

# Hanford Elementary School District

## REGULAR BOARD MEETING AGENDA

**Wednesday, October 23, 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

### CLOSED SESSION

**Personnel** (*Pursuant to Government Code Section 54956.9, trustees will adjourn to Closed Session to discuss the items listed below. The items to be discussed shall be announced in accordance with Government Code Section 54954.5 and/or under Education Code provisions.*)

- **Conference with Labor Negotiator** (GC 54957.6) – CSEA; District Negotiators: Paul Terry/Diane Williams

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

**Readmission Recommendation**

Case #13-76 - Lincoln

### OPEN SESSION

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

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

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

### 2. CONSENT ITEMS

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

- a) Approve warrant listings dated October 4, 2013; and October 11, 2013.
- b) Approve minutes of Regular Board Meeting September 25, 2013.
- c) Approve interdistrict transfers as recommended.
- d) Approve donation of \$2,922.00 from Monroe Parent Club to Monroe School. (Martinez)
- e) Approve donation of \$412.07 from Target Take Charge of Education

- *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.*

Program to Simas School. (Baldwin)

### 3. INFORMATION ITEMS

- a) Receive information on Common Core State Standards (CCSS) Implementation Funding. (Gabler)
- b) Receive for information Tentative Agreements between District and California School Employees Association (CSEA) for 2013-2014 (contract reopeners). (Williams)

### 4. BOARD POLICIES AND ADMINISTRATION

- a) Consider for approval the following revised Board Policy and Administrative Regulation: (Terry)
  - BP/AR 1312.3 – Uniform Complaint Procedures
- b) Consider for approval the following revised Board Policy and Administrative Regulation: (McConnell)
  - BP/AR 5141.27 – Food Allergies/Special Dietary Needs
- c) Hear comments from the public and consider approval of negotiated successor agreement with the Hanford Elementary Teachers Association (HETA). (Williams)

### 5. PERSONNEL (Williams)

#### a) Employment

##### *Classified*

- Erika Castorena, Bilingual Clerk Typist II – 5.0 hrs., King, effective 10/4/13

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

- Hilda Andrade-Lloyd, Substitute Bilingual Clerk Typist II, Clerk Typist II, Translator: Oral Interpreter and Written Translator, effective 10/3/13
- Sabine Appleby, Short-term Yard Supervisor - .50 hrs., Hamilton, effective 10/21/13 to 11/15/13
- April Chennault, Substitute Alternative Education Program Aide, Community Day School Specialist, Special Education Aide, Student Specialist and Yard Supervisor, effective 10/8/13
- Brittini Gingras, Substitute Special Circumstance Aide, Special Education Aide and Yard Supervisor, effective 10/2/13
- Fidel Gonzalez, Substitute Yard Supervisor, effective 10/9/13
- Kimberly Jenkins, Short-term Yard Supervisor – 1.0 hr., Monroe, effective 10/7/13 to 11/22/13
- Sandi Lopez, Substitute Yard Supervisor, effective 10/3/13
- Cheyenne Zimmerman, Short-term Yard Supervisor – 1.0 hr., Monroe, effective 10/7/13 to 11/22/13

#### b) Resignations

- Melissa Braley, Yard Supervisor – 3.25 hrs., Kennedy, effective 10/22/13
- Aristeo Calvillo, Bilingual Clerk Typist II – 8.0 hrs., Hamilton, effective 10/1/13
- Chantal Harris, Yard Supervisor – 2.0 hrs., Richmond, effective 10/11/13
- Heather Johnston, Teacher, King, effective 10/14/13
- Tara Monard, Teacher, Richmond, effective 10/15/13

#### c) Retirement

- Richard Vidal, Head Custodian – 8.0 hrs., Kennedy, effective 12/27/13

#### d) More Hours

- Gennarina "Genella" Alvarez, Yard Supervisor, from 2.0 hrs. to 2.25 hrs., Hamilton, effective 10/14/13
- Eulalia "Lolly" Barron, Yard Supervisor, from 3.25 hrs. to 3.5 hrs., Richmond, effective

- 10/14/13
- Cruz Chavez, Special Education Tutor K-6, from 5.0 hrs. to 5.5 hrs. (2 days per week), Migrant/Jefferson, effective 10/3/13 to 6/7/14
  - Francisca Estrada de Saldana, Yard Supervisor, from 3.25 hrs. to 3.75 hrs., Hamilton, effective 10/14/13
- e) Lateral Change/More Hours/Transfer
- Cory Stewart, from Educational Tutor K-6 – 3.5 hrs., Hamilton to Special Education Aide - 5.0 hrs., Wilson, effective 10/14/13
- f) Temporary Transfer
- Maribel Aguilera, Bilingual Clerk Typist II – 8.0 hrs., from Richmond to Hamilton, effective 10/3/13
- g) Leave of Absence
- Krystal Ibanez, READY Program Tutor – 4.5 hrs., Simas, effective 10/16/13 to 11/8/13, personal
  - Carrie Toler, Teacher, Monroe, effective 10/31/13 to 11/22/13, baby bonding
- h) Volunteers

<u>Name</u>	<u>School</u>
Laura Lopez	Hamilton
James Chavez	Jefferson
Patricia DeShazier	Jefferson/King
Carla Morse	Jefferson
Abel Luevano	JFK
Maria Carrillo	King
Maricela Gonzalez	King
Jessica Russo	King
Jenna Lemos	Monroe
Nineveh Shabbas	Monroe
Brianna Brieno	Richmond
Catalina Pena	Roosevelt
Tabitha Boone	Roosevelt
Beatriz Pina	Roosevelt
Marlena Tapia	Washington

## 6. FINANCIAL (White)

- a) Consider approval of Resolution #5-14: Revision of the 2013-14 Budget.

## ADJOURN MEETING

HANFORD ELEMENTARY SCHOOL DISTRICT  
AGENDA REQUEST FORM

TO: Dr. Paul Terry  
FROM: Liz Simas  
DATE: October 15, 2013

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

Date you wish to have your item considered: October 23, 2013

ITEM: Student Discipline

PURPOSE: Consider Readmission Recommendation

Case# 13-76 - Lincoln

**Hanford Elementary School District**  
**Minutes of the Regular Board Meeting**  
**October 9, 2013**

Minutes of the Regular Board Meeting of the Hanford Elementary School District Board of Trustees on October 9, 2013, at the District Office Board Room, 714 N. White Street, Hanford, CA.

**Call to Order** President Revious called the meeting to order at 5:30 p.m. Trustees Garner, Hernandez, and Jay were present. Trustee Hill was absent for a reasons deemed acceptable by the board.

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

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

**Expulsion #14-01** Trustee Hernandez made a motion to accept the Findings of Facts and expel Case #14-01 for the remainder of the 2013-14 school year for violation of Education Code Section 48900 as determined by the Administrative Panel at hearings held on October 7, 2013. Parents may apply for readmission on or after June 6, 2014. Trustee Garner seconded; motion carried 4-0.

### **PRESENTATIONS, REPORTS AND COMMUNICATIONS**

**Public Comments** None.

**Board and Staff Comments** None.

**Requests to Address the Board at Future Meetings** None.

**Dates to Remember** President Revious reviewed Dates to Remember: Grades 4-6 Fall Round Robin #2 October 19, Harrier Classic October 21, next regular Board meeting October 23.

### **CONSENT ITEMS**

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

- a) Warrant listings dated September 20, 2013; and September 27, 2013.
- b) Minutes of the Regular Board Meeting September 25, 2013.

### **INFORMATION ITEMS**

**Quarterly Williams report** Superintendent Dr. Terry reported to the Board that the district received no Williams Complaints for the first quarter (7/1/13-9/30/13) of 2013-14.

**BP/AR 1312.3** Superintendent Dr. Terry presented the following revised Board Policy and Administrative Regulation for information:

- BP/AR 1312.3 – Uniform Complaint Procedures

**BP/AR 5141.27**

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

- BP/AR 5141.27 – Food Allergies/Special Dietary Needs

**HETA Tentative Agreement**

Diane Williams, Assistant Superintendent Human Resources, presented for information the Tentative Agreement for a Successor Contract with the Hanford Elementary Teachers Association.

**BOARD POLICIES AND ADMINISTRATION****AR 0420.4**

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

- AR 0420.4 – Charter School Authorization

**BP 0420.42**

Trustee Garner made a motion to adopt the following new Board Policy. Trustee Hernandez seconded; motion carried 4-0:

- BP 0420.42 – Charter School Renewal

**BP 0420.43**

Trustee Garner made a motion to adopt the following new Board Policy. Trustee Jay seconded; motion carried 4-0:

- BP 0420.43 – Charter School Revocation

**BP/AR 1113**

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

- BP/AR 1113 – District and School Web Sites

**BP 1150**

Trustee Hernandez made a motion to approve the following revised Board. Trustee Jay seconded; motion carried 4-0:

- BP 1150 – Commendations and Awards

**AR 1250**

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

- AR 1250 – Visitors/Outsiders

**BB 9220**

Trustee Hernandez made a motion to approve the following revised Board Bylaw. Trustee Jay seconded; motion carried 4-0:

- BB 9220 – Governing Board Elections

**BB 9322**

Trustee Garner made a motion to approve the following revised Board Bylaw. Trustee Jay seconded; motion carried 4-0:

- BB 9322 – Agenda/Meeting Materials

**BB 9323.2**

Trustee Jay made a motion to approve the following revised Board Bylaw and new Exhibit. Trustee Hernandez seconded; motion carried 4-0:

- BB 9323.2 – Actions by the Board
- Exhibit 9323.2 – Unconditional Commitment Letter

**Consultant Contract**

Trustee Hernandez made a motion to approve consultant contract with Street Beat,

LLC, to bring bully prevention and intervention presentation to the students at MLK Elementary. Trustee Jay seconded; motion carried 4-0.

**SES Provider contracts** Trustee Jay made a motion to approve contract with Supplemental Education Services (SES) Provider organizations to provide SES to eligible students. Trustee Hernandez seconded; motion carried 4-0.

## **PERSONNEL**

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

### ***Item "a" – Employment***

#### *Classified*

- Nancy Gonzales, Account Technician II – 8.0hrs., Fiscal Services, effective 10/1/13

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

- Antesar Ahmed, Substitute Yard Supervisor, effective 10/1/13
- Almira Alcoser, Substitute Food Service Utility Worker, Food Service Worker I/II, effective 9/18/13
- Yvette Alvarez, Substitute Yard Supervisor, effective 9/12/13
- Sabine Appleby, Short-term Yard Supervisor - .50 hrs., Hamilton, effective 9/23/13 to 10/17/13
- Cruz Chavez, Short-term Educational Tutor K-6 – 5.0 hrs. (2 days per week/intermittent), Migrant/Jefferson, effective 9/27/13 to 6/7/14
- Monica Gamez, Short-term Yard Supervisor – 2.0 hrs., Hamilton, effective 10/1/13 to 11/22/13
- Harmini Rabon, Substitute READY Program Tutor, effective 9/19/13
- Edith Rodriguez, Substitute Account Technician II, Bilingual Clerk Typist I and Clerk Typist I, effective 9/26/13
- Jose Rojas, II, Short-term READY Program Tutor – 4.5 hrs., Monroe, effective 9/30/13 to 10/30/13
- Danielle Stacy, Substitute Clerk Typist II, effective 9/26/13
- Cheyenne Zimmerman, Substitute Yard Supervisor, effective 9/20/13

### ***Item "b" – Resignations***

- Leticia Arenivas, Substitute Clerk Trainee, Translator: Oral Interpreter and Written Translator and Yard Supervisor, effective 9/27/13
- Olga Hernandez, Yard Supervisor – 2.25 hrs., Wilson, effective 9/20/13
- Cynthia Long, Food Service Worker I – 2.5 hrs., Roosevelt, effective 9/16/13
- Bryan Vickers, Special Education Aide – 5.0 hrs., Simas, effective 10/4/13

### ***Item "c" – Termination Due to Failure to Respond to Annual Notification***

- Lawrence Brieno, Substitute Custodian I and READY Program Tutor, effective 5/29/13
- Alyssa Casarez, Substitute Yard Supervisor, effective 8/17/12
- Idalmiro Da Rosa, Substitute Custodian II, effective 3/19/12
- Kali Dousharm, Substitute READY Program Tutor and Yard Supervisor, effective 2/4/13
- Donna Duran, Substitute Yard Supervisor, effective 6/6/13
- Lisa Ellis, Substitute Media Services Aide, effective 3/29/12
- Angelica Gonzales, Substitute Bilingual Clerk Typist I, Clerk Typist I and Yard Supervisor, effective 8/7/12
- John Lesaca, Substitute Food Service Worker I/II, effective 1/18/13
- Sharon Maggio, Substitute Food Service Worker I/II and Yard Supervisor, effective 1/11/13
- Melissa Martinez, Substitute READY Program Tutor, Special Circumstance Aide and Special Education Aide, effective 6/7/13
- Narcisso Ribera, Substitute Yard Supervisor, effective 4/16/12
- Teresa Sargent-Maiden, Substitute READY Program Tutor, Special Education Aide and Yard

Supervisor, effective 12/4/09

- Danielle Stacy, Substitute Clerk Typist II, effective 5/8/12
- Zachary Stewart, Substitute Custodian I, effective 2/15/13
- Angela Wells, Substitute Food Service Worker I/II and READY Program Tutor, effective 2/28/12

**Item "d" – More Hours**

- Melissa Braley, Yard Supervisor, from 3.0 hrs. to 3.25 hrs., Kennedy, effective 9/23/13
- Vance Fredrick, Yard Supervisor, from 3.25 hrs. to 3.5 hrs., Washington, effective 9/19/13
- Amanda Henderson, Short-term Yard Supervisor, from 2.0 hrs. to 2.25 hrs., Washington, effective 9/19/13 to 10/31/13
- Andraya Hernandez, Short-term Yard Supervisor, from 2.5 hrs. to 3.0 hrs., Simas, effective 9/16/13 to 10/31/13
- Veronica Leach, Yard Supervisor, from 1.75 hrs. to 2.25 hrs., Hamilton, effective 10/1/13
- Michael Quinones, Yard Supervisor, from 3.25 hrs. to 3.5 hrs., Washington, effective 9/19/13
- Maria Villafana, Yard Supervisor, from 3.0 hrs. to 3.25 hrs., Jefferson, effective 8/29/13

**Item "e" – More Hours/Transfer**

- Kierra Thomas, Short-term Yard Supervisor, from 2.5 hrs., Hamilton to 3.5 hrs., Lincoln, effective 9/30/13 to 10/31/13

**Item "f" – Leave of Absence**

- Elizabeth Chavez, Yard Supervisor – 3.25 hrs., King, effective 9/26/13 to 10/7/13, personal
- Maricia Cuevas, Yard Supervisor – 1.75 hrs., Hamilton, effective 10/3/13 to 10/9/13, personal
- Robert Thomas Torres, READY Program Tutor – 4.5 hrs., Simas, effective 8/9/13 to 10/17/13, military

**Item "g" – Volunteers**

<u>Name</u>	<u>School</u>
Guadalupe Lopez	Jefferson
Eric Foster (Walmart Employee)	JFK/Woodrow
Celestina Rodriguez	Monroe
Brenda Perez	Richmond
Angela Corona	Roosevelt

Trustee Garner stated that this week he spoke with a parent who was very supportive of our process and requirements for volunteers.

**FINANCIAL**

**Resolution #4-14**

Trustee Jay made a motion to approve Resolution #4-14: Final Revision of the 2012-13 Budget. Trustee Garner seconded; motion carried 4-0.

**Adjournment**

There being no further business, President Revious adjourned the meeting 6:20 p.m.

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

Approved:

\_\_\_\_\_  
Tim Revious, President

\_\_\_\_\_  
Lupe Hernandez, Clerk



## Inters - IN

No	A/D	Sch Req'd	Home Sch	Date
I-078	A	Wilson	Kings River	10/23/13

## Inters - OUT

No	A/D	Sch Req'd	Home Sch	BD Date
O-075	A	Lemoore	Wilson	10/23/13
O-076	FY	Lemoore	Kennedy	10/23/13
O-077	A	Kings River	Roosevelt	10/23/13
O-078	A	Kings River	Simas	10/23/13
O-079	A	Kings River	Wilson	10/23/13
O-080	A	Kings River	Monroe	10/23/13
O-081	A	Kings River	Monroe	10/23/13
O-082	A	Kit Carson	Simas	10/23/13
O-083	A	Kings River	Simas	10/23/13
O-084	A	Kings River	Monroe	10/23/13
O-085	A	Kings River	Monroe	10/23/13
O-086	A	Kings River	Simas	10/23/13
O-087	A	Kings River	Monroe	10/23/13
O-088	A	Kings River	Hamilton	10/23/13
O-089	A	Kings River	King	10/23/13
O-090	A	Kings River	Simas	10/23/13
O-091	A	Kings River	Washington	10/23/13
O-092	A	Kings River	Washington	10/23/13
O-093	A	Kings River	Simas	10/23/13
O-094	A	Kings River	Monroe	10/23/13
O-095	A	Kings River	Simas	10/23/13
O-096	A	Kings River	Monroe	10/23/13
O-097	A	Kings River	Monroe	10/23/13
O-098	A	Kings River	Monroe	10/23/13
O-099	A	Kings River	Washington	10/23/13
O-100	A	Kings River	Monroe	10/23/13
O-101	A	Kings River	Hamilton	10/23/13
O-102	A	Kings River	Monroe	10/23/13
O-103	A	Kings River	Hamilton	10/23/13
O-104	A	Kings River	Washington	10/23/13
O-105	A	Kings River	Monroe	10/23/13
O-106	A	Kings River	Monroe	10/23/13
O-107	A	Kings River	Monroe	10/23/13
O-108	A	Kings River	Hamilton	10/23/13
O-109	A	Kings River	Monroe	10/23/13
O-110	A	Kings River	Washington	10/23/13
O-111	A	Kings River	Simas	10/23/13
O-112	A	Kings River	Monroe	10/23/13
O-113	A	Kit Carson	Simas	10/23/13

**HANFORD ELEMENTARY SCHOOL DISTRICT**

AGENDA REQUEST FORM

TO: Paul Terry

FROM: Jaime Martinez

DATE: October 8, 2013

For: ☒ Board Meeting  
☐ Superintendent's Cabinet

For: ☐ Information  
☒ Action

Date you wish to have your item considered: October 23, 2013

ITEM: Donation of \$2,922.00 from Monroe Parent Club

PURPOSE: Accept donation of \$2,922.00 from Monroe Parent Club

Study Trips – Transportation

\$720.00

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

Study Trips – Entrance Fees

\$1,432.00

0100-0000-0-1110-1000-430006-024-0000

Other Supplies

\$385.00

0100-0000-0-1110-1000-430001-024-0000

Student Incentives

\$385.00

0100-0000-0-1110-1000-430001-024-0000

FISCAL IMPACT (if any): \$2,922.00

RECOMMENDATION (if any): Action.

## HANFORD ELEMENTARY SCHOOL DISTRICT

## AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Kristina Baldwin

DATE: 10/4/13

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: 10/23/13

ITEM: Donation from Target Take Charge of Education Program of \$412.07 to Simas School.

PURPOSE: For purchase of instructional supplies.


FISCAL IMPACT: Increase of \$412.07 to Simas School General Fund Budget.

RECOMMENDATIONS: Accept donation.

HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Dr. Paul J. Terry

FROM: Joy Gabler 

DATE: 10/14/13

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☒ Information  
☐ Action

Date you wish to have your item considered: 10/23/13

**ITEM:** Common Core State Standards (CCSS) Implementation Funding

**PURPOSE:** The enacted State Budget for 2013 -2014 provides one-time funds to local educational agencies to support the activities required to implement the federal Common Core State Standards that California has adopted. These new standards are required to be in place for the 2014-2015 academic year.

There are a number of activities that HESD has already undertaken, and continue to undertake, to prepare for this implementation. This new funding is provided specifically to support to support these activities:

- Professional Development for certificated and classified employees involved in the direct instruction of pupils using the Common Core State Standard
- Instructional materials and supplemental instructional materials aligned to the Common Core State Standards
- Technology equipment and infrastructure to provide technology-based instruction using Common Core State Standards and to implement computer-based student assessments

The funds must be spent by July 1, 2015. As a condition of receiving the funds, a spending plan for the funds must be presented a public meeting of the Governing Board.

Hanford Elementary School District received \$1,154,200 in CCSS Implementation Funds Plan and plans on expending these funds in the following manner:

<b>Proposed Expenditures</b>	<b>Estimated Cost</b>
Technology Infrastructure	\$577,100
Instructional Materials	\$527,100
Professional Development	\$50,000
Total Expenditures	\$1,154,200

**FISCAL IMPACT:** Receipt of \$1,154,200 in Common Core State Standards Implementation Funds

**RECOMMENDATIONS:** This item will be brought back to the November 13, 2013 Board Meeting for approval.

Hanford Elementary School District  
HUMAN RESOURCES DEPARTMENT

**AGENDA REQUEST FORM**

TO: Dr. Paul Terry

FROM: Diane Williams DW

DATE: October 15, 2013

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

☒ Information  
☐ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: October 23, 2013

**ITEM:** Receive, for information, Tentative Agreements between District and California School Employees Association (CSEA) for 2013-2014 (contract re-openers).

**PURPOSE:** To meet the "sunshining" provisions of Government Code Section 3547 prior to approval of Tentative Agreements reached in collective bargaining.

A copy of the Tentative Agreements will be available, for review and comment by the public, in the Superintendent's Office on October 24, 2013.

Board approval of the amendments to the collective bargaining agreement will be recommended at the next scheduled Board meeting.

**FISCAL IMPACT:** Costs and funding sources are attached.

**RECOMMENDATION:** Receive for information only.

# DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT

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

Hanford Elementary School District

Name of Bargaining Unit: Classified School Employees Association, Chapter #344

Certificated \_\_\_\_\_ Classified X  
New Agreement \_\_\_\_\_ or Reopener X

The proposed agreement is a three-year agreement that covers the period beginning July 1, 2011 and ending June 30, 2014 and will be acted upon by the Governing Board at its meeting on November 13, 2013.

## A.(1) Proposed Change in Compensation

Compensation		Cost Prior to Proposed Agreement	Fiscal Impact of Proposed Agreement Increase (Decrease) and Percentage Change		
			Current Year 2013-14	Year 2 2014-15	Year 3 2015-16
1.	Base Salary	\$ 4,998,956	\$ 138,472	\$ 138,472	\$ 138,472
			2.27%	2.27%	2.27%
2.	Other Compensation – i.e. Stipends or Bonuses	\$ 0	\$ 0	\$ 0	\$ 0
			0%	0%	0%
3.	Total Salary - (Sum of 1 & 2)	\$ 4,998,956	\$ 138,472	\$ 138,472	\$ 138,472
			2.27%	2.27%	2.27%
4.	Statutory Benefits - STRS, PERS, FICA, WC, UI, Medicare	\$ 1,104,619	\$ 30,598	\$ 30,598	\$ 30,598
			.50%	.50%	.50%
5.	Health/Welfare Benefits	\$ 767,000	\$ 122,072	\$ 122,072	\$ 122,072
			2.00%	2.00%	2.00%
6.	Total Benefits - (Total Lines 4 & 5)	\$ 1,871,619	\$ 152,670	\$ 152,670	\$ 152,670
			2.50%	2.50%	2.50%
7.	Total Compensation – (sum of 3 & 6)	\$ 6,870,575	\$ 291,142	\$ 291,142	\$ 291,142
			4.77%	4.77%	04.77%

**DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT**

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

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

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The salary schedule for 2013-2014 shall reflect a 2.77% increase retroactive to July 1, 2013.

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The District's contribution to Employee Health and Welfare Benefits increased from \$8,637.07 to \$9,861.83 for full-time employees and from \$1,201.32 to \$1,225.32 for part-time (4 hour to less than 6 hour) employees.

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

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See attached summary (identified as Pages 2.1 and 2.2 of 4).

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

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None

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CSEA NEGOTIATIONS  
SUMMARY OF CONTRACT CHANGES  
October 14, 2013

**Hanford Elementary School District and CSEA Negotiations for 13-14**

Tentative Agreement has been reached on the following articles:

**Article 3 Nondiscrimination**

- The district shall not discriminate against any employee on the basis of. . . .  
added genetic information, gender identity and gender expression.

**Article 4 Personnel Files and Evaluation Procedures**

- **Eliminated** "the evaluator may respond to the employee's rebuttal and attach that response to the evaluation placed into the personnel file with 20 business days or longer as mutually agreed upon by both parties."
- **Added** The evaluator shall respond confirming receipt of the employee's rebuttal and indicating whether any revisions will be made to the evaluation. Any such response shall be submitted within 20 days or longer as mutually agreed upon by the parties and shall be placed in the personnel file along with the evaluation and the employee's rebuttal.

**Article 16 Leaves**

- **Paid Family Illness Leave – Changed** extra leave amounts given to employees for family illness. Full time employees went from 2 days to 1 day a year. Part time employees went from 3 days to 1 day a year.
- **Unpaid Family Care Leave – Added** During periods of unpaid leave, life insurance coverage will cease under group coverage. The employee can choose to convert group life term life insurance to an individual policy and/or opt for portability on the AD & D life insurance at their own expense. (insurance requirement)
- **Personal Necessity Leave – Eliminate** "Only for unforeseen circumstances shall this 24 hour advance notification requirement be waived."
- **Added-** No request for Personal Necessity Leave shall be granted with less than 24 hours advance notice unless the request is submitted for  
-death of a member of the employee's family  
-serious loss or damage involving the employee's property  
-to attend to school related matters involving the employee's child
- **Benefit Continuation while on Uncompensated leaves -**

18/57     **Added** – Life insurance coverage will cease under group coverage. The employee can choose to convert group life insurance or opt for portability on the AD & D life insurance at their own expense.

- **Eliminate** “Employees who elect to discontinue medical group insurance plan coverage during a leave of absence may be subject to exclusions or limitations of coverage for medical conditions pre existing the time they rejoin the medical group insurance plan, as defined by the insurance providers.”

## **Article 22 Health and Welfare Benefits**

- **Added** – CSEA shall select 3 plan designs from those available through the plan provider. In addition, the District and CSEA will mutually agree on the 4<sup>th</sup> plan design from those available through the plan provider.
- **Life Insurance – Added** – During an unpaid leave for any reason, life insurance will be discontinued (per the insurance company). Employees have the option to convert to an individual plan.
- **Increased** District contribution to the total premiums for benefits from \$8,637.07 to \$9,861.83 for full time employees.
- Employees who work 4 hours, but less than 6 hours a day will have their benefits fully paid by the district (dental, vision, life). Increased from \$1,201.32 to \$1,225.32.
- **Eliminated** “Suspension of Medical group insurance during LOA: Employees who elect to discontinue medical group insurance plan coverage during an unpaid leave of absence will be subject to the same exclusions and limitations as new employees with regard to medical conditions pre existing the time they rejoin the medical group insurance plan.
- **Added** – Eligible spouses and dependents who have dental and/or vision insurance benefits through employment other than the district shall use benefit plans from their employment as primary coverage.

## **Article 23 Pay and Allowances**

- The salary schedule will be increased by 2.77% retroactive to July 1, 2013.
- **On Call Bus Driver Stipend**  
\$1000 stipend (increased from \$500) will be given to a limited number of classified employees who are willing to obtain the required training and licenses to operate a school bus and serve as an on call bus driver.

**DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT**

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

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

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This is the third year of a three-year agreement.

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There are no reopeners for 2013-14.

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**E. Source of Funding for Proposed Agreement**

**1. Current Year**

Undesignated Reserve:	Unrestricted	\$215,460
	Restricted:	<u>75,682</u>
		\$291,142

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

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The cost will become part of the on-going budget that will continue in future years.

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

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Not applicable – This is not a multi-year agreement

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

**DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT**

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

G. Certification

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

\_\_\_\_\_  
District Superintendent  
(Signature)

October 23, 2013  
Date

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

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

	(Col. 1) Latest Board- Approved Budget *	(Col. 2) Adjustments as a Result of Settlement (from page 1)	(Col. 3) Other Revisions (provide explanation)	(Col. 4) Total Impact on Budget (Col. 1+2+3)
<b>REVENUES</b>				
Revenue Limit Source (8010-8099)	37,076,263			37,076,263
Remaining Revenues (8100-87991)	9,355,113			9,355,113
<b>TOTAL REVENUES</b>	46,431,376			46,431,376
<b>EXPENDITURES</b>				
1000 Certificated Salaries	22,433,562			22,433,562
2000 Classified Salaries	7,705,024	+ 138,472		7,843,496
3000 Employees' Benefits	9,491,758	+ 152,670		9,644,428
4000 Books and Supplies	2,482,732			2,482,732
5000 Services and Operating Exps	3,503,263			3,503,263
6000 Capital Outlay	111,080			111,080
7000 Other	79,414			79,414
<b>TOTAL EXPENDITURES</b>	45,806,833	+ 291,142		45,097,975
<b>OPERATING SURPLUS (DEFICIT)</b>	624,543			333,401
OTHER SOURCES AND TRANSFERS IN	0			0
OTHER USES AND TRANSFERS OUT	325,000			325,000
<b>CURRENT YEAR INCREASE (DECREASE) IN FUND BALANCE</b>	299,543			8,401
<b>BEGINNING BALANCE</b>	8,352,091			8,352,091
<b>CURRENT-YEAR ENDING BALANCE</b>	5,651,634			8,360,492
<b>COMPONENTS OF ENDING BALANCE:</b>				
Reserved Amounts	122,622			122,622
Reserved for Economic Uncertainties	2,400,000			2,400,000
Board Designated Amounts	700,000			700,000
Unappropriated Amounts	5,429,012	- 291,142		5,137,870

**A.** Date of governing board approval of budget revisions in Col. 1 Planned for November 2013

\*Used Column 4 from "Impact of Proposed Agreement on Current Year Operating Budget" form from HESD Teachers Association October 9, 2013 Disclosure of Collective Bargaining Agreement document.

Contact Person: Nancy White

Date: October 23, 2013

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Paul J. Terry, Ed. D.

DATE: October 14, 2013

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: October 23, 2013

**ITEM:** Consider approval of the following revised Board Policy and Administrative Regulation:  
• BP/AR 1312.3 – Uniform Complaint Procedures (revised)

**PURPOSE:** The revised Board Policy and Administrative Regulation reflect changes (see underlines and strikeouts) that are necessary to align with current practice and procedure as well as recommendations by CSBA due to state and federal law changes.

**FISCAL IMPACT:** None.

**RECOMMENDATION:** Approve.

# Hanford ESD

## Board Policy

### Uniform Complaint Procedures

BP 1312.3

#### Community Relations

The Governing Board recognizes ~~that the district's~~ the district has the primary responsibility to ~~ensure compliance~~ ensure compliance with applicable state and federal laws and regulations governing educational programs. The district shall investigate and seek to resolve any complaints alleging failure to comply with such laws and/or alleging unlawful discrimination, harassment, intimidation, ~~and/or~~ bullying against ~~any protected group as identified under Education code section 200 and 220 and Government Code section 11135 and shall seek to resolve those~~ complaints in accordance with the district's uniform complaint procedures.

The district shall use the uniform complaint procedures to resolve any complaint alleging unlawful discrimination, harassment, intimidation, ~~and/or~~ bullying in district programs and activities based on ~~actual race or perceived characteristics of race or ethnicity,~~ actual race or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity ~~or,~~ gender expression, or genetic information; ~~the perception of one, or any other characteristic identified in Education Code 200 or more of such characteristics;~~ 220, Penal Code 422.55, or Government Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics.

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

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

Uniform complaint procedures shall also be used to address any complaint alleging the district's failure to comply with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities, the requirements for the development and adoption of a school safety plan, and state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs, and the development and adoption of the school safety plan.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 3260 - Fees and Charges)

(cf. 3320 - Claims and Actions Against the District)  
 (cf. 3553 - Free and Reduced Price Meals)  
 (cf. 3555 - Nutrition Program Compliance)  
 (cf. 5141.4 - Child Abuse Prevention and Reporting)  
 (cf. 5148 - Child Care and Development)  
 (cf. 6159 - Individualized Education Program)  
 (cf. 6171 - Title I Programs)  
 (cf. 6174 - Education for English Language Learners)  
 (cf. 6175 - Migrant Education Program)  
 (cf. 6178 - Career Technical Education)  
 (cf. 6178.1 - Work-Based Learning)  
 (cf. 6178.2 - Regional Occupational Center/Program)  
 (cf. 6200 - Adult Education)

The Board prohibits any form of retaliation against any complainant in the complaint process. Participation in the complaint process shall not in any way affect the status, grades, or work assignments of the complainant.

The Board encourages the early, informal resolution of complaints at the site level whenever possible.

The Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with the uniform complaint procedures, whenever all parties to a complaint agree to try resolving the problem through mediation, the Superintendent or designee shall initiate that process. The Superintendent or designee shall ensure that the results are consistent with state and federal laws and regulations.

In investigating complaints, the confidentiality of the parties involved and the integrity of the process shall be protected. As appropriate for any complaint alleging discrimination, harassment, intimidation, or bullying, the Superintendent or designee may keep the identity of a complainant confidential to the extent that the investigation of the complaint is not obstructed.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)  
 (cf. 5125 - Student Records)  
 (cf. 9011 - Disclosure of Confidential/Privileged Information)

The district's Williams uniform complaint procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to the following:

1. Sufficiency of textbooks or instructional materials
2. Emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff
3. Teacher vacancies and misassignments



4. Deficiency in the district's provision of instruction and/or services to any student who, by the completion of grade 12, has not passed one or both parts of the high school exit examination

(cf. 1312.4 - Williams Uniform Complaint Procedures)

~~(cf. 6162.52 - High School Exit Examination)~~

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

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries

32289 School safety plan, uniform complaint procedures

35186 Williams uniform complaint procedures

37254 Intensive instruction and services for students who have not passed exit exam

41500-41513 Categorical education block grants

48985 Notices in language other than English

49010-49013 Student fees

49060-49079 Student records

49490-49590 Child nutrition programs

52160-52178 Bilingual education programs

52300-52490 Career technical education

52500-52616.24 Adult schools

52800-52870 School-based program coordination

54000-54028 Economic impact aid programs

54100-54145 Miller-Unruh Basic Reading Act

54400-54425 Compensatory education programs

54440-54445 Migrant education

54460-54529 Compensatory education programs

56000-56867 Special education programs

59000-59300 Special schools and centers

64000-64001 Consolidated application process

##### GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

##### PENAL CODE

422.55 Hate crime; definition

422.6 Interference with constitutional right or privilege

##### CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

##### UNITED STATES CODE, TITLE 20

6301-6577 Title I basic programs

6601-6777 Title II preparing and recruiting high quality teachers and principals

6801-6871 Title III language instruction for limited English proficient and immigrant students  
7101-7184 Safe and Drug-Free Schools and Communities Act  
7201-7283g Title V promoting informed parental choice and innovative programs  
7301-7372 Title V rural and low-income school programs

Management Resources:

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://www.ed.gov/about/offices/list/ocr>

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: May 16, 2001 Hanford, California

revised: October 2, 2002

revised: February 9, 2005

revised: April 5, 2006

revised: January 23, 2013

# Hanford ESD

## Administrative Regulation

### Uniform Complaint Procedures

AR 1312.3

#### Community Relations

Except as the Governing Board may otherwise specifically provide in other Board policies, the uniform complaint procedures shall be used only to investigate and resolve complaints alleging violations of federal or state laws or regulations governing specific educational programs, the prohibition against requiring students to pay fees, deposits, or other charges for participating in educational activities, and unlawful discrimination, harassment, intimidation, or bullying, as specified in accompanying Board policy.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

The district's uniform complaint procedures policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning uniform complaint procedures shall be translated into that language. (Education Code 234.1, 48985)

(cf. 5145.6 - Parental Notifications)

#### Compliance Officers

The Board of Trustees designates The following compliance officer-to(s) shall receive and investigate complaints and shall ensure district compliance with law:

Superintendent  
P.O. Box 1067  
Hanford, CA 93230  
(559) 585-3600

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 9124 - Attorney)

(cf. 9124 - Attorney)

#### Notifications

The Superintendent or designee shall annually provide written notification of the district's uniform complaint procedures to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (~~Education Code 262.3, 49013; 5 CCR 4622~~)

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 3260 - Fees and Charges)

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

(cf. 5145.6 - Parental Notifications)

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable
3. Advise the complainant of the appeal process ~~pursuant to Education Code 262.3, including, if applicable,~~ the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies
4. Include statements that:
  - a. ~~The district is primarily responsible for~~ has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
  - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
  - c. ~~A complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed not later than six months from the date the alleged discrimination occurs or occurred, or six months from the date the complainant first obtains~~ obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying.
  - d. The complainant has a right to appeal the district's decision to the ~~district Board and/or the CDE~~ by filing a written appeal within 15 calendar days of receiving the district's decision.
  - e. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision.

f. Copies of the district's uniform complaint procedures are available free of charge and in the primary language pursuant to section 48985 of the Education Code.

#### Procedures

~~The following procedures shall be used to address all complaints which allege that the district has violated federal or state laws or regulations governing educational programs or the complainant has been subject to unlawful discrimination, harassment, intimidation, or bullying.~~

All complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

#### Step 1: Filing of Complaint

Any individual, public agency, or organization may file a written complaint of the district's alleged noncompliance with federal or state laws or regulations governing educational programs. (5 CCR 4630)

A complaint concerning unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation, or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination, it. The complaint shall be initiated no later than six months from the date when the alleged discrimination, harassment, intimidation, or bullying occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying. However, upon written request by the complainant, the Superintendent or designee may extend the filing period for up to 90 calendar days. (5 CCR 4630)

A complaint alleging noncompliance with the law regarding the prohibition against requiring students to pay student fees, deposits, and charges may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. (Education Code 49013)

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

## Step 2: Mediation

Within three business days of receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging discrimination-complaint, harassment, intimidation, or bullying, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. (5 CCR 4631)

## Step 3: Investigation of Complaint

Within 10 calendar days of receiving the complaint, the compliance officer shall provide the complainant and/or his/her representative an opportunity to present the complaint and any evidence, or information leading to evidence, to support the allegations in the complaint. The compliance officer also shall collect all documents and interview all witnesses with information pertinent to the complaint.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and/or other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

## Step 4: Response

Within 30 days of receiving the complaint Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in Step #5 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five business days, file his/her complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be

answered. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

#### Step 5: Final Written Decision

The district's decision shall be in writing and sent to the complainant. (5 CCR 4631)

The district's decision shall be written in English and, when required by Education Code 48985, in the complainant's primary language.

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered
2. The conclusion(s) of law
3. Disposition of the complaint
4. Rationale for such disposition
5. Corrective actions, if any are warranted
6. Notice of the complainant's right to appeal the district's decision within 15 calendar days to the CDE and procedures to be followed for initiating such an appeal

In addition, any decision concerning a discrimination, harassment, intimidation, or bullying complaint based on state law shall include a notice that the complainant must wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. (Education Code 262.3)

If investigation of a complaint results in discipline to a student or an employee, the decision shall simply state that effective action was taken and that the student or employee was informed of district expectations. The report shall not give any further information as to the nature of the disciplinary action.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges is found to have merit, the district shall provide a remedy to all affected students and parents/guardians, which, where applicable, shall include reasonable efforts to ensure full reimbursement to them. (Education Code 49013)

Appeals to the California Department of Education

If dissatisfied with the district's decision, the complainant may appeal in writing to the CDE. (Education Code 49013; 5 CCR 4632)

The complainant shall file his/her appeal within 15 calendar days of receiving the district's decision. ~~When appealing to the CDE, the complainant and the appeal shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied.~~ The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant has appealed the district's decision, the Superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's uniform complaint procedures
7. Other relevant information requested by the CDE

The CDE may directly intervene in a complaint without waiting for action by the district when one of the conditions listed in 5 CCR 4650 exists, ~~including cases in which~~ when the district has not taken action within 60 calendar days of the date the complaint was filed with the district. (5 CCR 4650)

### Civil Law Remedies

A complainant may pursue available civil law remedies outside of the district's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

For complaints alleging discrimination, harassment, intimidation, and bullying based on state law, a complainant shall wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies, provided the district has appropriately and in a timely manner apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622. The moratorium does not apply to injunctive relief and to discrimination complaints based on federal law. (Education Code 262.3)



Regulation HANFORD ELEMENTARY SCHOOL DISTRICT  
approved: March 16, 1998 Hanford, California  
revised: May 16, 2001  
revised: April 5, 2006  
revised: January 23, 2013  
revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Dr. Paul J. Terry

FROM: Karen McConnell

DATE: October 10, 2013

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: October 23, 2013

**ITEM:** Receive recommended revisions to BP/AR 5141.27 (a) ~ Food Allergies/Special Dietary Needs

**PURPOSE:** The revisions to these policies reflect federal law which requires that a determination of disability, for the purposes of Section 504 of the federal Rehabilitation Act, be made without regard to mitigating measures. Revisions also adds specific information be included on students Health Care Plans and address the requirements of addressing the food allergy and/or special dietary needs while on field trips.

**FISCAL IMPACT:** None

**RECOMMENDATIONS:** Approve

# Hanford ESD

## Administrative Regulation

### Food Allergies/Special Dietary Needs

AR 5141.27

#### Students

#### Definitions

Special dietary needs include food intolerances, allergies, and other medical needs that may require avoidance of specific foods.

Food allergies are abnormal responses of the body's immune system to certain foods or ingredients.

Anaphylaxis is a potentially life-threatening hypersensitivity to a substance and may be caused by a food allergy. Symptoms may include shortness of breath, wheezing, difficulty breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma. (Education Code 49414)

Epinephrine auto-injector is a disposable drug delivery system with a spring-activated concealed needle that is designed for emergency administration of epinephrine to persons suffering a potentially fatal reaction to anaphylaxis. (Education Code 49414)

#### Notification by Parent/Guardian

The parents/guardians of any student who has a known food allergy or other special dietary need shall notify the Superintendent or designee, in writing, and provide written medical documentation, signed by the student's health care provider, that describes the nature of the student's condition, instructions, and necessary medications. If the student's condition requires food substitutions or modifications in school meals, the written statement shall also describe the specific foods to be restricted and the foods that should be substituted.

#### Health Plan

Upon receiving notice of a student's food allergy or other special dietary need, the Superintendent or designee shall ensure that a written health plan is developed, in consultation with the student's parents/guardians and health provider, to manage the student's needs while at school or at a school-sponsored activity. The plan shall seek to minimize the student's risk of exposure to the allergen and address actions to be taken if exposure occurs.

As appropriate, the plan may include specific food prohibitions and substitutions, an identification of common school rooms where the student may be exposed, staff responsibilities, information and training to be provided to staff, accommodations and services to facilitate the student's participation in the educational program, and medical/emergency protocols.

When a student with a food allergy or other special dietary need has been identified as disabled pursuant to Section 504 of the Rehabilitation Act of 1973 or the Individuals with Disabilities Education Act, necessary accommodations and services shall be identified as part of the student's Section 504 services plan or individualized education program, as appropriate.

(cf. 5141.24 - Specialized Health Care Services)  
 (cf. 6159 - Individualized Education Program)  
 (cf. 6164.6 - Identification and Education Under Section 504)

#### Prevention Strategies

To minimize students' exposure to foods to which they are allergic, the Superintendent or designee shall, at a minimum, implement the following preventive measures:

##### 1. Notification to District Staff

When notified by the parent/guardian that a student has a food allergy, the Superintendent or designee shall inform the student's principal, teacher(s), bus driver, school nurse, coach, and/or any other personnel responsible for supervising the student.

The principal or designee shall notify substitute staff of the identity of any students with known food allergies and the school's response plan.

(cf. 5125 - Student Records)

##### 2. Food Services

The district's food services program shall make food substitutions in breakfasts, lunches, and after-school snacks when students are considered to have a disability under Section 504 that restricts their diet and when a health care provider has signed a statement of need that includes recommended alternate foods. (7 CFR 210.10, 220.8)

(cf. 3550 - Food Service/Child Nutrition Program)  
 (cf. 3552 - Summer Meal Program)  
 (cf. 3554 - Other Food Sales)  
 (cf. 5030 - Student Wellness)  
 (cf. 5148.2 - Before/After School Programs)

Substitutions may be made on a case-by-case basis for students who do not have a disability under Section 504 but who cannot consume the regular breakfast, lunch, or after-school snack because of medical or other special dietary needs, when supported by a statement of need signed by a health care provider. (7 CFR 210.10, 220.8, 225.16)

The district's food services staff shall check food labels or specifications to ensure that foods do not contain traces of substances to which the student is allergic.

Under no circumstances shall food services staff prescribe nutritional requirements or revise a diet order prescribed by a health care provider.

Food substitutions shall not result in any additional cost to the student.

### 3. Class Parties/School Activities

Without identifying the student, the principal or teacher may notify parents/guardians of other students in the class that a student is allergic to a specific food and may request that certain foods not be provided at class parties or other school events.

Whenever the ingredients in any food served at class parties or other school activities are unknown, the student shall be encouraged to avoid the food.

### 4. Sanitation and Cleaning

To avoid spreading allergens, cafeteria tables and classroom surfaces shall be cleaned with fresh cloth or disposable paper towels utilizing cleaning products known to effectively remove food proteins, excluding waterless cleaners or instant hand sanitizers that do not involve a wet-wash step. Cross-contact from a sponge or cloth used to clean allergen-containing tabletops shall be avoided.

Staff shall use and promote hand-washing using soap and water before and after food handling.

Students shall be notified that exchanging meals or utensils is prohibited.

### 5. Professional Development

Schoolwide professional development shall be provided to appropriate staff on the identification and management of food allergies, including avoidance measures, typical symptoms, the proper use of epinephrine auto-injectors, documentation and storage of medication, and emergency drills.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

### 6. Supervision of Students

When available, staff who are trained and knowledgeable about symptoms of anaphylaxis and actions to take in an emergency shall provide supervision in the classroom and cafeteria, on the playground, and on field trips or other school activities whenever students known to have a food allergy are present.

(cf. 6153 - School-Sponsored Trips)

## 7. Health Education

The district's health education curriculum may include instruction on food allergies in order to assist food-allergic students in taking responsibility for monitoring their diet and to teach other students about the dangers of sharing foods or utensils with others.

(cf. 6142.8 - Comprehensive Health Education)

### Emergency Response

Epinephrine auto-injectors or other medicine provided for use in the event of an anaphylactic shock reaction shall be stored and used in accordance with law and BP/AR 5141.21 - Administering Medication and Monitoring Health Conditions.

(cf. 4119.43 - Universal Precautions)

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

In addition, staff shall call 911 and seek immediate medical attention for a student experiencing an anaphylactic shock reaction.

(cf. 5141 - Health Care and Emergencies)

As soon as possible, school staff shall contact the student's parents/guardians or other person identified as an emergency contact.

When a student with a known allergy will be off school grounds, such as on a field trip, he/she shall be accompanied by a kit containing at least two doses of epinephrine, other medications as noted by the student's health care provider, and, as appropriate, the student's individualized food allergy plan.

Revised: October 9, 2013

Approved:

# Hanford ESD

## Board Policy

### Food Allergies/Special Dietary Needs

BP 5141.27

#### Students

The Governing Board desires to prevent exposure of students to foods to which they are allergic and to provide for prompt and appropriate treatment in the event that a severe allergic reaction occurs at school.

The Superintendent or designee shall develop guidelines for the care of food-allergic students. Such guidelines shall include, but not be limited to, strategies for identifying students at risk for allergic reactions, avoidance measures and other means to manage allergies, education of staff regarding typical symptoms, and actions to be taken in the event of a severe allergic reaction.

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

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

(cf. 5141 - Health Care and Emergencies)

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

Parents/guardians shall be responsible for notifying the Superintendent or designee, in writing, regarding any food allergies or other special dietary needs of their child in accordance with administrative regulation.

(cf. 5125 - Student Records)

Students with serious dietary needs that qualify as a disability under Section 504 of the federal Rehabilitation Act or the Individuals with Disabilities Education Act shall be provided reasonable accommodation or services, as appropriate, in accordance with his/her accommodation plan or individualized education program.

(cf. 6164.6 - Identification and Education Under Section 504)

Students shall not be excluded from school activities based solely on their food allergy.

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

#### Legal Reference:

##### EDUCATION CODE

49407 Liability for treatment

49408 Emergency information

49414 Emergency epinephrine auto-injectors

49423 Administration of prescribed medication for student

CODE OF REGULATIONS, TITLE 5

600-611 Administering medication to students

15562 Reimbursement for meals, substitutions

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

701-795a Rehabilitation Act, including:

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42

1751-1769h National School Lunch Program

1771-1791 Child nutrition, especially:

1773 School Breakfast Program

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.1-220.21 National School Breakfast Program

225.16 Meal programs, individual substitutions

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Training Standards for the Administration of Epinephrine Auto-Injectors, December 2004

FOOD ALLERGY AND ANAPHYLAXIS NETWORK (FAAN) PUBLICATIONS

School Guidelines for Managing Students with Food Allergies

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Accommodating Children with Special Dietary Needs in the School Nutrition Programs:

Guidance for School Food Service Staff, Fall 2001

WEB SITES

American Dietetic Association: <http://www.eatright.org>

American School Food Service Association: <http://www.asfsa.org>

California Department of Education, Health Services and School Nursing:

<http://www.cde.ca.gov/ls/he/hn>

Food Allergy and Anaphylaxis Network: <http://www.foodallergy.org>

International Food Information Council: <http://ific.org>

National School Boards Association, School Health Programs: <http://www.nsba.org>

U.S. Department of Agriculture: <http://www.fns.usda.gov>

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

Adopted: October 3, 2007 Hanford, California

Revised: October 9, 2013

Approved:



Hanford Elementary School District  
HUMAN RESOURCES DEPARTMENT

**AGENDA REQUEST FORM**

TO: Dr. Paul Terry

FROM: Diane Williams <sup>DW</sup>

DATE: October 14, 2013

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

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **October 23, 2013**

**ITEM:** Hear comments from the public and consider approval of negotiated successor agreement with the Hanford Elementary Teachers' Association (HETA).

**PURPOSE:** To comply with the requirement of Government Code Section 3547 for hearing of public comments prior to approval of a collective bargaining agreement, and to approve the Tentative Agreements presented for information on October 9, 2013. HETA ratified the new agreement on September 17, 2013.

**FISCAL IMPACT:** The costs of the negotiated contract and funding sources were disclosed at the October 9, 2013, Board meeting.

**RECOMMENDATION:** Hear public comments and approve agreement.

**DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT**

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

Hanford Elementary School District

Name of Bargaining Unit: Hanford Elementary Teachers AssociationCertificated ☒ Classified \_\_\_\_\_New Agreement ☒ or Reopener \_\_\_\_\_

The proposed agreement is a three-year agreement that covers the period beginning July 1, 2013 and ending June 30, 2016 and will be acted upon by the Governing Board at its meeting on October 23, 2013.

**A.(1) Proposed Change in Compensation**

Compensation	Cost Prior to Proposed Agreement	Fiscal Impact of Proposed Agreement Increase (Decrease) and Percentage Change		
		Current Year 2013-14	Year 2 2014-15	Year 3 2015-16
1. <b>Base Salary</b>	\$ 16,981,645	\$ 594,359	\$ 594,359	\$ 594,359
		3.15%	3.15%	3.15%
2. <b>Other Compensation</b> – i.e. Stipends or Bonuses	\$ 0	\$ 0	\$ 0	\$ 0
		0%	0%	0%
3. <b>Total Salary</b> - (Sum of 1 & 2)	\$ 16,981,645	\$ 594,359	\$ 594,359	\$ 594,359
		3.15%	3.15%	3.15%
4. <b>Statutory Benefits</b> - STRS, PERS, FICA, WC, UI, Medicare	\$ 1,915,530	\$ 67,043	\$ 67,043	\$ 67,043
		0.35%	0.35%	0.35%
5. <b>Health/Welfare Benefits</b>	\$ 3,073,411	\$ 240,648	\$ 240,648	\$ 240,648
		1.27%	1.27%	1.27%
6. <b>Total Benefits</b> - (Total Lines 4 & 5)	\$ 4,988,941	\$ 307,691	\$ 307,691	\$ 307,691
		1.62%	1.62%	1.62%
7. <b>Total Compensation</b> – (sum of 3 & 6)	\$ 21,970,586	\$ 902,050	\$ 902,050	\$ 902,050
		4.77%	4.77%	4.77%

**DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT**

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

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

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The Salary Schedule for 2013-14 shall reflect a 3.5% increase retroactive to July 1, 2013.

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Included in that 3.5% is:

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- 1% for two (2) Professional Development Days (one day added in 2013-14 and two days added starting with 2014-15).
  - 0.5% compensation for the elimination of one (1) Family Illness Day beginning with 2014-15.
- 
- 
- 
- 
- 

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

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See attached summary (identified as pages 2.1 and 2.2 of 4).

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

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None

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## HETA NEGOTIATIONS SUMMARY OF CONTRACT CHANGES

- **3 YEAR CONTRACT – July 1, 2013 – June 30, 2016**
  - Reopeners 14-15, 15-16 - salary, benefits and calendar only
- 5 NEGOTIATION SESSIONS – opened 22 articles
- 3.5% salary increase
- 1.27% benefits (fully funded) \$12,229.32
- Total increase of 4.77 %
- Major changes to the contract....

### ARTICLE 8 TRANSFER

- A transfer is not a change in site for a FLI teacher
- Combination classes – In the absence of volunteers at the affected grade level the site principal will select the combo class teacher by seniority. The person will not have had a combination class the prior year unless no other options are available at the affected grade level.
- A teacher, including those in special assignments such as Special Ed, FLI, Literacy/Induction and band teachers shall utilize the voluntary transfer request procedures in the event they wish to vacate their current position.
- Involuntary Transfers shall be notified in private after their duty day.
- Teachers will be given the reason for the proposed action.
- Establish procedures for TK staffing – Side Letter that expires on Dec 31, 2014
- TK is now a separate and distinct grade level from K
- While the district plans to designate TK positions at various school sites during staffing in the spring 2014; the district cannot predict either the number of TK students or the sites where the TK classes will be offered.
- All teachers are eligible to request a voluntary transfer to a TK position for 14-15 and all such voluntary transfer requests shall be evaluated pursuant to the transfer article. Any teacher serving in a TK/K combo assignment during 13-14 who wishes to be placed in a TK assignment for 14-15 shall request a voluntary transfer to TK on the annual staff planning form in January 2014.
- At fall balancing in August 2014, the district will follow procedures in the transfer article. Those procedures could result in the closing/opening of a TK or K class; making a TK/K combo class; or involuntarily transferring teachers to other schools and/or grade levels if classes must be closed.
- Beginning Jan 1, 2015 the provisions of the transfer article shall apply to the staffing of TK.

### ARTICLE 9 EVALUATION AND PERSONNEL FILES

- Designation of Evaluator- each evaluatee's immediate supervisor or designee appointed by the supt. This does not prevent the supervisor from bringing in another district administrator during the scheduled observation, with advance notice to the teacher, to assist in the training of a designated evaluator and/or ensure that the teacher is

observed by an administrator whose training and experience is consistent with the teacher's assignment.

- 5 year evaluation cycle for nurses with no needs improvements, 10 years in district.

## **ARTICLE 11 CALENDAR AND WORK YEAR**

- 13-14 add 1 PD day on Feb 10<sup>th</sup> = 185 work days
- 14-15 add 2 PD days = 186 work days
- Starting 14-15 Memorial Day will be the minimum day instead of Labor Day

## **ARTICLE 12 FAC**

- Remove the words "if the staff so desires" so each school will establish a FAC

## **ARTICLE 13 TEACHERS HOURS AND LOAD**

- Added "Lunch period for nurses shall not be less than 30 minutes"
- Collaboration start times are as follows:
 

K	1:10 pm
1-3	1:20 pm
4-8	1:30 pm (clarification)
- At Risk Conference Days – teachers may leave at 3:30 (it use to say when their individual conferences were done)
- Teachers who are absent from minimum day activities will be docked 2 hours from their sick leave or PN leave as appropriate. (clarification)
- Teachers who miss a staff meeting shall utilize their available leave as appropriate according to time missed. (this is clarification of practice)
- Misc. – The foregoing shall not preclude a teacher from volunteering to take another teacher's class without compensation and with administrator approval.

## **ARTICLE 14 CLASS SIZE**

- Add TK as a grade level
- No change to language for ratio/ceiling 1/25 at k-3

## **ARTICLE 16 LEAVES**

- Paid Family Illness Leave will decrease in 14-15 to 1 day
- Grandparents are included in immediate family for Family Illness Leave

## **ARTICLE 21 CO CURRICULAR**

- Deleted "co curricular list will be attached to this agreement"
- Added "the Co Curricular list as approved by the district for any school year shall be presented by the first staff meeting of the year and be posted via email to the membership. Any changes occurring during the school year will be posted via district email."
- Deleted "members shall be notified in writing of opportunities to supervise co curricular activities."
- Added "members who meet the minimum qualifications as established by the District shall be given preferential consideration for co curricular activity positions"
- We left in the language "but this shall not preclude Management from selecting qualified persons from outside the Unit."

## **ARTICLE 29 SHARED TEACHING CONTRACT**

- Teachers requesting a shared contract must be in permanent status with the District

**DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT**

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

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

---

This is the first year of a three-year contract with re-openers in Article 11 – School Calendars and Work Year, Article 18 – Employee Group Health and Welfare Insurance Benefits and Article 20 – Salary.

---

**E. Source of Funding for Proposed Agreement**

**1. Current Year**

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Undesignated Reserve	Unrestricted	\$847,927
	Restricted	<u>54,123</u>
		\$902,050

---

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

---

The cost will become part of the on-going base budget that will continue in future years.

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

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Not Applicable – This is not a multi-year agreement.

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

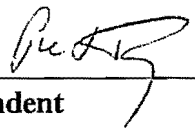
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**DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT**  
In Accordance with AB 1200 (Statutes of 1991, Chapter 1213); G.C. 3547.5

47/57

G. Certification

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

  
\_\_\_\_\_  
District Superintendent  
(Signature)

October 9, 2013  
Date

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

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

	(Col. 1) Latest Board- Approved Budget	(Col. 2) Adjustments as a Result of Settlement (from page 1)	(Col. 3) Other Revisions (provide explanation)	(Col. 4) Total Impact on Budget (Col. 1+2+3)
<b>REVENUES</b>				
Revenue Limit Source (8010-8099)	28,356,043		+ 8,720,220	37,076,263
Remaining Revenues (8100-87991)	14,679,992		- 5,324,879	9,355,113
<b>TOTAL REVENUES</b>	<b>43,036,035</b>		<b>+ 3,395,341</b>	<b>46,431,376</b>
<b>EXPENDITURES</b>				
1000 Certificated Salaries	21,729,203	+ 594,359	+110,000	22,433,562
2000 Classified Salaries	7,705,024			7,705,024
3000 Employees' Benefits	9,164,067	+ 307,691	+ 20,000	9,491,758
4000 Books and Supplies	2,482,732			2,482,732
5000 Services and Operating Exps	3,430,263		+ 73,000	3,503,263
6000 Capital Outlay	111,080			111,080
7000 Other	79,414			79,414
<b>TOTAL EXPENDITURES</b>	<b>44,701,783</b>	<b>+ 902,050</b>	<b>+ 203,000</b>	<b>45,806,833</b>
<b>OPERATING SURPLUS (DEFICIT)</b>	<b>(1,665,748)</b>			<b>624,543</b>
OTHER SOURCES AND TRANSFERS IN	0			0
OTHER USES AND TRANSFERS OUT	125,000		+ 200,000	325,000
<b>CURRENT YEAR INCREASE (DECREASE) IN FUND BALANCE</b>	<b>(1,790,748)</b>			<b>299,543</b>
<b>BEGINNING BALANCE</b>	<b>6,979,276</b>		<b>+ 1,372,815</b>	<b>8,352,091</b>
<b>CURRENT-YEAR ENDING BALANCE</b>	<b>5,188,528</b>			<b>8,651,634</b>
<b>COMPONENTS OF ENDING BALANCE:</b>				
Reserved Amounts	122,622			122,622
Reserved for Economic Uncertainties	2,235,000		+ 165,000	2,400,000
Board Designated Amounts	700,000			700,000
Unappropriated Amounts	2,130,906		+ 3,298,106	5,429,012

**A.** Date of governing board approval of budget revisions in Col. 1 Planned for November 2013

Contact Person: Nancy White

Date: October 9, 2013



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

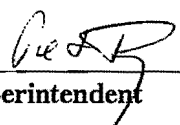
The disclosure document must be signed by the district Superintendent and Chief Business Officer at the time of public disclosure.

In accordance with the requirements of Government Code Section 3547.5, the Superintendent and Chief Business Officer of Hanford Elementary School District, hereby certify that the District can meet the costs incurred under the Collective Bargaining Agreement between the District and the Hanford Elementary Teachers Association Bargaining Unit, during the term of the agreement from July 1, 2013 to June 30, 2016.

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

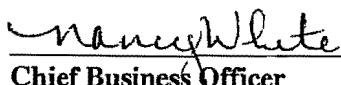
<u>Budget Adjustment Categories</u>	<u>Budget Adjustment Increase (Decrease)</u>
<u>Revenues/Other Financing Sources</u>	<u>+ 4,768,156</u>
<u>Expenditures/Other Financing Uses</u>	<u>+ 1,305,050</u>
<u>Ending Balance Increase (Decrease)</u>	<u>+ 3,463,106</u>

N/A \_\_\_\_\_ (No budget revisions necessary)

  
\_\_\_\_\_  
District Superintendent  
(Signature)

October 9, 2013

Date

  
\_\_\_\_\_  
Chief Business Officer  
(Signature)

October 9, 2013

Date

**CERTIFICATION #2**

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

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

\_\_\_\_\_  
**District Superintendent (or Designee)**  
**(Signature)**

October 23, 2013  
**Date**

Nancy White  
**Contact Person**

(559) 585-3628  
**Phone**

After public disclosure of the major provisions contained in this summary, the Governing Board at its meeting on October 23, 2013, took action to approve the proposed Agreement with the Hanford Elementary Teachers Association Bargaining Unit.

\_\_\_\_\_  
**President (or Clerk), Governing Board**  
**(Signature)**

October 23, 2013  
**Date**

HANFORD ELEMENTARY SCHOOL DISTRICT  
Human Resources Department

51/57

**AGENDA REQUEST FORM**

**TO:** Dr. Paul Terry  
**FROM:** Diane Williams  
**DATE:** October 14, 2013  
**RE:** (X) Board Meeting  
( ) Superintendent's Cabinet  
( ) Information  
(X) Action

**DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED:** **October 23, 2013**

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

**PURPOSE:**

**a. Employment**

Classified

- Erika Castorena, Bilingual Clerk Typist II – 5.0 hrs., King, effective 10/4/13

Temporary Employees/Substitutes/Yard Supervisors

- Hilda Andrade-Lloyd, Substitute Bilingual Clerk Typist II, Clerk Typist II, Translator: Oral Interpreter and Written Translator, effective 10/2/13
- Sabine Appleby, Short-term Yard Supervisor - .50 hrs., Hamilton, effective 10/21/13 to 11/15/13
- April Chennault, Substitute Alternative Education Program Aide, Community Day School Specialist, Special Education Aide, Student Specialist and Yard Supervisor, effective 10/8/13
- Brittini Gingras, Substitute Special Circumstance Aide, Special Education Aide and Yard Supervisor, effective 10/2/13
- Fidel Gonzalez, Substitute Yard Supervisor, effective 10/9/13
- Kimberly Jenkins, Short-term Yard Supervisor – 1.0 hr., Monroe, effective 10/7/13 to 11/22/13
- Sandi Lopez, Substitute Yard Supervisor, effective 10/3/13
- Cheyenne Zimmerman, Short-term Yard Supervisor – 1.0 hr., Monroe, effective 10/7/13 to 11/22/13

**b. Resignations**

- Melissa Braley, Yard Supervisor – 3.25 hrs., Kennedy, effective 10/22/13
- Aristeo Calvillo, Bilingual Clerk Typist II – 8.0 hrs., Hamilton, effective 10/1/13
- Chantal Harris, Yard Supervisor – 2.0 hrs., Richmond, effective 10/11/13
- Heather Johnston, Teacher, King, effective 10/14/13
- Tara Monard, Teacher, Richmond, effective 10/15/13

**c. Retirement**

- Richard Vidal, Head Custodian – 8.0 hrs., Kennedy, effective 12/27/13

**d. More Hours**

- Gennarina "Genella" Alvarez, Yard Supervisor, from 2.0 hrs. to 2.25 hrs., Hamilton, effective 10/14/13
- Eulalia "Lolly" Barron, Yard Supervisor, from 3.25 hrs. to 3.5 hrs., Richmond, effective 10/14/13
- Cruz Chavez, Special Education Tutor K-6, from 5.0 hrs., to 5.5 hrs., (2 days per week), Migrant/Jefferson, effective 10/3/13 to 6/7/14
- Francisca Estrada de Saldana, Yard Supervisor, from 3.25 hrs. to 3.75 hrs., Hamilton, effective 10/14/13

**e. Lateral Change/More Hours /Transfer**

- Cory Stewart, from Educational Tutor K-6 – 3.5 hrs., Hamilton to Special Education Aide – 5.0 hrs., Wilson, effective 10/14/13

**f. Temporary Transfer**

- Maribel Aguilera, Bilingual Clerk Typist II – 8.0 hrs., from Richmond to Hamilton, effective 10/3/13

**g. Leave of Absence**

- Krystal Ibanez, READY Program Tutor – 4.5 hrs., Simas, effective 10/16/13 to 11/8/13, personal
- Carrie Toler, Teacher, Monroe, effective 10/31/13 to 11/22/13, baby bonding

**h. Volunteers**

<u>Name</u>	<u>School</u>
Laura Lopez	Hamilton
James Chavez	Jefferson
Patricia DeShazier	Jefferson/King
Carla Morse	Jefferson
Abel Luevano	Kennedy
María Carrillo	King
Patricia DeShazier	King
Maricela Gonzalez	King
Jessica Russo	King
Jenna Lemos	Monroe
Nineveh Shabbas	Monroe
Briana Brieno	Richmond
Catalina Peña	Richmond
Tabitha Boone	Roosevelt
Beatriz Piña	Roosevelt
Marlene Tapia	Washington

**RECOMMENDATION:** Approve.

## HANFORD ELEMENTARY SCHOOL DISTRICT

**Agenda Request Form**

TO: Dr. Paul J. Terry

FROM: Nancy White

DATE: October 14, 2013

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: October 23, 2013

**ITEM:**

Consider approval of Resolution #5-14: Revision of the 2013-14 Budget.

**PURPOSE:**

The attachment to the Resolution lists the amounts of and reasons for the budget revisions.

**FISCAL IMPACT:****RECOMMENDATION:**

Approve Resolution #5-14: Revision of the 2013-14 Budget.

BEFORE THE GOVERNING BOARD OF THE  
HANFORD ELEMENTARY SCHOOL DISTRICT  
COUNTY OF KINGS, STATE OF CALIFORNIA

The Matter of  
Adopting Budget  
Revisions

**RESOLUTION #: 5-14**

**NOW, THEREFORE**, the Board of Trustees of the District resolves that the transfers for the attached budget revision be made as indicated.

The Board of Trustees adopted this resolution on October 23, 2013 by the following vote:

AYES:  
NOES:  
ABSTENTIONS:  
ABSENT:

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Clerk of the Governing Board  
Hanford Elementary School District

**Budget Changes  
2013-14 Budget  
October 23, 2013**

	Amount Changed	Reason for Change
<b>FUND 0100 - GENERAL FUND</b>		
<b>Revenue</b>		
979100 Beginning Balance	\$1,260,818	General Purpose +\$795,501; Categoricals +\$465,317
829000 Med-Cal Admin (MAA)	-\$150,000	Reduce funding estimate
869900 Other Local	\$8,843	Donations
879200 AB602 Special Ed	\$12,162	Increase funding estimate
<b>TOTAL REVENUE CHANGES - GENERAL FUND</b>	<b>\$1,131,823</b>	
<b>Expenditures</b>		
<b>LOCATION 000 - UNDESIGNATED/GENERAL - BALANCE SHEET ACCOUNTS</b>		
971200 Reserve for Stores	-\$9,384	Adjust to value of stores in Warehouse on 6/30/13
979000 Undesignated Reserve	\$557,497	Balance is now \$767,061
	\$548,113	
<b>LOCATION 010 - FACILITIES</b>		
400000 Supplies	\$17,500	Replace padding - WW gym \$2500; Fencing - District Office \$15,000
560000 Repairs	\$94,000	Jefferson Playcourt - move budget from 12/13 to 13/14
	\$111,500	
<b>LOCATIONS 020-031 - GENERAL SCHOOLS</b>		
200000 Classified Salaries	\$2,205	Donations \$3843; Adjust school allocation for enrollment growth \$1584
400000 Books & Supplies	\$2,437	
500000 Services	\$785	
	\$5,427	
<b>LOCATION 061 - INFORMATION SYSTEMS</b>		
440000 Equipment	\$666	Replace stolen document camera
	\$666	
<b>LOCATION 063 - CHILD WELFARE &amp; ATTENDANCE</b>		
430006 Other Supplies	\$800	Additional iPads for SARB
	\$800	
<b>VARIOUS CATEGORICAL PROGRAMS</b>		
979000 Undesignated Reserve	\$465,317	Adjust for actual Beginning Balances
	\$465,317	
<b>SCHOOL BASED COORDINATED PROGRAM (SBCP)</b>		
100000 Certificated Salaries	-\$1,180	Adjust Jefferson School Budget
200000 Classified Salaries	\$450	
300000 Employee Benefits	-\$72	
400000 Books & Supplies	-\$173	
500000 Contracts & Services	\$975	
	\$0	
<b>TOTAL EXPENDITURE CHANGES - GENERAL FUND</b>	<b>\$1,131,823</b>	

**Budget Changes  
2013-14 Budget  
October 23, 2013**

	Amount Changed	Reason for Change
<b><u>FUND 1300 - CAFETERIA FUND</u></b>		
<b>Revenue</b>		
979100 Beginning Balance	\$1,000,258	Adjust to actual
	<u>\$1,000,258</u>	
<b>Expenditures</b>		
600000 Sites, Buildings & Equipment	\$175,400	Moved budget from 12/13 to 13/14
9712000 Reserve for Stores	-\$10,722	Adjust to year-end balance
978000 Undesignated Reserve	\$835,580	Balance is now \$1,287,561
	<u>\$1,000,258</u>	
<b><u>FUND 1400 - DEFERRED MAINTENANCE FUND</u></b>		
<b>Revenue</b>		
979100 Beginning Balance	\$3,150	Adjust to actual
	<u>\$3,150</u>	
<b>Expenditures</b>		
976000 Undesignated Reserve	\$3,150	Balance is now \$24,110
	<u>\$3,150</u>	
<b><u>FUND 1500 - PUPIL TRANSPORTATION EQUIPMENT RESERVE</u></b>		
<b>Revenue</b>		
979100 Beginning Balance	-\$613	Adjust to actual
	<u>-\$613</u>	
<b>Expenditures</b>		
978000 Undesignated Reserve	-\$613	Balance is now \$39,322
	<u>-\$613</u>	
<b><u>FUND 1700 - SPECIAL RESERVE - INSTRUCTIONAL, FURNITURE, EQUIPMENT, MATERIALS &amp; SUPPLIES</u></b>		
<b>Revenue</b>		
979100 Beginning Balance	\$316	Adjust to actual
	<u>\$316</u>	
<b>Expenditures</b>		
978000 Undesignated Reserve	\$316	Balance is now \$410,680
	<u>\$316</u>	
<b><u>FUND 2500 - CAPITAL FACILITIES (DEVELOPER FEES) FUND</u></b>		
<b>Revenue</b>		
979100 Beginning Balance	\$34,047	Adjust to actual
	<u>\$34,047</u>	
<b>Expenditures</b>		
978000 Undesignated Reserve	\$34,047	Balance is now \$38,624
	<u>\$34,047</u>	



Budget Changes  
2013-14 Budget  
October 23, 2013

	Amount	
	Changed	Reason for Change
<b><u>FUND 6720 - SELF-INSURANCE (DENTAL) FUND</u></b>		
<b>Revenue</b>		
979100 Beginning Balance	\$30,382	Adjust to actual
	<u>\$30,382</u>	
<b>Expenditures</b>		
978000 Undesignated Reserve	\$30,382	
	<u>\$30,382</u>	

