

Hanford Elementary School District

REGULAR BOARD MEETING AGENDA

Wednesday, March 26 2014

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

OPEN SESSION

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

CLOSED SESSION

- **Student Discipline** *(Education Code Section 48918...requires closed sessions in order to prevent the disclosure of confidential student record information.)*
Administrative Panel Recommendations and Readmissions
Case# 13-23
- **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.)*
Complaints or charges against a public employee (GC 54957)

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

6:15 p.m. **PUBLIC HEARING: Hamilton School Attendance Boundaries (Simas)**

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) Accept warrant listings dated March 7, 2014; and March 14, 2014.
- b) Approve minutes of Regular Board Meeting March 12, 2014.
- c) Interdistrict transfers as recommended.
- d) Approve donation of \$12,576.40 from Monroe Parent Club to Monroe School. (Martinez)

3. INFORMATION ITEMS

- a) Receive for information the following Board Policy and Administrative Regulation: (Terry)

- *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.*

- BP/AR 0420.4 – Charter School Authorization
- b) Receive for information the following Board Policy and Administrative Regulation: (Terry)
 - BP/AR 0420.41 – Charter School Oversight
- c) Receive for information the following Board Policy and Administrative Regulation: (Terry)
 - BP/AR 1340 – Access to District Records
- d) Receive for information the following Board Policy and Administrative Regulation: (Terry)
 - BP/AR 3580 – District Records

4. BOARD POLICIES AND ADMINISTRATION

- a) Consider for adoption the proposed 2014-2015 school calendar (Simas)
- b) Consider for adoption a change to Hamilton School's attendance boundary. (Simas)
- c) Consider approval of the following revised Exhibit to Board Policy and Administrative Regulation: (White)
 - BP/AR 3553 – Free and Reduced Price Meals

5. PERSONNEL (Williams)

a) Employment

Classified

- Debi Clark, Bus Driver – 4.5 hrs., Transportation/DSF, effective 3/10/14
- Jose Rojas, II, READY Program Tutor – 4.5 hrs., Monroe, effective 3/18/14

Temporary Employees/Substitutes/Yard Supervisors

- Joseph Dias, Substitute Groundskeeper II, effective 3/11/14
- Javantae Farmah, Short-term Yard Supervisor – 1.0 hr. (M,T,Th,F), Washington, effective 3/10/14 to 6/6/14
- Marie Gallegos, Substitute Yard Supervisor, effective 2/28/14
- Kristina Keen, Substitute Yard Supervisor, effective 3/12/14
- Jesse Padilla, Short-term READY Program Tutor – 4.5 hrs., Simas, effective 3/10/14 to 6/6/14
- Suzanne Silva, Yard Supervisor – 2.5 hrs., Monroe, effective 3/11/14; Short-term Yard Supervisor – 1.0 hrs., Simas, effective 3/17/14 to 6/6/14

b) Resignations

- Cynthia Long, Food Service Worker II – 2.0 hrs., Wilson, effective 3/7/14
- Christina Raymer, Teacher, Lincoln, effective 6/6/14
- Katie Young, Teacher, King, effective 6/6/14
- Greg Brown, Media Services Aide – 5.5 hrs., Wilson, effective 6/13/14

c) Retirement

- Hallie Spence, School Operations Officer – 8.0 hrs., Roosevelt, effective 6/13/14

d) Temporary Out of Class Assignment/Transfer

- Kathleen "Katie" Luis, from READY Program Tutor – 4.5 hrs. to Lead READY Program Tutor – 5.0 hrs., Richmond, effective 3/10/14 to 3/12/14; Lead READY Program Tutor – 5.0 hrs., from Richmond to Lincoln, effective 3/13/14 to 6/6/14

e) More Hours

- Daniela Meza, Yard Supervisor, from 1.75 hrs. (.75 hr./King and 1.0 hr./Roosevelt), to 2.5 hrs., (1.5/King and 1.0 Roosevelt), effective 3/10/14

f) More Hours/Transfer

- Tammy Morrison, from Food Service Worker I – 2.5 hrs., Roosevelt to 3.25 hrs., Hamilton, effective 3/10/14

g) Decrease in Hours

- Jessica Szalai, Yard Supervisor, from 3.25 hrs. to 2.5 hrs., Monroe, effective 3/11/14

h) Administrative Transfer/Decrease in Hours

- Lidia Ortega, Yard Supervisor, from 1.75 hrs., King to 1.5 hrs., Washington, effective 3/10/14

i) Leave of Absence

- Monica Chavez, Teacher, King, effective 2-014-2015 school year, child rearing
- Summer Dalafu, Special Education Aide – 5.0 hrs., Hamilton, effective 4/28/14 to 6/6/14, baby bonding
- Dilia Silveira, Yard Supervisor – 3.75 hrs., Richmond, effective 2/26/14 to 5/9/14, personal

j) Volunteers

<u>Name</u>	<u>School</u>
Yolanda Bernal (HESD employee)	Jefferson
Josefa Bustos-Lopez (HESD employee)	Jefferson
Diana Silva (HESD employee)	Jefferson
Sandra Torres	King
Angelica Aguilar (HESD Employee)	Lincoln
Sylvia Reyna	Lincoln
Elizabeth Ericksen	Monroe
Heather Johnston	Monroe
Candi Scott	Monroe
Janie Arteaga	Roosevelt
Elsa Perez	Roosevelt
June Strong (HESD Employee)	Roosevelt
Nicole Adame	Washington
Amber Boen	Washington
Juan Garcia	Washington
Johanna Garza	Washington
Gladis Rios	Washington

6. FINANCIAL (White)

None.

ADJOURN MEETING

HANFORD ELEMENTARY SCHOOL DISTRICT

Notice of Public Hearing

The Hanford Elementary School District will hold a public hearing to consider proposed changes to the Hamilton School attendance boundaries.

Place: Hanford Elementary School District Board Room
714 N. White St.
Hanford, CA 93230

Date: March 26, 2014

Time: 6:15 p.m.

At the public hearing, the Board of Trustees of the Hanford Elementary School District will consider re-zoning the area around Lacey West apartments and residences that live on 6th and 7th Streets just west of 11th Ave from Hamilton School to Roosevelt School beginning the 2014-15 school year. Any inquiries regarding this matter should be directed to:

Liz Simas
Coordinator, Office of Child Welfare and Attendance
Hanford Elementary School District
714 N. White Street
P.O. Box 1067
Hanford, CA 93232
(559) 585-3641

(to be published 03/12/14 and 03/19/14)

Hanford Elementary School District
Minutes of the Regular Board Meeting
March 12, 2014

Minutes of the Regular Board Meeting of the Hanford Elementary School District Board of Trustees on March 12, 2014, at the District Office Board Room, 714 N. White Street, Hanford, CA.

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

Closed Session Trustees immediately adjourned to closed session for:

- Student Discipline pursuant to Education Code section 48918

Trustees returned to open session at 5:55 p.m.

HESD Managers Present Dr. Paul J. Terry, Superintendent, and the following administrators were present: Donnie Arakelian, Lindsey Calvillo, Kenny Eggert, Ramiro Flores, Joy Gabler, David Goldsmith, Lucy Gomez, Jaime Martinez, Karen McConnell, Gerry Mulligan, Liz Simas, Nancy White, and Diane Williams.

Readmission revoked Case #13-42, 13-65, 13-77 Trustee Garner made a motion to revoke readmission for Case #13-42, 13-65, and 13-77 based upon the student's failure to abide by school and district rules upon return to regular school. Parents may apply for readmission on or after June 6, 2014. Trustee Revious seconded; motion carried 4-0:

Garner - yes
Hernandez - absent
Hill - yes
Jay - yes
Revious - yes

Readmission approval #13-23 Trustee Garner made a motion to approve readmission for Case #13-23 based upon the student's compliance with the Plan of Rehabilitation. Trustee Revious seconded; motion carried 4-0:

Garner - yes
Hernandez - absent
Hill - yes
Jay - yes
Revious - yes

Case #13-73 Trustee Garner made a motion to accept the Findings of Fact and suspend from Community Day School case #13-73 for the remainder of the 2013-14 school year for violation of Education Code 48900 as determined by the Administrative Panel at Hearings held March 10, 2014. Parents may apply for readmission on or after June 6, 2014. Trustee Revious seconded; motion carried 4-0:

Garner - yes
Hernandez - absent
Hill - yes
Jay - yes
Revious - yes

Public Comments None.

Board and Staff Comments April Silva, President of HETA, on behalf of district teachers extended gratitude and thanks to Diane Williams, Assistant Superintendent Human Resources, in light of the announcement of Williams' retirement.

President Jay, on behalf of the Board, also congratulated Williams and thanked her for her service.

Requests to Address the Board at future meetings None.

Dates to Remember President Jay reviewed Dates to Remember: next regular board meeting March 26; JFK Varsity Baseball & Softball March 29; Girls' Diamond Classic April 4; Boys' Diamond Classic April 7; Hanford Zone Track Meet April 9; regular board meeting April 9; Spring Break April 14-21.

INFORMATION ITEMS

Hamilton attendance boundary rezone Liz Simas, Child Welfare and Attendance Coordinator, presented for information a proposal to rezone a section of Hamilton School's attendance boundary. Projected enrollment for Hamilton next year indicates two additional classrooms would be needed, and Roosevelt has space. Boundary changes to move eighty-six students to Roosevelt would make the enrollment there approximately 566 students, and Hamilton enrollment would be approximately 564 students.

The move would save installing portable classrooms at Hamilton, and regain some of the neighborhood school concept. A public hearing will be held March 26, and if approved, parents would be notified the week following the public hearing. Students in 5th grade will be offered the opportunity to remain at Hamilton for 6th grade, and current interdistrict policy would allow families with hardships to apply to remain at Hamilton School.

Exhibit BP/AR 3553 Nancy White, Assistant Superintendent Fiscal Services presented for information the following revised Exhibit to Board Policy and Administrative Regulation:

- BP/AR 3553 – Free and Reduced Price Meals

CONSENT ITEMS

Trustee Revious made a motion to take consent items "a" through "e" together. Trustee Garner seconded, motion carried 4-0:

Garner – yes
Hernandez - absent
Hill – yes
Jay – yes
Revious – yes

Trustee Revious then made a motion to approve consent items "a" through "e". Trustee Garner seconded, motion carried 5-0:

Garner – yes
Hernandez - absent
Hill - yes
Jay - yes
Revious – yes

The items approved as follows:

- a) Warrant listings dated February 21, 2014; and February 28, 2014.
- b) Minutes of February 26, 2014 Regular Board Meeting.
- c) Interdistrict transfers as recommended.
- d) Donation of \$1,490.00 from Lee Richmond PTC to Lee Richmond School.
- e) Donation of \$5,625.00 from Washington PTC to Washington School.

Trustee Revious publicly acknowledged and thanked Lee Richmond PTC and Washington PTC for their substantial donations to Lee Richmond and Washington Schools.

**PUBLIC HEARING:
Developer Fees**

At 6:14 p.m. President Jay opened the Public Hearing regarding Developers Fees. Nancy White, Assistant Superintendent Fiscal Services, stated that an item for action by the board would be presented later in the meeting, and this was an opportunity for the public to comment on the proposed increase in Developers' Fees. President Jay called for questions or comments from the audience. There being none, President Jay closed the Public Hearing at 6:15 p.m.

BOARD POLICIES AND ADMINISTRATION

**UC CalFresh Nutrition
Education Program**

Trustee Hill made a motion to approve agreement with University of California CalFresh Nutrition Education Program. Trustee Garner seconded; motion carried 4-0:

Garner – yes
Hernandez - absent
Hill – yes
Jay – yes
Revious – yes

SARB By-Laws

Trustee Hill made a motion to approve By-Laws: Hanford Elementary School District Local School Attendance Review Board. Trustee Revious seconded; motion carried 4-0:

Garner - yes
Hernandez - absent
Hill - yes
Jay - yes
Revious - yes

PERSONNEL

Trustee Hill made a motion to take Personnel items "a" through "h" together. Trustee Revious seconded and motion carried 4-0:

Garner - yes
Hernandez - absent
Hill - yes
Jay - yes
Revious - yes

Then Trustee Hill made a motion to approve Personnel items "a" through "h". Trustee Garner seconded, and the motion carried 4-0:

Garner - yes
Hernandez - absent
Hill - yes
Jay - yes
Revious - yes

The following items were approved:

Item "a" – Employment

Confidential

- Liz Ibarra, Personnel Specialist – 8.0 hrs., Human Resources, effective 3/10/14

Temporary Employees/Substitutes/Yard Supervisors

- Jamie Barron, Substitute Food Service Worker I and Yard Supervisor, effective 2/24/14
- Danielle Fernandez, Substitute READY Program Tutor, effective 2/25/14
- Timothy Grubb, Substitute Bus Driver, effective 2/20/14
- Jesse Padilla, Substitute READY Program Tutor, effective 2/19/14
- David Paramo, Substitute Custodian II, effective 2/24/14
- Sylvia Solorio, Short-term READY Program Tutor – 4.5 hrs., Roosevelt, effective 2/25/14 to 4/11/14
- Ron Williams, 7-8 Girls Softball Coach – 6 units, Wilson, effective 2/11/14 to 4/11/14

Item "b" – Resignations

- Ivan D. Alvarez, School Psychologist, Special Services, effective 6/12/14
- Caitlin Coelho, Teacher, Hamilton, effective 6/6/14
- Despina Gamble, Teacher, Richmond, effective 6/6/14
- Carolyn Harmon, READY Program Tutor – 4.5 hrs., Simas, effective 3/7/14
- Guadalupe Jimenez, Substitute Bilingual Clerk Typist I, Clerk Typist I, Translator: Oral Interpreter and Written Translator, effective 5/3/14
- Melanie Keener, Teacher, King, effective 6/6/14
- Samantha Long, Substitute Yard Supervisor, effective 12/13/13
- Julie Martinez, Teacher, Jefferson, effective 6/6/14
- Amy Roselius, Teacher, Hamilton, effective 6/6/14
- Erin St. Marie, Lead READY Program Tutor – 5.0 hrs., Lincoln, effective 3/14/14
- Joyce Torres, Teacher, Roosevelt, effective 6/6/14

**Item "b" –
Resignations**

- Kathryn Yarbrough, Educational Tutor K-6 – 3.5 hrs., Washington, effective 5/8/14

**Item "c" –
Retirement**

- Diane Williams, Assistant Superintendent Human Resources, effective 9/30/14

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

- Ashley Lizotte, from READY Program Tutor – 4.5 hrs., Roosevelt to Lead READY Program Tutor – 5.0 hrs., Roosevelt, effective 2/24/14 to 4/11/14

**Item "e" –
More Hours**

- Georgia Freeman, Yard Supervisor, from 2.25 to 2.5 hrs., Monroe, effective 2/21/14
- Suzanne Silva, Short-term Yard Supervisor, from 1.0 hr. to 1.75 hrs., Monroe, effective 2/21/14 to 4/11/14

**Item "f" –
More Hours/Transfer**

- Lynette Gonzales, Food Service Worker I, from 2.5 hrs. Richmond to 3.5 hrs., Monroe, effective 2/24/14

**Item "g" –
Leave of Absence**

- Dianne Dias, Teacher, Richmond, effective 2014-15 school year, restoration of health
- Gina Jacobson, READY Program Tutor – 4.5 hrs., Monroe, effective 3/18/14 to 6/6/14, medical

**Item "h" –
Volunteers**

<u>Name</u>	<u>School</u>
Veronica Rodriguez	Hamilton
Maribel Alcala	Jefferson
Dianna Galaviz (HESD employee)	Jefferson
Cori Griffin (HESD employee)	Jefferson
Delia Navarro de Mendoza	Jefferson
Lea Navarro	King
Vanessa Ferrer	Lincoln
Merna Denney	Monroe
Angel Hawkins (HESD employee)	Roosevelt
Mayra Quinones	Roosevelt
Luis Ruiz	Roosevelt
Jamie Barron (HESD employee)	Washington
Amanda Camacho	Washington
Diana Denham	Washington
Suzanne Wilson	Washington
Rachel Castellanos	Wilson Jr. High

FINANCIAL**Certification of
Second Interim
Report**

Trustee Hill made motion to certify Second Interim Report. Trustee Garner seconded; motion carried 4-0:

Garner – yes
Hernandez – absent
Hill – yes
Jay – yes
Revious – yes

**OPEB Actuarial
Report**

Trustee Garner made a motion to accept actuarial study required by GASB 45 for Other Post Employment Benefits. Trustee Revious seconded; motion carried 4-0:

10/75

Garner – yes
Hernandez – absent
Hill – yes
Jay – yes
Revious – yes

**Rescind Resolution
#21-12 and adopt
Resolution #12-14**

Trustee Garner made a motion to rescind Resolution #21-12 and adopt Resolution #12-14: In the Matter of Establishing Developer Fees and Adopting Inflationary Increase Thereto. Trustee Revious seconded; motion carried 4-0:

Garner – yes
Hernandez – absent
Hill – yes
Jay – yes
Revious – yes

**Declaration of
Surplus Property**

Trustee Hill made a motion to declare surplus property. Trustee Revious seconded; motion carried 4-0:

Garner – yes
Hernandez – absent
Hill – yes
Jay – yes
Revious – yes

Adjournment

There being no further business, President Jay adjourned the meeting at 6:30 p.m.

Respectfully submitted,

Paul J. Terry,
Secretary to the Board of Trustees

Approved:

James L. Jay III, President

Lupe Hernandez, Clerk

No	A/D	Sch Req'd	Home Sch	Date
I-099	A	Lincoln	Lemoore	3/26/14


No Inters - OUT

Inters - IN

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Paul Terry

FROM: Jaime Martinez 

DATE: March 18, 2014

For: ☒ Board Meeting
☐ Superintendent's Cabinet

For: ☐ Information
☒ Action

Date you wish to have your item considered: March 26, 2014

ITEM: Donation of \$12,576.40 from Monroe Parent Club

PURPOSE: Accept donation of \$12,576.40 from Monroe Parent Club

Study Trips – Transportation
\$7,000.40
0100-0000-0-1110-1000-571020-024-0000

Study Trips – Entrance Fees
\$3,351.00
0100-0000-0-1110-1000-430006-024-0000

End of Year Awards
\$1,800.00
0100-0000-0-1110-1000-430006-024-0000

Instructional Consultant
\$425.00
0100-0000-0-1110-1000-580009-024-0000

FISCAL IMPACT (if any): \$12,576.40

RECOMMENDATION (if any): Action.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Paul J. Terry, Ed.D.

DATE: March 17, 2014

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: March 26, 2014

ITEM: Receive for information the following Board Policy and Administrative Regulation:

- BP/AR 0420.4 – Charter School Authorization

PURPOSE: This Board Policy and Administrative Regulation outline the start up procedures for a charter school.

FISCAL IMPACT: None.

RECOMMENDATION: For information only. This policy and regulation will be returned for approval at a future board meeting.

Hanford ESD

Board Policy

Charter School Authorization

BP 0420.4

Philosophy, Goals, Objectives and Comprehensive Plans

The Governing Board recognizes that charter schools may assist the district in offering diverse learning opportunities for district students. In considering any petition to establish a charter school within the district, the Board shall give careful consideration to the potential of the charter school to provide students with a high-quality education that enables them to achieve to their fullest potential.

One or more persons may submit a petition for a start-up charter school to be established within the district. In addition, an existing district school may be converted to a charter school when deemed beneficial by the district and community or when state or federal law requires restructuring of the school because of low performance.

(cf. 0520.2 - Title I Program Improvement Schools)

Any petition for a start-up charter school or conversion charter school shall include all components and signatures required by law and shall be submitted to the Board.

The Superintendent or designee may work with charter school petitioners prior to the formal submission of the petition in order to ensure compliance of the petition with legal requirements. As needed, he/she also may meet with the petitioners to establish workable plans for technical assistance or contracted services which the district may provide to the proposed charter school.

Within 30 days of receiving a petition to establish a charter school, the Board shall hold a public hearing to determine the level of support for the petition by teachers, other employees of the district, and parents/guardians. (Education Code 47605)

(cf. 9320 - Meetings and Notices)

Within 60 days of receiving a petition, or within 90 days with mutual consent of the petitioners and the Board, the Board shall either approve or deny the request to establish the charter school. (Education Code 47605)

The approval or denial of a charter petition shall not be controlled by collective bargaining agreements nor subject to review or regulation by the Public Employment Relations Board. (Education Code 47611.5)

Approval of Petition

The Board shall approve the charter petition if doing so is consistent with sound educational

practice. In granting charters, the Board shall give preference to schools best able to provide comprehensive learning experiences for academically low-achieving students according to standards established by the California Department of Education (CDE) under Education Code 54032. (Education Code 47605)

The Board may initially grant a charter for a specified term not to exceed five years. (Education Code 47607)

(cf. 0420.42 - Charter School Renewal)

(cf. 0420.43 - Charter School Revocation)

The Board shall ensure that any approved charter contains adequate processes and measures for holding the school accountable for fulfilling the terms of its charter. These shall include, but not be limited to, fiscal accountability systems, multiple measures for evaluating the educational program, and regular reports to the Board.

(cf. 0420.41 - Charter School Oversight)

The district shall not require any district student to attend the charter school nor shall it require any district employee to work at the charter school. (Education Code 47605)

The Board may approve one or more memoranda of understanding to clarify the financial and operational agreements between the district and the charter school. Any such memorandum of understanding shall be annually reviewed by the Board and charter school governing body and amended as necessary.

It shall be the responsibility of the petitioners to provide written notice of the Board's approval and a copy of the charter to the County Superintendent of Schools, the CDE, and the State Board of Education (SBE). (Education Code 47605)

Denial of Petition

The Board shall deny any petition to authorize the conversion of a private school to a charter school or that proposes to serve students in a grade level that is not served by the district, unless the petition proposes to serve students in all the grade levels served by the district. (Education Code 47602, 47605; 5 CCR 11965)

Any other charter petition shall be denied only if the Board presents written factual findings specific to the petition that one or more of the following conditions exist: (Education Code 47605)

1. The charter school presents an unsound educational program for the students to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

3. The petition does not contain the number of signatures required.
4. The petition does not contain an affirmation of each of the conditions described in Education Code 47605(d).
5. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(b).

The Board shall not deny a petition based on the actual or potential costs of serving students with disabilities, nor shall it deny a petition solely because the charter school might enroll disabled students who reside outside the special education local plan area in which the district participates. (Education Code 47605.7, 47647)

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

If the Board denies a petition, the petitioners may choose to submit the petition to the County Board of Education and, if then denied by the County Board, to the SBE. (Education Code 47605)

Legal Reference:

EDUCATION CODE

220 Nondiscrimination

17078.52-17078.66 Charter schools facility funding; state bond proceeds

17280-17317 Field Act

17365-17374 Field Act, fitness for occupancy

41365 Charter school revolving loan fund

42238.51-42238.53 Funding for charter districts

44237 Criminal record summary

44830.1 Certificated employees, conviction of a violent or serious felony

45122.1 Classified employees, conviction of a violent or serious felony

46201 Instructional minutes

47600-47616.7 Charter Schools Act of 1992

47640-47647 Special education funding for charter schools

47650-47652 Funding of charter schools

51745-51749.3 Independent study

52052 Numerically significant student subgroup, definition

53300-53303 Parent Empowerment Act

56026 Special education

56145-56146 Special education services in charter schools

CORPORATIONS CODE

5110-6910 Nonprofit public benefit corporations

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

CODE OF REGULATIONS, TITLE 5

4800-4808 Parent Empowerment Act

11700.1-11705 Independent study

11960-11969 Charter schools

CODE OF REGULATIONS, TITLE 24

101 et seq. California Building Standards Code

UNITED STATES CODE, TITLE 20

6316 Program improvement

7223-7225 Charter schools

COURT DECISIONS

Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986

ATTORNEY GENERAL OPINIONS

89 Ops.Cal.Atty.Gen. 166 (2006)

80 Ops.Cal.Atty.Gen. 52 (1997)

78 Ops.Cal.Atty.Gen. 297 (1995)

Management Resources:

CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

Charter Schools: A Manual for Governance Teams, rev. 2009

Charter School Facilities and Proposition 39: Legal Implications for School Districts, 2005

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Sample Copy of a Memorandum of Understanding

Special Education and Charter Schools: Questions and Answers, September 10, 2002

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Charter Schools Program, July 2004

The Impact of the New Title I Requirements on Charter Schools, July 2004

WEB SITES

CSBA: <http://www.csba.org>California Charter Schools Association: <http://www.calcharters.org>California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>National Association of Charter School Authorizers: <http://www.charterauthorizers.org>U.S. Department of Education: <http://www.ed.gov>

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: Hanford, California

Hanford ESD

Administrative Regulation

Charter School Authorization

AR 0420.4

Philosophy, Goals, Objectives and Comprehensive Plans

Petition Signatures

A petition for the establishment of a start-up charter school must be signed by either of the following: (Education Code 47605)

1. A number of parents/guardians equivalent to at least one-half of the number of students that the charter school estimates will enroll in the school for its first year of operation
2. A number of teachers equivalent to at least one-half of the total number of teachers that the charter school estimates will be employed at the school during its first year of operation

If the charter petition calls for an existing public school to be converted to a charter school, the petition must be signed by at least 50 percent of the permanent status teachers currently employed at the school. (Education Code 47605)

(cf. 4116 - Permanent/Probationary Status)

In circulating a petition, the petitioners shall include a prominent statement explaining that a parent/guardian's signature means that the parent/guardian is meaningfully interested in having his/her child attend the charter school or, in the case of a teacher's signature, that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition. (Education Code 47605)

Advisory Committee

At his/her discretion, the Superintendent or designee may establish a staff advisory committee to evaluate the completeness of a petition or the merits of a proposed educational program and to identify any concerns that should be addressed by the petitioners. The Superintendent or designee shall also consult with legal counsel, as appropriate, regarding compliance of the charter proposals with legal requirements.

(cf. 2230 - Representative and Deliberative Groups)

Components of Charter Petition

The charter petition shall include affirmations of the conditions described in Education Code 47605(d) as well as reasonably comprehensive descriptions of: (Education Code 47605,

47611.5)

1. The educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling students to become self-motivated, competent, and lifelong learners.

The petition shall include a description of annual goals for all students and for each numerically significant subgroup of students identified pursuant to Education Code 52052, including ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, and foster youth. These goals shall be aligned with the state priorities listed in Education Code 52060 that apply to the grade levels served or the nature of the program operated by the charter school. The petition also shall describe specific annual actions to achieve those goals. The petition may identify additional priorities established by the charter school, goals aligned with those priorities, and specific annual actions to achieve those goals.

(cf. 0420.41 - Charter School Oversight)

(cf. 0460 - Local Control and Accountability Plan)

If the proposed school will serve high school students, the petition shall describe the manner in which the charter school will inform parents/guardians about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable, and courses approved by the University of California or the California State University as creditable under the "a-g" admissions criteria may be considered to meet college entrance requirements.

2. The measurable student outcomes identified for use by the charter school. Student outcomes means the extent to which all students of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program, including outcomes that address increases in student academic achievement both schoolwide and for each numerically significant subgroup of students served by the charter school. The student outcomes shall align with the state priorities identified in Education Code 52060 that apply for the grade levels served or the nature of the program operated by the charter school.

3. The method by which student progress in meeting the identified student outcomes is to be measured. To the extent practicable, the method for measuring student outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

(cf. 0510 - School Accountability Report Card)

4. The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parent/guardian involvement.

5. The qualifications to be met by individuals to be employed by the school.
6. The procedures that the school will follow to ensure the health and safety of students and staff, including the requirement that each school employee furnish the school with a criminal record summary as described in Education Code 44237.
7. The means by which the school will achieve a racial and ethnic balance among its students that is reflective of the general population residing within the district's territorial jurisdiction.
8. Admission requirements, if applicable.
9. The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the Governing Board's satisfaction.
10. The procedures by which students can be suspended or expelled.
11. The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.
12. The public school attendance alternatives for students residing within the district who choose to not attend the charter school.
13. A description of the rights of any district employee upon leaving district employment to work in the charter school and of any rights of return to the district after employment at the charter school.
14. The procedures to be followed by the charter school and the Board to resolve disputes relating to charter provisions.
15. A declaration as to whether or not the charter school shall be deemed the exclusive public school employer of the school's employees for purposes of collective bargaining under Government Code 3540-3549.3.
16. The procedures to be used if the charter school closes, including, but not limited to: (5 CCR 11962)
 - a. Designation of a responsible entity to conduct closure-related activities
 - b. Notification to parents/guardians, the Board, the county office of education, the special education local plan area in which the school participates, the retirement systems in which the school's employees participate, and the California Department of Education, providing at least the following information:

- (1) The effective date of the closure
- (2) The name(s) and contact information of the person(s) to whom reasonable inquiries may be made regarding the closure
- (3) The students' districts of residence
- (4) The manner in which parents/guardians may obtain copies of student records, including specific information on completed courses and credits that meet graduation requirements
- c. Provision of a list of students at each grade level, the classes they have completed, and their districts of residence to the responsible entity designated in accordance with item #16a above
- d. Transfer and maintenance of all student records, all state assessment results, and any special education records to the custody of the responsible entity designated in accordance with item #16a above, except for records and/or assessment results that the charter may require to be transferred to a different entity
- e. Transfer and maintenance of personnel records in accordance with applicable law
- f. Completion of an independent final audit within six months after the closure of the school that includes an accounting of all financial assets and liabilities pursuant to 5 CCR 11962 and an assessment of the disposition of any restricted funds received by or due to the school
- g. Disposal of any net assets remaining after all liabilities of the school have been paid or otherwise addressed pursuant to 5 CCR 11962
- h. Completion and filing of any annual reports required pursuant to Education Code 47604.33
- i. Identification of funding for the activities identified in item #16a-h above

Charter school petitioners shall provide information to the Board regarding the proposed operation and potential effects of the school, including, but not limited to: (Education Code 47605)

1. The facilities to be used by the school, including where the school intends to locate
(cf. 7160 - Charter School Facilities)
2. The manner in which administrative services of the school are to be provided
3. Potential civil liability effects, if any, upon the school and district
4. Financial statements that include a proposed first-year operational budget, including

start-up costs and cash-flow and financial projections for the first three years of operation

Location of Charter School

Unless otherwise exempted by law, the charter petition shall identify a single charter school that will operate within the geographic boundaries of the district. A charter school may propose to operate at multiple sites within the district as long as each location is identified in the petition. (Education Code 47605, 47605.1)

A charter school that is unable to locate within the district's jurisdictional boundaries may establish one site outside district boundaries but within the county, provided that: (Education Code 47605, 47605.1)

1. The district is notified prior to approval of the petition.
2. The County Superintendent of Schools and Superintendent of Public Instruction are notified before the charter school begins operations.
3. The charter school has attempted to locate a single site or facility to house the entire program but such a facility or site is unavailable in the area in which the school chooses to locate, or the site is needed for temporary use during a construction or expansion project.

A charter school may establish and locate a resource center, meeting space, or other satellite facility in an adjacent county if both of the following conditions are met: (Education Code 47605.1)

1. The facility is used exclusively for the educational support of students who are enrolled in nonclassroom-based independent study of the charter school.
2. The charter school provides its primary educational services in, and a majority of the students it serves are residents of, the county in which the school is authorized.

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT
approved: Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Paul J. Terry, Ed.D.

DATE: March 17, 2014

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: March 26, 2014

ITEM: Receive for information the following Board Policy and Administrative Regulation:

- BP/AR 0420.41 – Charter School Oversight

PURPOSE: This Board Policy and Administrative Regulation describe the oversight requirements for operating a charter school.

FISCAL IMPACT: None.

RECOMMENDATION: For information only. This policy and regulation will be returned for approval at a future board meeting.

Hanford ESD

Board Policy

Charter School Oversight

BP 0420.41

Philosophy, Goals, Objectives and Comprehensive Plans

The Governing Board recognizes its ongoing responsibility to ensure that any charter school authorized by the Board is successfully fulfilling the terms of its charter and is providing a high-quality educational program for students enrolled in the charter school.

(cf. 0420.4 - Charter School Authorization)

(cf. 0500 - Accountability)

The Superintendent or designee shall identify at least one staff member to serve as a contact for each charter school. (Education Code 47604.32)

The Board and Superintendent or designee may inspect or observe any part of the charter school at any time. The Superintendent or designee shall visit each charter school at least annually. (Education Code 47604.32, 47607)

Whenever a charter school operates as or is operated by a nonprofit public benefit corporation as authorized by Education Code 47604, the Superintendent shall recommend and the Board shall appoint a district representative, who may be the district's charter school contact, on the corporation's board of directors.

Waivers

If the charter school wishes to request a general waiver of any state law or regulation, it shall request that the district submit a general waiver request to the State Board of Education (SBE) on its behalf. Upon approval of the Board, the Superintendent or designee shall apply for the waiver.

(cf. 1431 - Waivers)

Provision of District Services

The charter school may purchase administrative or other services from the district or any other source. (Education Code 47613)

Whenever the district agrees to provide administrative or support services, the district and charter school shall develop a memorandum of understanding which clarifies the financial and operational agreements between the district and charter school.

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System or Public Employees' Retirement System on behalf of the charter school. The charter school may be charged for the actual costs of the reporting services, but shall not be required to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

Material Revisions to Charter

Material revisions to a charter may be made only with Board approval. Material revisions shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement for charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

If an approved charter school proposes to expand operations to one or more additional sites within the district's boundaries, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations. The Board shall consider approval of the additional locations at an open meeting. (Education Code 47605)

The Board shall have the authority to determine whether a proposed change in charter school operations constitutes a material revision.

Monitoring Charter School Performance

The Superintendent or designee shall monitor the charter school to determine whether it complies with all legal requirements applicable to charter schools, including making all reports required of charter schools in accordance with Education Code 47604.32. Any violations of law shall be reported to the Board.

The Board shall monitor each charter school to determine whether it is achieving, both schoolwide and for all groups of students served by the school, the measurable student outcomes set forth in the charter. This determination shall be based on the measures specified in the approved charter and shall include, at a minimum, a consideration of whether the school is meeting its Academic Performance Index growth targets established pursuant to Education Code 52052 and is making "adequate yearly progress" (AYP) pursuant to 20 USC 6311, as applicable.

The Board shall monitor the fiscal condition of the charter school based on any financial information obtained from the charter school, including, but not limited to, the charter school's preliminary budget; an annual update, aligned to the template adopted by the SBE, of school goals, actions, and related expenditures; first and second interim financial reports; and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33, 47606.5)

The district may charge up to one percent of a charter school's revenue for the actual costs of supervisorial oversight of the school. However, if the district is able to provide substantially rent-free facilities to the charter school, the district may charge actual costs of supervisorial oversight up to three percent of the charter school's revenue. (Education Code 47613)

(cf. 7160 - Charter School Facilities)

Technical Assistance/Intervention

If a charter school receiving federal Title I funding fails to make AYP, as defined pursuant to 20 USC 6311, for two or more consecutive years, the school shall be identified for program improvement and shall implement improvement strategies in accordance with 20 USC 6316.

(cf. 0520.2 - Title I Program Improvement Schools)

If, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more student subgroups identified in Education Code 52052, or for all of the student subgroups if the school has fewer than three, in regard to one or more state or school priorities identified in the charter, the district: (Education Code 47607.3)

1. Shall provide technical assistance to the charter school using an evaluation rubric adopted by the SBE pursuant to Education Code 52064.5
2. May request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code 52074

In accordance with law, the Board may deny a charter's renewal petition or may revoke a charter based on the charter school's poor performance, especially with regards to the academic achievement of all numerically significant subgroups of students served by the charter school.

(cf. 0420.42 - Charter School Renewal)

(cf. 0420.43 - Charter School Revocation)

Complaints

Each charter school shall maintain processes to enable any person to file a complaint, in accordance with the uniform complaint procedures as specified in 5 CCR 4600-4687, alleging the school's noncompliance with Education Code 47606.5 or 47607.3. (Education Code 52075)

(cf. 1312.3 - Uniform Complaint Procedures)

A complainant who is not satisfied with the decision may appeal the decision to the SPI. (Education Code 52075)

If the charter school finds merit in the complaint or the SPI finds merit in an appeal, a remedy shall be provided to all affected students and parents/guardians. (Education Code 52075)

School Closure

In the event that the Board revokes or denies renewal of a charter or the school closes for any other reason, the Superintendent or designee shall, when applicable in accordance with the charter and/or a memorandum of understanding, provide assistance to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days, if the charter school will cease operation for any reason.

Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records.
(Education Code 47604.32; 5 CCR 11962.1)

Legal Reference:

EDUCATION CODE

220 Nondiscrimination

17280-17317 Field Act

17365-17374 Field Act, fitness for occupancy

35330 Field trips and excursions; student fees

38080-38086 School meals

42100 Annual statement of receipts and expenditures

44237 Criminal record summary

44830.1 Certificated employees, conviction of a violent or serious felony

45122.1 Classified employees, conviction of a violent or serious felony

46201 Instructional minutes

47600-47616.7 Charter Schools Act of 1992

47634.2 Nonclassroom-based instruction

47640-47647 Special education funding for charter schools

48000 Minimum age of admission for kindergarten; transitional kindergarten

48010-48011 Minimum age of admission (first grade)

48907 Students' exercise of free expression; rules and regulations

48950 Student speech and other communication

49061 Student records

49110 Authority of issue work permits

49475 Health and safety, concussions and head injuries

51745-51749.3 Independent study

52051.5-52052 Academic performance index, applicability to charter schools

52060-52077 Local control and accountability plans

52075 Uniform complaint procedures

56026 Special education

56145-56146 Special education services in charter schools

60600-60649 Assessment of academic achievement

60850-60859 High school exit examination

CORPORATIONS CODE

5110-6910 Nonprofit public benefit corporations

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

54950-54963 The Ralph M. Brown Act

LABOR CODE

1198.5 Personnel records related to performance and grievance

PENAL CODE

667.5 Definition of violent felony

1192.7 Definition of serious felony

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

11700.1-11705 Independent study

11960-11969 Charter schools

CODE OF REGULATIONS, TITLE 24

101 et seq. California Building Standards Code

UNITED STATES CODE, TITLE 20

6311 Adequate yearly progress

6319 Qualifications of teachers and paraprofessionals

7223-7225 Charter schools

CODE OF FEDERAL REGULATIONS, TITLE 34

200.1-200.78 Accountability

300.18 Highly qualified special education teachers

COURT DECISIONS

Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986

ATTORNEY GENERAL OPINIONS

89 Ops.Cal.Atty.Gen. 166 (2006)

80 Ops.Cal.Atty.Gen. 52 (1997)

78 Ops.Cal.Atty.Gen. 297 (1995)

CALIFORNIA OFFICE OF ADMINISTRATIVE HEARINGS DECISIONS

Student v. Horizon Instructional Systems Charter School, (2012) OAH Case No. 2011060763

Management Resources:

CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

Charter Schools: A Manual for Governance Teams, rev. 2009

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Sample Copy of a Memorandum of Understanding

Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 11-01, November 9, 2011

Special Education and Charter Schools: Questions and Answers, September 10, 2002

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Charter Schools Program: Title V, Part B of the ESEA, April 2011

The Impact of the New Title I Requirements on Charter Schools, July 2004

WEB SITES

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

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.qualitycharters.org>

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

Policy HANFORD ELEMENTARY SCHOOL DISTRICT
approved: Hanford, California

Hanford ESD

Charter School Oversight

E 0420.41

Philosophy, Goals, Objectives and Comprehensive Plans

REQUIREMENTS FOR CHARTER SCHOOLS

Charter schools are generally exempt from provisions of the Education Code unless they are expressly included in the law. However, charter schools are subject to the terms of their charters, any memorandum of understanding with their chartering authority, and other legal requirements including, but not limited to, requirements that each charter school:

1. Comply with the state and federal constitution and applicable federal laws
2. Comply with state laws that apply to governmental agencies in general, such as the Brown Act requirements in Government Code 54950-54963
3. Be nonsectarian in its programs, admission policies, employment practices, and all other operations (Education Code 47605)
4. Not discriminate against any student on the basis of the characteristics listed in Education Code 220 (Education Code 47605)
5. Not charge tuition (Education Code 47605)
6. Not charge student fees for any activity that is an integral component of the educational program, except as authorized by those Education Code provisions that explicitly apply to charter schools
7. Adhere to all laws establishing the minimum age for public school attendance (Education Code 47610)
8. Serve students who are California residents and who, if over 19 years of age, are continuously enrolled in a public school and making "satisfactory progress" toward a high school diploma as defined in 5 CCR 11965 (Education Code 47612)
9. Serve students with disabilities in the same manner as such students are served in other public schools (Education Code 47646, 56145)
10. Admit all students who wish to attend the school, according to the following criteria and procedures:
 - a. Admission to the charter school shall not be determined according to the student's place

of residence, or that of his/her parents/guardians, within the state, except that any existing public school converting partially or entirely to a charter school shall adopt and maintain a policy giving admission preference to students who reside within the school's former attendance area. (Education Code 47605)

However, if a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced-price meals, it may also establish an admissions preference for students who are currently enrolled in the public elementary school and for students who reside in the public school attendance area. (Education Code 47605.3)

b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance shall be determined by a public random drawing. However, preference shall be extended to students currently attending the charter school and students who reside in the district, except as provided for in Education Code 47614.5. (Education Code 47605)

c. Other admissions preferences may be established on an individual school basis as consistent with law.

11. If the school offers a kindergarten program, offer a transitional kindergarten program to eligible students who do not yet meet the age criterion for entry into kindergarten (Education Code 48000)

12. Require its teachers to hold a certificate, permit, or other document issued by the Commission on Teacher Credentialing equivalent to that which a teacher in other public schools would be required to hold (Education Code 47605)

13. Require its teachers of core academic subjects to satisfy requirements for "highly qualified teachers" as defined by the State Board of Education (SBE) (20 USC 6319; 34 CFR 300.18)

14. Not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law (Education Code 44830.1, 45122.1)

15. Meet the requirements of Education Code 47611 regarding the State Teachers' Retirement System (Education Code 47610)

16. Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment (Education Code 47611.5)

17. If applicable, meet federal requirements for qualifications of paraprofessionals working in programs supported by Title I funds (20 USC 6319)

18. Meet all statewide standards and conduct the student assessments required by Education Code 60605 and 60851 and any other statewide standards or assessments applicable to

noncharter public schools (Education Code 47605, 47612.5)

19. Offer at least the number of instructional minutes required by law for the grade levels provided by the charter school (Education Code 46201.2, 47612.5)

20. If the school provides independent study, meet the requirements of Education Code 51745-51749.3, except that the school may be allowed to offer courses required for graduation solely through independent study as an exception to Education Code 51745(e) (Education Code 47612.5, 51747.3; 5 CCR 11705)

21. Identify and report to the Superintendent of Public Instruction (SPI) any portion of its average daily attendance that is generated through nonclassroom-based instruction, including, but not limited to, independent study, home study, work study, and distance and computer-based education (Education Code 47612.5, 47634.2; 5 CCR 11963.2)

22. If the school offers an athletic program, annually provide an information sheet about concussion and head injury to athletes and their parents/guardians before the athlete initiates practice or competition. In the event that an athlete is suspected of sustaining a concussion or head injury in an athletic activity, he/she shall be immediately removed from the activity for the remainder of the day and shall not be permitted to return to the activity until he/she is evaluated by a licensed health care provider and receives written clearance to return to the activity. (Education Code 49475)

23. On a regular basis, consult with parents/guardians and teachers regarding the school's educational programs (Education Code 47605)

24. Provide students the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications (Education Code 48907, 48950)

25. Maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection (Education Code 47612.5)

26. If a student subject to compulsory full-time education is expelled or leaves the charter school without graduating or completing the school year for any reason, notify the Superintendent of the school district of the student's last known address within 30 days and, upon request, provide that district with a copy of the student's cumulative record, including a transcript of grades or report card, and health information (Education Code 47605)

27. Comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located, unless the charter school facility meets either of the following conditions: (Education Code 47610, 47610.5)

a. The facility complies with the Field Act pursuant to Education Code 17280-17317 and

17365-17374.

b. The facility is exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, including, but not limited to, the federal government.

28. Promptly respond to all reasonable inquiries from the district, the county office of education, or the SPI, including, but not limited to, inquiries regarding the school's financial records (Education Code 47604.3)

29. Annually prepare and submit financial reports to the Governing Board and the County Superintendent of Schools in accordance with the following reporting cycle:

a. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement. (Education Code 47604.33)

b. By July 1 each year, an update of the school's goals and the actions to achieve those goals as identified in the charter, developed using the SBE template in accordance with Education Code 47606.5. This report shall include a review of the progress toward the goals, an assessment of the effectiveness of the specific actions toward achieving the goals, a description of changes the school will make to the specific actions as a result of the review and assessment, and a listing and description of expenditures for the fiscal year implementing the specific actions. (Education Code 47604.33, 47606.5)

When conducting this review, the governing body of the school may consider qualitative information including, but not limited to, findings that result from any school quality reviews conducted pursuant to Education Code 52052 or any other reviews. To the extent practicable, data shall be reported in a manner consistent with how information is reported on a school accountability report card. The update shall be developed in consultation with teachers, principals, administrators, other school personnel, parents/guardians and students. (Education Code 47606.5)

c. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)

d. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)

e. By September 15, a final unaudited report for the full prior year. The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code 42100, 47604.33)

f. By December 15, a copy of the charter school's annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the district's audit. The audit report shall also be submitted to the state Controller and the California Department of Education. (Education Code 47605)

Exhibit: HANFORD ELEMENTARY SCHOOL DISTRICT
approved: Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Paul J. Terry, Ed. D.

DATE: March 17, 2014

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: March 26, 2014

ITEM: Receive for information the following revised Board Policy and Administrative Regulation:

- BP/AR 1340 – Access to District Records

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: For information only. This revised policy and regulation will be returned for approval at a future board meeting.

Hanford ESD

Board Policy

Access To District Records

BP 1340

Community Relations

~~The Board of Trustees~~ The Governing Board recognizes the right of citizens to have access to public records of the district. The Board intends the district to provide any person reasonable access to the public records of the schools and district during normal business hours and within the requirements of state and federal law. ~~Such records shall be examined in the presence of the staff member regularly responsible for their maintenance.~~

law.

~~The district may charge for copies of public records or other materials requested by individuals or groups. The charge shall be based on actual costs of duplication, as determined by the Superintendent or designee and as specified in administrative regulation.~~

Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act ~~or and~~ other statutes ~~state or federal law.~~

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3580 - District Records)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

(cf. 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records)

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

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 6162.5 - Student Assessment)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

(cf. 9321 - Closed Session Purposes and Agendas)

The district may charge for copies of public records or other materials requested by individuals or groups. The charge shall be based on actual costs of duplication, as determined by the Superintendent or designee and as specified in administrative regulation.

In order to help maintain the security of district records, members of the public granted access shall examine records in the presence of a district staff member.

Legal Reference:

EDUCATION CODE

35145 Public meetings

35170 Authority to secure copyrights

35250 Duty to keep certain records and reports

41020 Requirement for annual audit
 42103 Publication of proposed budget; hearing
 44031 Personnel file contents and inspections
 44839 Medical certificates; periodic medical examination (~~re access to medical certificate in personnel file~~)
 49060-49079 Pupil records
 49091.10 Parental review of curriculum and instruction
 52850 Applicability of article (School-based Based Program Coordination Plan availability)

GOVERNMENT CODE

3547 Proposals relating to representation
 6250-6270 California Public Records Act
 6275-6276.48 Other exemptions from disclosure
 53262 Employment contracts
 54957.2 Minute book record of closed sessions
 54957.5 Agendas and other writings distributed for discussion or consideration
 81008 ~~Public~~ Political Reform Act, public records; inspection and reproduction

CALIFORNIA CONSTITUTION

Article 1, Section 3 Right of access to governmental information

CODE OF REGULATIONS; TITLE 5

430-438 Individual pupil records
 4061 ~~Availability of evaluation information~~

COURT DECISIONS

International Federation of Professional and Technical Engineers v. The Fairley v. Superior Court of Alameda County, (2007) 42 Cal.4th 319

Los Angeles Times v. Alameda Corridor Transportation Authority, (2001) 88 Cal.App.4th 1381

Kleitman v. Superior Court, (1999) 74 Cal.App. 4th 324

Fairley v. Superior Court, (1998) 66 Cal.App. 4th 1414 (1998)

North County Parents Organization for Children with Special Needs v. Department of Education, (1994) 23 Cal.App. 4th 144 (1994)

ATTORNEY GENERAL OPINIONS

71 Ops.Cal.Atty.Gen. 235 (1988)

64 Ops.Cal.Atty.Gen. 186 (1981)

Management Resources:

ATTORNEY GENERAL PUBLICATIONS

Summary of the California Public Records Act, 2004

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

The People's Business: A Guide to the California Public Records Act, 2008

WEB SITES

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

California Attorney General's Office: <http://www.caag.state.ca.us>

Institute for Local Government: <http://www.cacities.org/index.jsp?zone=ilsg>

State Bar of California: <http://www.calbar.ca.gov>

adopted: May 16, 2001
revised:
Hanford, California

Hanford ESD

Administrative Regulation

Access To District Records

AR 1340

Community Relations

~~Records Open to the Public~~

Definitions

Public records include any writing containing information relating to the conduct of the district's business prepared, owned, used, or retained by the district regardless of physical form or characteristics. (Government Code 6252)

(cf. 3580 - District Records)

(cf. 9012 - Board Member Electronic Communications)

Writing means any handwriting, typewriting, printing, photostating, photographing, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. (Government Code 6252)

~~A member~~Member of the public ~~includes~~means any person, except a member, agent, officer, or employee of the district or a federal, state, or other local agency acting within the scope of his/her membership, agency, office, or employment. ~~Board of Trustees members are entitled to access to public records permitted by law in the administration of their duties, and, as to other public records, on the same basis as any other person.~~ {

Public Records

Public records to which members of the public shall have access include, but are not limited to:

1. ~~The proposed~~Proposed and approved district budgets ~~(Government Code 6252; and annual audits~~ (Education Code 41020, 42103)

(cf. 3100 - Budget)

(cf. 3460 - Financial Reports and Accountability)

2. Statistical compilations ~~(Government Code 6252)~~

3. Reports and memoranda ~~(Government Code 6252)~~

- | 4. Notices and bulletins ~~(Government Code 6252)~~
- | 5. Minutes of public meetings (~~Government~~Education Code ~~6252~~35145)
(cf. 9324 - Minutes and Recordings)
- | 6. Meeting agendas (Government Code ~~6252~~-54957.5)
(cf. 9322 - Agenda/Meeting Materials)
- | 7. Official communications between governmental branches (~~Government Code 6252~~)the district and other government agencies
- | 8. School-based program plans (Education Code ~~52850~~-54722)

(cf. 0420 - School Plans/Site Councils)
(cf. 0420.1 - School-Based Program Coordination)
(cf. ~~0420.3 - School-Based Pupil Motivation and Maintenance Program~~)
- | 9. Information and data relevant to the evaluation and modification of school-
~~improvement~~district plans (~~Education Code 52015.5~~)

(cf. 0440 - District Technology Plan)
(cf. ~~0420~~0520.2 - School Title I Program Improvement Schools)
(cf. 0520.3 - Title I Program Improvement Districts)
- | 10. Initial proposals of exclusive employee representatives and of the district (Government Code 3547)

(cf. 4143.1/4243.1 - Public Notice - Personnel Negotiations)
- | 11. ~~Tort claims~~Claims filed against the district and records pertaining to pending litigation ~~which predate the filing of the litigation, unless protected by some other provision of law~~
(Government Code 6254.25; Fairley v. Superior Court; 71 Ops.Cal.Atty.Gen. 235- (1988)))

(cf. 3320 - Claims and Actions Against the District)
- | 12. Statements of economic interests required by the Conflict of Interest Code (Government Code 81008)

(cf. 9270 - Conflict of Interest)
- | 13. ~~Contracts of employment~~Employment contracts and settlement agreements (Government Code 53262)

(cf. 2121 - Superintendent's Contract)
 (cf. 4117.5/4217.5/4317.5 - Termination Agreements)
 (cf. 4141/4241 - Collective Bargaining Agreement)

14. Instructional materials including, but not limited to, textbooks (64 Ops.Cal.Atty.Gen. 186 (1981))

(cf. 5020 - Parent Rights and Responsibilities)
 (cf. 6161.1 - Selection and Evaluation of Instructional Materials)

Governing Board members shall have the ability to access public records permitted by law in the administration of their duties or open to inspection by members of the public. (Government Code 6252.5)

The Superintendent or designee shall ensure that any public record containing personal information is redacted to ensure that such information, including, but not limited to, an employee's home address or social security number, is not disclosed to the public.

Confidential Records

Records to which the ~~general~~ members of the public shall not have access include, but are not limited to:

1. Preliminary drafts, notes, ~~interdistrict~~ interagency or intradistrict memoranda which are not retained by the district in the ordinary course of business, provided that the public interest in withholding these records clearly outweighs the public interest in disclosure (Government Code 6254)

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

2. Records specifically prepared for litigation to which the district is a party or to respond to claims made against the district pursuant to the Tort Claims Act, until the pending litigation or claim has been finally adjudicated or otherwise settled, ~~unless or beyond, if~~ the records are protected by some other provision of law (Government Code 6254, 6254.25; Fairley v. Superior Court; 71 Ops.Cal.Atty.Gen. 235 (1998) ~~1988~~)

3. Personnel records, medical records, ~~pupil~~ student records, ~~personal correspondence~~, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code 6254)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)
 (cf. 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records)
 (cf. 5125 - ~~Pupil~~ Student Records)
 (cf. 5125.1 - Release of Directory Information)

—The home addresses and home telephone numbers of employees may only be disclosed only as follows: (Government Code 6254.3)

- a. To an agent or a family member of the individual to whom the information ~~pertainsemployee~~
- b. To an officer or employee of a state agency or another school district or county office of education when necessary for the performance of official duties
- c. To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, unless the employee performs law enforcement-related functions or requests in writing that the information not be disclosed

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

- d. To an agent or employee of a health benefit plan providing health services or administering claims for health services to district employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents

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

- 4. Test questions, scoring keys, and other examination data except as provided by law (Government Code 6254)

(cf. 6162.5 ~~Pupil Assessment~~⁵¹ - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

- 5. Without affecting the law of eminent domain, the contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the district relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained (Government Code 6254)

- 6. Information required from any taxpayer in connection with the collection of local taxes that is received in confidence and the disclosure of the information to other persons would result in unfair competitive disadvantage to the person supplying the information (Government Code 6254)

(cf. 7212 ~~Mello-Rees Districts~~)

- 7. Library circulation and patron use records kept for the purpose of identifying the a borrower of items available in the library or patron including, but not limited to, his/her name, address, telephone number, email address, borrowing information, or use of library information resources (Government Code 6254, 6267)

(cf. 6163.1 - Library Media Centers)

8. Records for which the disclosure is exempted or prohibited pursuant to state or federal law, including, but not limited to, provisions of the Evidence Code relating to privilege (Government Code 6254)

(cf. 9124 - Attorney)

9. Documents prepared by or for the district to assess its vulnerability to terrorist attack or other criminal acts intended to disrupt district operations and that are for distribution or consideration in closed session (Government Code 6254)

(cf. 0450 - Comprehensive Safety Plan)

10. Recall petitions, petitions for special elections to fill Board vacancies, or petitions for the reorganization of the school districts district (Government Code 6253.5)

(cf. 9223 - Filling Vacancies)

11. ~~The minutes~~ Minutes of Board meetings held in closed session (Government Code 54957.2)

(cf. 9321 - Closed Session Purposes and Agendas)

12. Computer software developed by the district (Government Code 6254.9)

~~13. Written instructional textbooks or other materials for which providing a copy would infringe a copyright or would constitute an unreasonable burden on the operation of the district (65 Ops. Cal. Atty. Gen. 186 (1981))~~

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

13. Information security records, the disclosure of which would reveal vulnerabilities to, or increase potential for an attack on, the district's information technology system (Government Code 6254.19)

14. Records that contain individually identifiable health information, including records that may be exempt pursuant to physician-patient privilege, the Confidentiality of Medical Information Act, and the Health Insurance Portability and Accountability Act (Government Code 6254, 6255)

(cf. 5141.6 - School Health Services)

15. Any other records listed as exempt from public disclosure in the California Public Records Act or other statutes

16. Records for which the district can demonstrate that, based on the particular facts of the case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record (Government Code 6255)

Inspection of Records and Requests for Copies

~~Public records are open to inspection at all times during district office hours. Any reasonably segregable portion of a~~ ***Note: Court decisions have held that a public record shall request may be made available for inspection orally, by any phone, or in writing, including by email, fax, or hand delivery. The district may ask, but not require, that the person requesting the record after deletion of the portions that are exempted by law put an oral request in writing. ***

Any person may request a copy or inspection of any district record that is open to the public and not exempt from disclosure. (Government Code 6253)

Within 10 days of receiving any request for a to inspect or copy of records a district record, the Superintendent or designee shall determine whether the request seeks copies release of a disclosable public records record in the district's possession. The Superintendent or designee shall promptly inform the person making the request of his/her determination and the reasons for it. the decision. (Government Code 6253)

In unusual circumstances, the Superintendent or designee may extend the 10-day limit for up to 14 days by providing written notice to the requester and setting forth the reasons for the extension and the date on which a determination is expected to be made. Unusual circumstances include the following, but only to the extent reasonably necessary to properly process the request: (Government Code 6253)

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request
2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request
3. The need for consultation, which shall be conducted with all practicable speed, with another agency (e.g., a state agency or city) having a substantial interest in the determination of the request or among two or more components of the district having (e.g., two different school sites) with substantial subject matter interest therein in the request
4. In the case of electronic records, the need to compile data, write programming language or a computer program, or construct a computer report to extract data

If the Superintendent or designee determines that the request seeks disclosable public records, the determination shall state the estimated date and time when the records will be made available. -(Government Code 6253)

~~Any person may request a copy of any district record open to the public and not exempt from~~

disclosure. Public records shall be open to inspection at all times during district office hours. Any reasonably segregable portion of a record shall be made available for inspection by any person requesting the record after deletion of the portions that are exempted by law. (Government Code 6253)

Upon request for a copy that reasonably describes an identifiable record, an exact copy shall be promptly provided unless it is impracticable to do so. -(Government Code 6253)

The Superintendent or designee shall charge an amount for copies that reflects the direct costs of duplication. RequestsWritten requests to waive the fee shall be submitted to the ~~Board~~Superintendent or designee.

If any person requests that a public record be provided in an electronic format, the district shall make that record available in any electronic format in which it holds the information. The district shall provide a copy of the electronic record in the format requested as long as the requested format is one that has been used by the district to create copies for its own use or for use by other agencies. (Government Code 6253.9)

The cost of duplicating an electronic record shall be limited to the direct cost of producing a copy of the record in electronic format. However, the requester shall bear the cost of producing the copy of the electronic record, including the cost to construct the record and the cost of programming and computer services necessary to produce the copy, under the following circumstances: (Government Code 6253.9)

1. The electronic record is one that is produced only at otherwise regularly scheduled intervals.
2. The request would require data compilation, extraction, or programming to produce the record.

Assistance in Identifying Requested Records

***Note: Government Code 6253.1 requires the district to assist a person requesting to inspect or obtain a copy of a public record as specified below. This assistance is not required if the district grants the request and the records are made available or if the request is denied on the grounds that the records are confidential. ***

If the Superintendent or designee denies a request for disclosable records, he/she shall assist the requester in making a focused and effective request that reasonably describes an identifiable record. To the extent reasonable under the circumstances, the Superintendent or designee shall do all of the following: (Government Code 6253.1)

1. Assist in identifying records and information responsive to the request or the purpose of the request, if specified-

———If, after making a reasonable effort to elicit additional clarifying information from the

requester to help identify the record, the Superintendent or designee is still unable to identify the information, this requirement ~~will~~shall be deemed satisfied.

2. Describe the information technology and physical location in which the records exist
3. Provide suggestions for overcoming any practical basis for denying access to the records or information sought

Provisions of the Public ~~Record~~Records Act shall not be construed so as to delay access for purposes of inspecting records open to the public. Any notification denying a request for public records shall state the name and title of each person responsible for the denial. (Government Code 6253)

Regulation	HANFORD ELEMENTARY SCHOOL DISTRICT
approved:	May 16, 2001 Hanford, California
revised:	April 27, 2005
revised:	

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Paul J. Terry, Ed. D.

DATE: March 17, 2014

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: March 26, 2014.

ITEM: Receive for information the following revised Board Policy and Administrative Regulation:

- BP/AR 3580 – District Records

PURPOSE: These revisions reflect changes that are recommended by CSBA and align with current practices and procedures.

FISCAL IMPACT: None.

RECOMMENDATION: For information only. This revised policy and regulation will be returned for approval at a future board meeting.

Hanford ESD

Board Policy

District Records

BP 3580

Business and Noninstructional Operations

~~District records shall be developed, maintained, and disposed of in accordance with law and California Department of Education regulations.~~

The Governing Board recognizes the importance of securing and retaining district documents. The Superintendent or designee shall ensure that district records are developed, maintained, and disposed of in accordance with law, Board policy, and administrative regulation.

(cf. 1340 - Access to District Records)

(cf. 3440 - Inventories)

The Superintendent or designee shall consult with district legal counsel, site administrators, district information technology staff, personnel department staff, and others as necessary to develop a secure document management system that provides for the storage, retrieval, archiving, and destruction of district documents, including electronically stored information such as email. This document management system shall be designed to comply with state and federal laws regarding security of records, record retention and destruction, response to "litigation hold" discovery requests, and the recovery of records in the event of a disaster or emergency.

(cf. 0440 - District Technology Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 4040 - Employee Use of Technology)

(cf. 9011 - Board Member Electronic Communications)

~~(cf. 4112.6/4212.6/4312.6 - Personnel Files)~~

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

~~(cf. 5125.1 - Release of Directory Information)~~

~~The Superintendent or designee shall establish regulations that define records which are permanent, optional, and disposable and specify how each type of record is to be maintained or destroyed. Any photographic, microfilm, or electronic copies of original records shall be permanently retained.~~

The Superintendent or designee shall ensure the confidentiality of records as required by law and shall establish regulations to safeguard data against damage, loss, or losstheft.

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

In the event of any known or reasonably suspected breach of the security of district records containing confidential personal information including, but not limited to, a social security number, driver's license or identification card number, medical information, health insurance information, or an account number in combination with an access code or password that would permit access to a financial account, the Superintendent or designee shall immediately notify local law enforcement agencies and any affected persons. Notification of affected individuals may be delayed if a law enforcement agency determines that the notification would impede a criminal investigation.

The Superintendent or designee shall ensure that employees receive information about the district's document management system, including retention and confidentiality requirements and an employee's obligations in the event of a litigation hold established on the advice of legal counsel.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Safe at Home Program

District public records shall not include the actual addresses of students, parents/guardians, or employees when a substitute address is designated by the Secretary of State pursuant to the Safe at Home program. (Government Code 6206, 6207)

When a substitute address card is provided pursuant to this program, the confidential, actual address may be used only to establish district residency requirements for enrollment and for school emergency purposes.

~~(cf. 3516 - Emergencies and Disaster Preparedness Plan)~~

~~(cf. 5111.1 - District Residency)~~

(cf. 5141 - Health Care and Emergencies)

Legal Reference:

EDUCATION CODE

35145 Public meetings

35163 Official actions, minutes and journal

35250-35255 Records and reports

44031 Personnel file contents and inspection

49065 Reasonable charge for transcripts

49069 Absolute right to access

CODE OF CIVIL PROCEDURE

1985.8 Electronic Discovery Act

2031.010-2031.060 Civil Discovery Act, scope of discovery demand

2031.210-2031.320 Civil Discovery Act, response to inspection demand

GOVERNMENT CODE

6205-6210 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking

6252-6265 Inspection of public records

12946 Retention of employment applications and records for two years

PENAL CODE

11170 Retention of child abuse reports

CODE OF REGULATIONS, TITLE 5

430 Individual student records: definition

432 Varieties of student records

16020-16022 Records, general provisions

16023-16027 Retention of records

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.8 Family Educational Rights and Privacy Act

Management Resources:

~~SECRETARY OF STATE PUBLICATIONS~~

~~Letter re: California Confidential Address Program Implementation (SB 489), August 27, 1999~~

WEB SITES

California Secretary of State: <http://www.sssos.ca.gov/safeathome>

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: May 16, 2001 Hanford, California

revised: January 16, 2008

revised:

Hanford ESD

Administrative Regulation

District Records

AR 3580

Business and Noninstructional Operations

~~The Superintendent or designee shall ensure that appropriate computer software is used to safeguard any data stored on computers, including computers connected to networks. To further prevent the damage or theft of data, computers and related equipment, he/she shall maintain complete and accurate inventories, specify user responsibilities for damages, and provide appropriate supervision in areas where computers are used.~~

Classification of Records

Records means all records, maps, books, papers, and documents of a school district required by law to be prepared or retained as necessary or convenient to the discharge of official duty. (5 CCR 16020)

(cf. 1340 - Access to District Records)

~~Before January 1, the Superintendent or designee shall review documents and papers originating during the the prior school year/year's records and shall classify them as either a Class 1 (Permanent), Class 2 (Optional), or Class 3 (Disposable).—) record. (5 CCR 16022)~~

Records of continuing nature (active and useful for administrative, legal, fiscal, or other purposes over a period of years) shall not be classified until such usefulness has ceased. (5 CCR 16022)

An inventory of equipment shall be a continuing record and shall not be classified until the inventory is superseded or until the equipment is removed from district ownership. (5 CCR 16022)

(cf. 3440 - Inventories)

A student's cumulative record is a continuing record until the student ceases to be enrolled in the district. (5 CCR 16022)

~~Class 1—Permanent Record (5 CCR 16023)~~

(cf. 5125 - Student Records)

When an electronic or photographed copy of a Class 1 (Permanent) record has been made, the copy may be classified as Class 1 (Permanent) and the original classified as either Class 2 (Optional) or Class 3 (Disposable). However, no original record that is basic to any required

audit may be destroyed prior to the second July 1st succeeding the completion of the audit.
(Education Code 35254)

Class 1 - Permanent Records

The original of each of the following records, or one exact copy of it when the original is required by law to be filed with another agency, is a Class 1 (Permanent) ~~Record~~record and shall be retained indefinitely unless microfilmed in accordance with 5 CCR 16022: (5 CCR 16023)

1. Annual Reports

- a. Official budget
- b. Financial reports of all funds, including cafeteria and student body funds
- c. Audit of all funds
- d. Average daily attendance, including Period 1 and Period 2 reports
- e. Other major annual reports, including:

(1) Those containing information relating to property, activities, financial condition, or transactions

(2) Those declared by Governing Board of Trustees minutes to be permanent

(cf. 3100 - Budget)

(cf. 3452 - Student Activity Funds)

(cf. 3460 - Financial Reports and Accountability)

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

2. Official Actions

- a. Minutes of the Board or Board committees, including the text of rules, regulations, policies, or resolutions included by reference only
- b. The call for and the result of any elections called, conducted, or canvassed by the Board
- c. Records transmitted by another agency pertaining to its action with respect to district reorganization

(cf. 7214 - General Obligation Bonds)

(cf. 9324 - Minutes and Recordings)

3. Personnel Records

a. ~~Employees~~

~~All~~ Class 1 (Permanent) records include all detailed records relating to employment; assignment; amounts and dates of service rendered; termination or dismissal of an employee in any position; sick leave record; rate of compensation, salaries, or wages paid; and deductions or withholdings made and the person or agency to whom such amounts were paid. In lieu of the detailed records, a complete proven summary payroll record for each employee containing the same data may be classified as a Class 1 (Permanent) record and the detailed records may then be classified as Class 3 (Disposable) records.

Information of a derogatory nature as defined in Education Code 44031 shall be retained as a Class 1 (Permanent) record only when the time for filing a grievance has passed or the document has been sustained by the grievance process.

b. ~~Students~~

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

(cf. 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records)

4. Student Records

The records of enrollment and scholarship for each student required by 5 CCR 432; and all records pertaining to any accident or injury involving a minor for which a claim for damages had been filed as required by law: This includes shall be classified as Class 1 (Permanent) records. These include any related policy of liability insurance except that these records cease to be Class 1 (Permanent) records one year after the claim has been settled or the statute of limitations has run expired.

4(cf. 5111.1 - District Residency)

(cf. 5141 - Health Care and Emergencies)

(cf. 5143 - Insurance)

5. Property Records

~~All~~ Class 1 (Permanent) records include all detailed records relating to land, buildings, and equipment. In lieu of detailed records, a complete property ledger may be classified as a Class 1 (Permanent) record. The detailed records may then be classified as Class 3 (Disposable) records if the property ledger includes all fixed assets; an equipment inventory; and, for each piece of property, the date of acquisition, name of previous owner, a legal description, the amount paid, and comparable data if the unit is disposed of.

(cf. 3280 - Sale or Lease of District-Owned Real Property)

Class 2 - Optional Records ~~(5 CCR 16024)~~

Any record considered temporarily worth keeping, but which is not a Class 1 record, may be

classified as a Class 2 (Optional) record and shall be retained until it is reclassified as a Class 3 (Disposable) record. If, by agreement of the Board and Superintendent or designee, classification of the prior year records has not been made before January 1 as specified in 5 CCR 16022, all records of the prior year may be classified as Class 2 (Optional) until they are classified as required by 5 CCR 16022. Such records pending further review and classification must occur within one year. (5 CCR 16024)

Class 3 - Disposable Records (5 CCR 16025, 16026, 16027)

All records not classified as Class 1 (Permanent) or as Class 2 (Optional) records shall be classified as Class 3 (Disposable) records. These include, but are not limited to: detailed records basic to audit, including those relating to attendance, average daily attendance, or business or financial transactions; detailed records used in preparing another report; teachers' registers if all information required by 5 CCR 432 is retained in other records or if the General Records pages are removed from the register and classified as Class 1 (Permanent) records; and periodic reports, including daily, weekly, and monthly reports, bulletins, and instructions. (5 CCR 16025)

All Class 3 (Disposable) records shall be destroyed during the third school year after the later of the school year in which the records originated. In addition, Class 3 (Disposable) records shall not be destroyed until after the third school year following:

1. The completion of any legally required audit
2. The or the retention period required by any agency other than the State of California, whichever is later. A continuing record shall not be destroyed until the fourth year after it has been classified as a Class 3 (Disposable) record. (5 CCR 16026, 16027)

3. The school year in which the records originated

Electronically Stored Information

All district-related electronically stored information generated or received by a district employee shall be saved to an electronic file on the district's computer and retained for at least 180 days, or shall be printed by the employee and physically filed in a way that it can be easily retrieved when needed.

However, any district-related electronically stored information that qualifies as a record, as defined above, shall be classified and retained as specified in the section "Classification of Records" above.

District-related electronically stored information includes, but is not limited to, any email, voicemail, text message, word processing document, spreadsheet, or text document related to district business or generated in the course of an employee's official duty.

Employees shall be required to regularly purge their email accounts and district-issued

computers, cell phones, and other communication devices of personal electronically stored information and other information unrelated to district business. The Superintendent or designee may check for appropriate use of any district-owned equipment at any time.

(cf. 4040 - Employee Use of Technology)

Any employee to whom a district-owned computer, cell phone, or other electronic communication device is provided shall be notified about the district's electronic information management system and, as necessary, provided training on effectively using the device.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT

approved: May 16, 2001 Hanford, California

revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Paul J. Terry, Ed.D.

DATE: March 17, 2014

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: March 26, 2014

ITEM: Receive for information the following revised Board Policy:

- BP 5030 – Student Wellness

PURPOSE: This board policy addresses nutrition promotion and education, physical activity, and other school-based activities that promote student wellness.

FISCAL IMPACT:

RECOMMENDATION: For information only. This policy will be returned for approval at a future board meeting.

Hanford ESD

Board Policy

Student Wellness

BP 5030

Students

~~The Board of Trustees~~ The Governing Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. ~~The Superintendent or designee shall build a coordinated school health system that supports~~ coordinate and reinforces health literacy align district efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, health promotion for staff, and a safe and healthy school environment, and parent/guardian and. In addition, the Superintendent or designee shall develop strategies for promoting staff wellness and for involving parents/guardians and the community involvement in reinforcing students' understanding and appreciation of the importance of a healthy lifestyle.

(cf. 0000—Vision)

~~(cf. 0200—Goals for the School District)~~ 1020 - Youth Services)

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 3514 - Environmental Safety)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.61 - Drug Testing)

(cf. 5131.62 - Tobacco)

(cf. 5131.63 - Steroids)

(cf. 5141 - Health Care and Emergencies)

~~(cf. 5141.2322 - Infectious Disease Prevention Diseases)~~

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

(cf. 5141.6 - ~~Student~~ School Health and Social Services)

~~(cf. 5142—Safety)~~

~~(cf. 5146—Married/Pregnant/Parenting Students)~~

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Education)

(cf. 6164.2 - Guidance/Counseling Services)

School Health Council/Committee

~~The Board's~~ The Superintendent or designee shall encourage parents/guardians, students, school food service employees, physical education teachers, school health professionals, Board members, school administrators, Board representatives, and members of the public. (42 USC 1751 Note to participate in the development, implementation, and periodic review and update of the district's student wellness policy. (42 USC 1758b)

1751 Note to participate in the development, implementation, and periodic review and update of the district's student wellness policy. (42 USC 1758b)

To fulfill this requirement, the Superintendent or designee will may appoint a school health council or other district committee consisting of whose membership shall include representatives of the above these groups. The council or committee may. He/she also include district administrators, health professionals, school nurses may invite participation of other groups or individuals, such as health educators, physical education teachers, curriculum directors, counselors, before- and after-school program staff, health practitioners, and/or others interested in school health issues.

(cf. 1220 - Citizen Advisory Committees)

(cf. 9140 - Board Representatives)

The Healthy School Environment Wellness Committee will act as the HESD Wellness Policy Committee (as provided in Federal Legislation) and assist in developing, implementing, monitoring, reviewing, and, as necessary, revising school nutrition and physical activity policies. The committee will serve as resources to school sites for implementing those policies. (A school wellness policy committee consists of a group of individuals representing the school and community, and should include parents, students, representatives of the school food authority, members of the school board, school administrators, teachers, health professionals, and members of the public.) The committee may also consist of a member representing the Nutrition Network for Healthy, Active Families Contract with the USDA or any other grant that supports the education of students on nutrition.

Food Service/Child Nutrition Program

The school health council/committee shall advise the district on health-related issues, activities, policies, and programs. At the discretion of the Superintendent or designee, the duties of the council/committee may also include the planning, implementation, and evaluation of activities to promote health within the school or community.

Goals for Nutrition, Physical Activity, and Other Wellness Activities

The Board recognizes shall adopt goals for nutrition promotion and education, physical activity, and other school-based activities that students need adequate, nourishing food in order promote student wellness. (42 USC 1758b)

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

The district's nutrition education and physical education programs shall be based on research, shall be consistent with the expectations established in the state's curriculum frameworks and content standards, and shall be designed to build the skills and knowledge that all students need to maintain good health, a healthy lifestyle.

(cf. 6011 - Academic Standards)

(cf. 6142.7 - Physical Education and Activity)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6143 - Courses of Study)

The Board desires to provide students with adequate space and time to eat meals. nutrition education program shall include, but is not limited to, information about the benefits of healthy eating for learning, disease prevention, weight management, and oral health. Nutrition education shall be provided as part of the health education program and, as appropriate, shall be integrated into other academic subjects in the regular educational program, before- and after-school programs, summer learning programs, and school garden programs.

(cf. 5148.2 - Before/After School Programs)
(cf. 6177 - Summer Learning Programs)

To reinforce the district's nutrition education program, food available on the Board prohibits the marketing and advertising of non-nutritious foods and beverages through signage, vending machine fronts, logos, scoreboards, school supplies, advertisements in school publications, coupon or incentive programs, free give-aways, or other means.

(cf. 1325 - Advertising and Promotion)

All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education and recess and may also be provided through school premises shall athletic programs, extracurricular programs, before- and after-school programs, summer learning programs, programs encouraging students to walk or bicycle to and from school, in-class physical activity breaks, and other structured and unstructured activities.

1. Be carefully selected so as (cf. 5142.2 - Safe Routes to contribute to student's nutritional well-being and the prevention of disease.
2. Meet or exceed nutritional standards specified in law and administrative regulation.
3. Be prepared in ways which will appeal to students, retain nutritive quality and foster lifelong healthy eating habits.
4. Be served in age appropriate quantities.
5. Be sold at reasonable prices.

The Superintendent or designee shall develop strategies designed to encourage the participation of students and parents/guardians in the selection of foods of good nutritional quality for school menus. Parents/guardians are encouraged to support the district's nutrition education efforts by considering nutritional quality when selecting any snacks which they may donate for occasional class parties or in food sent from home for individual consumption.

~~The Board desires to provide students with adequate time and space to eat meals. To the extent possible, school and transportation schedules shall be designed to encourage participation in school meal programs.~~

~~The Superintendent or designee shall periodically review the adequacy of school facilities for cafeteria eating and food preparation. School cafeterias shall comply with the sanitation and safety requirements of the California Uniform Retail Food Facilities Law as set forth in Health and Safety Code, 113700-114455~~

~~(cf. 1312.4 - Williams Uniform Complaint Procedures Program)~~

~~(cf. 3517 - Facilities Inspection 6145 - Extracurricular and Cocurricular Activities)~~

~~(cf. 7110 - Facilities Master Plan 6145.2 - Athletic Competition)~~

The Board may enter into a joint use agreement or memorandum of understanding to make district facilities or grounds available for recreational or sports activities outside the school day and/or to use community facilities to expand students' access to opportunity for physical activity.

(cf. 1330.1 - Joint Use Agreements)

Professional development for food service personnel shall include nutrition education and safe food handling shall be regularly offered to health education and physical education teachers, coaches, activity supervisors, food services staff, and other staff as appropriate to enhance their health knowledge and skills.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee may disseminate health information and/or the district's student wellness policy to parents/guardians through district or school newsletters, handouts, parent/guardian meetings, district and school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.

(cf.

Nutrition-1100 - Communication with the Public)

(cf. 1112 - Media Relations)

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 6020 - Parent Involvement)

In order to ensure that students have access to comprehensive health services, the district may provide access to health services at or near district schools and/or may provide referrals to community resources.

The Board recognizes that a safe, positive school environment is also conducive to students' physical and mental health and thus prohibits bullying and harassment of all students, including bullying on the basis of weight or health condition.

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. He/she shall promote work-site wellness programs and may provide opportunities for regular physical activity among employees.

Nutritional Guidelines for Foods Available at School

~~The Board shall adopt nutrition~~ For all foods available on each campus during the school day, with the the district shall adopt nutritional guidelines which are consistent with 42 USC 1773 and 1779 and federal regulations and which support the objectives of promoting student health and reducing childhood obesity. (42 USC 1751 Note 1758b)

~~The Board believes that foods and beverages available to students at district schools should support the health curriculum and promote optimal health. Nutrition standards adopted by the district for all foods and beverages sold to students, including foods and beverages provided through the district's food service program, student stores, vending machines, fundraisers, or other venues, shall meet or exceed state and federal nutrition standards.~~

Guidelines for Reimbursable Meals

~~Foods and beverages provided through federally reimbursable school meal programs shall meet or exceed federal regulations and guidance issued pursuant to 42 USC 1758(f)(1), 1766(a), and 1779(a) and (b), as they apply to schools. (42 USC 1751 Note)~~

In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs to the extent possible, including the National School Lunch and School Breakfast Programs, as well as and after-school snack and summer programs, to the extent possible. When approved by the California Department of Education, the district may sponsor a summer meal program.

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

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

Other (cf. 5141.27 - Food Sales)

~~The Board believes that foods and beverages sold to students on school campuses during the school day should promote student health and reduce childhood obesity. Such food sales should not impair the food service's ability to be financially sound. (5 CCR 15500 and 15501)~~

~~Any food sales conducted outside the district's food services program shall meet nutritional standards specified in law, Board policy and administrative regulations and shall not impair student participation in the district's food service program. Food sales that do not meet current legislation are prohibited during school hours, and within 1/2 hour before or 1/2 hour after school hours. (Education Code 51520)~~

~~Sanitation and safety procedures shall comply with the requirements of the California Uniform Retail Food Facilities Law as set forth in Health and Safety Code 113700-114455.~~

~~Foods shall not be sold on district school premises by outside commercial food vendors. The profits from all food sales, including vending machines which sell approved food or drinks, must benefit either the school, the school food service program, or the student groups sponsoring the sales.~~

~~When vending machines are sponsored by the district or a student or adult organization, the Superintendent or designee shall determine how and where vending machines may be placed at school sites, district offices or other school facilities.~~

~~The Board authorizes the Superintendent or designee to approve the sale of foods and beverages outside the district's food service program, including sales by student or adult organizations, sales through vending machines, and/or sales at student stores for fundraising purposes.~~

~~(cf. 3312 - Contracts Allergies/Special Dietary Needs)~~

~~(cf. 5148 - Child Care and Development)~~

~~(cf. 63005148.3 - Preschool/Early Childhood Education)~~

The Superintendent or designee shall provide access to free, potable water during meal times in the food service area in accordance with Education Code 38086 and 42 USC 1758, and shall encourage students' consumption of water by educating them about the health benefits of water and serving water in an appealing manner.

The Board believes that all foods and beverages sold to students at district schools, including those available outside the district's food services program, should support the health curriculum and promote optimal health. Nutritional standards adopted by the district for foods and beverages provided through student stores, vending machines, or other venues shall meet or exceed state and federal nutritional standards.

(cf. 3312 - Contracts)

(cf. 3554 - Other Food Sales)

The Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes. He/she also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

(cf. 1230 - School-Connected Organizations)

School staff shall encourage and educate parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties and by limiting foods or beverages that do not meet nutritional standards to no more than one food or beverage per party. Class parties or celebrations shall be held after the lunch period when possible.

Nutrition Education and Physical Activity

The Board shall adopt policy for nutrition education, physical activity, and other school-based activities that are designed to promote student wellness in a manner that the district determines appropriate. (42 USC 1751 Note)

The district's nutrition education and physical education programs shall be based on research, consistent with the expectations established in the state's curriculum frameworks, and designed to build the skills and knowledge that all students need to maintain a healthy lifestyle. Nutrition Education should be age appropriate, following the United States Dietary Guidelines for Americans, California Department of Education State Frameworks in Health.

(cf. 6010 - Goals and Objectives)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

Nutrition education shall be provided as part of the health education program in grades K-8 and, as appropriate, shall be integrated into core academic subjects and offered through after-school programs. The District will continue to in-service teachers with established Nutrition curriculum in the middle school health curriculum.

(cf. 6142.8 - Comprehensive Health Education)

All students in grades K-8, including students with disabilities, special health care needs, and in alternative educational settings, will have the opportunity, support, and encouragement to be physically active on a regular basis through physical education instruction and physical activity programs. Students will receive physical education instruction as designated (Education Code 51210, 51222, and 51223):

A minimum of 200 minutes/ for every 10 days for students in grades 1-8

All physical education will be delivered by a teacher credentialed to teach physical education (Education C 44203). Students will spend at least 50 percent of physical education class time participating in moderate to vigorous physical activity. Opportunities for moderate to vigorous physical activity shall be provided through physical education, recess, school athletic programs, extracurricular programs, after-school programs, and other structured and unstructured activities.

(cf. 6142.7 - Physical Education)

~~(cf. 6145—Extracurricular and Co-curricular Activities)~~
~~(cf. 6145.2—Athletic Competition)~~

~~The Superintendent or designee shall encourage staff to serve as positive role models. He/she shall promote and may provide opportunities for regular physical activity among employees.~~

~~Professional development shall include instructional strategies that assess health knowledge and skills and promote healthy behaviors.~~

~~(cf. 4131—Staff Development)~~
~~(cf. 4331—Staff Development)~~

~~To encourage consistent health messages between the home and school environment, the Superintendent or designee may disseminate health information to parents/guardians through district or school newsletters, handouts, parent/guardian meetings, the district or school web site, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.~~

~~(cf. 1113—District and School Web Sites)~~
~~(cf. 6020—Parent Involvement)~~

~~The Board discourages the marketing and advertising of non-nutritious foods and beverages through signage, vending machine fronts, logos, scoreboards, school supplies, advertisements in school publications, coupon or incentive programs, or other means.~~

~~(cf. 1325—Advertising and Promotion)~~

Program Implementation and Evaluation

~~The Board shall establish a plan for measuring implementation of the policy. The Superintendent shall designate at least one person within their more district and at or school employees, as appropriate, to ensure that each school who is charged site complies with operational responsibility for ensuring that the school sites implement the district's wellness this policy. (42 USC 1751-Note 1758b)~~

~~(cf. 0500 - Accountability)~~
~~(cf. 3555 - Nutrition Program Compliance)~~

~~The Superintendent or designee shall recommend for Board approval specific quality assess the implementation and effectiveness of this policy at least once every two years.~~

Note: 42 USC 1758b requires that the district assessment include a comparison of the district's policy with model wellness policies. See the USDA's web site for model policies and best practices recommended by federal and state agencies and nongovernmental organizations.

The assessment shall include the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model wellness policies available from the U.S. Department of Agriculture, and a description of the progress made in attaining the goals of the wellness policy. (42 USC 1758b)

Note: Items #1-8 below are optional and may be revised to reflect district practice. For further information about the following indicators and a list of other possible indicators, see CSBA's Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies. The guide also describes possible data sources that may be used for each indicator and includes a sample report format. Indicators selected by the district may include a mix of process measures (e.g., level of student participation, number of classes, staffing, and costs) as well as outcome measures that assess the policy's impact on students (e.g., physical fitness test results, Body Mass Index, and food choices).

The Board and the Superintendent or designee shall establish indicators that will be used to measure the implementation and effectiveness of the policy district wide and at each district school. These measures shall activities related to student wellness. Such indicators may include, but are not be limited to, an:

1. Descriptions of the district's nutrition education, physical education, and health education curricula and the extent to which they align with state academic content standards and legal requirements
2. An analysis of the nutritional content of school meals and snacks served; student in all district programs, based on a sample of menus and production records
3. Student participation rates in all school meal programs; any sales of non-nutritious and/or snack programs, including the number of students enrolled in the free and reduced-price meals program compared to the number of students eligible for that program
4. Extent to which foods and beverages in fundraisers or other venues sold on campus outside the district's meal programs; and food services program, such as through vending machines, student stores, or fundrasiers, comply with nutritional standards
5. Results of the state's physical fitness test at applicable grade levels
6. Number of minutes of physical education offered at each grade span, and the estimated percentage of class time spent in moderate to vigorous physical activity
7. A description of district efforts to provide additional opportunities for physical activity outside of the physical education program
8. A description of other districtwide or school-based wellness activities offered, including the number of sites and/or students participating, as appropriate

The Superintendent or designee shall invite feedback on district and school wellness activities

from food service personnel, school administrators, the school health council, parents/guardians, students, and teachers, before- and after-school program staff, and/or other appropriate persons.

As feasible, the assessment report may include a comparison of results across multiple years, a comparison of district data with county, statewide, or national data, and/or a comparison of wellness data with other student outcomes such as academic indicators or student discipline rates.

The Superintendent or designee shall report to the Board bi-annually during inform and update the 2006-07 school year and every two years thereafter on public, including parents/guardians, students, and others in the community, about the content and implementation of this policy and any other Board policies related assessment results. (42 USC 1758b)

In addition, the assessment results shall be submitted to the Board for the purposes of evaluating policy and practice, recognizing accomplishments, and making policy adjustments as needed to nutrition and physical activity focus district resources and efforts on actions that are most likely to make a positive impact on student health and achievement.

Posting Requirements

Each school shall post the district's policies and regulations on nutrition and physical activity in public view within all school cafeterias or in other central eating areas. -(Education Code 49432)

Each school shall also post a summary of nutrition and physical activity laws and regulations prepared by the California Department of Education.

Legal Reference:

EDUCATION CODE

33350-33354 CDE responsibilities re: physical education

49430-49436 49434 Pupil Nutrition, Health, and Achievement Act of 2001

49490-49493 49494 School breakfast and lunch programs

49500-49505 School meals

49510-49520 Nutrition

49530-49536 Child Nutrition Act

49540-49546 Child care food program

49547-49548.3 Comprehensive nutrition services

49550-49560 49561 Meals for needy students

49565-49565.8 California Fresh Start pilot program

49570 National School Lunch Act

51210 Course of study, grades 1-6

51220 Course of study, grades 7-12

51222 Physical education

51223 Physical education, elementary schools

51795-51796.5 School instructional gardens

51880-51921 Comprehensive health education

CODE OF REGULATIONS, TITLE 5

15500-15501 Food sales by student organizations

15510 Mandatory meals for needy students

15530-15535 Nutrition education

15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 42

1751-1769 National School Lunch Program, especially:

~~1751~~ Note-1758b Local wellness policy

1771-1791 Child Nutrition Act, ~~including~~ especially:

1773 School Breakfast Program

1779 Rules and regulations, Child Nutrition Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.1-220.24 ~~23~~ National School Breakfast Program

COURT DECISIONS

Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781

Management Resources:

~~CSBA POLICY BRIEFS~~

~~The New Nutrition Standards: Implications for Student Wellness Policies, November 2005~~

~~CSBA PUBLICATIONS~~

Increasing Access to Drinking Water in Schools, Policy Brief, March 2013

Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, rev. 2012

Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. April 2012

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2005 2012

Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009

Safe Routes to School: Program and Policy Strategies for School Districts, Policy Brief, 2009

Physical Education and California Schools, Policy Brief, rev. October 2007

School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006

~~CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS~~

~~Healthy Children Ready to Learn, January 2005~~

~~Physical Education Framework for California Public Schools. Kindergarten Through Grade Twelve, 2009~~

~~Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003~~

~~Physical Education Framework for California Public Schools. Kindergarten Through Grade 12, 1994~~

CALIFORNIA PROJECT LEAN PUBLICATIONS

Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006

CENTER FOR COLLABORATIVE SOLUTIONS

Changing Lives, Saving Lives: A Step-by-Step Guide to Developing Exemplary Practices in Healthy Eating, Physical Activity and Food Security in Afterschool Programs, March 2010

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide for Elementary and Middle/High Schools, 2004, 2005

FEDERAL REGISTER

Rules and Regulations, January 26, 2012, Vol. 77, Number 17, pages 4088-4167

NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION (NASBE) PUBLICATIONS

Fit, Healthy and Ready to Learn, 2000

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Dietary Guidelines for Americans, 2005

Team Nutrition, Food and Nutrition Services, Changing the Scene, Improving the School Nutrition Environment: -A Guide to Local Action, 2000

WEB SITES

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

Action for Healthy Kids: <http://www.actionforhealthykids.org>

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

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

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

California School Nutrition Association: <http://www.calsna.org>

Center for Collaborative Solutions: <http://www.ccscenter.org>

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

Dairy Council of California:- <http://www.dairycouncilofca.org>

National Alliance for Nutrition and Activity: <http://www.cspinet.org/nutritionpolicy/nana.html>

National Association of State Boards of Education: <http://www.nasbe.org>

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

School Nutrition Association: <http://www.schoolnutrition.org>

Society for Nutrition Education: <http://www.sne.org>

U.S. Department of Agriculture, Food Nutrition Service, wellness policy:

http://www.fns.usda.gov/tn/Healthy/wellnesspolicy_steps.html

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

Adopted: May 25, 2006 Hanford, California

Revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Liz Simas
DATE: March 18, 2014

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

Date you wish to have your item considered: March 26, 2014

ITEM: For possible adoption: 2014-2015 school calendar.

PURPOSE: This school calendar reflects the starting and ending dates agreed upon by HESD administration and HETA. The calendar also includes student non-school days, minimum days and holidays.






FISCAL IMPACT (if any): none

RECOMMENDATION (if any): adopt 2014-15 school calendar.

Hanford Elementary School District
2014-15 School Calendar

DRAFT

MONTH	M	T	W	Th	F	Reg. Mo.	Days Taught	Significant Dates	EXPLANATION
AUGUST	4	5	6	7	8			Aug 11	Teacher work day: Prof. Dev.
				<14	15			Aug 12	Teacher work day – site mtg
	18	19	(20)	21	22	1	16	Aug 13	Teacher work day - prep
	25	26	(27)	28	29			Aug 14	1 st Day of School
SEPTEMBER	1	2	(3)	4	5			Sept 1	Labor Day Holiday
	8	9	(10)	11	12				
	15	16	(17)	18	19				
	22	23	(24)	25	26	2	20		
OCTOBER	29	30	(1)	2	3				
	6	7	(8)	9	10				
	13	14	(15)	16	17				
	20	21	(22)	23	24	3	20		
NOVEMBER	27	28	(29)	30	31			Nov 7	End of 1 st Trimester
	3	4	(5)	6	7			Nov 11	Holiday – Veteran's Day
	10	11	12	13	14			Nov 24-25	No School Parent Conferences
	17	18	(19)	20	21	4	14	Nov 26	No School
	24	25	26	27	28			Nov 27-28	Holiday - Thanksgiving
DECEMBER	1	2	(3)	4	5				
	8	9	(10)	11	12				
	15	16	(17)	18	19			Dec 19	Minimum Day
	22	23	24	25	26	5	20	Dec 22-Jan 9	Winter Break
JANUARY	29	30	31	1	2				Winter Holiday: 12/24 & 12/25
	5	6	7	8	9				Winter Holiday: 12/31 & 1/1
	12	13	(14)	15	16				
	19	20	(21)	22	23			Jan 19	Holiday – Martin Luther King Jr.
	26	27	(28)	29	30				
FEBRUARY	2	3	(4)	5	6	6	18		
	9	10	(11)	12	13			Feb 9	Teacher work day: Prof. Dev.
	16	17	(18)	19	20			Feb 16	Holiday – President's Day
	23	24	(25)	26	27				
MARCH	2	3	(4)	5	6	7	19	March 6	End of 2 nd Trimester
	9	10	(11)	12	13				
	16	17	(18)	19	20				
	23	24	(25)	26	27			March 27	Minimum Day
APRIL	30	31	(1)	2	3	8	14	March 30 - April 6	Spring Break
	6	7	(8)	9	10				Spring Holiday: 4/3 & 4/6
	13	14	(15)	16	17				
	20	21	(22)	23	24				
MAY	27	28	(29)	30	1	9	20		
	4	5	(6)	7	8				
	11	12	(13)	14	15			May 15	Minimum Day – Jr. High Only
	18	19	(20)	21	22			May 22	Minimum Day
	25	26	(27)	28	29			May 25	Holiday – Memorial Day
JUNE	1	2	(3)	4	5	10	19	June 5	Last Day of School – End 3 rd
	8	9	10	11	12				Trimester – Minimum Day
	15	16	17	18	19				
	22	23	24	25	26				
JULY	29	30	1	2	3				

-  Teacher Work Day
 No school; Certificated and classified (10/11 month only) non-work day
 No school; 10-month Classified non-work day
 Minimum Day before holiday
 No school; non work day – all employees
 (*) Every Wednesday is a minimum day – Collaboration (except one Wednesday in May for Employee Recognition)

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Liz Simas
DATE: March 13, 2014

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

Date you wish to have your item considered: March 26, 2014

ITEM: Consider for adoption a change to Hamilton School's attendance boundary

PURPOSE: The administration proposes to change Hamilton School's attendance boundary, which will result in moving students from Hamilton to Roosevelt School beginning with the 2014-15 school year. The proposal will rezone the area west of 11th Ave, east of Campus Drive between Lacey Blvd and Highway 198.

FISCAL IMPACT (if any): save the cost of placing a portable classroom on Hamilton's campus

RECOMMENDATION (if any): Approve Re-Zone Plan

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Dr. Paul J. Terry
FROM: Nancy White
DATE: March 17, 2014
FOR: (X) Board Meeting
() Superintendent's Cabinet
FOR: () Information
(X) Action

Date you wish to have your item considered: March 26, 2014

ITEM:

Consider approval of the following revised Exhibit to Board Policy and Administrative Regulation: BP/AR 3553 – Free and Reduced Price Meals

PURPOSE:

As per the direction of the National School Lunch Program rules, the prices for standard and adult full pay lunches are proposed for an increase as follows:

	<u>Current</u>	<u>Proposed</u>
Student Lunch	\$1.25	\$1.30
Adult Lunch	\$2.20	\$2.30

These increases are proposed at this time due to a directive from the National School Lunch program that requires us to gradually increase the paid lunch price until the revenue per lunch matches the difference between the cost of the meal and the federal reimbursement rate.

FISCAL IMPACT:

The paid lunch price increase will generate approximately \$6,000 in additional revenue to the Cafeteria Fund.

RECOMMENDATION:

Approve revision to Exhibit to Board Policy and Administrative Regulation: BP/AR 3553 – Free and Reduced Price Meals

Business and Non-instructional Operations

E3553

CAFETERIA PRICES

The prices for cafeteria meals, by Board adoption, shall be as follows:

Lunch Program (Effective ~~July 1, 2014~~ July 1, 2014)

Student Lunch	\$1.25 <u>1.30</u>
Reduced Price Lunch	\$.40
Student Milk Only	\$.30
Adult Lunch without Milk	\$2.20 <u>2.30</u>
Adult Milk Only	\$.30

Breakfast Program (Effective July 1, 2011)

Student Breakfast	\$.60
Reduced Price Breakfast	\$.30
Adult Breakfast	\$1.10

Exhibit

HANFORD ELEMENTARY SCHOOL DISTRICT

Version: June 15, 2011

Hanford, CA

Revised: April 25, 2012

Revised: April 10, 2013

Revised: ____ / ____ / ____

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department

AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Diane Williams
DATE: March 17, 2014
RE: (X) Board Meeting
() Superintendent's Cabinet
() Information
(X) Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **March 26, 2014**

ITEM: Consider approval of personnel transactions and related matters.

PURPOSE:

a. Employment

Classified

- Debi Clark, Bus Driver – 4.5 hrs., Transportation/DSF, effective 3/10/14
- Jose Rojas, II, READY Program Tutor – 4.5 hrs., Monroe, effective 3/18/14

Temporary Employees/Substitutes/Yard Supervisors

- Joseph Dias, Substitute Groundskeeper II, effective 3/11/14
- Javantae Farmah, Short-term Yard Supervisor – 1.0 hr. (M,T,Th,F), Washington, effective 3/10/14 to 6/6/14
- Marie Gallegos, Substitute Yard Supervisor, effective 2/28/14
- Kristina Keen, Substitute Yard Supervisor, effective 3/12/14
- Jesse Padilla, Short-term READY Program Tutor – 4.5 hrs., Simas, effective 3/10/14 to 6/6/14
- Suzanne Silva, Yard Supervisor – 2.5 hrs., Monroe, effective 3/11/14; Short-term Yard Supervisor – 1.0 hrs., Simas, effective 3/17/14 to 6/6/14

b. Resignations

- Cynthia Long, Food Service Worker II – 2.0 hrs., Wilson, effective 3/7/14
- Christina Raymer, Teacher, Lincoln, effective 6/6/14
- Katie Young, Teacher, King, effective 6/6/14
- Greg Brown, Media Services Aide – 5.5 hrs., Wilson, effective 6/13/14

c. Retirement

- Hallie Spence, School Operations Officer – 8.0 hrs., Roosevelt, effective 6/13/14

d. Temporary Out of Class Assignment/Transfer

- Kathleen "Katie" Luis, from READY Program Tutor – 4.5 hrs. to Lead READY Program Tutor – 5.0 hrs., Richmond, effective 3/10/14 to 3/12/14; Lead READY Program Tutor – 5.0 hrs., from Richmond to Lincoln, effective 3/13/14 to 6/6/14

- e. **More Hours**
- Daniela Meza, Yard Supervisor, from 1.75 hrs. (.75 hr./King and 1.0 hr./Roosevelt), to 2.5 hrs., (1.5/King and 1.0/ Roosevelt), effective 3/10/14
- f. **More Hours/Transfer**
- Tammy Morrison, from Food Service Worker I – 2.5 hrs., Roosevelt to 3.25 hrs., Hamilton, effective 3/10/14
- g. **Decrease in Hours**
- Jessica Szalai, Yard Supervisor, from 3.25 hrs. to 2.5 hrs., Monroe, effective 3/11/14
- h. **Administrative Transfer/Decrease in Hours**
- Lidia Ortega, Yard Supervisor, from 1.75 hrs., King to 1.5 hrs., Washington, effective 3/10/14
- i. **Leave of Absence**
- Monica Chavez, Teacher, King, effective 2014-2015 school year, child rearing
 - Summer Dalafu, Special Education Aide – 5.0 hrs., Hamilton, effective 4/28/14 to 6/6/14, baby bonding
 - Dilia Silveira, Yard Supervisor – 3.75 hrs., Richmond, effective 2/26/14 to 5/9/14, personal
- j. **Volunteers**
- | <u>Name</u> | <u>School</u> |
|-------------------------------------|---------------|
| Yolanda Bernal (HESD Employee) | Jefferson |
| Josefa Bustos-Lopez (HESD Employee) | Jefferson |
| Diana Silva (HESD Employee) | Jefferson |
| Sandra Torres | King |
| Angelica Aguilar (HESD Employee) | Lincoln |
| Sylvia Reyna | Lincoln |
| Elizabeth Ericksen | Monroe |
| Heather Johnston | Monroe |
| Candi Scott | Monroe |
| Janie Arteaga | Roosevelt |
| Elsa Perez | Roosevelt |
| June Strong (HESD Employee) | Roosevelt |
| Nicole Adame | Washington |
| Amber Boen | Washington |
| Juan Garcia | Washington |
| Johanna Garza | Washington |
| Gladis Rios | Washington |

RECOMMENDATION: Approve.

