Access to District Records)~~

~~14. Actual costs of duplication for reproduction of the prospectus of school curriculum (Education Code 49091.14)-~~

~~(cf. 5020 - Parent Rights and Responsibilities)~~

~~15. Food sold at school subject to free and reduced-price meal program eligibility and other restrictions specified in law (Education Code 38084)~~

~~(cf. 3550 - Food Service/Child Nutrition Program)~~

AR 3260(c)

FEES AND CHARGES continued

*(cf. 3551 - Food Service Operations/Cafeteria Funds)**(cf. 3553 - Free and Reduced Price Meals)**(cf. 3554 - Other Food Sales)*

16. Fines or reimbursements for lost or damaged district property or damage to library property (Education Code 19910-19911, 48904)

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

17. Tuition for district school attendance by an out-of-state and out-of-country ~~residents~~resident (Education Code 48050, 48052, 52613; 8 USC 1184)

*(cf. 5111.1 - District Residency)**(cf. 5111.2 - Nonresident Foreign Students)*

18. Adult education books, materials, and classes as specified in law (Education Code 52612, 60410)

(cf. 6200 - Adult Education)

~~19. Child care and development services (Education Code 8263)~~

19. Preschool and child care and development services (Education Code 8239, 8263)

*(cf. 5148 - Child Care and Development)**(cf. 5148.3 - Preschool/Early Childhood Education)*

~~20. Parking on school grounds (Vehicle Code 21113)~~

20. Physical education uniforms

(cf. 6142.7 - Physical Education and Activity)

~~21. Educational clinics (Education Code 58550-58562)~~

Regulation

Approved: May 16, 2001

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Paul J. Terry

DATE: August 19, 2013

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: August 28, 2013

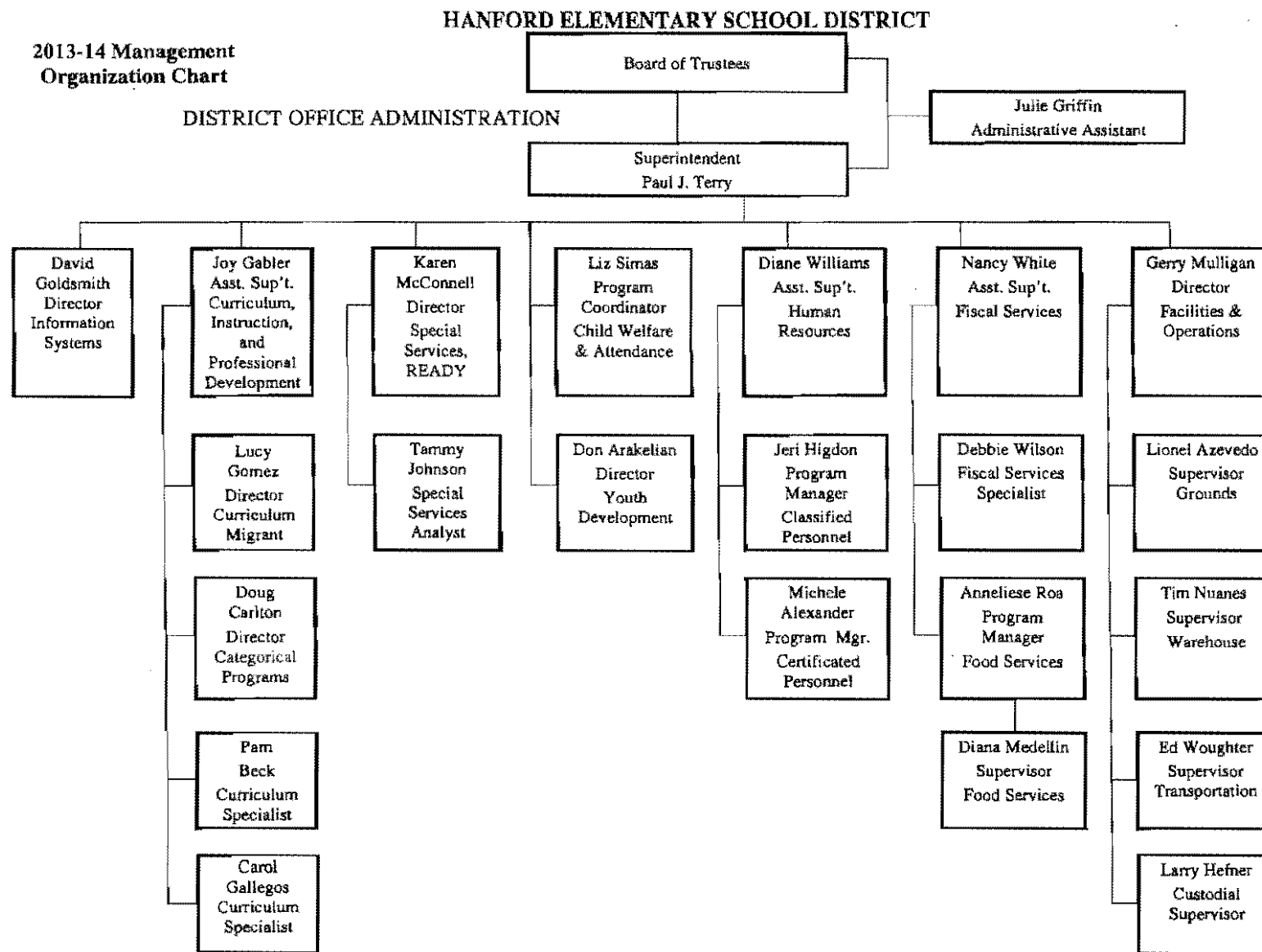
ITEM: Approve the revised 2013-14 HESD Management Organization Chart.

PURPOSE: Board Policy 2110 requires the Superintendent to maintain a current district organization chart designating lines of primary responsibility and the relationships between positions.

FISCAL IMPACT: None.

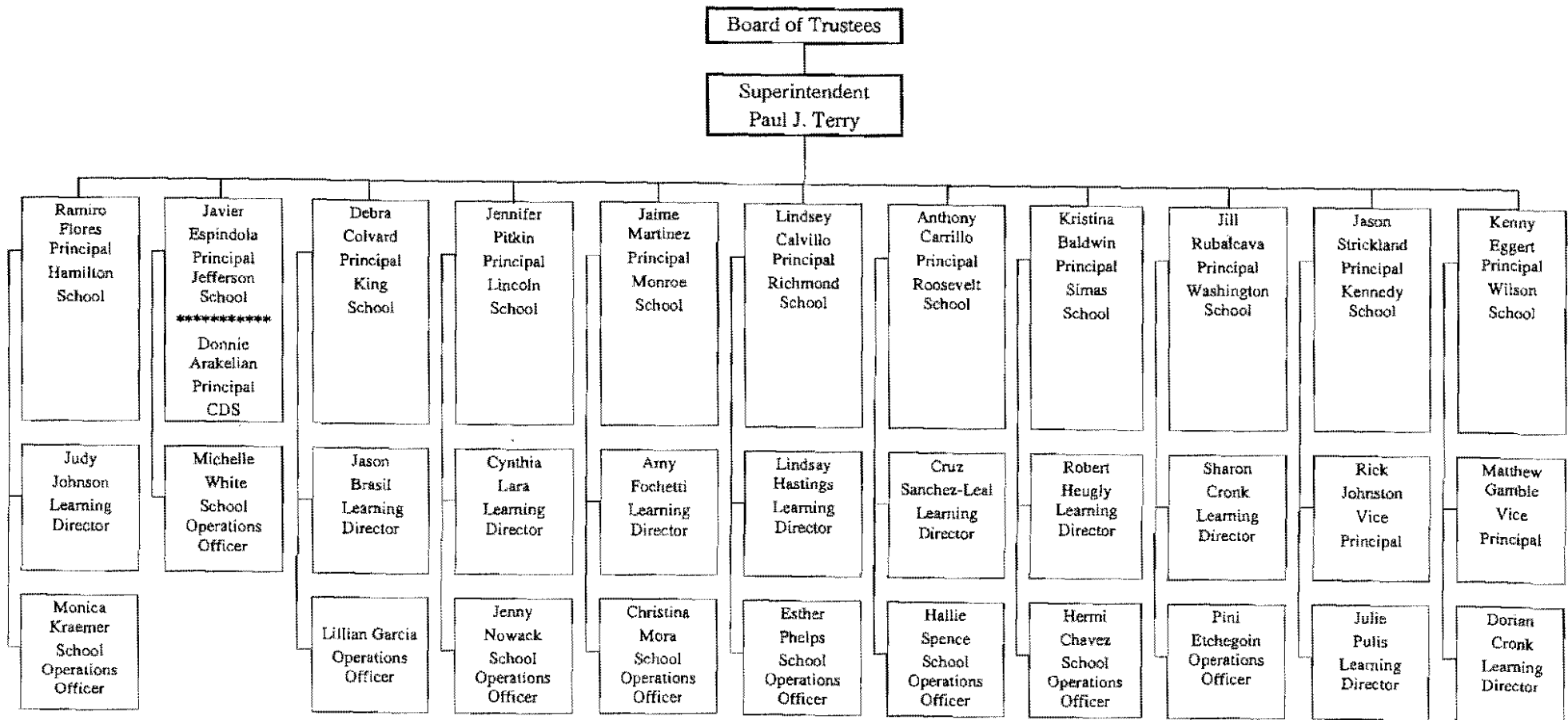
RECOMMENDATION: Approve.

2013-14 Management
 Organization Chart



Board approved:

HANFORD ELEMENTARY SCHOOL DISTRICT
 2013-14 Management Organization Chart
 School Administration



Board approved:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Donnie Arakelian

DATE: August 12, 2013

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: August 28, 2013

ITEM: Consultant Contract with Kings County Sports Officials (Grade 4-6)

PURPOSE: Request permission to once again have Kings County Sports Officials supply referees/umpires (flag football, girls' softball, and basketball) for HESD's Grades 4-6 after-school sports program during the 2013-14 school year.

FISCAL IMPACT: \$4,000**RECOMMENDATIONS:** Approve

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Donnie Arakelian

DATE: August 12, 2013

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: August 28, 2013

ITEM: Consultant Contract with Sports Officiating Services (Junior High sports)

PURPOSE: Request permission to once again have SOS (Sports Officiating Services) supply CIF referees/umpires (girls' volleyball, basketball, soccer, wrestling, baseball and softball) for 2013-14 John F. Kennedy and Woodrow Wilson home sports contests.

FISCAL IMPACT: \$9,000

RECOMMENDATIONS: Approve

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Karen McConnell KM

DATE: 8/22/13

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: 8/28/13

ITEM: Request approval for the Analyst and six School Psychologists from the Office of Special Services to attend the Special Education Laws Made Simple

PURPOSE: The Special Education Laws Made Simple seminar will review public and private school responsibilities under the IDEA, Section 504, ADA and other laws that protect the rights of students with disabilities. Current requirements of Free and Appropriate Public Education (FAPE) and Least Restrictive Environment (LRE) and placement decisions, school tests, reports and measurement requirements, school liabilities, and discipline methods will be discussed by experts in the field of special education.

FISCAL IMPACT: \$2,129.84**RECOMMENDATIONS:** Approve



Hanford Elementary School District
Office of Special Services

Name of Conference: Special Education Laws Made Simple

Presented by: Danielle Augustin, Randy Edwards, Edwin Egelsee, Laura Matteoli,
And Karen McConnell

Continued Education: CLE-6.0, IACET – 0.6, Teacher Education Credit – 6.0

Date: October 3, 2013

Attendees: Tammy Johnson, Ivan Alvarez, Rita Diaz, Melanie Gallaher,
Jami Garcia, Lori Riley & Stefanie Umscheid

Location: University Square Hotel
4961 North Cedar Avenue, Fresno CA 93726
(559) 244-4200

Time: 8:30 am – 9:00 am Registration
9:00 am – 4:30 pm Seminar (refreshments served – lunch on your own)

Registration: 8/21/13 – SK online

Cost: \$339.00 for first person, \$329.00 each additional – Total: \$2,313.00

Approval: To Board for Approval 8/28/13

Driving: Stephanie Umscheid to drive 81 miles = \$43.84

Meals: Lunch: \$17.00 each – Total: \$119.00

Total Cost: \$2,475.84

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Karen McConnell

DATE: August 15, 2013

FOR: ☒ Board Meeting
☐ Superintendent's CabinetFOR: ☐ Information
☒ Action

Date you wish to have your item considered: August 28, 2013

ITEM: Receive recommended revisions to BP/AR 6164.6 ~ Identification and Education Under Section 504

PURPOSE: The revisions to the policy reflect new guidance from the U.S. Department of Education's Office for Civil Rights (OCR) clarifying districts' responsibility to provide opportunities for students with disabilities to participate in extracurricular athletic and other nonacademic programs or activities that constitute the overall educational program. The recommended revisions also adds new material re: compliance with procedural safeguards and required notifications and contains paragraph formerly in AR re: maintenance of a list of impartial hearing officers qualified to conduct Section 504 hearings. Regulation updated to reflect OCR guidance (January 2012) which clarifies the extent to which the Americans with Disabilities Act (ADA) affects the definitions of "disability" and "substantially limits" for Section 504 purposes.

FISCAL IMPACT: None**RECOMMENDATIONS:**

Hanford ESD

Administrative Regulation

Identification And Education Under Section 504

AR 6164.6

Instruction

The Superintendent designates the following position as the district's 504 Coordinator to implement the requirements of Section 504 of the federal Rehabilitation Act of 1973: (34 CFR 104.7)

Director of Special Services
714 North White Street
Hanford, CA 93230
(559) 585-3617

Definitions

For the purpose of implementing Section 504 of the Rehabilitation Act of 1973, the following terms and phrases shall have only the meanings specified below:

Free appropriate public education (FAPE) under Section 504 of the Rehabilitation Act of 1973 means the provision of either regular or special education and related aids and services, designed to meet the student's individual educational needs of a student with disabilities as adequately as the needs of nondisabled students are met, without cost to the student or his/her parent/guardian, except when a fee is imposed on nondisabled students. (34 CFR 104.33)

Eligibility to receive FAPE under Section 504 means a student (cf. 3260 - Fees and Charges)

Student with a disability means a student who has a physical or mental impairment which substantially limits one or more major life activity. (34 CFR 104.33)

Major life activities means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. (34 CFR 104.3)

Physical or mental impairment means any of the following: (34 CFR 104.3)

1. —Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal, special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive,

genito-urinary; hemic and lymphatic; skin; and endocrine. (34 CFR 104.3)

2. ~~Any~~ Mental impairment means any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. (34 CFR 104.3)

~~District Coordinator for Implementation of Section 504~~

~~The district has designated the following individual to coordinate its efforts to comply with the requirements of law, board policy, and administrative regulations pertaining to the implementation of Section 504:~~

~~Director of Special Services
714 North White Street
Hanford, CA 93230
(559) 585-3617~~

~~(cf. 1312.3 - Uniform Complaint Procedures)~~

~~(cf. 5145.3 - Nondiscrimination/Harassment)~~

Substantially limits major life activities means limiting a person's ability to perform functions such as caring for himself/herself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. Major life activities also includes major bodily functions such as functions of the immune system, normal cell growth, and digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. Substantially limits shall be determined without regard to the ameliorative effects of mitigating measures other than ordinary eyeglasses or contact lenses. Mitigating measures include, but are not limited to, medications, prosthetic devices, assistive devices, learned behavioral, or adaptive neurological modifications which an individual may use to eliminate or reduce the effects of an impairment. (42 USC 12102; 34 CFR 104.3)

Referral, Identification, and Evaluation

1. ~~Any~~

Any action or decision to be taken by the district involving the referral, identification, or evaluation of a student with disabilities shall be in accordance with the following procedures:

1. A parent/guardian, teacher, other school employee, student study success team, or community agency for consideration of eligibility as a disabled student under Section 504. This referral may be made may refer a student to the principal, principal's designee or 504 Coordinator for identification as a student with a disability under Section 504.

(cf. 6164.5 - Student Success Teams)

2. Upon receipt of any such referral for eligibility, the principal, principal's designee or 504

Coordinator, or other qualified individual with expertise in the area of the student's suspected disability shall consider the referral and determine whether an evaluation is appropriate. This determination shall be based on a review of the student's school records, including those in academic and nonacademic areas of the school program; consultation with the student's teacher(s), other professionals, and the parent/guardian, as appropriate; and analysis of the student's needs.

~~Prior to conducting an evaluation of a student for eligibility under Section 504, the district shall obtain written parent/guardian consent.~~

If ~~it is determined that an evaluation is unnecessary, the principal, principal's designee or~~ 504 Coordinator shall inform the parents/guardians in writing of this decision and of the procedural safeguards available, as described in the "Procedural Safeguards" section below.

3. ~~If it is determined that the student needs or is believed to need special education or related services under Section 504, the district shall conduct an evaluation of the student prior to his/her initial placement and before any significant change in placement. (34 CFR 104.35)~~

Prior to conducting an initial evaluation of a student for eligibility under Section 504, the district shall obtain written parent/guardian consent.

The district's evaluation procedures shall ensure that the tests and other evaluation materials: (34 CFR 104.35)

a. ~~-Have been validated and are administered by trained personnel in conformance with the instruction provided by the test publishers~~

b. ~~Are tailored to assess specific areas of educational need and are not based solely-~~
merely designed to provide a single IQ score; general intelligence quotient

c. ~~Reflect the student's aptitude or achievement or whatever else the tests purport to measure and do not reflect the student's rather than his/her impaired sensory, manual, or speaking skills unless, except where those skills are the test is designed factors that the tests purport to measure these particular deficits~~

Section 504 Services Plan and Placement

Services and placement decisions for students with disabilities shall be determined as follows:

1. A multi-disciplinary 504 team shall be convened to review the evaluation data in order to make placement decisions.

The 504 team shall consist of a group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. (34 CFR 104.35)

In interpreting evaluation data and making placement decisions, the team shall draw upon

information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. The team shall also ensure that information obtained from all such sources is documented and carefully considered and that the placement decision is made in conformity with 34 CFR 104.34. (34 CFR 104.35)

2. If, upon evaluation, a student is determined to be eligible for services under Section 504, the ~~504 team~~ team shall meet to develop a written ~~accommodation~~ 504 services plan which shall specify ~~placement~~ the types of regular or special education services, accommodations, and supplementary aids and services necessary to ensure that the student receives a ~~free appropriate public education~~ FAPE.

_____ The parents/guardians shall be invited to participate in the meeting and shall be given an opportunity to examine all relevant records.

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Asthma Management)

(cf. 5141.24 - Specialized Health Care Services)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

3. If the 504 team determines that no services are necessary for the student, the record of the ~~committee's~~ team's meeting shall reflect the identification of whether or not the student has been identified as a disabled person under Section 504 and shall state the basis for the decision/determination that no special services are presently needed. The student's parent/guardian shall be informed in writing of his/her rights and procedural safeguards, as described in the "Procedural Safeguards" section below.

4. The student shall be placed in the regular educational environment, unless the district can demonstrate that the education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. The student shall be educated with those who are not disabled to the maximum extent appropriate to his/her individual needs. (34 CFR 104.34)

5. The district shall complete the identification, evaluation, and placement process within a reasonable time frame.

6. A copy of the student's ~~accommodation~~ Section 504 services plan shall be kept in his/her student record. The student's teacher~~(s)~~ and any other staff who provide services to the student, shall be informed of the plan's requirements.

If a student transfers to another school within the district, the principal or designee at the school from which the student is transferring shall ensure that the principal or designee at the new school receives a copy of the plan prior to the student's enrollment in the new school.

(cf. 5125 - Student Records)

(cf. 5114.21—Administering Medication and Monitoring Health Conditions)

Review and Reevaluation

The 504 team shall monitor the progress of the student and, at least annually, shall review the effectiveness of the student's Section 504 services plan to determine whether the services are appropriate and necessary and whether the student's needs are being met as adequately as the needs of nondisabled students. ~~The team shall review the student's accommodation plan annually.~~ In addition, the student's eligibility each student with a disability under Section 504 shall be reevaluated at least once every three years.

A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement. (34 CFR 104.35)

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

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

Procedural Safeguards

Parents/guardians

The Superintendent or designee shall be notified in writing of notify the parents/guardians of students with disabilities of all district actions and decisions by the district regarding the identification, evaluation, or educational placement of students with disabilities or suspected disabilities. Notifications shall include a statement of their right to: (34 CFR 104.36)

1. ~~Examine relevant records~~

2. ~~Have an impartial hearing children.~~ He/she also shall notify the parents/guardians of all the procedural safeguards available to them if they disagree with the district's action or decision, including an opportunity for participation by the parents/guardians to examine all relevant records and their counsel

3. ~~Have a review procedure~~

(cf. 5145.6—Parental Notifications)

Notificationsan impartial hearing in which they shall also detail the parent/guardian's right to file a grievance with the school district over an alleged violation of Section 504; regulation; right to have an evaluation that draws on information from a variety of sources; right to be informed of any proposed actions related to eligibility and plan for services; right to receive all information in the parent/guardian's native language and primary mode of communication; right to periodic reevaluations and an evaluation before any significant change in program/service modifications; right to an impartial hearing if there is a disagreement with the school district's proposed action;

~~right to be represented by counsel in the impartial hearing process; and right to appeal the impartial hearing officer's decision.~~ have the right to participate. (34 CFR 104.36)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

If a parent/guardian disagrees with any district action or decision regarding the identification, evaluation, or educational placement of his/her child under Section 504, he/she may initiate the following procedures; request a Section 504 due process hearing within 30 days of that action or decision.

Within

Prior to requesting a Section 504 due process hearing, the parent/guardian may, at his/her discretion, but within 30 days after receipt of the district's action or decision with which the parent/guardian disagrees, the parent/guardian may, request an administrative review of the action or decision. The 504 Coordinator shall designate an appropriate administrator to meet with the parent/guardian to attempt to resolve the issue. The and the administrative review shall be held within 14 days of receiving the parent/guardian's request. If the parent/guardian is not satisfied with the resolution of the issue, he/she may request a Section 504 due process hearing.

1. ~~If the parent/guardian chooses not to request an administrative review or if the review does not resolve the issue, the parent/guardian may request in writing a Section 504 due process hearing.~~ shall be conducted in accordance with the following procedures:

1. ~~The parent/guardian shall submit a written request for a hearing shall be made to the Coordinator within 30 days of receiving the district's decision or, if an administrative review is held, within 14 days of the completion of the administrative review.~~

2. ~~The request for the due process hearing shall include:~~

- a. ~~The specific nature of the decision with which the parent/guardian he/she disagrees~~
- b. ~~The specific relief the parent/guardian he/she seeks~~
- c. ~~Any other information the parent/guardian he/she believes is pertinent to resolving the disagreement~~

2. ~~Within 30 days of receiving the parent/guardian's request, the Superintendent or designee and 504 Coordinator shall select an impartial hearing officer. This 30-day deadline may be extended for good cause or by mutual agreement of the parties.~~

~~The 504 Coordinator shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with the district in any capacity other than that of hearing officer and shall not have any professional or personal involvement that would affect their impartiality.~~

~~or objectivity in the matter.~~

3. Within 45 days of the selection of the hearing officer, the Section 504 due process hearing shall be conducted and a written decision mailed to all parties. This 45-day deadline may be extended for good cause or by mutual agreement of the parties.

~~Any party~~4. The parties to the hearing shall be afforded the right to:

1a. Be accompanied and advised by counsel and by individuals with special knowledge or training related to the problems of students ~~who are qualified as disabled~~ with disabilities under Section 504

2b. Present written and oral evidence

3c. Question and cross-examine witnesses

4d. Receive written findings by the hearing officer stating the decision and explaining the reasons for the decision

If desired, either party may seek a review of the hearing officer's decision by a federal court of competent jurisdiction.

Notifications

The Superintendent or designee shall ensure that the district has taken appropriate steps to notify students and parents/guardians of the district's duty under Section 504. (34 CFR 104.32)

Regulation — HANFORD ELEMENTARY SCHOOL DISTRICT

approved: ~~September 15, 1999~~ — Hanford, California

reviewed: May 16, 2001

revised: April 13, 2005

revised: September 1, 2010 (cf. 5145.6 - Parental Notifications)

revised: August 6, 2013

Hanford ESD

Board Policy

Identification And Education Under Section 504

BP 6164.6

Instruction

~~The Board of Trustees recognizes the need to identify and evaluate children with disabilities in order to provide them with the services required by law.~~

The Governing Board believes that all children, including children with disabilities, should have an opportunity to learn in a safe and nurturing environment. The district shall work to identify children with disabilities who reside within its jurisdiction in order to ensure that they receive educational and related services required by law.

The Superintendent or designee shall provide identified students with disabilities with a free appropriate public education, as disabled defined under Section 504 of the federal Rehabilitation Act of 1973. Such students shall receive regular or special education and related aids and services designed to meet their individual educational needs as adequately as the needs of nondisabled students are met. (34 CFR 104.33)

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

(cf. 0430 - Comprehensive Local Plan for Special Education)

(cf. 5141.2421 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Asthma Management)

(cf. 5141.24 - Specialized Health Care Services)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

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

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

In addition, qualified students with disabilities shall be provided an equal opportunity to participate in programs and activities that are integral components of the district's basic education program, including, but not limited to, extracurricular athletics, interscholastic sports, and/or other nonacademic activities. (34 CFR 104.37)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6145.5 - Student Organizations and Equal Access)

In providing services to students with disabilities under Section 504, the Superintendent or designee shall ensure district compliance with law, including providing the students and their

parents/guardians with applicable procedural safeguards and required notifications. Any dispute as to the identification, evaluation, or placement of any student with a disability shall be resolved in accordance with the processes specified in the "Procedural Safeguards" section of the accompanying administrative regulation.

The Superintendent or designee shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with the district in any other capacity except as hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.

Legal Reference:

EDUCATION CODE

49423.5 Specialized physical health care services

CODE OF REGULATIONS, TITLE 5

3051.12 Health and Nursing Services

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

705 Definitions: Vocational Rehabilitation Act

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

104.1-104.61 Nondiscrimination on the basis of handicap, especially:

104.1 Purpose to effectuate Section 504 of the Rehabilitation Act of 1973

104.3 Definitions

104.32 Location and notification

104.33 Free appropriate public education

104.34 Educational setting

104.35 Evaluation and placement

104.36 Procedural safeguards

COURT DECISIONS

Christopher S. v. Stanislaus County Office of Education, (2004) 384 F.3d 1205

Management Resources:

CSBA PUBLICATIONS

Rights of Students with Diabetes Under IDEA and Section 504, Policy Brief, November 2007

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007

U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: January 2013

Dear Colleague Letter and Questions and Answers on ADA Amendments Act of 2008 for Students with Disabilities Attending Public Elementary and Secondary Schools; January 2012
Free Appropriate Public Education for Students with Disabilities: Requirements under Section 504 of the Rehabilitation Act of 1973, September 2007

WEB SITES

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

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

U.S. Department of Education, Office for Civil Rights:

<http://www2.ed.gov/about/offices/list/ocr/index.html?src=nr>

~~Policy HANFORD ELEMENTARY SCHOOL DISTRICT~~

~~adopted: May 16, 2001 — Hanford, California~~

~~revised: August 20, 2008 — (10/95 11/07) 4/13~~

~~revised: August 6, 2013~~

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Karen McConnell

DATE: August 15, 2013

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: August 28, 2013

ITEM: Receive recommended revisions to BP/AR 6159.2 ~ Nonpublic, Nonsectarian School and Agency Service for Special Education.

PURPOSE: These revised policies reflect new law (SB 121) which prohibits the referral of a student with a disability to, or placement in, a nonpublic, nonsectarian school without the student's individualized education program team's agreement. This policy also adds material on out-of-state placements, applications for state waivers of legal requirements, and district verification of the school/agency's certification to provide special education and related services.

FISCAL IMPACT: None

RECOMMENDATIONS:

Hanford ESD

Administrative Regulation

Nonpublic, Nonsectarian School And Agency Services For Special Education

AR 6159.2

Instruction

Placement and Services

~~Procedures specified in law shall govern the selection of appropriate nonpublic school or agency services.~~

~~Contracts with a nonpublic~~

Master Contract

~~Every master contract with a nonpublic, nonsectarian school or agency shall be made on forms provided by the California Department of Education and shall include an individual services agreement negotiated for each student. Individual services agreements shall be for the length of time for which nonpublic, nonsectarian school services are specified in the student's individualized education program (IEP), not to exceed one year. Changes in educational instruction, services or placement shall be made only on the basis of revisions to the student's IEP. (Education Code 56366)~~

~~(cf. 6159 - Individualized Education Program)~~

~~The~~Each master contract shall specify the general administrative and financial agreements ~~between the nonpublic, nonsectarian school or agency and the district to provide for~~ providing the special education and designated instruction and services, including student-teacher ratios, as well as transportation if specified in the student's individualized education program (IEP). The administrative provisions of the contract shall also include procedures for recordkeeping and documentation, and the maintenance of school records by the ~~contracting~~ district to ensure that appropriate high school graduation credit is received by ~~the~~ any participating student. The contract may allow for partial or full-time attendance at the nonpublic, nonsectarian school. (Education Code 56366)

~~(cf. 3541.2 - Transportation for Students with Disabilities)~~

~~(cf. 3580 - District Records)~~

~~(cf. 5125 - Student Records)~~

~~(cf. 6146.1 - High School Graduation Requirements)~~

The master contract shall include a description of the process ~~being to be~~ utilized by the district to oversee and evaluate placements in nonpublic, nonsectarian schools. This description shall

include a method for evaluating whether ~~the~~each student is making appropriate educational progress. (Education Code 56366)

~~The~~ With mutual agreement of the district IEP team shall annually review the IEP of a and a nonpublic, nonsectarian school or agency, changes may be made to the administrative and financial agreements in the master contract at any time, provided the change does not alter a student's educational instruction, services, or placement as outlined in his/her individual services agreement. (Education Code 56366)

Placement and Services

The Superintendent or designee shall develop an individual services agreement for each student to be placed in a nonpublic, nonsectarian school or agency based on the student's IEP. Each individual services agreement shall specify the length of time authorized in the student's IEP for the nonpublic, nonsectarian school services, not to exceed one year. Changes in a student's educational instruction, services, or placement shall be made only on the basis of revisions to the student's IEP. (Education Code 56366)

(cf. 6159 - Individualized Education Program)

~~The student's IEP and contract~~ The IEP team of a student placed in a nonpublic, nonsectarian school or agency shall annually review the student's IEP. The student's IEP and individual services agreement shall specify the review schedules. (5 CCR 30683069)

~~The Superintendent or designee of an~~

Prior to the annual review of a student's IEP, the Superintendent or designee shall notify any high school district of all students placed in nonpublic school or agency programs prior to the annual review of the IEP for each student who to which the student may transfer to of the high student's enrollment in a nonpublic, nonsectarian school district or agency. (5 CCR 3068)-3069)

When a special education student meets the district requirements for completion of prescribed course of study as designated in the student's IEP, the district shall award the student a diploma of graduation. (5 CCR 3070)

(cf. 6146.4 - Differential Graduation and Competency Standards for Individuals with Exceptional Needs)

Out-of-State Placements

Before contracting with a nonpublic, nonsectarian school or agency outside California, the Superintendent or designee shall document the district's efforts to find an appropriate program offered by a nonpublic, nonsectarian school or agency within California. (Education Code 56365)-

Within 15 days of any decision for an out-of-state placement, the student's IEP team shall submit to the Superintendent of Public Instruction a report with information about the services provided by the out-of-state program, the related costs, and the district's efforts to locate an appropriate public school or nonpublic, nonsectarian school or agency within California. (Education Code 56365)

If the district decides to place a student with a nonpublic, nonsectarian school or agency outside the state, the district shall indicate the anticipated date of the student's return to a placement within California and shall document efforts during the previous year to return the student to California. (Education Code 56365)

~~Regulation — HANFORD ELEMENTARY SCHOOL DISTRICT~~
~~approved: May 16, 2001 — Hanford, California —~~
revised: August 6, 2013

Hanford ESD

Board Policy

Nonpublic, Nonsectarian School And Agency Services For Special Education

BP 6159.2

Instruction

The Governing Board recognizes its responsibility to provide all district students, including students with disabilities, a free appropriate public education in accordance with law. When the district is unable to provide direct special education and/or related services to students with disabilities, the Board may enter into a contract with a nonpublic, nonsectarian school or agency to meet the students' needs.

(cf. 0430 - Comprehensive Local Plan for Special Education)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 4112.23 - Special Education Staff)

(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

In selecting nonpublic, nonsectarian schools or agencies with which the district may contract for the placement of any district student with disabilities, the Superintendent or designee shall follow the procedures specified in law and accompanying administrative regulation.

Prior to entering into a contract to place any student in a nonpublic, nonsectarian school or agency, the Superintendent or designee shall verify that the school or agency is certified to provide special education and related services to individuals with disabilities in accordance with Education Code 56366. In addition, the Superintendent or designee shall monitor, on an ongoing basis, the certification of any nonpublic, nonsectarian school with which the district has a contract to ensure that the school or agency's certification has not expired.

No district student shall be placed in a nonpublic, nonsectarian school or agency unless the student's individualized education program (IEP) team has determined that an appropriate public education alternative does not exist and that the nonpublic, nonsectarian school or agency placement is appropriate for the student. In accordance with law, any student with disabilities placed in a nonpublic, nonsectarian school or agency shall have all the rights and protections to which students with disabilities are generally entitled, including, but not limited to, the procedural safeguards, due process rights, and periodic review of his/her IEP. (Education Code 56195.8, 56342.1)

(cf. 6159 - Individualized Education Program)-

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

When entering into agreements During the period when any student with disabilities is placed in

~~a nonpublic, nonsectarian school or agency, the Board-student's IEP team shall consider the needs of the individual student and the recommendations of the individualized education program (IEP) team. The IEP team shall remain accountable retain responsibility for monitoring the student's progress of students placed in nonpublic, nonsectarian programs towards meeting the goals identified in each student's his/her IEP.~~

The Superintendent or designee shall notify the Board prior to approving an out-of-state placement for any district student.

In accordance with Education Code 56366.2, the Superintendent or designee may apply to the Superintendent of Public Instruction to waive any of the requirements of Education Code 56365, 56366, 56366.3, and 56366.6.

(cf. 1431 - Waivers)

Legal ReferencesReference:

EDUCATION CODE

56034-56035 Definitions of nonpublic, nonsectarian school and agency-
 56042 Placement not to be recommended by attorney with conflict of interest
 56101 Waivers
 56163 Certification
 56168 Responsibility for education of student in hospital or health facility school
 56195.8 Adoption of policies
56342.1 Individualized education program; placement
 56360-56369- Implementation of special education
 56711 Computation of state aid
 56740-56743 Apportionments and reports
 56760 Annual budget plan; service proportions
 56775.5 Reimbursement of assessment and identification costs

FAMILY CODE

7911-7912 Interstate compact on placement of children

GOVERNMENT CODE

7570-7588 Interagency responsibilities for providing services to children with disabilities, especially:

7572.55 Seriously emotionally disturbed child; out-of-state placement

FAMILY CODE

7911-7912 Interstate compact on placement of children

WELFARE AND INSTITUTIONS -CODE

362.2 Out-of-home placement for IEP

727.1 Out-of-state placement of wards of court

CODE OF REGULATIONS, TITLE 5

3001 Definitions

~~3061-3069~~3060-3070 Nonpublic, nonsectarian school and agency services

UNITED STATES CODE, TITLE 20

| 1400-14821487 Individuals with Disabilities Education Act

CODE OF FEDERAL REGULATIONS, TITLE 34

300.129-300.148 Children with disabilities in private schools

| COURT DECISIONS

Agostini v. Felton, (1997) 521 U.S. 203, 117 S.Ct. 1997

Management Resources:

| ~~CDE LEGAL ADVISORIES~~

| ~~0317.99 Nonpublic School/Agency Waivers and Reimbursement to Parents~~

FEDERAL REGISTER

| Rules and Regulations, August 14, 2006, Vol. 71, Number 156, ~~page~~pages 46539-46845

WEB SITES

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

| ~~US~~U.S. Department of Education, Office of Special Education and Rehabilitative

| Services: <http://www.ed.gov/about/offices/OSERSlist/osers>

| Policy ~~HANFORD ELEMENTARY SCHOOL DISTRICT~~

| ~~adopted: May 16, 2001~~ — ~~Hanford, California~~ —

revised: August 6, 2013

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Diane Williams

DATE: August 19, 2013

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☐ Information
☒ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **August 28, 2013**

ITEM: Consider adoption of the following revised Administrative Regulation.

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

- AR 4117.14/4317.14 – Post-Retirement Employment (revised)

FISCAL IMPACT: None.

RECOMMENDATION: Adopt.

Certificated Personnel

AR 4117.14 (a)
4317.14

POSTRETIREMENT EMPLOYMENT

~~The Superintendent or designee may hire retired certificated individuals who possess unique knowledge and experience to perform specialized work of a limited duration. When necessary, the district may, subject to specific legal requirements, hire a qualified retired certificated individual who possesses the knowledge and experience needed to perform specialized work or service for the district, as an employee, the employee of a third party, or an independent contractor/consultant.~~

Any retired certificated individual, who is a member of the defined benefit program of the State Teachers' Retirement System (STRS), and who is hired by the district to perform any services pursuant to this administrative regulation, Education Code 22119.5 or 26113 shall not make be paid at a rate commensurate with that of other district employees performing comparable duties. However, such a retired individual shall not make contributions to the retirement fund or accrue service credits based on compensation earned from that service. (Education Code 24214)

~~Any retired individual hired under this administrative regulation shall be paid at a rate commensurate with that of other district employees performing comparable duties. (Education Code 24214)~~

~~Beginning July 1, 2010, any certificated individual who is a member of STRS and who retires from service below normal retirement age shall not be hired for service pursuant to this administrative regulation for at least six calendar months after his/her retirement from service. (Education Code 24214.5)~~

No retired certificated individual who is a member of STRS shall be hired by the District for at least six calendar months after his/her retirement from service unless he/she has attained the normal retirement age. Such hiring shall only be made with Governing Board approval in a public meeting, as reflected in a resolution that shall include information about the nature of the appointment and the following findings: (Education Code 24214.5)

1. The appointment is necessary to fill a critically needed position before 180 days have passed.
2. The retired individual is eligible for this exemption because he/she did not receive additional service credit pursuant to Education Code 22714 or 22715 or a financial inducement to retire.
3. The retired individual's termination of employment with the district is not the basis for the need to acquire the services of the retired individual.

AR 4117.14 (b)
4317.14**POSTRETIREMENT EMPLOYMENT (continued)****Postretirement Compensation Limitation**

Upon retaining the services of a retired individual as a district employee, employee of a third party, or an independent contractor, the Superintendent or designee shall: (Education Code 22461, 24214)

1. Advise the retired individual of the postretirement compensation limitation set forth in Education Code 24116, 24214, and ~~24215~~ 24214.5 or any other applicable law.
2. Maintain accurate records of the retired individual's compensation and report it monthly to STRS and the individual, regardless of the method of payment or the fund from which the payments are made

When employing a retired individual who is eligible for any of the exemptions from the postretirement compensation limitation, ~~stated below~~, the Superintendent or designee shall submit to STRS, ~~no later than June 30 of the school year for which the exemption is to apply~~, all required documentation to substantiate eligibility for the exemption. (Education Code 24216, ~~24216.5, 24216.6~~ 24214, 24214.5)

~~Exemption for Providing Specified Instructional Services~~

~~Until June 20, 2010, any retired certificated individual employed by the district shall be exempt from the compensation limitation specified in law for members of STRS provided that he/she retired from service with an effective date on or before January 1, 2009, and is employed to provide any of the following services: (Education Code 24216.5, 24216.6)~~

- ~~1. Direct classroom instruction to students in grades K-12~~
- ~~2. Support and assessment for new teachers through the Beginning Teacher Support and Assessment System pursuant to Education Code 44279.1-44279.7~~

~~(cf. 4131.1 Beginning Teacher Support/Induction)~~

- ~~3. Support to individuals completing student teaching assignments~~
- ~~4. Support to individuals participating in an alternative certification program (Education Code 44380-44386), or a school paraprofessional teacher training program pursuant to (Education Code 44390-44393)~~

~~(cf. 4112.21 Interns)~~

~~(cf. 4222 Teacher Aides/Paraprofessionals)~~

POSTRETIREMENT EMPLOYMENT (continued)

5. ~~Instruction and student services provided to students enrolled in special education programs pursuant to Education Code 56000-56885~~

~~(cf. 4112.23 - Special Education Staff)~~

6. ~~Instruction to students enrolled in English language learner programs pursuant to Education Code 400-410 and 430-446~~

~~(cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)~~

7. ~~Direct remedial instruction to students in grades 2-12 for the programs specified in Education Code 37252 and 37252.2~~

~~(cf. 5123 - Promotion/Acceleration/Retention)~~

~~(cf. 6179 - Supplemental Instruction)~~

~~Retired individuals who are exempt from the limitation on compensation shall be treated as part of a distinct class of temporary employees within the existing bargaining unit whose service may not be included in computing the service required as a prerequisite to attainment of or eligibility for classification as a permanent employee of the district. (Education Code 24216.5, 24216.6)~~

~~The compensation for the class of retired individuals shall be agreed to in the collective bargaining agreement between the district and the exclusive representative for the bargaining unit. (Education Code 24216.5, 24216.6)~~

~~Exemption for Appointment as a Trustee/Administrator or Emergency Situations~~

~~Until June 30, 2012, A retired certificated individual shall be exempt from the postretirement compensation limitation for a maximum period of 24 consecutive months two years if he/she is appointed by the Superintendent of Public Instruction as a trustee or administrator pursuant to Education Code 41320.1, appointed as a trustee by the State Board of Education pursuant to Education Code 52055.57-52055.60 (the Local Educational Agency Intervention program), or assigned to a position by the County Superintendent of Schools pursuant to Education Code 42122-42129. (Education Code 24216)~~

~~Until June 30, 2012, a retired individual shall also be exempt from the postretirement compensation limitation up to an additional one half of the full-time position when employed in an emergency situation to fill a vacant administrative position requiring highly specialized skills, provided that all of the following conditions are met: (Education Code 24216)~~

- ~~1. The vacancy occurred due to circumstances beyond the district's control.~~
- ~~2. The recruitment process to fill the vacancy on a permanent basis is expected to extend over several months.~~

POSTRETIREMENT EMPLOYMENT (continued)

~~3. The employment is reported in a public meeting of the Governing Board.~~

~~(cf. 9320—Meetings and Notices)~~

~~4. The retired individual's termination of employment with the district is not the basis for the vacant administrative position.~~

~~The above exemptions shall not apply to any individual who has received additional retirement service credit pursuant to Education Code 22715 or 22716. A retiree who has received an additional service credit pursuant to Education Code 22714 or 22714.5 shall be ineligible for the above exemptions for one year from his/her effective date of retirement for service performed in any California district, community college district, or county office of education. (Education Code 24216)~~

~~(cf. 4117.13/4317.13—Early Retirement Option)~~

Consultancy Contracts

~~A retired certificated employee serving as a consultant shall be retained as an employee and his/her service shall be limited in accordance with retirement system rules and regulations. (Education Code 35046)~~

~~To be eligible for consideration for a consultancy contract, a retired certificated employee must have served the district or the County Superintendent for at least 10 years and be at least 55 years of age. (Education Code 35046)~~

~~Retirement consultancy contracts are renewable annually for up to five years or until the employee reaches age 65, whichever comes first. (Education Code 35046)~~

Legal Reference: next page

POSTRETIREMENT EMPLOYMENT (continued)

*Legal Reference:*EDUCATION CODE

~~300-340 English language education~~
~~400-410 English language acquisition program~~
~~430-446 English learner and immigrant student federal conformity act~~
 22119.5 Creditable service, definition
 22461 Notice of earnings limitation
 22714 Encouragement of retirement
~~22714.5 2+2 service and year credit option under STRS~~
 22715 Additional service credit
 22716 Unpaid services
 24116 Service at California State University
 24214 Creditable service by retiree
 24214.5 Postretirement compensation limit; members below normal retirement age
 24215 Service at California State University
26113 Creditable service definition
~~24216 Payments to retirants in excess of limitation~~
~~24216.5 Exemption from earnings limitation~~
~~24216.6 Exemption from earnings limitation~~
 35046 Consultancy contracts
~~37252-37253.5 Supplemental instruction~~
 41320.1 Appointment of trustee
 42120-42129 Budget completion
~~44279.1-44279.7 Beginning Teacher Support and Assessment System~~
~~44380-44386 Alternative certification program~~
~~44390-44393 School paraprofessional teacher training program~~
 44830 Employment of certificated employees
 44830.3 Employment of district interns
 44929 Service credit under STRS; additional two years
 44929.1 2+2 service and year credit option under STRS
 52055.57-52055.60 Local Educational Agency Intervention Program
~~56000-56885 Special education~~

*Management Resources:*WEB SITES

California State Teachers' Retirement System: <http://www.calstrs.com>
 (11/03 3/06) 3/07

Regulation

HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: November 7, 2001

Hanford, California

revised: September 5, 2007

revised: April 16, 2008

revised: June 10, 2009

revised: September 8, 2011

revised: September 13, 2011

revised: _____, 2013

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Diane Williams DW
DATE: August 19, 2013
FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☐ Information
☒ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **August 28, 2013**

ITEM: Consider adoption of the following revised Exhibit.

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

- E 4112.9/4212.9/4312.9 – Employee Notifications (revised)

FISCAL IMPACT: None.

RECOMMENDATION: Adopt.

All Personnel

E 4112.9 (a)
4212.9
4312.9**EMPLOYEE NOTIFICATIONS**

The following Exhibit lists notices which the law requires be provided to employees.

I. To All Employees

1. BP/AR 4119.11/4219.11/4319.11
The district's policy on sexual harassment, legal remedies, complaints
2. AR 3514.2
Use of pesticide product, active ingredients, Internet address to access information
Annually to all employees
3. BP 4136/4236/4336
Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal
4. BP/AR 4112.3/4212.3/4312.3
Oath or affirmation of allegiance required of public employees
Prior to beginning employment
5. BP 4020
District's drug- and alcohol-free workplace; actions that will be taken if violated; available employee assistance programs
6. BP/AR 3513.3
District's tobacco-free schools policy and enforcement procedures
7. AR 4119.43/4219.43/4319.43
Bloodborne Pathogens – AIDS and hepatitis B, methods to prevent exposure
Annually to all employees
8. BP/AR 4154/4254/4354
Availability of COBRA/Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage
To covered employees and former employees
9. BP/AR 4157.1/4257.1/4357.1
Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting personal physician/chiropractor
Upon employment or by end of first pay period

E 4112.9 (b)

4212.9

4312.9

EMPLOYEE NOTIFICATIONS (continued)

10. BP/AR 5141.4
Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights,
copy of law
Prior to beginning employment
11. AR 4154/4254/4354
Disability insurance rights and benefits
Upon employment, and when employee goes on leave for specified reasons
12. BP/AR 1312.3
Uniform complaint procedures, available appeals, civil law remedies, identity of
coordinator
Annually to all employees
13. BP/AR 4161.8/4261.8/4361.8
Benefits through Family and Medical Leave Act
To all employees via employee handbook, or to each new employee
14. BP 0410, BP 4030
District's policy on nondiscrimination and related complaint procedures
To all employees and job applicants
15. BP/AR 3514
Availability of asbestos management plan; any inspections, response actions or post-
response actions planned or in progress
Annually to all employees

II. To Certificated Employees

1. BP/AR 4121
Criteria for membership in retirement system; right to elect membership at any time
To eligible certificated employees in a timely manner, and to part-time and substitute
certificated employees within 30 days of hire
2. AR 4117.14/4317.14
Postretirement compensation limitation
Upon employment of a retired certificated individual
3. BP/AR 4115, BP 4315
District regulations related to performance evaluations

E 4112.9 (c)

4212.9

4312.9

EMPLOYEE NOTIFICATIONS (continued)

4. BP/AR 4115
Copy of employee's evaluation
30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated
5. BP/AR 4115
Notice and description of the unsatisfactory performance
To a certificated employee with unsatisfactory evaluation
6. AR 4112.1
Request to notify district of intent to remain in service for the following school year; copy of law
By May 30
7. AR 4112.1, BP/AR 4121
Employment status and salary
To certificated employees upon employment
8. AR 4117.6
Whether or not employee is reelected for next school year
To probationary employees by March 15 of employee's second consecutive year of employment
9. AR 4117.4, BP/AR 4118
Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice
When certificated employee is subject to disciplinary action for cause
10. BP/AR 4118
Notice of deficiency and opportunity to correct
To certificated employee charged with unprofessional conduct
11. BP/AR 4118
Notice of intent to dismiss 30 days from notice
To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings
12. AR 4117.4
Reasons for dismissal and opportunity to appeal
To probationary employees 30 days prior to dismissal, or not later than March 15 for second- year probationary employees

E 4112.9 (d)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

13. BP/AR 4117.3
Reasons for personnel reduction and employees' right to hearing; final notice of Board decision re: termination
By March 15 when necessary to reduce certificated personnel, with final notice by May 15
14. BP/AR 4121
District's decision not to reelect employee for following school year
On or before June 30, to temporary employee who served 75 percent of school year but will be released
15. BP/AR 4158/4258/4358
Student has committed specified act that constitutes ground for suspension or expulsion
To teacher, when student engages in or is reasonably suspected of specified acts
16. BP 4119.21
Contents of state regulation re: report to Commission on Teacher Credentialing
To certificated employee upon change in employment status due to alleged misconduct

III. To Classified Employees

1. BP/AR 4218
Notice of charges, procedures, and employee rights
When classified employee is subject to disciplinary action for cause, in nonmerit district
2. AR 4217.3
Notice of layoff and reemployment rights
To classified employees, at least 60 days prior to layoff, or by April 29 if specially funded program is expiring
3. BP 4212
Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek
To classified employees upon employment and upon each change in classification
4. AR 4261.1, BP/AR 4261.11
Exhaustion of leave, opportunity to request additional leave
To classified permanent employee whose leave is exhausted
5. AR 3514
Limitations on vehicle idling; consequences of not complying
To school bus and school activity bus drivers upon employment and at least once per year thereafter

EMPLOYEE NOTIFICATIONS (continued)

6. BP/BP 4112.42/4212.42/4312.42
Explanation of federal requirements for drug testing program and district's policy
To school bus drivers, prior to district drug testing program and thereafter upon employment

IV. To Administrative/Supervisory Personnel

1. AR 4312.1
Decision not to reelect or reemploy upon expiration of contract or term
To deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract
2. BP 4313.2
Statement of the reasons for the release or reassignment
Upon request by administrative or supervisory employee transferred to teaching position
3. BP 4313.2
Notice that employee may be released or reassigned the following school year
By March 15 to employee who may be released/reassigned the following school year

V. To Individual Employees Under Special Circumstances

1. AR 4112.6/4212.6/4312.6
Notice of derogatory information, opportunity to review and comment
Prior to placing derogatory information in personnel file
2. BB 9321
Employee's right to have complaints/charges heard in open session
24 hours before Board meets in closed session to hear complaints or charges against employee
3. BP 4119.23/4219.23/4319.23
Law prohibiting disclosure of confidential information obtained in closed session
Notice or training to employee with access to confidential information
4. BP/AR 4157.1/4257.1/4357.1
Potential eligibility for workers' compensation benefits, claim form
Within one working day of work-related injury or victimization of crime at workplace
5. BP/AR 4119.42/4219.42/4319.42
The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records
To any employee with exposure to bloodborne pathogens, upon initial employment and at least annually thereafter

E 4112.9 (f)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

6. AR 3514.1

Any presence of hazardous substances in the work area, location and availability of hazard communication program, new safety data sheet, employee rights

To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area

6.7. AR 4161.5/4261.5/4361.5

Notice of rights, benefits, and obligations under military leave

To employee eligible for military leave

7.8. BP/AR 4161.8/4261.8/4361.8

Whether or not employee is eligible for FMLA leave, rights and obligations; consequences of failure to meet obligations

Within five days of employee's request for family care and medical leave

Exhibit
adopted: 2/13/13
revised: / /13

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Paul J. Terry, Ed. D.

DATE: August 19, 2013

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: August 28, 2013.

ITEM: Adopt Board Goals for 2013-2014.

PURPOSE:

FISCAL IMPACT:

RECOMMENDATION:

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department

AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Diane Williams
DATE: August 19, 2013
RE: ☒ Board Meeting
☐ Superintendent's Cabinet
☐ Information
☒ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **August 28, 2013**

ITEM: Consider approval of personnel transactions and related matters.

PURPOSE:

a. Employment

Classified

- Courtney Acton, Special Education Aide – 5.0 hrs., Simas, effective 8/15/13
- Ashley Brackins, READY Program Tutor – 4.5 hrs., Richmond, effective 8/9/13
- Erin Holloway, Lead READY Program Tutor – 5.0 hrs., Lincoln, effective 8/9/13
- Denise Hurt, Special Circumstance Aide – 5.75 hrs., Simas, effective 8/15/13

Temporary Employees/Substitutes/Yard Supervisors

- Ashley Brackins, Substitute Alternative Education Program Aide, Special Circumstance Aide and Special Education Aide, effective 8/15/13
- Javantae Farmah, Short-term READY Program Tutor – 4.5 hrs., Lincoln, effective 8/9/13 to 10/21/13
- Gloria Franco, Substitute Yard Supervisor, effective 8/15/13; Short-term Yard supervisor – 2.5 hrs., (.50 hr./King and 2.0 hrs./Lincoln), effective 8/15/13 to 10/31/13
- Andraya Hernandez, Short-term Yard Supervisor – 2.5 hrs., Simas, effective 8/15/13 to 10/31/13

b. Resignations

- Annie Alvarado, Substitute Translator: Oral Interpreter and Written Translator and Yard Supervisor, effective 5/24/13
- Kelly Holguin, Substitute READY Program Tutor, effective 3/8/13
- Samantha Koutny, Substitute Media Services Aide, effective 8/17/12
- Celina Valero, Yard Supervisor – 1.0 hr., Monroe, effective 6/7/13

c. More Hours

- Patricia Bresee, Short-term Yard Supervisor, from 2.25 hrs., to 3.0 hrs., Simas, effective 8/15/13 to 10/31/13

d. Certificated Transfers/Reassignments/Reinstatements/Combination ClassesInvoluntary Transfers, effective 08/13/13

- Cori Griffin, from Lincoln Kindergarten to Lincoln 3rd Grade
- Bethaney Kuenning, from Washington 2nd Grade to Washington 3rd Grade
- Steven Mueller, from Lincoln 1st Grade to Lincoln 4th Grade

Voluntary Transfers, effective 08/13/13

- Amy Arevalo, from Richmond 1st Grade to Washington 1st Grade
- Erin Boling, from Wilson 7th Grade Language Arts/Social Studies to Wilson 7th Grade Math/Science
- Angel Bravo, from Simas 6th Grade FLI to Simas 5th/6th Grade FLI
- Andrea Ermie, from Hamilton 6th Grade to Wilson 7th Grade ELA/Social Studies
- Despina Gamble, from Richmond 5th Grade to Richmond 4th Grade
- Maria Gonzalez, from Simas 4th Grade FLI to Simas 4th/5th Grade FLI
- Lori Kuckenbaker, from Monroe 1st/2nd Grade to Monroe 5th Grade
- Rosemary Lerma, from Lincoln 3rd Grade to Lincoln, Teacher on Special Assignment
- Christopher Piche, from Lincoln 6th Grade to Wilson 7th Grade Math/Science
- Diana Silva, from Monroe 3rd Grade to Monroe 2nd Grade
- Mica Tan, from Hamilton 5th Grade to Wilson 7th Grade ELA/Social Studies
- Oswaldo Vasquez, from Kennedy 8th Grade ELA/Social Studies to Community Day School 7th-8th Grade
- Jan Wantland, from Richmond 4th Grade to Richmond 1st Grade
- Marla Yadon, from King 4th Grade to King, Teacher on Special Assignment
- Katherine Young, from King 6th Grade to King 4th Grade

Reassignments, effective 08/13/13

- Kelley Mayfield, from Kennedy RSP to Richmond RSP

Reinstatements, effective 08/13/13

- Emily Clarke, from Richmond 2nd/3rd Grade to Richmond 2nd Grade
- Gabriel DeLeon, from Hamilton 1st/2nd Grade to Hamilton 2nd Grade
- Leslie Griffith, from Monroe 5th/6th Grade to Monroe 6th Grade
- Stacie Johnson, from Richmond 5th/6th Grade to Richmond 5th Grade
- Brittney Juarez, from King 5th/6th Grade to King 5th Grade
- Jeremy Princetta, from Simas 5th/6th Grade to Simas 5th Grade

Change in Grade Level, effective 08/13/13

- Kristin Uldall, from Wilson 7th Grade Math/Science to Wilson 8th Grade Math/Science

Change in Work Site, effective 08/13/13

- Veronica Pelayo-Morales, from Simas 3rd Grade FLI to Jefferson 3rd Grade FLI

Return from Leave of Absence, effective 08/13/13

- Kim Washburn, from Leave of Absence to Richmond 1st Grade

Combination Classes effective 8/21/13

- Claudia Davis, from Simas 5th Grade to Simas 5th/6th Grade Combination
- Jessica Knodel, from Hamilton 5th Grade to Hamilton 4th/5th Grade Combination
- Michael Koss, from Roosevelt 5th Grade to Roosevelt 4th/5th Grade Combination
- Sarah Princetta, from Roosevelt 5th Grade to Roosevelt 5th/6th Grade Combination

Involuntary Transfers, effective 8/26/13

- Nicole Bergman, From Lincoln 3rd Grade to Lincoln Kindergarten
- Lindsay Howell, from King 5th Grade to King 6th Grade
- Alexandra Whetton, from Lincoln 6th Grade to Monroe Kindergarten

Combination Classes effective 8/26/13

- Raquel Alvarez, from Lincoln 5th Grade to Lincoln 4th/5th Grade Combination
- Marci Mendoza, from Roosevelt 2nd Grade to Roosevelt 2nd/3rd Grade Combination
- Patricia Rodriguez, from Simas 2nd Grade to Simas 1st/2nd Grade Combination
- Taryn Schreckengost, from King 5th Grade to King 4th/5th Grade Combination

e. Leave of Absence

- Aristeo Calvillo, Bilingual Clerk Typist II – 8.0 hrs., Hamilton, effective 8/19/13, personal

f. Certify Employment Status of Non-Permanent Certificated Staff for 2013-14 School Year (EC 44916)

See attached listing

g. Volunteers

<u>Name</u>	<u>School</u>
Mari Caballero	Monroe
Ana Lizarraga	Monroe
Robert Angel	Roosevelt
Sabrina Avila	Roosevelt
Ariel Acle	Simas
Ashley Acle	Simas
Stacey Casella	Wilson/Monroe
James Greer (Walmart Employee)	Wilson/Kennedy
Russell Nabors (Walmart Employee)	Wilson/Kennedy
Shawn Robinson (Walmart Employee)	Wilson/Kennedy
Paula Romero (Walmart Employee)	Wilson/Kennedy
Reina Vera (Walmart Employee)	Wilson

RECOMMENDATION: Approve.

HANFORD ELEMENTARY SCHOOL DISTRICT
HUMAN RESOURCES DEPARTMENT
ANNUAL BOARD CERTIFICATION:
STATUS OF NON-PERMANENT CERTIFICATED EMPLOYEES
2013-14 SCHOOL YEAR
August 28, 2013

Effective with the first paid duty day of their 2013-2014 employment contracts, the following non-permanent certificated employees shall be classified as follows:

A. TENURED

Calvillo, Ricardo	K-6 Teacher
Chavez, Judy	K-6 Teacher
Cunha, Melissa	K-6 Teacher
Detlefsen, Mary	4-8 Music/Band Teacher
Gonzalez, Christina	K-6 Teacher
Hymer, Kearsten	7-8 Teacher
Levinson, Jennifer	Special Education Teacher
Loughran, Jill	K-6 Teacher
Mueller, Steven	K-6 Teacher
Rosales, Maria	K-6 Teacher
Schneider, Susan	Special Education Teacher
Serrato III, Isaias	K-6 Teacher
Tuon, Lina	K-6 Teacher

B. SECOND-YEAR PROBATIONARY

Alvarez, Ivan	School Psychologist
Coelho, Caitlin	K-6 Teacher
Douty, Timothy	K-6 Teacher
Gallaher, Melanie	School Psychologist
Gamble, Despina	K-6 Teacher
Garcia, Jami	School Psychologist
Garcia, Tamra	K-6 Teacher
Garivay, Priscilla	K-6 Teacher
Gilbreth, Desiree	K-6 Teacher
Gomez, Mayra	K-6 Teacher
Huerta, Jaqueline	K-6 Teacher
Johnson, Stacie	K-6 Teacher
Koss, Michael	K-6 Teacher
McIntosh, Amy	Special Education Teacher
Morton, Karen	K-6 Teacher
Novielli, Christina	K-6 Teacher
Ramos, Monica	K-6 Teacher
Robb, Susan	Special Education Teacher
Umscheid, Stefanie	School Psychologist
Warner, Katelyn	K-6 Teacher
Xiong, Gaosang	K-6 Teacher
Young, Katherine	K-6 Teacher

FIRST-YEAR PROBATIONARY

Alvarez, Raquel	K-6 Teacher
Bell, Peggy	K-6 Teacher
Bergman, Nicole	K-6 Teacher
Berna, Raechelle	7-8 Teacher Intern
Bosworth, Kaylee	7-8 Teacher
Carlton, Emily	K-6 Teacher
Castro, Neyda	K-6 Teacher
Cole, Charles G.	Special Education Teacher Intern
Cunha, Selina	K-6 Teacher
Curiel, Cindy	K-6 Teacher
Davis, Kaylea	K-6 Special Education Teacher
Diaz, Rita	School Psychologist
Doyel, Jacquelyn	K-6 Teacher
Dunn, Stephanie	K-6 Teacher
Fannin, Christopher	K-6 Teacher
Garcia, Marina	K-6 Teacher
Gomez, Vanessa	K-6 Teacher
Hinthorne, Samantha	K-6 Teacher
Howell, Lindsay	K-6 Teacher
Johnston, Heather	K-6 Teacher
Keener, Melanie	K-6 Teacher
Knodel, Jessica	K-6 Teacher
Lockhart, Melissa	K-6 Teacher
Magallon, Graciela	7-8 Teacher
Martinez, Julie	K-6 Teacher
McMahon, Lindsey	K-6 Teacher
Mendes, Malissa	K-6 Teacher Intern
Richmond, Jaimie	K-6 Teacher
Rodriguez Medina, Yesenia	7-8 Special Education Teacher
Roseilus, Amy	K-6 Teacher
Sanchez-Leal, Cruz	Learning Director
Scott, Melisa	K-6 Teacher
Silva, Dana	K-6 Teacher
Smith, Megan	K-6 Teacher
Stephenson, Melissa	K-6 Teacher
Torres, Joyce	K-6 Teacher
Vega-Mercado, Alicia	K-6 Teacher
Whetton, Alexandra	K-6 Teacher
Willard, Britney	7-8 Special Education Teacher
Williams, Bret	K-6 Teacher

D. TEMPORARY: CATAGORICALLY FUNDED OR LEAVE REPLACEMENT

Franco, Lauren	5-8 Art Teacher
Nielsen, Chad	5-8 Art Teacher (60% temporary)
Riley, Loriann	School Psychologist