Hanford Elementary School District

REGULAR BOARD MEETING AGENDA Wednesday, January 22, 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# 13-03 JFK	Case 13-66 - Hamilton
Case# 13-23 - Wilson	Case# 13-67 - MLK
Case# 13-25 - Wilson	Case# 13-73 - Wilson
Case# 13-26 - Lincoln	Case# 13-77 - Monroe
Case# 13-31 – Kennedy	Case# 13-78 - Richmond
Case# 13-42 – Kennedy	Case# 13-81 - Kennedy
Case# 13-47 – Kennedy	Case# 13-82 - Lincoln
Case# 13-55 – Kennedy	Case# 13-86 - Wilson
Case# 13-57 – Wilson	Case# 14-06 - Wilson
Case# 13-59 – Hamilton	Case# 14-07 - Wilson
Case# 13-60 – Lincoln	Case# 14-08 - Kennedy
Case# 13-64 - Kennedy	
Case# 13-65 - Hamilton	

OPEN SESSION

Take action on Student Discipline

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

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

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

2. CONSENT ITEMS

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

- 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.

- a) Accept warrant listings dated December 6, 2013; December 13, 2013; December 20, 2013; January 3, 2014; and January 10, 2014.
- b) Approve minutes of Regular Board Meeting December 11, 2013.
- c) Approve donation from Feed the Children Foundation. (Simas)
- d) Approve donation of \$700.00 from Washington PTC to Washington School. (Rubalcava)
- e) Approve donations of \$150.00 from Edison International and \$1,625.24 from Simas PTC to Simas School. (Baldwin)
- f) Approve donations of \$68.38 from Target; and \$1,490.00 from Classic Soccer to Lee Richmond School. (Calvillo)
- g) Approve donation of \$1,175.00 from Walmart to Roosevelt School. (Carrillo)
- h) Approve donation of \$903.20 from Box Tops for Education (General Mills) to Hamilton School. (Flores)
- i) Approve donation of \$5,000.00 from ASB and \$4,147.72 from PTC to JFK General Budget. (Strickland)

3. INFORMATION ITEMS

- a) Receive for information the following revised Board Policy: (Carlton)
 - BP 1431 Waivers
- b) Receive for information the following revised Administrative Regulation: (Williams)
 - AR 4161.11/4261.11/4361.11 Industrial Accident/Illness Leave
- c) Receive for information the following revised Administrative Regulation: (Williams)
 - AR 4161.8/4261.8/4361.8 Family Care and Medical Leave (revised)
- d) Receive for information the following revised Board Policy:
 - BP 4354 Health and Welfare Benefits (management, supervisory, and confidential employees) (revised)
- e) Receive information regarding Local Control Funding Formula and Local Control Accountability Plan. (Terry)

4. BOARD POLICIES AND ADMINISTRATION

- a) Consider approval of the following revised Board Policy and Administrative Regulation: (Carlton)
 - BP/AR 0420 School Plans/Site Councils
- b) Consider approval of the following revised Board Policy and Administrative Regulation: (Carlton)
 - BP/AR 0520.2 Title I Program Improvement Schools
- c) Consider approval of the following revised Board Policy and Administrative Regulation: (McConnell)
 - BP/AR 5141.31 Immunizations
- d) Consider approval of Memorandum of Understanding for California Healthy Kids Survey. (McConnell)
- e) Consider approval of collaboration agreement between the Kings County Office of Education and the Hanford Elementary School District — Tobacco Use Prevention Education (TUPE). (McConnell)
- f) Consider approval of consultant contract with the Tulare County Office of

Education to have seven Instructional Consultants to provide sessions during the HESD District wide Professional Development Day on Monday February 10, 2014. (Gabler)

g) Hear and consider approval of revisions to the 2013-2014 School Plans. (Carlton)

5. PERSONNEL (Williams)

a) Employment

Certificated

- Melissa Moreno, Teacher, Simas, Probationary I, effective 1/13/14 Confidential
- Jennifer Baker, Administrative Secretary/Confidential 8.0 hrs., Fiscal/Facilities Services, effective 12/26/13

Classified

- Cynthia Long, Food Service Worker II 2.0 hrs., Wilson, effective 1/14/14
- Carlos Rodriguez, Jr., Computer Maintenance Technician 8.0 hrs., HESDNet, effective 1/6/14
- Allyssa Spradlin, Food Service Worker II 2.0 hrs., Kennedy, effective 1/13/14
 Temporary Employees/Substitutes/Yard Supervisors
- Rosarita Alvarez, Short-term Yard Supervisor 3.0 hrs., Simas, effective 1/13/14 to 4/11/14
- Melissa Braley, Short-term Yard Supervisor 1.0 hr., Kennedy, effective 1/13/14 to 4/11/14
- Cristina Ceja, Substitute Bilingual Clerk Typist I, Clerk Typist I and Translator: Oral Interpreter, effective 1/13/14
- Ashley Candelaria, Short-term Yard Supervisor 1.5 hrs., Washington, effective 1/13/14 to 4/11/14
- Debi Clark, Substitute Bus Driver, Custodian I, Food Service Worker I and Yard Supervisor, effective 12/6/13
- Wilma Etulain Baraibar, Substitute Cook/Baker and Food Service Utility Worker, effective 1/13/14
- Linda Garcia, Yard Supervisor 2.5 hrs., Jefferson, effective 1/13/14
- Fidel Gonzalez, Yard Supervisor 2.25 hrs., Wilson, effective 1/13/14
- Everardo Guzman, Girls 7-8 Soccer Coach 3 units, Kennedy, effective 1/13/14 to 1/23/14
- Angel Hawkins, Short-term Yard Supervisor 1.5 hrs., (M, T,Th,F and .50 W), Roosevelt, effective 1/13/14 to 4/11/14
- Amanda Henderson, Yard Supervisor 2.25 hrs., Washington, effective 1/13/14
- Jose Huerta, Substitute Yard Supervisor, effective 11/26/13
- Samantha Long, Substitute Yard Supervisor, effective 12/5/13
- Ramona Mendoza, Short-term Yard Supervisor 1.0 hr., Washington, effective 1/21/14 to 4/11/14
- Jacqueline Noriega, Substitute Translator: Oral Interpreter and Written Translator, effective 12/4/13
- Shirley Smith, Short-term Yard Supervisor 2.0 hrs., Richmond, effective 1/13/14 to 4/11/14
- Sylvia Solorio, Short-term Yard Supervisor 1.5 hrs., Monroe, effective 1/13/14 to 4/11/14
- Gennifer Soriano, Yard Supervisor 2.0 hrs., Lincoln, effective 1/13/14
- Stephanie Trevino, Substitute Yard Supervisor, effective 1/13/14; Short-term Yard Supervisor – 1.0 hr., Jefferson, effective 1/13/14 to 4/11/14
- Jacqueline Vargas, Substitute Bilingual Clerk Typist I, Clerk Typist, Translator: Oral Interpreter and Written Translator, effective 1/8/14
- Stacy Whittington, Substitute Food Service Worker I and Food Service Worker II, effective 12/3/13
- Suzanne Wilson, Substitute Custodian I and Health Care Assistant, effective 12/12/13

b) Resignations

- Joseph D'Agostino, Teacher, Wilson, effective 12/20/13
- Laura Benavides, READY Program Tutor 4.5 hrs., Hamilton, effective 1/14/14
- Susan Huerta, Teacher, effective 12/20/13
- Mildred Jackson, Substitute Alternative Education Program Aide, Babysittter, Instructional Aide, READY Program Tutor, Special Education Aide and Yard Supervisor, effective 11/20/09
- Brittany McCormick, Yard Supervisor 1.5 hrs., Monroe, effective 12/20/13
- Priscilla Sosa, Substitute Clerk Trainee and Yard Supervisor, effective 12/2/13

c) Promotion/Transfer

- Shawn Carreiro, from Custodian II 8.0 hrs., Kennedy to Lead Custodian 8.0 hrs., Monroe, effective 12/16/13
- Maricia Cuevas, from Yard Supervisor 1.25 hrs., Hamilton to Bus Driver 4.5 hrs., Transportation/DSF, effective 12/16/13
- Veronica Grever, from Food Service Worker II 2.0 hrs., Wilson to Food Service Utility Worker, Food Services – 3.5 hrs., effective 12/16/13

d) Temporary Out of Class Assignment/Transfer

 Mark Alcala, from Custodian II – 8.0 hrs., Wilson to Lead Custodian – 8.0 hrs., Roosevelt, effective 12/16/13 to 4/28/14

e) More Hours

Genella Alvarez, Yard Supervisor, from 2.75 hrs. to 3.0 hrs., Hamilton, effective 12/16/13

f) Salary/Wage Schedules for 2013-2014

Classified Salary Schedule (revised)

g) Volunteers

Name School
Laurie Baltazar Hamilton
Julie McCalister Hamilton
Irma Dominguez King

Amanda Henderson Lincoln/Washington

Carlos Ramos Lincoln Alejandro Santillan Lincoln David Gutierrez Monroe Marlen Sanchez Monroe

Julie Dugan Roosevelt/Wilson Jr. High

6. FINANCIAL (White)

- a) Consider approval of Resolution #7-14: Approving the Kings County Director of Finance's Statement of Investment Policy and Delegating Investment Authority to the Kings Director of Finance.
- b) Consider approval of Resolution #8-14: Revision of the 2013-2014 Budget.
- c) Consider approval to purchase Apple products from Apple, Inc.'s Education/State & Local Government Purchase Agreement via piggyback bid issued by Glendale Unified School District.

ADJOURN MEETING

HANFORD ELEMENTARY SCHOOL DISTRICT AGENDA REQUEST FORM

TO:	Dr. Paul Terry
FROM:	Liz Simas
DATE:	December 20, 2013
For:	Board Meeting Superintendent's Cabinet Information Action
Date you wish	to have your item considered: January 22, 2014

ITEM: Student Discipline

Case# 13-65 - Hamilton

PURPOSE: Administrative Panel Recommendations and Readmissions

Case# 13-03 – JFK Case# 13-23 - Wilson	Case 13-66 - Hamilton Case# 13-67 - MLK
Case# 13-25 - Wilson	Case# 13-73 - Wilson
Case# 13-26 - Lincoln	Case# 13-77 - Monroe
Case# 13-31 – Kennedy	Case# 13-78 - Richmond
Case# 13-42 – Kennedy	Case# 13-81 - Kennedy
Case# 13-47 – Kennedy	Case# 13-82 - Lincoln
Case# 13-55 Kennedy	Case# 13-86 - Wilson
Case# 13-57 – Wilson	Case# 14-06 - Wilson
Case# 13-59 – Hamilton	Case# 14-07 - Wilson
Case# 13-60 – Lincoln	Case# 14-08 - Kennedy
Case# 13-64 - Kennedy	

Hanford Elementary School District Minutes of the Regular Board Meeting December 11, 2013

Minutes of the Regular Board Meeting of the Hanford Elementary School District Board of Trustees on December 11, 2013, at the District Office Board Room, 714 N. White Street, Hanford, CA.

Call to Order

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

Closed Session

Trustees immediately adjourned to closed session for:

- Student Discipline pursuant to Education Code section 48918
- Public Employee Discipline/Dismissal/Release Case #2104-02

Trustees returned to open session at 5:56 p.m.

HESD Managers Present

Dr. Paul J. Terry, Superintendent, and the following administrators were present: Don Arakelian, Lindsey Calvillo, Doug Carlton, Debra Colvard, Javier Espindola, Ramiro Flores, Joy Gabler, David Goldsmith, Lucy Gomez, Jaime Martinez, Karen McConnell, Gerry Mulligan, Jennifer Pitkin, Jill Rubalcava, Liz Simas, Jason Strickland, Nancy White, and Diane Williams.

Readmissions:

#12-02, 12-48, 12-56, 13-03

Trustee Garner made a motion to approve readmission for the following cases based upon each student's compliance with the Plan of Rehabilitation: Case #12-02, 12-48, 12-56, and Case #13-03. Trustee Jay

> Garner - yes Hernandez - absent Hill - yes

seconded. Motion approved 4-0:

Jay - yes Revious – ves

Settlement

Trustee Garner stated, "During closed session, the Board acted to adopt Agreement #2014-02 Settlement Agreement #2014-02 for a classified employee. The motion carried by a vote of 4-0." The roll call vote was:

> Garner - yes Hernandez - absent Hill - yes

Jay – yes Revious - yes

ANNUAL ORGANIZATION

Annual Organizacion

Secretary of the Board, Dr. Terry, conducted the election of officers for 2014.

Jay elected President for 2014

Trustee Revious nominated James L. Jay III for President of the HESD Board of Trustees. There were no other nominations. Trustee Garner moved that nominations be closed, Trustee Revious seconded, and the motion carried 4-0:

Garner – yes

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

Trustees then cast their votes by roll call for James L. Jay III as President of the Board of Trustees:

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

By unanimous vote, James L. Jay III was elected to serve as 2014 President of HESD Board of Trustees.

Trustee Hill nominated Jeff Garner for Vice-President of the HESD Board of Garner elected Vice Trustees. There were no other nominations. Trustee Hill moved that President for 2014 nominations be closed, Trustee Jay seconded, and the motion carried 4-0:

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

Trustees then cast their vote for Jeff Garner as Vice President of the Board of Trustees:

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

By unanimous vote, Jeff Garner was elected to serve as 2014 Vice President of HESD Board of Trustees.

Hernandez elected for Clerk for 2014

Trustee Hill nominated Lupe Hernandez for Clerk of the Board of Trustees. There were no other nominations. Trustee Hill moved that nominations be closed, Jay seconded, and the motion carried 4-0:

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

Trustees then cast their vote for Lupe Hernandez as Clerk of the Board:

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

By unanimous vote Lupe Hernandez was elected to serve as 2014 Clerk

for the HESD Board of Trustees.

Committee **Appointments**

President Jay appointed Trustees to serve on the following committees for 2014 as follows:

Finance Committee - Hernandez; Garner

Budget Committee - Hill; Jay

Kings County School Boards Association - Revious

HESD Educational Foundation - Hill

Board Meeting 2014 Calendar approved

Trustee Garner motioned to adopt the Board Meeting Calendar for 2014 as submitted. Trustee Hill seconded, motion carried 4-0:

Garner - ves

Hernandez - absent

Hill - ves Jay – yes Revious - yes

Public Comments

None.

Board and Staff Comments

Trustee Hill reiterated that he and his wife are thankful for all the support they received from HESD management and staff during their recent tragedy.

Trustee Jay stated that, as a parent of a Jefferson School student, reading the Charter Application gave him a feeling of pride and excitement. He thanked Javier Espindola, Principal of Jefferson School, for preparing the application.

Requests to Address None. the Board at future meetinas

Dates to Remember

President Jay reviewed Dates to Remember: December 14 Boy's Roundball Invitational at JFK; Minimum Day December 20; Winter Break for schools through January 10, 2014; school resumes Jan 13, 2014; next regular board meeting January 22, 2014 at 5:30 p.m.

INFORMATION ITEMS

BP 0520.2

Doug Carlton, Director Categorical Programs, presented for information the following revised Board Policy:

BP 0520.2 – Title I Program Improvement Schools

AR 0520,2

Doug Carlton, Director Categorical Programs, presented for information the following revised Administrative Regulation:

AR 0520.2 – Title I Program Improvement Schools

BP 0420

Doug Carlton, Director Categorical Programs, presented for information

the following revised Board Policy:

BP 0420 - School Plans/Site Councils

AR 0420

Doug Carlton, Director Categorical Programs, presented for information the following revised Administrative Regulation:

AR 0420 – School Plans/Site Councils

BP/AR 5141.31

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

BP/AR 5141.31 - Immunizations

Formula and LCAP

Local Control Funding Superintendent Dr. Terry presented information regarding the new Local Control Funding Formula (LCFF) and Local Control Accountability Plan (LCAP). Where we formerly received funding organized around revenue limits and categorical programs, the new funding sources and set of regulations will revolve around per student base funding with add-ons categorized as "supplemental" and "concentration" funding.

2014 Budget Calendar

Nancy White, Assistant Superintendent Fiscal Services presented for information the 2014 Budget Calendar, Ms. White noted that additional steps have been added to the district's timeline in connection with the requirements of LCFF.

CONSENT ITEMS

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

Garner - yes

Hernandez - absent

Hill - yes

Jay - yes

Revious - yes

The items approved as follows:

- a) Warrant listings dated November 8, 2013; November 15, 2013; November 22, 2013; and December 2, 2013.
- b) Minutes of November 12 Special Board Meeting.
- c) Inter-district transfers as recommended.
- d) Donation of \$3,000.00 from Martin Luther King PTC to MLK Teachers.
- e) Donation of \$900.00 from JFK Igniters Club toward the purchase of wrestling singlets.

f) Donation of \$600.00 from Washington PTC to Washington School.

Trustee Revious acknowledged and thanked Martin Luther PTC, JFK Igniters Club, and Washington PTC for their generous donations in support of HESD schools.

BOARD POLICIES AND ADMINISTRATION

BP/AR 7214

Trustee Garner made a motion to adopt the following revised Board Policy and Administrative Regulation: BP/AR 7214 – General Obligation Bonds

Trustee Hill seconded; motion carried 4-0:

Garner - yes

Hernandez - absent

Hill - yes

Jay – yes

Revious - yes

AR 3542

Trustee Revious made a motion to adopt the following revised Administrative Regulation: AR 3542 – School Bus Drivers

Trustee Garner seconded; motion carried 4-0:

Garner - ves

Hernandez - absent

Hill - yes

Jay - yes

Revious - ves

AR 4351.23

Trustee Revious made a motion to adopt the following revised Administrative Regulation: AR 4351.23 – Personal Necessity Leave/Other Leaves

Trustee Garner seconded; motion carried 4-0:

Garner - yes

Hernandez - absent

Hill - yes

Jay – yes

Revious - yes

AR 4361.25

Trustee Garner made a motion to adopt the following revised Administrative Regulation: AR 4351.23 – Family Illness Leave

Trustee Revious seconded; motion carried 4-0:

Garner - yes

Hernandez - absent

Hill - yes

Jay - yes

Revious - yes

BP/AR 1330

Trustee Revious made a motion to adopt the following revised

Administrative Regulation: BP/AR 1330 – Use of School Facilities

Trustee Garner seconded; motion carried 4-0:

Garner - yes

Hernandez - absent

Hill - yes

Jay – yes

Revious - yes

AR 3514

Trustee Garner made a motion to adopt the following revised Administrative Regulation: AR 3514 - Environmental Safety

Trustee Revious seconded; motion carried 4-0:

Garner – yes

Hernandez - absent

Hill – yes

Jay - yes

Revious - yes

BP 5145.3

Trustee Garner made a motion to adopt the following revised Administrative Regulation: BP 5145.3 – Nondiscrimination/Harassment

Trustee Revious seconded; motion carried 4-0:

Garner - yes

Hernandez - absent

Hill - yes

Jay – yes

Revious – yes

SELPA

Parent volunteer for Trustee Garner made a motion to accept parent volunteer, Kjirsti Jordan, as the Hanford Elementary School District's representative to the SELPA Community Advisory Committee. Trustee Revious seconded; motion carried 4-0:

Garner - yes

Hernandez - absent

Hill - yes

Jay – yes

Revious – yes

Annual Update of Local Agency Plan (LEAP)

Trustee Revious made a motion to approve the annual update of the Local Agency Plan (LEAP). Trustee Garner seconded; motion carried 4-0:

Garner - yes

Hernandez - absent

Hill - yes

Jay – yes

Revious – yes

Assistant Superintendent salary increase

Trustee Garner made motion to approve a 3.5% salary increase and extend work year by two days for Assistant Superintendents, with salary increase retroactive to July 1, 2013. Trustee Revious seconded; motion carried 4-0:

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

Superintendent salary increase

Trustee Revious made motion to approve a 3.5% salary increase and extend work year by two days for Superintendent, with salary increase retroactive to July 1, 2013. Trustee Garner seconded; motion carried 4-0:

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

Yard Supervisor salary increase

Trustee Revious made motion to approve a 3.5% cost-of-living increase to rate of pay for Yard Supervisor service. Trustee Garner seconded; motion carried 4-0:

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

for JFK Junior High

L.E.D. message board Trustee Garner made motion to approve purchase of L.E.D. message board from SignWorks for JFK Junior High School. Trustee Revious seconded; motion carried 4-0:

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

Consultant Contract

Trustee Revious made motion to approve consultant contract for Lindamood Bell to provide 3 days of Learning Processes Training to MLK staff. Trustee Garner seconded; motion carried 4-0:

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

Jefferson Charter Academy petition

Javier Espindola, Principal Jefferson School, provided public comment in support of the Jefferson Charter Academy petition. Trustee Jay call for any further public comment regarding the petition. Being there were no additional comments from the public, Trustee Jay called for a motion to approve the petition. Trustee Garner made motion to approve Charter School Petition for Jefferson Charter Academy. Trustee Revious seconded; motion carried 4–0:

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

PERSONNEL

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

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

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

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

The following items were approved:

Board of Trustees Meeting Minutes December 11, 2013 - Page 9

Item "a" — Employment

Certificated:

- Tagen Ormonde, Teacher, Probationary I, Simas, effective 12/9/13 <u>Temporary Employees/Substitutes/Yard Supervisors:</u>
- Sabine Appleby, Short-term Yard Supervisor .50 hrs., Hamilton, effective 11/20/13 to 12/20/13
- Yolanda Bell, Girls 4-6 Basketball Coach 2 units, Roosevelt, effective 11/12/13 to 2/1/14
- Ashley Candelaria, Substitute Yard Supervisor, effective 11/21/13
- Angel Hawkins, Substitute Alternative Education Program Aide, Special Circumstance Aide, Special Education Aide and Yard Supervisor, effective 11/4/13
- Kimberly Jenkins, Yard Supervisor 1.0 hrs., Monroe, effective 12/2/13
- Luz Najar, Short-term Special Circumstance Aide 5.75 hrs., (M,T,Th,F) and 4.5 hrs. (W), Lincoln, effective 11/13/13 to 12/20/13
- Brian Perrott, Girls 4-6 Basketball Coach 2 units, Lincoln, effective 11/13/13 to 2/1/14
- Erwin Rosaroso, Substitute Custodian I, effective 11/18/13
- Eric Sawyer, Substitute Yard Supervisor, effective 11/8/13
- Sylvia Solorio, Short-term Educational Aide 5.0 hrs., Monroe, effective 12/2/13 to 12/20/13

Item "a" — Employment (con't.)

- Gennifer Soriano, Short-term Yard Supervisor 2.0 hrs., Lincoln, effective 11/12/13 to 12/20/13
- Beau Vieira, Substitute Bus Driver, effective 11/5/13
- Cheyenne Zimmerman, Yard Supervisor 1.25 hrs., Monroe, effective 12/2/13

Item "b" — Resignations

Beau Vieira, Substitute Bus Driver, effective 11/7/13

Item "c" — Promotion/Transfer

John Borges, from Lead Custodian – 8.0 hrs., Monroe to Head Custodian – 8.0 hrs., Kennedy, effective 12/16/13

Item "d' — Temporary Out of Class Assignment

Maribel Aguilera, from Bilingual Clerk Typist II – 8.0 hrs., to School Operations Officer – 8.0 hrs., Richmond, effective 11/12/13 to 12/20/13

Item "e" — Temporary Out of Class Assignment/Transfer

Kristi Ochoa, from READY Program Tutor – 4.5 hrs., Lincoln to Lead READY Program Tutor – 5.0 hrs., Simas, effective 11/14/13 to 12/20/13

Item "f" – More Hours

- Gennarina "Genella" Alvarez, Yard Supervisor, from 2.5 hrs., to 2.75 hrs., Hamilton, effective 11/8/13
- Linda Garcia, Short-term Yard Supervisor, from 2.0 to 2.5, Jefferson, effective 11/1/13 to 12/20/13
- Debora Harris, Yard Supervisor, from 3.5 hrs. to 3.75 hrs., Hamilton, effective 11/8/13
- Dan Ramponi, Bus Driver, from 4.5 hrs. to 6.0 hrs., Transportation/DSF, effective 11/18/13
- Pearl Rodriguez, Short-term Yard Supervisor, from 1.75 hrs. to 2.25 hrs., Hamilton, effective 11/12/13 to 12/20/13
- Rosemarie Rodriguez, Yard Supervisor, from 2.0 hrs. to 2.25 hrs., Washington, effective 11/12/13

Item "g" — Decrease in Hours

 Maricia Cuevas, Yard Supervisor, from 1.75 hrs. to 1.25 hrs., Hamilton, effective 11/12/13

Item "h"-Job Description

Personnel Specialist /Confidential - revised

School

Item "i"-**Volunteers**

Elizabeth Flynt Hamilton Olga Martinez Jefferson Natasha Simonsen Jefferson Virginia Brito King Yvonne Castillo Kina King Margarita Garcia America Ramirez Lincoln Yaneth Ramirez Lincoln Jennifer Larue Monroe Brenda Regan Monroe Joseph Arcidiacono Richmond Brenda Lopez Roosevelt Roosevelt Luz Paramo Zilda Burton Simas Milton "Brent" Bacome Washington Aaron Doyle Washington

FINANCIAL

Name

of Signatures

Approve Certification Trustee Revious made motion to approve Certification of Signatures for 2014. Trustee Garner seconded, motion carried 4-0:

Garner - ves

Hernandez - absent

Hill - yes Jay – yes Revious - yes

Report of Developer Fees Collected and Spent

Trustee Revious made a motion to accept the report of Developer Fees Collected and Spent. Trustee Garner seconded, motion carried 4-0:

Garner – yes

Hernandez - absent

Hill – yes Jay - yes Revious – yes

Resolution #6-14

Trustee Garner made a motion to approve Resolution #6-14: Revision of the 2013-14 Budget. Trustee Revious seconded; motion carried 4-0:

Garner - yes

Hernandez - absent

Hill - yes Jay - yes Revious - yes

Certification of First **Interim Report**

Trustee Revious made a motion to approve Certification of First Interim Report for 2013-2014. Trustee Garner seconded, motion carried 4-0:

Garner - yes

Hernandez - absent

Hill – yes

16/120

Board of Trustees Meeting Minutes December 11, 2013 - Page 11

> Jay – yes Revious – yes

Consultant Contract Trustee Revious made a motion to approve consultant contract with Horizon Software International for an upgrade to the Food Service Program accounting software. Trustee Garner seconded, motion carried 4-0:

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

Adjournment

There being no further business, President Revious adjourned the meeting at 7:22 p.m.

Respectfully submitted,

Paul J. Terry, Secretary to the Board of Trustees

Approved:		
	James L. Jay III, President	Lupe Hernandez, Clerk

AGENDA REQUEST FORM

TO:	Dr. Paul Terry
FROM:	Liz Simas
DATE:	December 16, 2013
For:	☑ Board Meeting☐ Superintendent's Cabinet☐ Information☑ Action

Date you wish to have your item considered: January 22, 2014

ITEM: Donation from Feed the Children Foundation

<u>PURPOSE</u>: Hanford Elementary SD is the recipient of a very generous donation from the *Feed the Children Foundation*. Through the Kings County Office of Education, the *Feed the Children Foundation* donated back packs, snack items, various school supplies, hygiene products and books. The items were distributed to schools to give to our children as they see fit.

FISCAL IMPACT (if any): None

RECOMMENDATION (if any): Accept donation

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry
FROM: Jill Rubalcava

DATE: 12/9/12

FOR: Board Meeting

Superintendent's Cabinet

FOR: Information

Date you wish to have your item considered: 1/22/14

ITEM: Donation of \$700.00 from Washington PTC to Washington School

PURPOSE: Payment for Kids Assembly

FISCAL IMPACT: 0100-0000-1110-0-1110-1000-580009-028-0000

RECOMMENDATIONS: Accept Donation

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Kristina Baldwin

DATE: 12/20/13

FOR: Board Meeting
Superintendent's Cabinet

FOR: Information

Date you wish to have your item considered: 1/22/14

Action

ITEM: Consider acceptance of donations from: Edison International-\$150.00; PTC - \$1625.24

PURPOSE: To be used for as follows:

Edison International to purchase instructional supplies

PTC donation for Football/softball championship shirts \$570.00

Sports Banquet Food \$50.70 Sports Banquet Medals \$133.03

CST Medals \$631.51 CST T-shirts \$240.00

FISCAL IMPACT: Increase of \$1775.24 to Simas School General Fund Budget

RECOMMENDATIONS: Accept donations.

AGENDA REQUEST FORM

TO:	Dr. Pa	ul J. Terry
FROM:	Lindsay Calvillo	
DATE:	12/11/	13
FOR:		Board Meeting Superintendent's Cabinet
FOR:		Information Action

Date you wish to have your item considered: 1/22/14

ITEM: Consider approval of donations to Lee Richmond School from Target Take Charge for Education \$68.38; and Classic Soccer \$1490.00

PURPOSE: For purchase of instructional supplies, school T-shirts, sweat shirts

FISCAL IMPACT: Increase of \$1558.38 to Lee Richmond School General Fund Budget

RECOMMENDATIONS: Accept donations.

AGENDA REQUEST FORM

TO: Dr. Paul Terry FROM: Anthony Carrillo DATE: December 11, 2013 □ Board Meeting For: Superintendent's Cabinet For: Information ★ Action Date you wish to have your item considered: January 22, 2014 Donation of \$1,175.00 ITEM: Accept donation of \$1,175.00 from Walmart to be used for **PURPOSE**: educational study trips. FISCAL IMPACT (if any): \$1,175.00 Please credit to account #: 0100-0000-0-1110-1000-430001-026-0000

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

Agenda Request Form

TO:	Dr. Paul J. Terry	
FROM:	Ramiro Flores	
DATE:	1/13/2013	
FOR:	(X) Board Meeting () Superintendent's Cabinet	
FOR:	() Information (X) Action	

Date you wish to have your item considered: January 22, 2014

Consider approval of \$903.20 donation from Box Tops for Education (General Mills) to Hamilton School.

PURPOSE:

For the purchase of instructional materials and classroom supplies for Hamilton students and staff.

FISCAL IMPACT: \$903.20 to account 0100-0000-0-1110-1000-430001-029-0000

RECOMMENDATION:

Accept donation from Box Tops for Education (General Mills).

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Jason Strickland

DATE: January 15, 2014

FOR: Board Meeting

Superintendent's Cabinet

FOR: Information

Action

Date you wish to have your item considered: January 22, 2014

ITEM: Donation of \$5000 from ASB and \$4,167.72 from PTC to JFK General Budget

PURPOSE: To purchase LED Message Center

FISCAL IMPACT: \$9, 167.72

RECOMMENDATIONS: Approve

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry			
FROM: Doug Carlton			
DATE: December 13, 2013, 2013			
FOR: Board Meeting Superintendent's Cabinet			
FOR: Information Action			
Date you wish to have your item considered: January 22, 2014			
ITEM: Receive for information recommended revisions to BP 1431 ~ Waivers			
PURPOSE: The revised Board Policy reflects changes (see underlined and strikeouts) that are necessary to align with current practices and procedures as well as recommendations by CSBA.			
FISCAL IMPACT: None			
RECOMMENDATIONS: Review for Information			

Hanford ESD Board Policy

Waivers

BP 1431

Community Relations

When certain provisions of Education Code or 5 CCR or the federal law, prevent the district from offering. The Governing Board recognizes that strict compliance with the law may sometimes hinder the district's ability to provide its students the best possible with an effective, well-rounded educational program. When it is in the interest of district students, the Board of Trustees may request that the State Board of Education to (SBE) waive these provisions. District administrators, staff, advisory committees, and councils shall identify the need for waiver requests and provide the Board information needed any provision of state or federal law or regulation which it has authority to make the waive pursuant to Education Code 33050.

Any waiver request to be submitted to the SBE shall first be approved by the Board. The Superintendent or designee shall ensure that each proposed waiver request includes all information necessary for the Board to analyze the need for the waiver and make an informed decision.

The Prior to presenting the proposed request for Board approval, the Superintendent or designee shall hold a properly noticed public hearing on all general waiver requests. (Education Code 33050)

(cf. 9320 Meetingsconsult with and Notices)

The Board shall include the exclusive employee representative in the development of obtain the waiver.

(cf. 4140/4240 Bargaining Units)

If the waiver affects a program that requires the existence of a school approval of any advisory committee or site council, the school site council shall first approve the request when required by law.

(cf. 0420 - School Plans/-Site Councils)

(cf. 0420.1 - School-Based Program Coordination)

(cf. 1220 - Citizen Advisory Committees)

For general waivers In addition, the request to the State Board of Education Superintendent or designee shall include a statement as to whether involve the exclusive employee representative participated of district employees in the development of the waiver request, and shall include in the request the exclusive employee representative's position on regarding the waiver. Waiver requests shall include (Education Code 33050)

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

To receive public testimony on each waiver request proposal, the Board shall hold a properly noticed public hearing during a written summary of any objections to the request by the councils or advisory committees. Board meeting. (Education Code 33050)

The notice, which shall state the time, date, location, and subject of the public hearing, may be printed in a newspaper of general circulation or posted at each school and three public places in the district.

(cf. 9320 - Meetings and Notices)

When the district has requested and received the same general waiver from the SBE for two consecutive years, the Board is not required to reapply annually if the information contained on the request remains current. However, the district shall apply annually for the renewal of any waiver regarding teacher credentialing. (Education Code 33051)

Legal Reference:

EDUCATION CODE

305-311 Structured English immersion program; parental exception waivers

5000-5033 Governing board elections

8750-8754 Grants for conservation education

10400-10407 Cooperative improvement programs

17047.5 Facilities used by special education students

17291 Portable school buildings

33050-33053 General waiver authority

37202 Equity length of time

41000-41360 School finance

41381 Minimum school day

41600-41854 Computation of allowances

41920-42842 Budget requirements; local taxation by school districts

44520-44534 New program for careers Careers Program

44666-44669 School-Based Management and Advanced Career Opportunities

44681-44689 Administrator Training and Evaluation

45108.7 Maximum number of senior management positions

48660-48666 Community day schools

48800 Attendance at community college

49550-49560 Meals for needy students

51224.5 Algebra instruction

51745.6 Charter school independent study ratio

51870-51874 Educational technology

52053-52055.55-Immediate Intervention for Underperforming Schools Program

```
52055.600-52055.662 High Priority Schools Grant Program
52080-52090 Class size reduction grade 9
52122.6-52122.8 Class size reduction—, impacted school sites
52160-52178 Bilingual-Bicultural Education Act of 1976
52180-52186 Bilingual teacher waiver
52200-52212 Gifted and Talented Pupils Program
52340-52346 Career Guidance Centers
52522 Plans for adult education
52850-52863 School-Based Coordinated Program Coordination
54000-54028 Disadvantaged Youth Program
54100-54145 Miller-Unruh Basic Reading Program
54407 Waiver for compensatory education programs
56000-56867 Special education programs
58407 Waiver related to individualized instruction program
58900-58928 Restructuring demonstration programs
60119 Public hearing on sufficiency of instructional materials
60422 Instructional materials funding realignment program
60851 High school exit examination, waiver for student with disabilities
CODE OF REGULATIONS, TITLE 5
1032 Academic Performance Index
3100 Resource specialist caseload waivers
3945 Cooperative programs
9531 Instructional materials funding
11960 _Charter school attendance
11963.4 Charter school percentage funding
13017 Waivers, compensatory education New Careers in Education Program
13044 Waivers, compensatory education Professional Development and Program Improvement
Programs
UNITED STATES CODE, TITLE 20
1400-1482 Individuals with Disabilities in Education Act
7115 Safe and Drug Free Schools, authorized activities
```

Management Resources:

WEB SITES

California Department of Education, Waiver Office: http://www.cde.ca.gov/re/lr/wr Commission on Teacher Credentialing: http://www.ctc.ca.gov

```
Policy HANFORD ELEMENTARY SCHOOL DISTRICT adopted: May 16, 2001 Hanford, California revised: January 18, 2006(10/98 7/05) 8/13
Revised: January 22, 2014
```

HANFORD ELEMENTARY SCHOOL DISTRICT Human Resources Department AGENDA REQUEST FORM

TO:

Dr. Paul Terry

FROM:

Diane Williams DW

DATE:

January 13, 2014

FOR:

(X) Board Meeting

() Superintendent's Cabinet

(X) Information

() Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: January 22, 2014

ITEM: Receive the following revised Administrative Regulation for information.

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

• AR 4161.11/4261.11/4361.11 – Industrial Accident/Illness Leave (This new Administrative Regulation replaces 3 separate regulations: 4161.11, 4261.11, and 4361.11)

FISCAL IMPACT: None.

RECOMMENDATION: Consider for adoption at next regular board meeting.

THIS NEW AR REPLACES INDIVIOUAL AR'S FOR 4161.11, 4261.11 & 4361.11

All Personnel AR 4161.11(a) 4261.11

4361.11

INDUSTRIAL ACCIDENT/ILLNESS LEAVE

An eligible employee shall be entitled to a leave of absence for an industrial accident or illness arising in the course of his/her assigned duties. (Education Code 44984, 45192)

```
(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)
(cf. 4157/4257/4357 - Employee Safety)
(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)
(cf. 4157.2/4257.2/4357.2 - Ergonomics)
(cf. 4161/4261/4361 - Leaves)
```

For such leave, the employee shall be granted no more than 60 working days in any one fiscal year for the same industrial accident or illness.

To be eligible for industrial accident or illness leave, a classified employee shall have reached permanency in the district as defined in the Collective Bargaining Agreement.

Allowable industrial accident or illness leave shall not be accumulated from year to year. (Education Code 44984, 45192)

When an employee is absent from his/her duties because of an industrial accident or illness: (Education Code 44043, 44044, 44984, 45192)

- 1. The leave shall start on the first day of absence.
- 2. During the period of absence, the employee shall be paid such portion of his/her wage or salary that, when added to the award granted under state workers' compensation laws, will not exceed his/her normal wage or salary.
- 3. The leave shall be reduced by one day for each day of authorized absence, regardless of an award granted under workers' compensation laws.
- 4. When the leave overlaps into the next fiscal year, the employee is entitled to only the amount of unused leave due the employee for the same illness or injury.

During any paid leave of absence, the workers' compensation administrator shall send the district any workers' compensation checks received on account of an industrial accident or illness. The Superintendent or designee shall then issue payment of the employee's normal wage or salary less any appropriate deductions, including, but not limited to, employee retirement contributions. (Education Code 44043)

Any employee receiving benefits under this leave shall, during periods of injury or illness, remain within California unless the Governing Board authorizes travel outside the state. (Education Code 44984, 45192)

AR 4161.11(b) 4261.11 4361.11

INDUSTRIAL ACCIDENT/ILLNESS LEAVE

Absence for industrial accident or illness shall not be considered a break in service of the employee. An employee using such leave shall retain all status and benefits to which he/she would otherwise be entitled.

```
(cf. 4116 - Probationary/Permanent Status)
(cf. 4154/4254/4354 - Health and Welfare Benefits)
(cf. 4216 - Probationary/Permanent Status)
```

When available industrial accident or illness leave has been exhausted, the employee shall be so notified in writing and shall be offered an opportunity to request any additional paid or unpaid leave available to the employee. (Education Code 45192)

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

Upon expiration of allowable leave for an industrial accident or illness, the employee may use personal illness and injury leave provided pursuant to Education Code 44977, 44978, 44983, or 45191, as applicable, provided that such leave, when added to any continuing workers' compensation award, does not result in a payment to the employee of more than his/her full wage or salary. (Education Code 44984, 45192)

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

If a certificated employee is unable to resume the duties of his/her position after exhausting all accumulated sick leave, including the consecutive five-month period provided by Education Code 44977, he/she shall, if not placed in another position, be placed on a reemployment list for a period of 24 months if he/she is a probationary employee or 39 months if he/she is a permanent employee. If the employee becomes medically able to resume duties during the period of reemployment eligibility, he/she shall be returned to employment in a position for which he/she is credentialed and qualified. (Education Code 44978.1)

If a classified employee has exhausted all available leaves of absence, paid or unpaid, and is not medically able to resume the duties of his/her position, he/she shall, if not placed in another position, be placed on a reemployment list for a period of 39 months. If he/she becomes medically able to resume duties during the period of reemployment eligibility, he/she shall be employed in a vacant position in the class of his/her previous assignment over all other candidates except those on a reemployment list established because of lack of work or lack of funds, in which case the employee shall be listed in accordance with seniority regulations. If the employee is medically released to return to duty but fails to accept an appropriate assignment, he/she shall be dismissed. (Education Code 45192)

```
(cf. 4217.3 - Layoff/Rehire)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
```

AR 4161.11(c) 4261.11 4361.11

INDUSTRIAL ACCIDENT/ILLNESS LEAVE

Legal Reference:

EDUCATION CODE

44043 Temporary disability

44044 Temporary disability checks; waiver of endorsement to district

44977 Salary deductions during absence from duties

44978 Provisions for certificated employee sick leave

44978.1 Inability of certificated employee to return to duty; placement in another position or on reemployment list

44983 Exception to sick leave

44984 Industrial accident and illness leave, certificated employees

45191 Personal illness and injury leave, classified employees

45192 Industrial accident and illness leave, classified employees

LABOR CODE

3200-6002 Workers' compensation

Management Resources:

WEB SITES

Department of Industrial Relations: http://www.dir.ca.gov

Regulation			HANFORD ELEMENTARY SCHOOL DISTRICT
approved:	/	/14	Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT Human Resources Department AGENDA REQUEST FORM

TO:

Dr. Paul Terry

FROM:

Diane Williams

DATE:

January 13, 2014

FOR:

(X) Board Meeting

() Superintendent's Cabinet

(X) Information

() Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: January 22, 2014

ITEM: Receive the following revised Administrative Regulation for information.

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

• AR 4161. 8/4261.8/4361.8 - Family Care and Medical Leave (revised)

FISCAL IMPACT: None.

RECOMMENDATION: Consider for adoption at next regular board meeting.

 All Personnel
 AR 4161.8(a)

 4261.8
 4261.8

 FAMILY CARE AND MEDICAL LEAVE
 4361.8

The district shall not interfere with, restrain, or deny the exercise or attempted exercise by ef any right provided to an eligible employee of his/her right to any family care and medical leave or pregnancy disability leave (PDL) provided through the Family and Medical Leave Act (FMLA), the California Family Rights Act (CFRA), or the Fair Employment and Housing Act (FEHA), under the law. nor Also, the district shall it not discharge or discriminate or retaliate against any employee for opposing any practice made unlawful by, or because of, his/her involvement in any inquiry or proceeding related to any leave under any of these laws or his/her the family care and medical leave or pregnancy disability leave opposition to or challenge of any unlawful district practice in relation to any rights granted by any of these laws. (Government Code 12945, 12945.2; 29 USC 2615; Government Code 12945.2)

(cf. 4030 – Nondiscrimination in Employment) (cf. 4032 – Reasonable Accommodation) (cf. 4033 – Location Accommodation)

A. Definitions

The words and phrases defined below shall have the same meaning throughout this administrative regulation except where a different meaning is otherwise specified. For the purposes of leave administration under the Family and Medical Leave Act (FMLA), the California Family Rights Act (CFRA) and Pregnancy Disability Leave (PDL), the following terms are defined as shown:

[Moved from below] Child (son or daughter) means a biological, adopted, or foster child; a stepchild; a legal ward; or a child of a person standing in loco parentis as long as the child is under 18 years of age or an adult dependent child. (Government Code 12945.2; 29 USC 2611)

Eligible employee for FMLA and CFRA purposes means an employee who has been employed with the district for at least 12 months of service with the district, and who has worked at least 1,250 hours of service with the district during the previous 12-month period (with the exception of PDL, whereas employee eligibility is immediate for a period of actual disability). Full-time teachers are deemed to meet the 1,250 hours of service requirement. However, these requirements shall not apply when an employee applies for PDL. (Government Code 12945.2; 29 USC 2611; 29 CFR 825.110)

Employee disabled by pregnancy means a woman who, in the opinion of her health care provider, is unable because of pregnancy to perform any one or more of the essential functions of her job or to perform any of them without undue risk to herself, her pregnancy's successful completion, or other persons; or who is suffering from severe "morning sickness" or needs to take time off for any pregnancy-related condition including, but not limited to, prenatal or postnatal care, bed rest, gestational diabetes, pregnancy-induced hypertension, preeclampsia, post-partum depression, childbirth, loss or end of pregnancy, or recovery from childbirth or loss or end of pregnancy. (2 CCR 7291.2)

AR 4161.8(b) 4261.8 4361.8

FAMILY CARE AND MEDICAL LEAVE

Full-time teacher means an employee whose principal function is to teach and instruct students in a class, a small group, or individual setting. (29 CFR 825.800)

Child means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis as long as the child is under 18 years of age or an adult dependent child. (29 USC 2611; Government Code 12945.2) [Moved up]

Parent means a biological, foster, or adoptive parent, a stepparent; a legal guardian; or another person who stood in loco parentis to the employee when the employee was a child. Parent does not include a spouse's parents. (Government Code 12945.2; 2 CCR 7297.0; USC 2611; 29 CFR 825.122)

Spouse means a partner in marriage as defined in Family Code 300 or 1 USC 7. In addition, for purposes of rights under the California Family Rights Act (CFRA), a registered domestic partner shall have the same rights, protections, and benefits as a spouse and protections provided to a spouse's child shall also apply to a child of a registered domestic partner. (29 CFR 825.122; Family Code 297.5; 2-CCR 7297.0) [Moved below]

Serious health condition means an illness, injury, impairment, or physical or mental condition that involves either of the following: (Government Code 12945.2; 2 CCR 7297.0; 29 USC 2611; 29 CFR 825.113, 825.114, 825.115)

- 1. Inpatient care in a hospital, hospice, or residential health care facility
- 2. Continuing treatment or continuing supervision by a health care provider, including one or more of the following:
 - a. A period of incapacity of more than three consecutive days
 - b. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition
 - c. Any period of incapacity due to pregnancy or for prenatal care under FMLA
 - e. For purposes of leave under the federal Family Medical Leave Act (FMLA) and California pregnancy disability leave (PDL), any period of incapacity of treatment due to pregnancy or for prenatal care
 - d. Any period of incapacity which is permanent or long term due to a condition for which treatment may not be effective.
 - e. Any period of absence to receive multiple treatments, including recovery, by a health care provider-

AR 4161.8(c) 4261.8 4361.8

FAMILY CARE AND MEDICAL LEAVE

Spouse means a partner in marriage as defined in Family Code 300 or 1 USC 7. In addition, for purposes of rights under the California Family Rights Act CFRA, a registered domestic partner shall have the same rights, protections, and benefits as a spouse and protections provided to a spouse's child shall also apply to a child of a registered domestic partner. (Family Code 297.5, 300; 2 CCR 7297.0; 29 CFR 825.122)

B. <u>Eligibility</u> Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA)

1. Eligibility

a.—

b.

d.

The district shall grant FMLA or CFRA leave to eligible employees for any of the following reasons: (Family Code 297.5; Government Code 12945.2; 29 USC 2612, 29 CFR 825.112)

The Superintendent or designee shall grant leave under the provisions of the federal Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA) to eligible employees for the following purposes: (29 USC 2612; Government Code 12945.2; Family Code 297.5)

1. The bBirth of a child of the employee's child or placement of a child with the employee in connection with the employee's adoption or foster care of the child by the employee; or

2. To cCare for the employee's child, parent or spouse; and, under CFRA, registered domestic partner, or child of a registered domestic partner with a serious health condition (as allowed under 29 CFR 825.122; Family Code 297.5; 2 CCR 7297.0); or

The employee's own serious health condition that makes him/her unable to perform one or more essential functions of his/her position. However, for purposes of leave under the California Family Rights Act (CFRA), this does not include leave taken for disability on account of pregnancy, childbirth, or related medical conditions (see Pregnancy Disability Leave section).

4. Because of Aany qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a covered military member on covered active duty or call to covered active duty (or has been notified of an impending call or order to covered active duty)

AR 4161.8(d) 4261.8 4361.8

FAMILY CARE AND MEDICAL LEAVE

5. To care for a covered servicemember with a serious injury or illness if the employee is the spouse, child, parent, or next of kin, as defined, of the servicemember.

In addition, the district shall grant any pregnant female employee PDL during pregnancy, when she is disabled by pregnancy, childbirth, or any related medical condition. (Government Code 12945; 2 CCR 7291.4)

2.____

C. Terms of Leave

Except in the case of leave to care for a covered servicemember, An eligible employee shall be entitled to a total of 12 work weeks of FMLA or CFRA leave during any 12-month period, except in the case of leave to care for a covered servicemember as provided under "Military Caregiver Leave" below. which shall be calculated as a "rolling" 12-month period counted backward from the date the family care and medical leave is taken. (Government Code 12945.2; 29 USC 2612). (29 CFR 825.200)

This 12-month period shall be a rolling period measured backward from the date an employee uses any family care and medical leave, as defined in 29 CFR 825.200. (29 CFR 825.200)

In addition, for each pregnancy, a female employee shall be entitled to PDL for the period of the disability not to exceed four months. (Government Code 12945; 2 CCR 7291.9)

PDL shall run concurrently with FMLA leave for disability caused by an employee's pregnancy. At the end of the employee's FMLA leave for disability caused by pregnancy, or at the end of four months of PDL, whichever occurs first, a CFRA-eligible employee may request to take CFRA leave of up to 12 work weeks for the reason of the birth of her child, if the child has been born by this date (e.g., baby bonding), whether or not she or the child has a serious health condition or disability. To the extent allowed by law, CFRA and FMLA leaves shall run concurrently. (Government Code 12945, 12945.2; 2 CCR 7291.13, 7297.6)

Leave taken pursuant to the state CFRA shall run concurrently with leave taken pursuant to the federal FMLA, except in the following circumstances:

a. Leave taken to care for a registered domestic partner or a child of a domestic partner. Such leave shall count as leave under the CFRA. (Family Code 297.5)

AR 4161.8(e) 4261.8 4361.8

FAMILY CARE AND MEDICAL LEAVE

b. Leave taken under the FMLA for disability on account of pregnancy, childbirth, or related medical conditions (see Pregnancy Disability Leave section).

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

Leave taken for the <u>birth or placement</u> purpose of earing for or bonding with a newborn or an adopted child or foster child must be concluded within one year from the 12-month period beginning on the date of the birth or placement of the child event (the date of birth or placement of the child). Such leave does not have need to be taken in one continuous period of time. The basic minimum duration of the leave for the birth or placement of a child bonding shall be two weeks. However, the district shall grant a request for leave of less than two weeks' duration on any two occasions. (2 CCR 7297.3; 29 USC 2612)

If both parents of a child work for the district, their family care and medical leave related to the birth or placement of the child shall be limited to a combined total of 12 weeks. This restriction shall apply whether or not the parents are married, not married, or registered domestic partners. (Government Code 12945.2; <u>2 CCR</u> 7297.1; 29 USC 2612;)

C. PREGNANCY DISABILITY LEAVE (PDL)

Under the FMLA, pregnancy and pregnancy related disabilities are considered "serious health conditions." The CFRA does not include an employee's pregnancy as a serious health-condition because female employees in California have the right to pregnancy disability leave (PDL) under Government Code Section 12945.

1. Eligibility

The California Fair Employment and Housing Act (FEHA) contains provisions relating to Pregnancy Disability Leave (PDL); these provisions cover employers with five (5) or more employees.

The Superintendent or designee shall grant leave under the provisions of the California PDL law to eligible employees for the following purposes:

a. Disability due to pregnancy or pregnancy-related conditions

2. Terms of Leave

a. An employee disabled by pregnancy is entitled to up to four (4) months of leave for a disability relating to pregnancy or a pregnancy related condition.

AR 4161.8(f) 4261.8 4361.8

FAMILY CARE AND MEDICAL LEAVE

- b. Because pregnancy is a qualifying reason under the FMLA, the 12 workweeks of FMLA run concurrently with the first 12 weeks of the PDL.
- c. CFRA leave does not run concurrently with PDL, because an employee's pregnancy is not a qualifying reason for CFRA leave. At the time that an employee is no longer disabled as a result of pregnancy or related medical conditions, but desires to remain on leave to care for or bond with their new child, or when the employee has exhausted their FMLA leave and all other available leaves but continues to be disabled as a result of their pregnancy, whichever event occurs first, the employee shall commence using the 12 workweeks of CFRA leave, which shall run concurrently with any remaining FMLA leave.
- d. The maximum possible combined statutory leave entitlement for CFRA/FMLA employees for both pregnancy disability leave (under FMLA and Government Code Section 12945, subdivision (b) (2)) and CFRA leave for reason of the birth of a child is four months and 12 workweeks. This assumes that the employee is disabled by pregnancy for four months and then requests, and is eligible for, a 12-week CFRA leave for reason of caring for or bonding with her child.

D. Use/Substitution of Other Paid Leaves

During the period of family care and medical leave, the employee may elect to use his/her accrued vacation leave, other accrued time off, or any other paid or unpaid time off negotiated with the district, <u>unless otherwise directed by Board Policy or collective bargaining agreement.</u> If the leave is because of the employee's own serious medical condition or pregnancy, the employee must use accrued sick leave pursuant to collective bargaining agreements and/or Board policy. (29 USC 2612; Government Code 12945.2)

If paid leaves, vacation, or compensatory time off are used for any portion of leave taken under this policy, the periods of leave shall run concurrently with FMLA, CFRA and/or PDL designated leave.

(cf. 4141/4241 - Collective Bargaining Agreement) (cf. 4161/4261<u>/4361</u> - Leaves) (cf. 4161.1/4361.1 - Personal Illness/Injury Leave) (cf. 4261.1 - Personal Illness/Injury Leave)

AR 4161.8(g) 4261.8 4361.8

FAMILY CARE AND MEDICAL LEAVE

E. Intermittent Leave/Reduced Leave Schedule

- 1. <u>PDL and family care and medical lLeave related to for</u> the serious health condition of the <u>an</u> employee or his/her child, parent, spouse, or registered domestic partner may be taken intermittently or on a reduced <u>work or leave</u> schedule when medically necessary, as determined by the health care provider of the person with the serious <u>medical health</u> condition. However, the district may limit leave increments to the shortest period of time that the district's payroll system uses to account for absences or use of leave. (2 CCR 7291.9, 7297.3; 29 USC 2612)
- 2. The district may require If an employee to transfer temporarily to an available alternative position if the employee is pregnant and provides medical certification from her health care provider of the medical need for needs intermittent leave or leave on a reduced work or leave schedule or if the employee's need for the intermittent leave or leave on a reduced work or leave schedule that is foreseeable based on his/her planned medical treatment for the employee or that of a family member, the district may require the employee to transfer temporarily to an available This alternative position must have equivalent pay and benefits and must better accommodate recurring periods of leave than the employee's regular job, and the employee must be qualified for the position, and the position must better accommodate recurring periods of leave than the employee's regular job. Transfer to an alternative position may include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced work or leave schedule. (2 CCR 7291.8, 7297.3; 29 USC 2612)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

F. Request for Leave

An employee shall provide at least verbal notice sufficient to make the district aware that he/she needs of the need to take PDL or family care and medical leave and the anticipated timing and duration of the leave. (2 CCR 7291.17, 7297.4)

For family care and medical leave, the employee need not expressly assert or mention FMLA,/CFRA or PDL to satisfy this requirement; however, he/she must state the reason the leave is needed (e.g. birth of child, medical treatment). If more information is necessary to determine whether the employee is eligible for family care and medical leave or pregnancy disability leave, the Superintendent or designee shall inquire further and obtain the necessary details of the leave to be taken. (2 CCR 7297.4)

Based on the information provided by the employee or his/her spokesperson, the Superintendent or designee shall designate the leave, paid or unpaid, as FMLA₇/CFRA and/or PDL qualifying leave and shall give notice of such designation to the employee. (2 CCR 7297.4)

AR 4161.8(h) 4261.8 4361.8

FAMILY CARE AND MEDICAL LEAVE

When the need for the <u>PDL</u> or family care and medical leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or a family member, the employee shall provide the district with at least 30 days advance notice before the leave. The employee shall consult with the <u>district Superintendent or designee</u> and make a reasonable effort to schedule, subject to the health care provider's approval, any planned <u>appointment or</u> medical treatment or supervision so as to minimize disruption to the district operations. (Government Code 12945.2; 2 CCR 7291.17, 7297.4)

When the 30 days notice is not practicable because of a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, of a medical emergency, or good cause, the employee shall provide the district with notice as soon as practicable. (2CCR 7297.17, .7297.4)

(cf. 4030 Nondiscrimination in Employment)

G. Certification of Health Condition

[Moved from below] Within five business days of A request by an employee's request for family care and medical leave for his/her own or his/her child's, parent's or spouse's serious health condition, or to care for a child, parent, spouse, registered domestic partner, or child of a registered domestic partner with a serious health condition, the Superintendent or designee shall request that the employee be supported by a statement or provide certification from the by a health care provider of the employee or such other person as applicable need for leave. Upon receiving tThe District's request, may require formal the employee shall provide certification from the health care provider of the employee or such other person as applicable. When requested, the certification shall include the following within 15 days, unless either the Superintendent or designee provides additional time or it is not practicable under the particular circumstances, despite the employee's diligent, good faith efforts. (29 USC 2613; Government Code 12945.2; 2 CCR 7297.04; 29 CFR 825.305)

The certification shall include the following: (Government Code 12945.2; 2 CCR 7297.0; 29 USC 2613)

- 1. The date on which the serious health condition began
- 2. The probable duration of the condition
- 3. If the employee is requesting leave to care for a child, parent, spouse, <u>or</u> registered domestic partner, or child of a registered domestic partner with a serious health condition, the health care provider's certification <u>must have</u> both of the following:

AR 4161.8(i) 4261.8 4361.8

FAMILY CARE AND MEDICAL LEAVE

- a. Statement that the serious health condition warrants the participation of the employee to provide care during a period of the treatment or supervision of the child, parent, spouse, or registered domestic partner
- a. b. Estimated amount of time the health care provider believes the employee needs to care for the child, parent, spouse, or registered domestic partner, or child of the registered domestic partner
- b. Statement that the serious health condition warrants the participation of a family member to provide care during a period of the treatment or supervision of the child, parent, spouse, registered domestic partner, or child of a registered domestic partner
- 4. If the employee is requesting leave because of his/her own serious health condition, the health care provider's certification must state a statement that due to the serious health condition, the employee he/she is unable to work at all or is unable to perform one or more essential functions of his/her job
- 5. If the employee is requesting leave for intermittent treatment or is requesting leave on a reduced work or leave schedule for planned medical treatment, a statement of the medical necessity for the leave, the dates on which treatment is expected to be given, the duration of such treatment, and the expected duration of the leave

In addition, at the employee's option, the certification may include a diagnosis identifying the serious health condition. (2 CCR 7297.0)

[Moved from below] When the an employee has provided sufficient medical certification to enable the district to determine whether the employee's leave request is FMLA/CFRA-eligible, and/or PDL eligible, the district shall notify the employee within five business days whether the leave is FMLA, CFRA and/or PDL-eligible the Superintendent or designee shall notify the employee within five business days whether the leave is FMLA/CFRA-eligible. The district Superintendent or designee may also retroactively designate leave as FMLA/CFRA and/or PDL as long as there is no individualized harm to the employee. (29 CFR 825.301)

[Moved from below] If the district doubts the validity of a certification that accompanies a request for leave for the employee's own serious health condition, the district may require the employee to obtain a second opinion from a district-approved health care provider, at district expense. If the second opinion is contrary to the first, the district may require the employee to obtain a third medical opinion from a third health care provider approved by both the employee and the district, again at district expense. The opinion of the third health care provider shall be final and binding. (Government Code 12945.2; 29 USC 2613)

FAMILY CARE AND MEDICAL LEAVE

For PDL, the Superintendent or designee shall request that the employee provide certification by a health care provider of the need for leave at the time the employee gives notice of the need for PDL, or within two business days of giving the notice. If the need for PDL is unforeseen, the Superintendent or designee shall request the medical certification within two business days after the leave commences. The Superintendent or designee may request certification at some later date if he/she has reason to question the appropriateness of the leave or its duration. (2 CCR 7291.17)

For PDL that is foreseeable and for which at least 30 days notice has been given, the employee shall provide the medical certification before the leave begins. When this is not practicable, the employee shall provide the certification within the time frame specified by the Superintendent or designee which must be at least 15 days after the request, unless it is not practicable under the particular circumstances despite the employee's diligent, good faith efforts. (2 CCR 7291.17)

Medical certification for PDL purposes shall include a statement that the employee needs to take the leave because she is disabled by pregnancy, childbirth, or a related medical condition, the date on which the employee became disabled because of pregnancy, and the estimated duration of the leave. (2 CCR 7291.17)

The Superintendent or designee shall not request any genetic information, as defined in 42 USC 2000ff, from any employee or his/her family member except as necessary to comply with a certification requirement for <u>PDL or FMLA/CFRA</u> leave purposes or with the prior written authorization of the employee. Any such genetic information received by the district shall be kept confidential in accordance with law. (42 USC 2000ff-1, 2000ff-1-5)

[Moved up] At the time of the employee's request for leave or within five business days, the Superintendent or designee shall request that the employee provide certification of the need for leave. Upon receiving the district's request, the employee shall provide the certification within 15 days, unless either the Superintendent or designee provides additional time or it is not practicable under the particular circumstances, despite the employee's diligent, good faith efforts. (29 CFR 825.305; 2 CCR 7297.4)

[Moved up] When the employee has provided sufficient medical certification to enable the district to determine whether the employee's leave request is FMLA, CFRA and/or PDL eligible, the district shall notify the employee within five business days whether the leave is FMLA, CFRA and/or PDL eligible. The district may also retroactively designate leave as FMLA, CFRA and/or PDL as long as there is no individualized harm to the employee. (29 CFR 825.301)

AR 4161.8(k) 4261.8 4361.8

FAMILY CARE AND MEDICAL LEAVE

[Moved up] If the district doubts the validity of a certification that accompanies a request for leave for the employee's own serious health condition, the district may require the employee to obtain a second opinion from a district approved health care provider, at district expense. If the second opinion is contrary to the first, the district may require the employee to obtain a third medical opinion from a third health care provider approved by both the employee and the district, again at district expense. The opinion of the third health care provider shall be final and binding. (29 USC 2613; Government Code 12945.2)

If additional <u>PDL</u> or <u>family care and medical</u> leave is needed when the time estimated by the health care provider expires, the district may require the employee to provide recertification in the manner specified in items #1-5 above for the leave. (Government Code 12945.2; 2 CCR 7291.17; 29 USC 2613)

H. Fitness for Duty Certification/Release to Return to work

<u>Upon expiration of an employee's PDL or Employees who take</u> family care and medical leave <u>taken</u> for <u>his/her their</u> own serious health conditions, the <u>employee</u> shall present certification from <u>their the employee's</u> health care provider to the <u>effect that they are that he/she is</u> able to resume work.

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

The certification from the employee's health care provider shall address the employee's ability to perform the essential functions of his/her job.

I. Rights to Reinstatement and Maintenance of Health and Welfare Benefits

Upon granting an employee's request for <u>pregnancy disability leave or family</u> care and medical leave or pregnancy disability leave, the Superintendent or designee shall agree to reinstate the employee in the same or a comparable position when the leave ends. (Government Code 12945.2; 2 CCR 7291.10; 29 USC 2614;)

However, tThe district may refuse to reinstate an employee returning from family care and medical leave to the same or a comparable position if all of the following apply: (Government Code 12945.2; 29 USC 2614)

- 1. The employee is a salaried "key employee" who is among the highest paid 10 percent of those district employees who are employed within 75 miles of the employee's worksite.
- 2. The refusal is necessary to prevent substantial and grievous economic injury to district operations.

AR 4161.8(1) 4261.8 4361.8

FAMILY CARE AND MEDICAL LEAVE

3. The district informs the employee of its intent to refuse reinstatement at the time it determines that the refusal is necessary, and the employee fails to immediately return to service.

```
(cf. 4117.3 – Personnel Reduction)
(cf. 4217.3 Layoff/Rehire)
```

The district may refuse to reinstate an employee to the same position after taking PDL if, at the time the reinstatement is requested, the employee would not otherwise have been employed in that position for legitimate business reasons unrelated to the employee's PDL. (2 CCR 7291.10)

An employee who takes leave has no greater right to reinstatement or to other benefits and conditions of employment than if he/she had been continuously employed during the leave period. If an employee is laid off or was hired for a specific term or to perform work on a discrete project during the leave period, or if the district reduces its work force during the leave period and the employee is laid off for legitimate reasons at that time or if the employee is terminated for reasons unrelated to the leave, he/she is not entitled to reinstatement or maintenance of group health plan benefits, provided the district has no continuing obligations under a collective bargaining agreement or otherwise. (29 CFR 825.216; 2 CCR 7297.2)

```
(cf. 4117.3/4317.3 Personnel Reduction)
(cf. 4217.3 Layoff/Rehire)
```

J. Maintenance of Benefits/Failure to Return from Leave

During the period when an employee is on pregnancy disability leave or family care and medical leave or pregnancy disability leave, he/she shall maintain his/her status with the district and the leave shall not constitute a break in service for purposes of longevity, seniority under any collective bargaining agreement, or any employee benefit plan. (Government Code 12945.2; 20 29 USC 2614) Unpaid leave period(s), however, shall not count for purposes of leave or vacation accrual, or to meet the requirement for probationary service of certificated employees if the leave(s) reduce active service to less than 75% of the student days in a school year.

AR 4161.8(m) 4261.8 4361.8

FAMILY CARE AND MEDICAL LEAVE

While an employee is taking leave under FMLA and/or CFRA, whether or not the leave is paid or unpaid, For up to a maximum of four months for PDL or 12 work weeks for other family care and medical leave, the district shall maintain district paid continue to provide an eligible employee the group health and welfare benefits plan coverage that was in place before he/she took the leave for employees covered by such benefits, provided that coverage was in place before he/she took the leave, for a period of up to 12 work weeks. The employee is responsible to continue paying their employee portion of the insurance premiums (if applicable) to maintain such benefits and shall reimburse the district for premiums paid during the leave is he/she fails to return to district employment after the expiration of all available leaves and the failure is for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond his/her control (Government Code 12945.2; 2 CCR 7291.11; 29 USC 2614; 29 CFR 825.213).

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

If the employee fails to return to district employment after the expiration of the leave, for any reason other than the continuation, recurrence, or onset of a serious health condition, other circumstances beyond his/her control, or returns to work and fails to either work for 30 days or retires, the employee shall reimburse the district for premiums paid during the family care and medical leave. (20 USC 2614; Government Code 12954.2; 29 CFR 800.213)

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

In addition, dDuring the period when an employee is on pregnancy disability leave or family care and medical leave, or pregnancy disability leave, he/she the employee shall be entitled to continue to participate in other employee benefit plans including life insurance, short-term or long-term disability insurance, or accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same conditions as would apply to an unpaid leave taken for any other purpose. However, for purposes of pension and retirement plans, the district shall not be required to make plan payments for an employee during the leave period and the leave period shall not be counted for purposes of time accrued under the plan: (Government Code 12945.2; 2 CCR 7291.11)

JK. Military Caregiver Family Leave Resulting from Qualifying Exigencies

[Moved from below] An eligible employee may take up to 12 work weeks of unpaid leave during the 12-month period established by the district while a covered military member is on covered active duty or call to covered active duty status for one or more qualifying exigencies. (29 CFR 825.126)

AR 4161.8(n) 4261.8 4361.8

FAMILY CARE AND MEDICAL LEAVE

[Moved from below] Covered Mmilitary member means the an employee's spouse, son, daughter, or parent on covered active duty or call to covered active duty status. (29 CFR 825.126)

[Moved from below] <u>Covered active duty</u> means duty during the deployment of a member of the regular Armed Forces to a foreign country or duty during the deployment of a member of the National Guard or Reserves to a foreign country under a call or order to active duty in support of a contingency operation pursuant to law. (29 USC 2611; 29 CFR 825.126)

A veteran who, within the five years preceding his/her undergoing of medical treatment, recuperation, or therapy for a serious injury or illness, was a member of the Armed Forces, including the National Guard or Reserves.

Son or daughter of a covered servicemember means the biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered service member stood in loco parentis, and who is of any age. (29 CFR 825.127)

Parent of a covered servicemember means the covered servicemember's biological, adopted, step or foster parent, or any other individual who stood in loco parentis to the covered servicemember (except "parents in law"). (29 CFR 825.127)

Next of kin means the nearest blood relative to that individual, or as designated in writing by the covered servicemember. (29 USC 2611, 2612)

Outpatient status means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. (29 USC 2611; 29 CFR 825.127)

Serious injury or illness means for a member of the Armed Forces, an injury or illness incurred or aggravated by the member's service in the line of duty while on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating. (29 USC 2611; 29 CFR 825.127)

For a veteran, an injury or illness incurred or aggravated by the member's service in the line of duty on active duty in the Armed Forces, including the National Guard or Reserves, that manifested itself before or after the member became a veteran.

The employee shall provide reasonable and practicable notice of the need for the leave in accordance with the procedures in the section entitled "Request for Leave" above.

AR 4161.8(o) 4261.8 4361.8

FAMILY CARE AND MEDICAL LEAVE

An employee requesting leave to care for a covered servicemember with a serious injury or illness shall provide the Superintendent or designee with certification from an authorized health care provider of the servicemember that contains the information specified in 29 CFR 825.310.

The leave may be taken intermittently or on a reduced schedule when medically necessary. An employee taking military caregiver leave in combination with other leaves pursuant to this administrative regulation shall be entitled to a combined total of 26 work weeks of leave during a single 12 month period.

When both spouses work for the district and both wish to take such leave, the spouses are limited to a maximum combined total of 26 work weeks during a single 12 month period. (29 USC 2612

During the period of military caregiver leave, the district's rule specified in "Terms of Leave" above regarding an employee's use of his/her accrued vacation leave, and other accrued paid or unpaid time off, shall apply.

Qualifying Exigencies include time needed to: (29 CFR 825.126)

[Moved up] An eligible employee may take up to 12 work weeks of unpaid leave during the 12 month period established by the district while a covered military member is on covered active duty or call to active duty status for one or more qualifying exigencies. (29 CFR 825.126)

[Moved up] Covered military member means the employee's spouse, son, daughter, or parent on covered active duty or call to covered active duty status. (29 CFR 825.126) Covered active duty

[Moved up] during the deployment of a member of the regular Armed Forces to a foreign country or duty during the deployment of a member of the National Guard or Reserves to a foreign country under a call or order to active duty. (29 USC 2611)

- 1. Address issues arising from short notice deployment (up to seven calendar days from the date of receipt of call or order of short notice deployment)
- 2. Attend military events and related activities, such as any official ceremony or family assistance program related to the <u>covered</u> active duty or call to <u>covered</u> active duty, such as status
- 3. Arrange childcare or attend school activities arising from the <u>covered</u> active duty or call to <u>covered</u> active duty, such as arranging for alternative child care, enrolling or transferring a child to a new school, or attending meetings

AR 4161.8(p) 4261.8 4361.8

FAMILY CARE AND MEDICAL LEAVE

- 4. Make or update financial and legal arrangements to address a covered military member's absence
- 5. Attend counseling provided by someone other than a health care provider
- 6. Spend time (up to 5 15 days of leave per instance) with a covered military member who is on short-term, temporary, Rrest and Rrecuperation leave during deployment
- 7. Attend to certain post-deployment activities, such as arrival ceremonies or reintegration briefings
- 8. Address any other event that the employee and district agree is a qualifying exigency

[Moved above and numbered]—Qualifying exigencies include time needed to (1) address issues arising from short notice deployment (up to seven calendar days from the date of receipt of call or order of short notice deployment); (2) attend military events and related activities, such as any official ceremony or family assistance program related to the active duty or call to active duty, such as status; (3) arrange childcare or attend school activities arising from the active duty or call to active duty, such as arranging for alternative childcare, enrolling or transferring a child to a new school, or attending meetings; (4) make or update financial and legal arrangements to address a covered military member's absence; (5) attend counseling provided by someone other than a health care provider; (6) spend time (up to five days of leave per instance) with a covered military member who is on short term temporary rest and recuperation leave during deployment; (7) attend to certain post-deployment activities, such as arrival ceremonies or reintegration briefings; and (8) address any other event that the employee and district agree is a qualifying exigency. (29 CFR 825.126)

The employee shall provide the Superintendent or designee with notice of the need for the qualifying exigency leave as soon as practicable, regardless of how far in advance such leave is foreseeable. (29 CFR 825.302)

An employee who is requesting such leave for the first time shall provide the Superintendent or designee with a copy of the eovered military member's active duty orders, or other documentation issued by the military, and the dates of the service. In addition, the employee shall provide the Superintendent or designee with certification of the qualifying exigency necessitating the leave. The Certification shall contain the information specified in 29 CFR 825.309.

The employee's qualifying exigency leave may be taken on an intermittent or reduced work or leave schedule basis. (29 CFR 825.302)

AR 4161.8(q) 4261.8 4361.8

FAMILY CARE AND MEDICAL LEAVE

During the period of qualified exigency leave, the district's rule regarding an employee's use of his/her accrued vacation leave and any other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave of Other Leaves" above, shall apply.

L. Military Caregiver Leave

The district shall grant up to a total of 26 work weeks of leave during a single 12-month period, measured forward from the first date of leave taken, to an eligible employee to care for a covered servicemember with a serious illness or injury. In order to be eligible for such military caregiver leave, an employee must be the spouse, son, daughter, parent, or next of kin of the covered servicemember. This 26-week period is not in addition to, but rather is inclusive of, the up to 12 work weeks of leave that may be taken for other FMLA qualifying reasons, but rather is inclusive of such 12 weeks. (29 USC 2611, 2612; 29 CFR 825.127)

Covered servicemember means may be: (29 CFR 825.127)

- As current member, or member who is on the temporary disability retired list, of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty while on active duty for which he/she is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for that injury or illness. (29 USC 2611, 2612; 29 CFR 825.127)
- 2. A veteran who was discharged or released under conditions other than dishonorable at any time during the five year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran

Son or daughter of a covered servicemember means the biological, adopted, or foster child, stepchild, legal ward, or a child of any age for whom the covered servicemember stood in loco parentis, and who is of any age. (29 CFR 825.127)

Parent of a covered servicemember means the covered servicemember's biological, adopted, step or foster parent, or any other individual who stood in loco parentis to the covered servicemember (except "parents in law"). (29 CFR 825.127)

Next of kin means the nearest blood relative to that individual the covered servicemember, or as designated in writing by the covered servicemember. (29 USC 2611, 2612)

Outpatient status means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. (29 USC 2611; 29 CFR 825.127)

FAMILY CARE AND MEDICAL LEAVE

Serious injury or illness means: (29 USC 2611; 29 CFR 825.127)

- 1. Ffor a current member of the Armed Forces, an injury or illness incurred by the member in the line of duty on active duty, or that existed before the beginning of the member's active duty and was or aggravated by the member's service in the line of duty while on active duty in the Armed Forces, and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating. (29 USC 2611; 29 CFR 825.127)
- 2. ____For a veteran, an injury or illness incurred or aggravated by the member's service in the line of duty on active duty in the Armed Forces, including the National Guard or Reserves, that manifested itself before or after the member became a veteran and that is at least one of the following:.
 - a. A continuation of a serious injury or illness incurred or aggravated while the veteran was a member of the Armed Forces and rendered him/her unable to perform the duties of his/her office, grade, rank, or rating
 - b. A physical or mental condition for which the veteran has received a U.S.
 Department of Veterans Affairs (VA) Service-Related Disability Rating of 50 percent or greater, based wholly or partly on that physical or mental condition
 - c. A physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of one or more disabilities related to his/her military service or that would do so but for treatment received by the veteran
 - d. An injury, including a psychological injury, on the basis of which the veteran has been enrolled in the VA's Program of Comprehensive Assistance for Family Caregivers

The employee shall provide reasonable and practicable notice of the need for the leave in accordance with the procedures in the section entitled "Request for Leave" above.

An employee requesting leave to care for a covered servicemember with a serious injury or illness shall provide the Superintendent or designee with certification from an authorized health care provider of the servicemember that contains the information specified in 29 CFR 825.310.

AR 4161.8(s) 4261.8 4361.8

FAMILY CARE AND MEDICAL LEAVE

The leave may be taken intermittently or on a reduced work or leave schedule when medically necessary. An employee taking military caregiver leave in combination with other leaves pursuant to this administrative regulation shall be entitled to a combined total of 26 work weeks of leave during a single 12-month period. When both spouses work for the district and both wish to take such leave, the spouses are limited to a maximum combined total of 26 work weeks during a single 12-month period. (29 USC 2612)

During the period of military caregiver leave, the district's rule regarding an employee's use of his/her accrued vacation leave and other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

M. Notifications

The Superintendent or designee shall provide the following notifications about state and federal law related to PDL or FMLA/CFRA leave:

1. General Notice: Information explaining the provisions of the FEHA and FMLA/CFRA and employee rights and obligations shall be posted in a conspicuous place on district premises, or electronically, explaining the provisions of the FMLA/CFRA and information about employee rights and obligations and shall be included in employee handbooks. (2 CCR 7291.16, 7297.9; 29 USC 2619;)

The general notice shall also explain an employee's obligation to provide the Superintendent or designee with at least 30 days notice of the need for the leave, when the need for the leave is reasonably foreseeable. (2 CCR 7291.17,7297.4)

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

- 2. Eligibility Notice: When an employee requests leave, including PDL, or when the Superintendent or designee acquires knowledge that an employee's leave may be for an FMLA/CFRA qualifying reason, the Superintendent or designee shall, within five business days, provide notification, within five business days, to the employee of his/her eligibility to take such leave (i.e., whether the employee has met the months of employment, hours of service, and worksite requirements). (2 CCR 7291.16; 29 CFR 825.300)
- 3. **Rights and Responsibilities Notice**: Each time the eligibility notice is provided to an employee, the Superintendent or designee shall provide written notification explaining the specific expectations and obligations of the employee, including any consequences for a failure to meet those obligations. Such notice shall include, as appropriate: (29 CFR 825.300)
 - a. A statement that the leave may be designated and counted against the employee's annual FMLA/CFRA leave entitlement and the appropriate 12-month entitlement period, if qualifying

AR 4161.8(t) 4261.8 4361.8

FAMILY CARE AND MEDICAL LEAVE

- b. Any requirements for the employee to furnish medical certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status and the consequences of failing to provide the certification
- c. The employee's right to substitute paid leave, whether the district will require substitution of paid leave, conditions related to any substitution, and the employee's entitlement to take unpaid leave if the employee does not meet the conditions for paid leave
- d. Any requirements for the employee to make any premium payments to maintain health benefits, the arrangement for making such payments, and the possible consequences of failure to make payments on a timely basis
- e. If applicable, the employee's status as a "key employee," potential consequence that restoration may be denied following the FMLA leave, and explanation of the conditions required for such denial
- f. The employee's right to maintenance of benefits during the leave and restoration to the same or an equivalent job upon return from leave
- g. The employee's potential liability for health insurance premiums paid by the district during the employee's unpaid FMLA leave should the employee not return to service after the leave

Any time the information provided in the above notice changes, the Superintendent or designee shall, within five business days of his/her receipt of an employee's first notice of need for leave, provide the employee with a Rights and Responsibilities Notice written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

4. **Designation Notice**: When the Superintendent or designee has information (e.g., sufficient medical certification) to determine whether the leave qualifies as FMLA/CFRA leave, he/she shall, within five business days, provide written notification, within five business days, designating the leave as FMLA/CFRA qualifying or, if the leave will not be so designated, the reason for that determination. (29 CFR 825.300)

If the amount of leave needed is known, the notice shall include the number of hours, days, or weeks that will be counted against the employee's FMLA/CFRA entitlement. If it is not possible to provide that number at the time of the designation notice, notification shall be provided of the amount of leave counted against the employee's entitlement upon request by the employee and at least once in every 30-day period if leave was taken in that period. (29 CFR 825.300)

AR 4161.8(u) 4261.8 4361.8

FAMILY CARE AND MEDICAL LEAVE

If the district requires paid leave to be substituted for unpaid family care and medical leave, the notice shall so specify. If the district requires an employee to present a fitness-for-duty certification that addresses the employee's ability to perform the essential functions of the job, the notice shall also specify that requirement.

Any time the information provided in the Designation Notice changes, the Superintendent or designee shall, within five business days, provide the employee with written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

MN. Records

The Superintendent or designee shall maintain records pertaining to individual employees' use of family care and medical leave in accordance with law. (Government Code 12946; 29 USC 2616; 42 USC 2000ff-I; 29 CFR 825.500)

Legal Reference (see next page)

AR 4161.8(v) 4261.8 4361.8

FAMILY CARE AND MEDICAL LEAVE

Legal Reference

44965 Granting of leaves of absence for pregnancy and childbirth

FAMILY CODE

297-297.5 Rights, protections and benefits under law; registered domestic partners

300 Validity of marriage

GOVERNMENT CODE

12940 Unlawful employment practices

12945 Pregnancy; childbirth or related medical condition; unlawful practice

12945.1-12945.2 California Family Rights Act

CODE OF REGULATIONS, TITLE 2

7291.2-7291.16 Sex discrimination: pregnancy and related medical conditions

7297.0-7297.11 Family care leave

UNITED STATES CODE, TITLE 1

7 Definition of marriage, spouse

UNITED STATES CODE, TITLE 42

2000ff-1-2000ff-11 Genetic Information Nondiscimination Act of 2008

UNITED STATES CODE, TITLE 29

2601-2654 Family and Medical Leave Act of 1993, as amended

CODE OF FEDERAL REGULATIONS, TITLE 29

825.100-825.800 Family and Medical Leave Act of 1993

COURT DECISIONS

United States v. Windsor, (2013) 699 F.3d 169

Re Marriage Cases, (2008) 43 Cal. 4th 757

Faust v. California Portland Cement Company, (2007) 150 Cal. App. 4th 864

Tellis v. Alaska Airlines, (9th Cir., 2005) 414 F.3d 1045

Management Resources:

FEDERAL REGISTER

Final Rule and Supplementary Information, November 17, 2008. Vol. 73, No. 222, pages 67934-68133

The Family and Medical Leave Act; Final Rule; February 6, 2013. Vol. 78, No. 25, pages 8903-8947

U.S. DEPARTMENT OF LABOR PUBLICATIONS

Military Family Large Publishers of the FM A Francisco

Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers

WEB SITES

California Department of Fair Employment and Housing: http://www.dfeh.ca.gov

U.S. Department of Labor, FMLA: http://www.dol.gov/esa/whd/fmla

Regulation

HANFORD ELEMENTARY SCHOOL DISTRICT

approved: January 5, 1999 Hanford, California

revised: November 7, 2001 revised: December 13, 2006 revised: September 2, 2009

revised: November 19, 2010

revised: , 2014

HANFORD ELEMENTARY SCHOOL DISTRICT Human Resources Department AGENDA REQUEST FORM

TO:	Dr. Paul Terry	
FROM:	Diane Williams	
DATE:	January 13, 2014	
FOR:	(X) Board Meeting() Superintendent's Cabinet	
	(X) Information () Action	

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: January 22, 2014

ITEM: Receive the following revised Board Policy for information.

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

 BP 4354 – Health and Welfare Benefits (management, supervisory, and confidential employees) (revised)

FISCAL IMPACT: None.

RECOMMENDATION: Consider for adoption at next regular board meeting.

HEALTH AND WELFARE BENEFITS

A. Employee Benefits

- 1. For each management, supervisory, professional specialist, and confidential employee who is employed for at least 6 hours per day (or 30 hours per week), the district shall provide the following health and welfare benefits to the employee and his/her dependents:
 - A medical plan, including prescription drug and mental health benefits, covering reasonable and customary fees after a deductible and a coinsurance or co-payment have been met;
 - b. A dental plan featuring a scale of 70-100% payment of reasonable and customary fees for covered services of a preferred provider after a copayment
 - c. A vision plan paying for annual eye examinations, standard lenses and frames after a co-payment;
 - d. A district-paid level-term life insurance plan for \$100,000; and
 - e. A district-paid long-term disability insurance plan.
- 2. The following provisions shall regulate such coverage:
 - a. Coverage by the benefit plans listed above shall begin on the first day of the month following employment in a management, supervisory, or confidential position subject to timely submission of enrollment forms.
 - b. 12-month employees who complete the standard work year established for their positions shall be provided with coverage under the above benefit plans (1.a. c.), until June 30th of each year, regardless of the commencement of the work year.

10 and 11 month certificated employees who complete the standard work year established for their positions, shall be provided with coverage under the above benefit plans (1.a. - c.), until August 31^{st} of each year, regardless of the commencement of the work year.

10 and 11 month classified employees who complete the standard work year established for their positions, shall be provided with coverage under the above benefit plans (1.a. - c.), until June 30^{th} of each year, regardless of the commencement of the work year.

HEALTH AND WELFARE BENEFITS (continued)

All employees who do not complete the standard work year established for their positions (due to resignation, termination, etc.) shall be provided with coverage under the above benefit plans (1.a. – c.), until the last day of the month in which termination of their employment occurs. The benefit plans listed in items 1.d. & 1.e. above shall end the same day that employment is terminated.

c. The district shall pay the premium costs for the benefit plans listed above up to the established cap.

B. Physicals

- 1. Management, supervisory, and confidential employees shall be offered the opportunity to obtain a physical examination at designated intervals, depending on the age of the employee, covering examinations and tests recommended by the medical community for the gender and age group of the employee.
- 2. Medical charges associated with such physical examinations and tests that are not covered by the district's group medical insurance plan shall be reimbursed to the employee by the district, in full or in part based on a graduated schedule depending on the recommended exams and tests for the employee's age group and gender, to a maximum of five hundred dollars (\$500).

C. District-Paid Retiree Health Insurance Benefit Continuation

The California Public Employees' Pension Reform Act of 2013 (PEPRA) prohibits a public retirement system from providing a retirement health benefit vesting schedule to a manager or employee excluded from collective bargaining that is more advantageous than that provided to other public employees. The California PEPRA clarifies that these provisions do not require an employer to change the vesting schedule of any employee who began employment before January 1, 2013.

The district shall contribute an amount equal to that paid for active employees toward the cost of the district's group medical and dental insurance for retirees and their eligible dependents until such time as the retiree reaches age sixty-five, provided the retiree meets the eligibility criteria specified below:

- 1. The retiree shall have reached age fifty-five (55).
- 2. The retiree who worked for the district prior to January 1, 2013, shall have served in the district during the five (5) years immediately prior to retirement and must have served full-time a total of at least ten (10) years in the district. Board approved leaves totaling two years or less shall count toward the service requirement.

HEALTH AND WELFARE BENEFITS (continued)

- 3. Management, supervisory and confidential employees who began employment with the district on January 1, 2013, or thereafter, will have the same retiree vesting schedule as employees in Hanford Elementary School District's collective bargaining groups. All parties must work 13 years to receive District-paid retiree benefits.
- 34. Should an active or retired employee die, the surviving spouse or domestic partner of the employee, who met the eligibility criteria, will be allowed to continue in the medical and dental insurance at their own expense under the same time limits as the employee would have enjoyed (10 years or to age 65).
- 45. Upon reaching age 65, the retiree's dependent must enroll in Medicare Part B (medical insurance) and pay the required premium, and must enroll in Medicare Part A (hospital insurance) if eligible without cost to the retiree or his/her dependent.

D. Retiree-Paid Health Insurance Benefit Continuation

- 1. Retirees over age 65, and retirees under age 65 who do not qualify for district-paid health insurance benefit continuation, shall be offered the option to continue coverage under the district's health insurance benefit plans at their own expense by paying the full monthly premiums prior to the due dates established by the district. Failure to make timely premium payments shall result in cancellation of insurance coverage.
- 2. District Health Insurance Benefits Plan coverage shall also be available at their own expense to any surviving spouse/domestic partner of a former management, professional specialist or confidential employee who retired from the District or was, at the time of death, employed by the District.
- 3. In order to continue such coverage beyond the retiree's and his/her dependent's 65th birthday, the retiree and/or dependent shall enroll in Medicare Part A and Part B and pay the required premiums.

E. Group Insurance Coverage During Unpaid Leaves of Absence

- 1. Employees may continue coverage under the district's group health insurance plans during approved unpaid leaves of absence.
 - a. For leaves qualifying under the Family Care and Medical Leave Act (FMLA), the district shall maintain district contributions to premiums for a total of 12 weeks per year, whether the leave is paid or unpaid.

BP 4354(d)

HEALTH AND WELFARE BENEFITS (continued)

- b. For FMLA leaves exceeding 12 weeks a year and for all other unpaid leaves, the employee may continue group insurance coverage at his/her own expense by paying the monthly premiums on or before the dates established by the district. Failure to make timely premium payments may result in cancellation of the insurance(s).
- 2. Employees who elect to discontinue group medical insurance during an unpaid leave of absence may be subject to exclusions or limitations of benefits imposed by insurers when they resume membership in the district's group medical insurance plan(s). The district assumes no liability for expenses not covered by its group insurance plans as a result of such lapse in coverage.

F. Group Insurance Continuation under COBRA

Eligible employees and their dependents may continue coverage under the district's group health insurance plans at their own expense in accordance with the provisions of the federal Consolidated Omnibus Budget Reconciliation Act (COBRA).

(cf. 4154/4254/4354 - Continuation of Health Insurance Coverage)

G. Confidentiality

The Superintendent or designee shall maintain the confidentiality of employee health records in accordance with law.

Policy

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

adopted: June 11, 1997 revised: November 7, 2001 revised: October 16, 2002 January 12, 2005 revised: revised: December 13, 2006 revised: August 22, 2007 revised: September 7, 2011 revised: 2014

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO:	Dr. Pa	ul J. Terry
FROM:	Doug	Carlton
DATE:	Decen	nber 13, 2013
FOR:	\boxtimes	Board Meeting Superintendent's Cabinet
FOR:		Information Action

Date you wish to have your item considered: January 22, 2014

ITEM: Receive for approval recommended revisions to BP/AR 0420 ~ School Plans/Site Councils

PURPOSE: The revised Board Policy/Administrative Regulation reflects changes that are necessary to align with current state law, current practices and procedures, and recommendations by CSBA.

These revisions reflect the redirection of certain state categorical programs/funds to California's Local Control Funding Formula (LCFF).

FISCAL IMPACT: None

RECOMMENDATIONS: Approve BP/AR 0420

Hanford ESD

Board Policy

School Plans/Site Councils

BP 0420

Philosophy, Goals, Objectives and Comprehensive Plans

Cautionary Notice: AB 97 (Ch. 47, Statutes of 2013) repealed Education Code 42605, which provided temporary flexibility for specified "Tier 3" categorical programs, and instead redirects the funding for those categorical programs into the Local Control Funding Formula (LCFF) (Education Code 42238.01-42251). The supplemental and concentration grant portions of the LCFF may be used for any schoolwide or districtwide educational purpose in accordance with state regulations to be adopted by January 31, 2014, with a goal of increasing or improving services for English learners, foster youth, and students eligible for free and reduced-price meals. Certain requirements related to Tier 3 categorical program(s) in the following policy or regulation are no longer applicable.

The Governing Board believes that comprehensive planning at each district school is necessary in order to focus school improvement efforts on student academic achievement and facilitate the effective use of district resources. The Superintendent or designee shall ensure that school plans provide clear direction and identify cohesive strategies aligned with school and district goals.

```
(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 0400 - Comprehensive Plans)
```

For any school that participates in specified state and/or federal categorical programs, the school site council or other schoolwide advisory committee shall consolidate the plans required for those categorical programs into a single plan for student achievement (SPSA). (Education Code 52055.755, 64001)

```
(cf. 0420.1 - School-Based Program Coordination)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 0520.4 - Quality Education Investment Schools)
(cf. 1220 - Citizen Advisory Committees)
(cf. 1431 - Waivers)
(cf. 3513.3 - Tobacco-Free Schools)
(cf. 4131 - Staff Development)
(cf. 5147 - Dropout Prevention)
(cf. 6020 - Parent Involvement)
(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6151 - Class Size)
(cf. 6164.2 - Counseling/Guidance Services)
```

Legal Reference:

```
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Language Learners)
(cf. 6190 - Evaluation of the Instructional Program)
```

As appropriate, a school may incorporate any other school plan into the SPSA. (Education Code 64001)

The Superintendent or designee shall review each school's SPSA to ensure that it meets the content requirements for all programs included, is based on an analysis of current practices and student academic performance, and reasonably links improvement strategies to identified needs of the school and students. He/she shall submit to the Board his/her recommendations for plan approval or revision.

The Board shall review and approve each school's SPSA and any subsequent material revisions affecting the academic programs for students participating in the categorical programs addressed in the SPSA. The Board shall certify that, to the extent allowable under federal law, the SPSA is consistent with district local improvement plans required as a condition of receiving federal funding. Any such review and approval shall be at a regularly scheduled Board meeting. (Education Code 64001)

Whenever the Board does not approve a school's SPSA, it shall communicate its specific reasons for disapproval of the plan to the school site council or committee. The school site council or committee shall then revise and resubmit the SPSA to the Board for its approval.

The Superintendent or designee shall ensure that school administrators and school site council members receive training on the roles and responsibilities of the site council.

EDUCATION CODE 52-53 Designation of schools 33133 Information guide for school site councils 35147 Open meeting laws exceptions 41500-41573 Categorical education block grants 52055.700-52055.770 Quality Education Investment Act 52176 Advisory committees 52500-52617 Adult education 52800-52887 School-Based Program Coordination Act 52890 Qualifications and duties of outreach consultants 54000-54028 Educationally Disadvantaged Youth Programs 54100-54145 Miller-Unruh Basic Reading Act 54425 Advisory committees (compensatory education) 54650-54659 Education Improvement Incentive Program 56000-56867 Special education

64000 Categorical programs included in consolidated application

64001 Single school plan for student achievement, consolidated application programs

HEALTH AND SAFETY CODE

104420 Tobacco use prevention

CODE OF REGULATIONS, TITLE 5

3930-3937 Compliance plans

UNITED STATES CODE, TITLE 20

6311 Accountability, adequate yearly progress

6312-6319 Title I programs; plans

6421-6472 Programs for neglected, delinquent, and at-risk children and youth

6601-6651 Teacher and Principal Training and Recruitment program

6801-7014 Limited English proficient and immigrant students

7101-7165 Safe and Drug-Free Schools and Communities

7341-7355c Rural Education Initiative

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

A Guide for Developing the Single Plan for Student Achievement: A Resource for the School

Site Council, February 2013

WEST ED PUBLICATIONS

California Healthy Kids Survey

California School Climate Survey

WEB SITES

California Department of Education, Single Plan for Student Achievement:

http://www.cde.ca.gov/nclb/sr/le/singleplan.asp

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

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: July 16, 1999 Hanford, California

revised: September 19, 2001 revised: December 14, 2005 revised: September 5, 2007 revised: December 11, 2013 Approved: January 22, 2014

Hanford ESD

Administrative Regulation

School Plans/Site Councils

AR 0420

Philosophy, Goals, Objectives and Comprehensive Plans

Cautionary Notice: AB 97 (Ch. 47, Statutes of 2013) repealed Education Code 42605, which provided temporary flexibility for specified "Tier 3" categorical programs, and instead redirects the funding for those categorical programs into the Local Control Funding Formula (LCFF) (Education Code 42238.01-42251). The supplemental and concentration grant portions of the LCFF may be used for any schoolwide or districtwide educational purpose in accordance with state regulations to be adopted by January 31, 2014, with a goal of increasing or improving services for English learners, foster youth, and students eligible for free and reduced-price meals. Certain requirements related to Tier 3 categorical program(s) in the following policy or regulation are no longer applicable.

School Site Councils

School site councils shall be established when required for participation in a categorical program. (Education Code 52852, 64001)

(cf. 0420.1 - School-Based Program Coordination)

The school site council shall be composed of the following: (Education Code 52852)

- 1. The principal
- 2. Teachers selected by the school's teachers
- 3. Other school personnel selected by the school's other personnel
- 4. Parent/guardian representatives, who may include parents/guardians of students attending the school and/or community members, selected by parents/guardians of students attending the school
- 5. In secondary schools, students attending the school selected by other such students

Half of the school site council membership shall consist of school staff, the majority of whom shall be classroom teachers. For elementary school site councils, the remaining half shall be parent/guardian representatives. For secondary school site councils, the remaining half shall be equal numbers of parent/guardian representatives and students. (Education Code 52852)

A district employee may serve as a parent/guardian representative on the school site council of the school his/her child attends, provided the employee does not work at that school. (Education Code 52852)

The bylaws of each school site council shall include the method of selecting members and officers, terms of office, responsibilities of council members, time commitment, and a policy of nondiscrimination.

School site councils may function on behalf of other committees in accordance with law. (Education Code 52176, 52870, 54425; 5 CCR 3932)

School site councils shall operate in accordance with procedural meeting requirements established in Education Code 35147.

(cf. 1220 - Citizen Advisory Committees)

Single Plan for Student Achievement

In order for a school to participate in any state or federal categorical program specified in Education Code 52055.700 or 64000 on an ongoing basis, the school site council shall approve and annually review and update a single plan for student achievement (SPSA). If the school does not have a school site council, these responsibilities shall be fulfilled by a schoolwide advisory group or school support group conforming to the composition requirements of the school site council listed in the section "School Site Councils" above. (Education Code 52055.755, 64001)

```
(cf. 0450 - Comprehensive Safety Plan)
(cf. 0520.4 - Quality Education Investment Schools)
(cf. 1431 - Waivers)
```

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 4131 - Staff Development)

(cf. 5147 - Dropout Prevention)

(cf. 6020 - Parent Involvement)

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6151 - Class Size)

(cf. 6164.2 - Counseling/Guidance Services)

(cf. 6171 - Title I Programs)

(cf. 6174 - Education for English Language Learners)

(cf. 6184 - Continuation Education)

The SPSA shall be developed with the review, advice, and certification of any applicable school advisory committees. (Education Code 64001)

Such groups may include, but are not limited to, advisory committees established for categorical programs such as English learner advisory committees; district or school liaison teams for

schools identified for program improvement; and other committees established by the school or district.

```
(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6190 - Evaluation of the Instructional Program)
```

The SPSA shall be aligned with school goals for improving student achievement. School goals shall be based on an analysis of verifiable state data, including the Academic Performance Index (API) and the California English Language Development Test, and may consider any other data developed by the district to measure student achievement. (Education Code 64001)

```
(cf. 0500 - Accountability)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6162.52 - High School Exit Examination)
```

The SPSA shall, at a minimum: (Education Code 64001)

- 1. Address how funds provided to the school through specified categorical programs will be used to improve the academic performance of all students to the level of the performance goals established by the API
- 2. Identify the means of evaluating the school's progress toward accomplishing those goals
- 3. Identify how state and federal law governing the categorical programs will be implemented

In addition to meeting the requirements common to all applicable school plans, the SPSA shall address any content required by law for each individual categorical program in which the school participates.

In developing or revising the SPSA, the school site council or other schoolwide advisory group or school support group shall:

1. Analyze student achievement data. Using measures of student academic performance, the school shall identify significant patterns of low performance in particular content areas, student groups, and/or individual students and determine which data summaries to include in the plan as most informative and relevant to school goals.

```
(cf. 6011 - Academic Standards)
```

- 2. Assess the effectiveness of the school's instructional program in relation to the analysis of student data.
- 3. Identify a limited number of achievement goals and key improvement strategies to

achieve the goals. School goals shall reflect the needs identified at the school site while aligning with goals identified in federally required district plans. The school shall specify the student group(s) on which each goal is focused, the methods or practices that will be used to reach the goal, and the criteria that will be used to determine if the goal is achieved.

4. Define timelines, personnel responsible, proposed expenditures, and funding sources to implement the SPSA.

The school site council or other schoolwide group shall approve the proposed SPSA at a meeting for which public notice has been posted and then submit the SPSA to the Governing Board for approval. (Education Code 35147, 64001)

The school site council or other schoolwide group shall regularly monitor the implementation and effectiveness of the SPSA and modify any activities that prove ineffective. At least once per year, the school shall evaluate results of improvement efforts and report to the Board, advisory committees, and other interested parties regarding progress toward school goals.

The school site council or other schoolwide group may amend the SPSA at any time. Any revisions that would substantively change the academic programs funded through the consolidated application shall be submitted to the Board for approval.

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT

approved: September 19, 2001 Hanford, California

revised: December 14, 2005 revised: September 5, 2007 revised: December 11, 2013 Approved: January 22, 2014

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry		
FROM: Doug Carlton		
DATE: December 13, 2013		
FOR:	Board Meeting Superintendent's Cabinet	
FOR:	Information Action	
Date you wish to have your item considered: January 22, 2014		
ITEM: Receive for approval recommended revisions to BP/AR 0520.2 ~ Title I Program Improvement Schools		
PURPOSE: The revised Board Policy/Administrative Regulation reflects changes that are necessary to align with current state and federal law, current practices and procedures, and recommendations by CSBA.		
FISCAL IMPACT: None		

RECOMMENDATIONS: Approve BP/AR 520.2

Hanford ESD

Board Policy

Title I Program Improvement Schools

BP 0520.2

Philosophy, Goals, Objectives and Comprehensive Plans

The Governing Board is committed to enabling all district students to meet state academic achievement standards and to narrowing the achievement gap among student groups. To that end, the Board shall assist all district schools, including those receiving federal Title I funds, to achieve adequate yearly progress, as defined by the State Board of Education.

```
(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act) (cf. 6011 - Academic Standards) (cf. 6162.5 - Student Assessment) (cf. 6162.51 - Standardized Testing and Reporting Program) (cf. 6171 - Title I Programs)
```

Whenever a district school is identified by the California Department of Education as in need of program improvement (PI), the Superintendent or designee shall ensure that school improvement efforts are coordinated and aligned. He/she shall also revise the school's Single Plan for Student Achievement in accordance with law and as specified in administrative regulation.

```
(cf. 0420 - School Plans/Site Councils)
(cf. 0420.1 - School-Based Program Coordination)
(cf. 0520.4 - Quality Education Investment Schools)
```

Depending on the length of time a district school has been identified for PI, the district shall provide opportunities for student transfers, supplemental educational services, other corrective actions, and/or restructuring in accordance with law.

```
(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 6179 - Supplemental Instruction)
```

Program Evaluation

The Board shall annually review the adequate yearly progress of each district school based on state academic assessments and other indicators specified in the state plan for the No Child Left Behind Act. The Superintendent or designee shall publicize and disseminate the results of this review to parents/guardians, principals, schools, and the community so that the instructional program can be continually refined to help all students meet state academic standards. (20 USC 6316)

```
(cf. 0510 - School Accountability Report Card) (cf. 6190 - Evaluation of the Instructional Program)
```

The Board and Superintendent or designee also shall review the effectiveness of the actions and activities carried out by PI schools with respect to parental involvement, professional development, and other PI activities. (20 USC 6316)

```
(cf. 4131 - Staff Development)
(cf. 6020 - Parent Involvement)
```

As necessary based on the results of these evaluations, the Board may require the Superintendent or designee to review and revise any of the school's reform plans, including the school's Single Plan for Student Achievement, allocate additional resources toward the implementation of the plan, and/or require more frequent monitoring of the school's progress in order to raise student achievement.

```
Legal Reference:
```

EDUCATION CODE

35256 School accountability report card

53200-53203 Persistently lowest achieving schools

53300-53303 Parent Empowerment Act

60642.5 California Standards Tests

60850-60856 High School Exit Examination

64000 Categorical programs included in consolidated application

64001 Single school plan for student achievement, consolidated application programs

CODE OF REGULATIONS, TITLE 5

4800-4808 Parent Empowerment petitions

11992-11994 Persistently dangerous schools, definition

13075-13075.9 Supplemental educational services

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

6301 Title I program purpose

6311 Adequate yearly progress

6312 Local educational agency plan

6313 Eligibility of schools and school attendance areas; funding allocation

6316 School improvement

7912 Persistently dangerous schools

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

200.13-200.20 Adequate yearly progress

200.30-200.35 Identification of program improvement schools

200.36-200.38 Notification requirements

200.39-200.43 Requirements for program improvement, corrective action, and restructuring

200.44 School choice option

200.45-200.47 Supplemental educational services

200.48 Funding for transportation and supplemental services

200.49-200.51 State responsibilities

200.52-200.53 District improvement

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

2008 Adequate Yearly Progress Report Information Guide, August 2008

California's Accountability Workbook

FEDERAL REGISTER

Final Rule and Supplementary Information, October 29, 2008. Vol. 73, No. 210, pages 64436-64513

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Public School Choice, January 14, 2009

Supplemental Educational Services, January 14, 2009

WEB SITES

CSBA: http://www.csba.org

California Department of Education, Program Improvement:

http://www.cde.ca.gov/ta/ac/ti/programimprov.aspU.S. Department of Education, No Child Left

Behind: http://www.nclb.gov

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: April 23, 2003 Hanford, California

revised: February 9, 2005 revised: September 16, 2009 revised: December 11, 2013 Approved: January 22, 2014

Hanford ESD

Administrative Regulation

Title I Program Improvement Schools

AR 0520.2

Philosophy, Goals, Objectives and Comprehensive Plans

Definitions

Adequate yearly progress (AYP) encompasses the following four requirements:

- 1. Annual measurable objectives: Achievement of the statewide annual measurable objectives (AMOs) on English-language arts (ELA) and mathematics assessments (schoolwide/districtwide and subgroups). AMOs are the minimum required percentages of students at proficient or above in each content area.
- 2. Participation rate: Achievement of 95 percent student participation rate on ELA and mathematics assessments (schoolwide/districtwide and subgroups) or average of 95 percent over a three-year period.
- 3. Academic Performance Index (API): Growth in the API score of at least one point or a minimum growth API as defined annually by the State Board of Education (SBE) (schoolwide/districtwide).
- 4. Graduation Rate: Improvement in the graduation rate of at least .1 percent or a graduation rate of 100 percent (schoolwide/districtwide). This applies only to high schools and districts with high school students.

At or above the proficient level, for students in grades 2-8, means the percentage of students scoring at the proficient or advanced level on the California Standards Tests. At the high school level, proficiency is determined by equivalent levels on the California High School Exit Examination as determined by the SBE. For special education students, proficient is limited to the performance on the California Alternate Performance Assessment (CAPA).

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

Eligibility for supplemental education services is based on family income. (34 CFR 200.45)

Numerically significant subgroups include economically disadvantaged students, students from major racial and ethnic groups, students with disabilities and students with limited English proficiency. For purposes of determining AYP, a significant subgroup is at least 100 students, or 50 students who represent at least 15 percent of the students to be tested.

Program improvement school is a school receiving federal Title I funds that has failed to make AYP for two or more consecutive school years on the same indicator (i.e., AMOs for ELA and mathematics, participation rate, API, graduation rate).

Year One Program Improvement

When any Title I school is identified for Year One Program Improvement: (20 USC 6316)

1. The Superintendent or designee shall provide students enrolled in the school the option of transferring to another district school or charter school that has not been identified for program improvement, as described below under "Student Transfers."

```
(cf. 0420.4 - Charter Schools)
```

2. The principal and school community shall develop or revise a two-year improvement plan in accordance with 20 USC 6316, for approval by the Board of Trustees.

```
(cf. 0420 - School Plans/Site Councils)
(cf. 6171 - Title I Programs)
```

Within 45 days of receiving the plan, the Board shall establish a peer review process to assist with the review of the plan, work with the school as necessary, and approve the plan if it meets the requirements of law. (20 USC 6316)

The school shall implement the improvement plan no later than the beginning of the next full school year following the school's identification for program improvement, or, if the plan has not been approved prior to beginning the school year, immediately upon approval of the plan. (20 USC 6316)

As the school develops and implements the school plan, the Superintendent or designee shall ensure that the school receives technical assistance either from the district, the California Department of Education, an institution of higher education, a private organization, an educational service agency or another entity with experience in helping schools improve academic achievement, including assistance in: (20 USC 6316)

- 1. Analyzing state assessment data and other examples of student work to identify and address problems in instruction and/or problems in implementing Title I requirements pertaining to parent involvement, professional development, or school and district responsibilities identified in the school's Title I plan
- 2. Identifying and implementing professional development, instructional strategies and methods of instruction that are based on scientifically based research and that have proven effective in addressing the specific instructional issues that caused the school to be identified for school improvement
- 3. Analyzing and revising the school's budget so that the school's resources are more effectively

allocated to the activities most likely to increase student achievement and to remove the school from program improvement status

Year Two Program Improvement

For any Title I school that fails to make AYP by the end of the first full school year after being identified for Program Improvement, the Superintendent or designee shall: (20 USC 6316)

- 1. Continue to provide all elements of Year One Program Improvement
- 2. Arrange for the provision of supplemental educational services to eligible students from low-income families by a provider with a demonstrated record of effectiveness, as described below under "Supplemental Educational Services"
- 3. Continue to provide for technical assistance

Year Three Program Improvement

When a school continues to fail to make AYP by the end of the second full school year after identification for program improvement (four consecutive years of failure to make AYP), the Superintendent or designee shall continue to provide all elements of Year One and Year Two Program Improvement. In addition, the Board shall take at least one of the following corrective actions: (20 USC 6316)

- 1. Replace school staff relevant to the failure
- 2. Implement a new curriculum and related professional development
- 3. Significantly decrease management authority at the school level
- 4. Appoint an outside expert to advise the school
- 5. Extend the school year or school day for the school
- 6. Restructure the internal organization of the school

Year Four and Beyond Program Improvement

For any school that continues to fail to make AYP after one full year of corrective action, the Superintendent or designee shall continue to provide all elements of Year One and Year Two Program Improvement. In addition, the Board shall implement one of the following options for alternative governance and restructuring, consistent with California law: (20 USC 6316)

- 1. Reopen the school as a charter school
- 2. Replace all or most of the school staff relevant to the failure

- 3. Enter into a contract with an entity with a demonstrated record of effectiveness to operate the school
- 4. Turn the operation of the school over to the California Department of Education
- 5. Institute any other major restructuring of the school's governance arrangements that makes fundamental reforms

Notifications

Whenever a school is identified for program improvement, corrective action or restructuring, the Superintendent or designee shall promptly notify parents/guardians of students enrolled in that school. The notification shall include: (20 USC 6316)

- 1. An explanation of what the identification means, and how the school compares in terms of academic achievement to other elementary or secondary schools in the district and state
- 2. The reasons for the identification
- 3. An explanation of what the school is doing to address the problem of low achievement
- 4. An explanation of what the district or state is doing to help the school address the achievement problem
- 5. An explanation of how parents/guardians can become involved in addressing the academic issues that caused the school to be identified for program improvement
- 6. An explanation of the option to transfer to another district school or charter school or to obtain supplemental educational services

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall disseminate information about corrective actions taken at any district school to the parents/guardians of each student in that school and to the public through such means as the Internet, the media and public agencies. (20 USC 6316)

The Superintendent or designee shall promptly notify teachers and parents/guardians whenever a school is identified for restructuring and shall provide them adequate opportunities to comment before taking action and to participate in developing any plan for restructuring school governance. (20 USC 6316)

All notifications pertaining to program improvement shall be written in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand. (20 USC 6316)

Student Transfers

All students enrolled in a Title I school that is identified for program improvement in Year One and beyond shall be provided an option to transfer to another district school or charter school that: (20 USC 6316; 34 CFR 200.44)

- 1. Has not been identified for program improvement, corrective action or restructuring
- 2. Has not been identified by the California Department of Education as a "persistently dangerous" school pursuant to 20 USC 7912

```
(cf. 0450 - Comprehensive Safety Plan)
(cf. 5116.1 - Intradistrict Open Enrollment)
```

Among these students, priority shall be given to the lowest achieving students from low-income families, as defined by the district for purposes of allocating Title I funds. (20 USC 6316)

If two or more district schools are eligible to accept transfers based on criteria listed in items #1-2 above, the district shall provide a choice of more than one such school and shall take into account parent/guardian preferences among the choices offered. (34 CFR 200.44)

School capacity shall not be used to deny transfer opportunities to students. However, the Superintendent or designee may consider capacity in selecting schools that will be offered as alternatives for school choice. The Board may increase capacity in eligible district schools to accommodate all students who wish to transfer.

The transfer option shall be offered not later than the first day of the school year following administration of the assessments that resulted in the identification of the school for program improvement, corrective action or restructuring. (34 CFR 200.44)

An explanation of the option to transfer to another public school shall be promptly provided to parents/guardians of each student enrolled in an identified school. Such notice shall be provided in an understandable and uniform format and, to the extent practicable, in a language that the parents/guardians can understand. (20 USC 6316)

Notice of the transfer option shall:

- 1. Inform parents/guardians that their child is eligible to attend another public school due to the identification of the current school as in need of improvement
- 2. Identify each public school or public charter school that the parent/guardian can select
- 3. Explain why the choices made available to them may have been limited
- 4. Provide information on the academic achievement of the school(s) to which the student may transfer (34 CFR 200.37)

5. Explain the provision of transportation to the new school (34 CFR 200.37)

The notice may include other information about the school(s) to which the student may transfer, such as a description of any special academic programs or facilities, the availability of before- and after-school programs, the professional qualifications of teachers in the core academic subjects, and a description of parent involvement opportunities. (34 CFR 200.37)

In addition to mailing notices directly to parents/guardians, the Superintendent or designee shall provide information about transfer options through broader means, such as the Internet, the media, and public agencies serving students and their families. (34 CFR 200.36)

The Superintendent or designee may establish reasonable timelines for parents/guardians to indicate their intent to transfer their child and for the district to notify parents/guardians of the school assignment.

The Superintendent or designee may require parents/guardians to rank-order their preferences from among schools that are eligible to receive transfer students. Parents/guardians may decline their assigned school and remain in their school of origin.

The district shall provide, or shall pay for the provision of, transportation for the student to the public school that student chooses to attend. (20 USC 6316)

(cf. 3540 - Transportation)

To ensure that transportation may be reasonably provided, the Superintendent or designee may establish transportation zones based on geographic location. Transportation to schools within a zone shall be fully provided, while transportation outside the zone may be partially provided.

Any student who transfers to another school may remain in that school until he/she has completed the highest grade in that school. However, the district shall not be obligated to provide, or pay for the provision of, transportation for the student after the end of the school year that the school of origin is no longer identified for program improvement, corrective action or restructuring. (20 USC 6316; 34 CFR 200.44)

If all district schools are identified for program improvement, corrective action or restructuring, the Board shall, to the extent practicable, establish a cooperative agreement with other local educational agencies in the area for an interdistrict transfer. (20 USC 6316)

(cf. 5117 - Interdistrict Attendance)

Supplemental Educational Services

When required by law, supplemental educational services shall be provided outside the regular school day and shall be specifically designed to increase achievement of eligible students from low-income families on state academic assessments and to assist them in attaining state academic

```
standards. (20 USC 6316)
```

```
(cf. 6011 - Academic Standards)
(cf. 6179 - Supplemental Instruction)
```

When a school is required to provide supplemental educational services, the Superintendent or designee shall annually notify parents/guardians of:

- 1. The availability of supplemental educational services (20 USC 6316)
- 2. The identity of approved providers that are within the district or are reasonably available in neighboring local educational agencies (20 USC 6316)
- 3. The identity of approved providers that are accessible through technology, such as distance learning
- 4. The services, qualifications and demonstrated effectiveness of each provider (20 USC 6316)
- 5. The procedures and timelines that parents/guardians must follow to select a provider

Within a reasonable period of time established by the Superintendent or designee, parents/guardians shall select a service provider from among those approved by the SBE. Upon request, the Superintendent or designee shall assist parents/guardians in choosing a provider. (20 USC 6316)

The Superintendent or designee shall ensure that eligible students with disabilities, students covered under Section 504 and students with limited English proficiency receive appropriate supplemental educational services with any necessary accommodations or language assistance. (34 CFR 200.46)

If no provider is able to make the services available to such students, the district shall provide these services with necessary accommodations or language assistance, either directly or through a contract. Supplemental educational services shall be consistent with a student's individualized education program or Section 504 plan.

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

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

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

(cf. 6174 - Education for English Language Learners)

If available funds are insufficient to provide supplemental educational services to each eligible student whose parents/guardians request those services, priority shall be given to the lowest achieving eligible students. (20 USC 6316)

If the number of parents/guardians selecting a particular provider exceeds the capacity of that provider, priority shall be given to the lowest achieving eligible students.

Once a provider has been selected by a parent/guardian, the Superintendent or designee shall enter into an agreement with the provider. The agreement shall: (20 USC 6316)

- 1. Require the district to develop, in consultation with the parents/guardians and the provider, a statement of specific achievement goals for the student, how the student's progress will be measured, and a timetable for improving achievement. In the case of a student with disabilities, the statement shall be consistent with the student's individualized education program.
- 2. Describe how the student's parents/guardians and teacher(s) will be regularly informed of the student's progress.
- 3. Provide for the termination of the agreement if the provider is unable to meet such goals and timetables.
- 4. Contain provisions with respect to the district making payments to the provider.
- 5. Prohibit the provider, without written parent/guardian permission, from disclosing to the public the identity of any student eligible for or receiving supplemental educational services.

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT

approved: May 19, 2004 Hanford, California

revised: February 9, 2005 revised: September 16, 2009 Revised: December 11, 2013 Approved: January 22, 2014

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO:	Dr. Paul J. Terry			
FROM:	Karen McConnell			
DATE:	November 22, 2013			
FOR:		Board Meeting Superintendent's Cabine		
FOR:		Information Action		

Date you wish to have your item considered: December 12, 2013

ITEM: Receive recommended revisions to BP/AR 5141.31 ~ Immunizations

PURPOSE: Regulation updated to reflect new law (AB 2109) which requires that, when a parent/guardian submits a written statement that one or more immunization requirements are contrary to his/her beliefs, the statement must document which immunizations have been given and specify which ones are contrary to his/her beliefs. Regulation also reflects a provision of AB 2109 that, effective January 1, 2014, the personal beliefs affidavit must include a sign attestation by a health care practitioner, physicians assistant or nurse practitioner indicating that he/she has provided the parent/guardian with information regarding the benefits and risks of the immunization and the health risks associated with the communicable disease.

FISCAL IMPACT: None

RECOMMENDATIONS: Approve

Hanford ESD

Board Policy

Immunizations

BP 5141.31 **Students**

To be admitted protect the health of all students and staff and to curtail the spread of infectious diseases, the Governing Board shall cooperate with state and local public health agencies to encourage and facilitate immunization of all district students against preventable diseases.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools) (cf. 5141.22 - Infectious Diseases) sehool, children(cf. 5141.26 - Tuberculosis Testing)

(cf. 6142.8 - Comprehensive Health Education)

Each student enrolling for the first time in a district elementary or secondary school, preschool, or child care and development program shall present an immunization record from any authorized private or public health care provider certifying that he/she has received all required immunizations in accordance with law. ChildrenStudents shall be excluded from school or exempted from immunization requirements only as allowed by law.

(cf. 1400 - Relations between Other Governmental Agencies and the Schools)

(cf. 5112.1 - Exemptions from Attendance)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.22 Infectious Diseases)

(cf. 5141.32 - Health Screening for School Entry)

(cf. 51415148 - Child Care and Development)

(cf. 5148.3 - Health Examinations Preschool/Early Childhood Education)

Except to the extent otherwise authorized by law, each transfer student shall present evidence of immunization before he/she is admitted to school. Such evidence may include the child's personal immunization record from his/her authorized health care provider or his/her cumulative file from his/her previous school.

However, when necessary, a transfer student may be conditionally admitted for up to 30 school days while his/her immunization records are being transferred from theirthe previous school. If these records do not arrive within 30 school days, the student shall present written documentation by a physician, nurse or clinic, an authorized health care provider showing that the required immunizations were received. If such documentation is not presented, the student shall be excluded from school until immunization requirements are met the required immunizations have been administered. (17 CCR 6070)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)

The Superintendent or designee may arrange for an authorized health care provider to administer immunizations at school to any student whose parent/guardian has consented in writing. At the beginning of the school year, parents/guardians shall be notified of their right to provide consent for the administration of an immunization to their child at school. (Education Code 49403)

(cf. 5141.3 - Health Examinations)

(cf. 5141.6 - School Health Services)

(cf. 5145.6 - Parental Notifications)

Legal Reference:

EDUCATION CODE

44871 Qualifications of supervisor of health

46010 Total days of attendance

48216 Immunization

48853.5 Immediate enrollment of foster youth

48980 Required notification of rights

49403 Cooperation in control of communicable disease and immunizations

49426 Duties of school nurses

49701 Flexibility in enrollment of children of military families

HEALTH AND SAFETY CODE

120325-120380 Immunization against communicable disease, especially:

120335 Immunization requirement for admission

120395 Information about meningococcal disease, including recommendation for vaccination

120440 Disclosure of immunization information

CODE OF REGULATIONS, TITLE 5

430 Student records

CODE OF REGULATIONS, TITLE 17

6000-6075 School attendance immunization requirements

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

UNITED STATES CODE, TITLE 42

11432 Immediate enrollment of homeless children

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

Management Resources:

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH-SERVICES

Commonly Asked Questions About the New School California Immunization Handbook for

Schools and Child Care Programs, July 2003

Guide to Immunizations Required for School Entry

Guide to the Requirements, March 1999 of the California School Immunization Law for Parents

of Children in or Entering School or Child Care

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Family Educational Rights and Privacy Act (FERPA) and H1N1, October 2009

WEB SITES

CDECalifornia Department of Education: http://www.cde.ca.gov

California Department of Public Health, Immunization Branch:

http://www.cdph.ca.gov/programs/immunize

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

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: June 29, 1989 Hanford, California

reviewed: May 16, 2001 U.S. Department of Education: http://www.ed.gov

(6/98 11/00) 11/10

Revised: December 11, 2013

Hanford ESD

Administrative Regulation

Immunizations

AR 5141.31

Students

Upon enrollment, students must present evidence Required Immunizations

The Superintendent or designee shall provide parents/guardians, upon school registration, a written notice summarizing the state's immunization requirements.

The Superintendent or designee shall not unconditionally admit any student to a district elementary or secondary school, preschool, or child care and development program nor advance a student to specified grade levels unless the student has presented documentation of full immunization, in accordance with the age/grade and dose required by the California Department of Public Health (CDPH), against diphtheria, the following diseases: (Health and Safety Code 120335; 17 CCR 6020)

- 1. Measles, mumps, and rubella (MMR)
- 2. <u>Diphtheria, tetanus, and pertussis (whooping cough), tetanus (Td), poliomyelitis,) (DTP, DTaP, or Tdap)</u>
- 3. Poliomyelitis (polio)
- 4. Hepatitis B
- 5. Varicella (chickenpox)
- 6. Haemophilus influenza type b (Hib meningitis)
- 7. Any other disease designated by the CDPH

(cf. 5141.22 - Infectious Diseases)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

The student's immunization record shall be provided by the student's health care provider or from the student's previous school immunization record. The record must show the date that each dose was administered.

Exemptions

Exemption from immunization requirements shall be granted under either of the following circumstances: (Health and Safety Code 120365, 120370; 17 CCR 6051)

- 1. The student's parent/guardian provides a written statement by a licensed physician, physician's assistant or nurse practitioner—nurse or clinic in the manner that, due to the physical condition or medical circumstances of the student, one or more immunizations are considered unsafe or are permanently not indicated. The physician's statement shall indicate the specific nature and probable duration of the medical condition or circumstances that contraindicate immunization. In such circumstances, the student shall be exempted from one or more vaccines to the extent indicated by the physician's statement.
- 2. The student's parent/guardian provides a letter or affidavit documenting which immunizations required by Health and Safety Code 120355 have been given and which immunizations have not been given on the basis that they are contrary to the parent/guardian's beliefs.
- 3. Homeless children and foster youth must be immediately enrolled even if they are unable to produce records normally required for enrollment, including medical records.

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

When immunization(s) are contrary to the parent/guardian's personal beliefs but there is good cause to believe that the student has been exposed to one of the communicable diseases listed in Health and Safety Code 120325, the student may be temporarily excluded from school until the local public health officer is satisfied that the student is no longer at risk of developing the disease.

On or after January 1, 2014, the parent/guardian shall also submit a form prescribed by the State-Department of Health Services. Students seven years old or older shall not be required to be immunized against pertussis or mumps. (Health and Safety Code 120335)CDPH which includes a signed attestation by a health care practitioner that indicates he/she has provided the parent/guardian with information regarding the benefits and risks of the immunization and the health risks of the communicable diseases listed in Health and Safety Code 120335 to the person and the community. The parent/guardian shall sign a statement indicating that he/she has received this information. Neither the health care practitioner nor the parent/guardian shall sign these statements more than six months prior to the date that the student is subject to the immunization requirement. In lieu of the original form, the district shall accept a photocopy of the signed form or a letter by a health care practitioner that includes all information and attestations included on the form.

Upon enrollment, children entering school or a child care and development program at the kindergarten level or below shall also present evidence of immunization against hepatitis B. Children who have not reached the age of four years, six months shall also present evidence of immunization against haemophilus influenzae type b. (Health and Safety Code 120335)

Upon enrollment on or after July 1, 1999, children entering, advancing, transferring or repeating 7th grade shall present evidence of hepatitis B immunization. (Health and Safety Code 120335) Exclusions Due to Lack of Immunizations

Any student without the required evidence of immunization shallmay be excluded from school until the immunization is obtained or until the student presents a letter or affidavit of an exemption from his/her parent/guardian or physician. Exemption is allowed when the parent/guardian states in writing that immunization is contrary to his/her beliefs. Exemption is also allowed to the extent indicated by a physician's written statement describing the medical condition of the child and the probable duration of the medical condition or circumstances which contraindicate immunization. (Health and Safety Code 120365, 120370, 120375)is granted in accordance with the section "Exemptions" above.

(cf. 5112.2 - Exclusions from Attendance)

The district may conditionally admit a child with documentation from a physician that: (Health and Safety Code 120340; 17 CCR 6000)

- 1. He/she has received some but not all required immunizations and is not due for any vaccine dose at the time of admission
- 2. He/she has a temporary exemption from immunization for medical reasons

The Superintendent or designee shall review the immunization record of each student admitted conditionally every 30 days until that student has received all of the required immunizations. (17 CCR 6070)

In accordance with law, the Superintendent or designee shall notify parents/guardians of the rights of students and parents/guardians relating to immunizations. (Education Code 48216, 48980)

(cf. 5145.6 - Parental Notifications)

When admission has been denied (cf. 6183 - Home and Hospital Instruction)

Before an already admitted student is excluded from school attendance because of lack of immunization, the Superintendent or designee shall notify the parent/guardian that he/she has 10 school days in which to supply evidence of proper immunization or an appropriate letter of exemption. This notice shall refer the parent/guardian to the child's usual source of medical care. (Education Code 48216; 17 CCR 6040)

If This notice shall refer the parent/guardian to the student's usual source of medical care or, if the student has no usual source of medical care exists, the parent/guardian shall be referred, then to the county health department or school immunization program, if any. (Education Code 48216)

(cf. 5141.6 - School Health Services)

The districtSuperintendent or designee shall exclude from further attendance any already admitted student who fails to obtain the required immunization within no more than 10 school days -following the parent/guardian's receipt of the parent/guardian notice specified above, unless the student is exempt from immunization for medical reasons or personal beliefs. The student shall remain excluded from school until he/she provides written evidence that he/she has received anothera dose of each required vaccine due at that time. The student shall also be reported to the attendance supervisor or principal. (17 CCR 6055)—

(cf. 5112.2 - Exclusions from Attendance)

Conditional Enrollment

The Superintendent or designee may conditionally admit a student with documentation from an authorized health care provider that: (Health and Safety Code 120340: 17 CCR 6000, 6035)

- 1. The student has received some but not all required immunizations and is not due for any vaccine dose at the time of admission.
- 2. The student has a temporary exemption from immunization for medical reasons.

The Superintendent or designee shall annually file a report with the state and local health-departments onnotify the immunization status of new entrants or student's parents/guardians of the date by which the student must complete all the remaining doses when needed to determine they become due as specified in 17 CCR 6035.

The Superintendent or designee shall review the immunization status.record of each student admitted conditionally every 30 days until that student has received all the required immunizations. If the student does not receive the required immunizations within the specified time limits, he/she shall be excluded from further attendance until the immunizations are received. (Health and Safety Code 120375; 17 CCR 60756070)

The Superintendent or designee shall record each new entrant's immunizations in the California School Immunization Record and retain it as part of the student's mandatory permanent student record. District staff shall maintain the confidentiality of immunization records and may disclose such information to state and local health departments only in accordance with law. (Health and Safety Code 120375, 120440; 17 CCR 6070)

(cf. 5125 - Student Records)

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT

approved: May 16, 2001 Hanford, California Records

Revised: December 11, 2013

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO:	Dr. Paul J. Terry			
FROM:	Karen McConnell KM			
DATE:	December 9, 2013			
FOR:		Board Meeting Superintendent's Cabinet		
FOR:		Information Action		

Date you wish to have your item considered: January 22, 2014

ITEM: Memorandum of Understanding -California Health Kids Survey

PURPOSE: California Health Kids Survey (CHKS) assesses key school climate, and student health and behavioral factors that research has linked to academic performance, including test-score improvement, and positive youth development and well-being. It is a valuable tool for any school improvement effort. The CHKS helps schools identify health and learning engagement barriers identified by CHKS may improve school attendance and, thus, the ADA funding that the schools receive. The CHKS provides needs-assessment data that is valuable, and often required for obtaining federal and state competitive program funding, such as the California Tobacco Use Prevention Education (TUPE) program.

FISCAL IMPACT: Approximaltly \$500.00

RECOMMENDATIONS: Approve

CALIFORNIA WEATHY KIES SURVEY

MEMORANDUM OF UNDERSTANDING · 2013-2014 SCHOOL YEAR

DISTRICT NAME: Hanford Elementary School District

This agreement outlines conditions to be met by the above named district and the California School Climate, Health, and Learning Survey System (Cal-SCHLS) Regional Center as they relate to the administration of the CHKS. The answer sheets will not be sent until a signed copy (or fax) of this Memorandum of Understanding (MOU) is received.

DISTRICT AGREES TO THE FOLLOWING CONDITIONS:

SURVEY ADMINISTRATION

- » Grades and Schools. Survey grades 5 through 12 as appropriate within the district. Please note: to receive the CDE subsidized price of 30 cents per enrollment number or target sample, the district must administer the Core Survey to grades 7 and 9 every two years.
- » Parent Consent. Follow the active parental consent process with grades below seven, and either active or passive parental consent with grade seven and above (model consent forms will be provided).
- » Follow written school board policy for active and/or passive consent, and provide notification to parents of the approximate date(s) of survey administration and the availability of survey instruments for review at school and/or district offices. This is required regardless of consent type.
- » Privacy of Students. When the students are taking the online survey, steps must be taken to insure that no other person, INCLUDING the teacher and other students, can see the monitor and how the student is answering. Privacy on either side and behind the student is essential to ensure honest answers and useful data.
- » Coordination. Provide one, district-level contact person for each participating district.
- » Surveys. Administer the Elementary survey to elementary students, and the Core Module A.
- » Use only the most recent, current version of the survey and the answer sheet provided by the county office of education and/or WestEd.
- Expectations to deliver reports within eight to twelve weeks are contingent on use of correct versions of the survey instrument and answer sheets or online survey system. CAL-SCHLS is not responsible for transferring data from incorrect to correct answer sheets.

PAYMENT

- » For CDE subsidized surveys pay the 30 cents per student enrollment or target sample.
- » Postage and handling will be added to the total amount charged.
- » Additional fees apply for custom administrations and modules, answer sheet rush orders, school reports, data on disk, etc. The district or county organization is always responsible for these additional fees. Please see below for fees.
- » If invoiced, the district must provide a purchase order or check prior to receipt of report.

CUSTOM AND ADDITIONAL FEES

CUSTOM MODULES

For School Districts administering the complete Core Module to the minimum required grades (7 and 9) plus a Custom module:

- » Per hour fee \$100
- » Per participant fee \$.30
- » District report included
- » Per school custom report fee \$50

For School Districts not administering the complete Core Module or to less than the minimum required grades (7 and 9):

- » Per hour fee \$125
- » Per participant fee \$1.50
- » District report fee \$200
- » Per school report fee \$50

MINIMUM CUSTOM PRICING

Student Survey — Paper

- » 1 hour for each set (or fraction) of 10 questions on the custom module
- » 2 hours for programming scanner
- » 1 hour for each set (or fraction) of 10 questions to write syntax
- » 1 hour for each set (or fraction) of 3 questions using a multiple mark response option
- » 1 hour for each set (or fraction) of 8 questions for processing
- » 1 hour for each set (or fraction) of 5 questions included in the tabular report

Student Survey — On-line

- » 1 hour for each set (or fraction) of 5 questions on the custom module
- » 1 hour for each set (or fraction) of 10 questions to write syntax
- » 1 hour for each set (or fraction) of 3 questions using a multiple mark response option
- » 1 hour for each set (or fraction) of 8 questions for processing
- » 1 hour for each set (or fraction) of 5 questions included in the tabular report

Staff Survey - On-line

- » 1 hour for each set (or fraction) of 5 questions on the custom module
- » 1 hour for each set (or fraction) of 10 questions to write syntax
- » 1 hour for each set (or fraction) of 3 questions using a multiple mark response option
- » 1 hour for each set (or fraction) of 8 questions for processing
- » 1 hour for each set (or fraction) of 5 questions included in the tabular report

Parent Survey - Paper

- » 1 hour for each set (or fraction) of 5 questions on the custom module
- » 1 hour for each set (or fraction) of 10 questions to write syntax
- » 1 hour for each set (or fraction) of 3 questions using a multiple mark response option
- » 1 hour for each set (or fraction) of 8 questions for processing
- » 1 hour for each set (or fraction) of 5 questions included in the tabular report

Parent Survey - Online

- » 1 hour for each set (or fraction) of 5 questions on the custom module
- » 1 hour for each set (or fraction) of 10 questions to write syntax
- » 1 hour for each set (or fraction) of 3 questions using a multiple mark response option
- » 1 hour for each set (or fraction) of 8 questions for processing
- » 1 hour for each set (or fraction) of 5 questions included in the tabular report

DATA SUBMISSION AND REPORT PREPARATION

If the following conditions are not met, there will be a delay in data processing and report generation.

- » Provide complete information on the transmittal envelopes or online survey completion form.
- » Complete and return the Report Order Form via email or hard copy.
- » Submit completed answer sheets to your Regional Center.

RESPONSE RATES

In order for the CHKS data to be representative of the students in your district, minimally meet standards A through C and either standard D or E as listed below.

- A. 100% of all district schools participated, or 100% of all selected schools participated in an approved sampling plan.
- B. An appropriate class subject or class period was identified and used.
- C. 100% of selected classrooms participated.

- D. The number of completed, usable answer forms or online submissions obtained per grade was 60% or more of the selected sample, or
- E. If active parental consent is used, 70% or more parents within each grade's selected sample returned signed permission forms, either consenting or not consenting to their child's participation.

If active consent is used and less than 60 percent of parents have not consented to their child's participation two days before the scheduled administration date, the survey should be postponed until either condition D or E can be met. Note: If less than 25 students take the survey in a specific grade, the district may not be eligible for a report in that grade.

SCHOOL CLIMATE SURVEY FOR STAFF

- » Conduct the online California School Climate Survey (CSCS) at each school participating in the district's CHKS. To facilitate planning and administration, this should be done around the same time the students are taking the CHKS.
- » The survey must be anonymous and should be offered to all staff working with grades five through twelve, as well as by all staff involved in health, safety, and prevention. It may also be completed by other school staff at the district's discretion.
- » Staff participation is voluntary. Staff who do not wish to participate shall not be required to do so.
- » There are no additional fees for the basic administration of the CSCS. Additional fees will be charged for custom work.

OTHER MISCELLANEOUS CONDITIONS

- » Read the Guidebook for the California Healthy Kids Survey, Part I: Administration, paying special attention to the section on active and passive consent procedures. In BOTH cases, specific tasks MUST be completed to insure that the rights of parents and pupils are protected.
- » Read the Guidebook for the California Healthy Kids Survey, Part III: School Climate Survey for Teachers and Other Staff.
- » Provide current student enrollment figures (or target sample if you are sampling) for all schools by grade level, and provide accurate staff counts by school.
- » Produce from the master copy the number of questionnaires needed.
- » Provide survey proctors (teachers or assigned proctors) for each classroom.
- » Have all surveyors (teachers or proctors) sign the Assurance of Confidentiality Agreement and read the Introductory Script to students. These are available on our website.

THE CAL-SCHLS REGIONAL CENTER AGREES TO THE FOLLOWING CONDITIONS:

- » Ongoing technical assistance including phone consultation on module selection, sampling, and parent consent strategies.
- » Master copy of elementary, middle & high school surveys (all modules), and access to the CSCS online system.
- » CHKS Guidebook available on the website: chks.wested.org.

- » Access to the Cal-SCHLS Website cal-schls.wested.org and Listserv.
- » For paper administrations: answer sheets, transmittal envelopes, and school–specific CSCS logins and passwords.
- » For online administrations: one login/password per school for the CHKS as well as school–specific CSCS logins and passwords.
- » Scanning services.
- » District—level reports.

FOR ADDITIONAL FEES, UPON REQUEST

- » School-level reports (\$50 per site level).
- » Raw data sets (\$50 for elementary and \$50 for secondary).

CONFIDENTIALITY AGREEMENT

CDE requires local CAL-SCHLS results be publicly reported. District data on the California state-identified Performance Indicators will be available through the California Department of Education's (CDE) Coordinated School Health and Safety Office Annual Reports. In addition, under the Public Records Act, any outside agency (for example, the media) can request already-produced district or school reports from CDE. Raw data will be provided to public and research agencies for analyses only under conditions of strict confidentiality in compliance with state and federal regulations.

Further, districts administering a custom understand that custom module data will be subject to the conditions stated above. Already—produced custom module reports will be available to outside agencies upon request, and raw data may be provided to public and research agencies for analysis under strict conditions of confidentiality.

By signing this document the District and Cal–SCHLS Regional Center staff signify that each party understands and will comply with the conditions stated above.

LEA Representative:		
Signature	Cal-SCI	HLS Regional Center Staff:
Printed name	Signatur	e.
Date	Printed	of Marchange recognises the service of the presidence define its angular content of the fill of
District Contact (if different	from above) Date For office	use on h
Contact Email		
Contact Phone		
Southern Region Office: LA WestEd Fax 562.799.5151	Northern Coast/Bay Area Region Office: Oakland WestEd Fax 510.302,4354	North Central Region Office: Chico Duerr Evaluation Fax 530.893.0409

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO:	Dr. Paul J. Terry			
FROM:	Karen McConnell			
DATE:	December 10, 2013			
FOR:		Board Meeting Superintendent's Cabinet		
FOR:		Information Action		

Date you wish to have your item considered: January 22, 2014

ITEM: Collaboration Agreement between Kings County Office of Education and the Hanford Elementary School District ~ Tobacco-Use Prevention Education (TUPE)

PURPOSE: Projects supported by this grant will focus on providing students with knowledge and skills to enable students to be tobacco free. The grant includes a comprehensive tobacco-use prevention, intervention and cessation programs and are important in health life style choices of students. This agreement will run for a three year period (July 1, 2014 through June 30, 2017).

FISCAL IMPACT: None

RECOMMENDATIONS:

Tim Bowers - County Superintendent of Schools

COLLABORATION AGREEMENT between the Kings County Office of Education and Local Educational Agencies (LEAs)

The Kings County Office of Education and the local LEAs agree to integrate systems and resources to implement Tobacco-Use Prevention Education (TUPE) projects as authorized by the California Health and Safety code. These projects will focus on the provision of knowledge and skills that enable student to be tobacco free. Comprehensive tobacco-use prevention, intervention, and cessation programs are an important part of this effort and an effective strategy against four of the five leading causes of death in California: heart disease, cancer, chronic obstructive lung disease, and fires caused by smoking. The implementation of this agreement is predicated on the approved funding from the District's categorical programs Tobacco-Use Prevention (TUPE). The collaboration agreement will be in place during the duration of the three year funding period from July 1, 2014 through June 30, 2017 and during any funding extension periods, or indefinite, in the event of alternative funding program continuation.

WHEREAS, the Superintendent and the District are individually and collectively interested in tobacco-use prevention, intervention, and cessation for the students attending school in the County of Kings:

WHEREAS, the Superintendent and District embrace a shared philosophy and investment in collaborative programs which build partnerships for a positive and healthy, tobacco free youth development, which engages youth as active leaders and resources in their schools and communities:

WHEREAS, the established partnerships between the two agencies seek to detect and treat the current youth Tobacco-Use;

NOW, THEREFORE, in the consideration of a collaborative effort to assess, develop and promote strategies to thwart the Tobacco-Use committed by youth in grades 6-12 in the middle and high schools in the County of Kings, the Superintendent and District mutually agree as follows:

1. PURPOSE

This Collaborative Agreement defines the scope of services, duties, and responsibilities of the Superintendent and those costs payable to the Superintendent by the District for the provision of Tobacco Prevention Education outlined above and described in the Scope of Services.

Tim Bowers - County Superintendent of Schools

2. SCOPE OF SERVICES

- a. The Superintendent agrees to perform its duties and responsibilities and provide such services as described in the scope of services attached hereto as Exhibit A and incorporated herein by reference.
- b. The district agrees to perform its duties and responsibilities and provide such services as described in the scope of services attached hereto as Exhibit A and incorporated herein by reference.

3. TIME OF PERFORMANCE

- a. This Memorandum of Understanding shall be in effect for 36 months beginning July 1, 2014 and ending June 30, 2017.
- b. Both parties agree to meet prior to March 1, 2017 to discuss options for renewal of this agreement.

4. CHANGES AND AMENDMENTS

- a. Either the Superintendent or the District may request changes in the scope of services. Any mutually agreed upon changes shall be effective when incorporated in written amendments to the agreement.
- b. If any changes occur during the course of this agreement, the parties will meet and confer regarding such changes and amend this agreement as necessary.

5. COST OF SERVICES/BILLING

a. The District agrees that the Superintendent will retain and manage all district TUPE funds. The Superintendent will spend funds in accordance with program guidelines.

6. TERMINATION

- a. This agreement may be terminated by either the Superintendent or the District, without cause, upon thirty (30) days written notice one to the other.
- b. In event of default, the non-defaulting entity shall promptly responds to the defaulting entity in writing.
- c. At termination, whether mutually agreed to or as a result of default, the District shall pay outstanding costs due to the Superintendent.

7. DISPUTE RESOLUTION

a. If the parties fail to mutually agree on any matters under this agreement or if either party believes the other has failed to satisfactorily perform or is

Tim Bowers - County Superintendent of Schools

otherwise in breach of this agreement, the parties shall submit the matter to resolution according to the following procedures:

- i. If there is a disagreement, the disputing party shall provide a written statement to the other describing the general nature of the claim.
- ii. The statement must indicate that it is the first statement of a formal dispute resolution process.
- iii. The statement need not be complete and does not limit the claim(s) of either party in any further action or procedure.
- iv. Within ten (10) business days of the receipt of the statement, the respective authorized representative shall meet and confer in good faith to either (1) resolve the matter and set forth such resolution in writing; or, (2) define the dispute in writing including a description of each party's position, proposed resolution(s) and projects or tasks that would be affected.
- v. If the agencies fail to resolve the matter, within ten (10) business days of such failure to agree, representatives from both sides shall meet and confer in good faith to attempt to further resolve the matter. The description of the dispute as written by the respective program coordinators shall serve as the basis for further attempts at resolution.
- vi. A resolution of the matter shall be documented in writing and incorporated into this agreement. If no agreement is reached, termination process will proceed.

8. ASSIGNMENT OF PERSONNEL

- a. The Superintendent desires that all its employees gain experience in a variety of assignments consistent with their assigned duties and responsibilities. Accordingly, as a prerogative of management, the Superintendent retains the right to assign and /or rotate any and all qualified personnel without the consent of the District. The Superintendent agrees, however, that to the extent reasonably possible, rotation of staff for this assignment will be minimized in order to keep consistency in delivery of their prevention education programs.
- b. Requests for changes in level or type of service, or complaints about services are to be mad by the District.

9. SERVICE ASSESSMENT

a. The District and the Superintendent agree to meet formally on a yearly basis to assess services being provided. After a year of service, the

Tim Bowers - County Superintendent of Schools

District will make a good faith effort to provide the Superintendent with written evaluation.

10. PUBLIC ENTITY MUTUAL INDEMNIFICATION

- a. The Superintendent shall defend, indemnify and hold harmless the District, its Governing Board and/or Council, officers, employees, agents, and volunteers against all claims, damages, losses, expenses (including reasonable attorneys' fees) and liabilities (referred to collectively as "losses") of any kind or character arising out of and in the course of the Superintendent's performance under this agreement. This obligation shall not lie in those instances where the losses are caused by the negligence or action of the District, its agents or employees.
- b. The Superintendent shall maintain during this agreement, at its cost, general liability insurance insuring against liability for bodily injury, including death, or property damage resulting from the Superintendent's performance under this agreement, with a limit of not less than One Million Dollars (\$1,000,000), automobile liability insurance with a combined single limit of not less than \$1,000,000, Worker's Compensation insurance as required by applicable law, and Employer's Liability insurance with limits of not less than \$1,000,000 per employee for bodily injury or disease.

11. ENTIRE AGREEMENT

a. This MOU constitutes the entire agreement between the Superintendent and the District. There are no terms, conditions or obligations made or entered into by the parties other than those contained herein.

IN WITNESS WHEREOF, the parties have executed the agreement the day and year first written above.

Hanford Elementary School District	 Date
Paul Terry, Superintendent	Duto
Kings County Office of Education Tim Bowers	Date

EXHIBIT AOPERATIONAL & FUNCTIONAL EXPECTATIONS

Duties and Responsibilities for the Kings County Office of Education

(Superintendent): The operational and Functional expectations outlined below are subject to change upon approval by both parties.

- 1. Develop a plan to implement a **comprehensive** TUPE Program to total student population of LEA.
- 2. Support the LEA's maintenance and enforcement of the LEA's Tobacco Free policy
- 3. Support the LEA's implementation of an approved prevention program for the general student population (Botvin's Lifeskills)
- 4. Identify an applicant implemented or community-based organization implemented intervention and assist LEAs in the referral process to community based programs.
- 5. And/or cessation programs commensurate wit the grade level of the LEA.
- 6. Identification of any populations most-at-risk for beginning tobacco use and consult with LEA on how to provide strategies to meet the needs of those populations (From latest CHKS data)
- 7. Demonstration of a high level of community collaboration and participation by community service providers who will coordinate with the agency on the proposed project activities.
- 8. Attend all required orientations and trainings for TUPE.
- 9. Submit a required annual progress report.

Duties and Responsibilities of the LEA: The operation and functional expectations outlined below are subject to change upon approval by both parties.

- 1. Appoint a contact person from the district.
- 2. Provide contact at each participating school site in the district to ensure proper supervision, direction, communication and guidance during all scheduled activities.
- 3. Serve as quality control for all services outlined in the contract and subcontracts.
- 4. Notify the Superintendent or designee of any changes in school site event schedule.
- 5. Participate in and promote on-going county prevention training and TA activities.
- Agree to not accept funds or educational materials from the tobacco industry or any agency which has received funding from the tobacco industry for the purpose of implementing tobacco-prevention or intervention programs.
- 7. Agree to conduct the CHKS every other year.
- 8. Agree to participate in the California Student Tobacco Survey administered by the California Department of Public Health if randomly selected
- 9. Participate fully in the implementation a **comprehensive** TUPE Program to total student population of LEA, including services to populations most at risk for beginning tobacco use and collaboration with community services and resources.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO:	Dr. Pa	ul J. Terry
FROM:	Joy G	abler
DATE:	1/13/1	4
FOR:	\boxtimes	Board Meeting Superintendent's Cabinet
FOR:		Information Action

Date you wish to have your item considered: 1/22/14

ITEM: Consider approval of a consultant contract with Tulare County

Office of Education to have seven Instructional Consultants to provide sessions during the HESD District wide Professional

Development Day on Monday, February 10, 2014.

PURPOSE: Tulare County Office of Education will provide seven Instructional

Consultants. The TCOE Instructional Consultants will provide break-out sessions to our K-8 teachers in the areas of ELA, mathematics, science, project based learning, and technology during the HESD District wide Professional Development Day on

Monday, February 10, 2014.

FISCAL IMPACT: \$5,950.00 funded from Title 1 funds.

0100-3010-0-1110-1000-580009-005-0000

RECOMMENDATIONS: Approve.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO:	Paul Terry, Ed.D.
FROM: DATE:	Doug Carlton January 13,2014
For:	☑ Board Meeting☑ Superintendent's Cabinet
For:	☐ Information ☐ Action
Date you wish	to have your item considered. January 22, 2014
ITEM: Hear a	nd consider for approval of revisions to 2013-2014 School Plans.
changes are reviewed stud	The California Department of Education requires board approval when substantive nade to school plans. Each school site council and English learner advisory council has lent achievement data, reviewed school plan goals and actions, and has reviewed n of the plans. Based on this review, school site councils have approved revisions to the
Additionally, th	ne NCLB Program Improvement status for the schools listed below has changed as
Lincoln Richmond Hamilton Monroe Washington Simas Wilson JFK	Year 1 Year 1 Year 2 Year 2 Year 4 Year 4 Year 5 Year 5

Fiscal Impact: Approximately \$4.6 million in state and federal categorical funds

RECOMMENDATION: Approve revisions to the 2013-2014 School plans.

2013-2014 School Plan Revisions: Executive Summary

School Planning

Each school continually maintains, reviews, and revises the Single Plan for Student Achievement. This document, along with the Title I Evaluation and minutes from School Site Council (SSC) and English Language Advisory Committees (ELAC) provide a record of the schools' planning process and an evaluation of schools' progress toward achieving their established goals.

School planning is an ongoing process. Each year, school leadership teams and SSCs, along with input from the ELACs, review schools' progress toward achieving their established goals. This is done through a careful analysis of student achievement data and monitoring of the school's implementation of action strategies.

The graphic below illustrates the planning process.

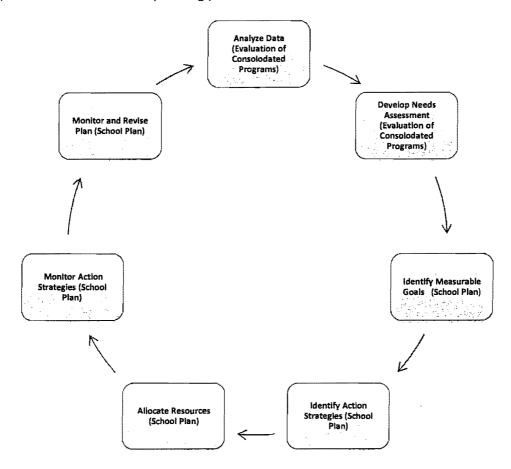


Figure 1: School Planning Process

The Single Plan for Student Achievement (School Plan)

The School Plan documents the following components of the planning process:

- Goals and actions to achieve goals that will lead to increased student achievement
- The federal and state categorical funds that will be used by the school to achieve its goals
- The committee members who participate in the planning process (SSC and ELAC)

The Plan contains the specific actions that are necessary to achieve each goal, the persons responsible for implementation, and the methods that will be used to measure progress toward achieving each goal. Additionally, the School Plan, by allocating federal and state funds for each action, shows how much it will cost to achieve each goal.

Each action in the school plan is aligned with the California Department of Education's *Nine Essential Program Components* (EPCs). These EPCs provide specific guidance to improve student achievement.

California Department of Education Nine Essential Program Components

- 1. Instructional Program (State adopted materials in ELA and mathematics)
- 2. Instructional Time (Core program and intervention)
- 3. School Administrator Instructional Leadership Training
- 4. Credentialed Teachers and Professional Development
- 5. Student Achievement Monitoring System (Benchmark and curriculum imbedded assessments)
- 6. Ongoing Instructional Assistance and Support for Teachers (Content area and Induction Coaches)
- 7. Teacher Collaboration
- 8. Lesson Pacing Schedule
- 9. Fiscal Support

Summary

Each school has carefully and thoroughly followed the planning process. School Site Councils, with input from English Language Advisory Committees, have approved revisions to the School Plans. It is the recommendation of this office that the Board of Trustees approve the School Plans and School Improvement Plans for the 2013-2014 school year.

Copies of the School Plans and School Improvement Plans are available at each school site, the District Office, and online (within the HESD network). <u>HESD Program Evaluation School Site Libraries</u>

The full text of the *Nine Essential Program Components* is available online from the California Department of Education. http://www.cde.ca.gov/ta/lp/vl/essentialcomp.asp

HANFORD ELEMENTARY SCHOOL DISTRICT Human Resources Department

AGENDA REQUEST FORM

TO:	Dr. Paul Terry		
FROM:	Diane Williams		
DATE:	January 13, 2014		
RE:	(X) Board Meeting() Superintendent's Cabinet		
	() Information (X) Action		

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: January 22, 2014

ITEM: Consider approval of personnel transactions and related matters.

PURPOSE:

a. Employment

Certificated

Melissa Moreno, Teacher, Simas, Probationary 1, effective 1/13/14

Confidential

 Jennifer Baker, Administrative Secretary/Confidential – 8.0 hrs., Fiscal/Facilities Services, effective 12/26/13

Classified

- Cynthia Long, Food Service Worker II 2.0 hrs., Wilson, effective 1/14/14
- Carlos Rodriguez, Jr., Computer Maintenance Technician 8.0 hrs., HESDNet, effective 1/6/14
- Allyssa Spradlin, Food Service Worker II 2.0 hrs., Kennedy, effective 1/13/14

Temporary Employees/Substitutes/Yard Supervisors

- Rosarita Alvarez, Short-term Yard Supervisor 3.0 hrs., Simas, effective 1/13/14 to 4/11/14
- Melissa Braley, Short-term Yard Supervisor 1.0 hr., Kennedy, effective 1/13/14 to 4/11/14
- Cristina Ceja, Substitute Bilingual Clerk Typist I, Clerk Typist I and Translator: Oral Interpreter, effective 1/13/14
- Ashley Candelaria, Short-term Yard Supervisor 1.5 hrs., Washington, effective 1/13/14 to 4/11/14
- Debi Clark, Substitute Bus Driver, Custodian I, Food Service Worker I and Yard Supervisor, effective 12/6/13
- Wilma Etulain Baraibar, Substitute Cook/Baker and Food Service Utility Worker, effective 1/13/14

Temporary Employees/Substitutes/Yard Supervisors

- Linda Garcia, Yard Supervisor 2.5 hrs., Jefferson, effective 1/13/14
- Fidel Gonzalez, Yard Supervisor 2.25 hrs., Wilson, effective 1/13/14
- Everardo Guzman, Girls 7-8 Soccer Coach 3 Units, Kennedy, effective 1/13/14 to 1/23/14
- Angel Hawkins, Short-term Yard Supervisor 1.5 hrs. (M,T,Th,F and .50 W), Roosevelt, effective 1/13/14 to 4/11/14
- Amanda Henderson, Yard Supervisor 2.25 hrs., Washington, effective 1/13/14
- Jose Huerta, Substitute Yard Supervisor, effective 11/26/13
- Samantha Long, Substitute Yard Supervisor, effective 12/5/13
- Ramona Mendoza, Short-term Yard Supervisor 1.0 hr., Washington, effective 1/21/14 to 4/11/14
- Jacqueline Noriega, Substitute Translator: Oral Interpreter and Written Translator, effective 12/4/13
- Shirley Smith, Short-term Yard Supervisor 2.0 hrs., Richmond, effective 1/13/14 to 4/11/14
- Sylvia Solorio, Short-term Yard Supervisor 1.5 hrs., Monroe, effective 1/13/14 to 4/11/14
- Gennifer Soriano, Yard Supervisor 2.0 hrs., Lincoln, effective 1/13/14
- Stephanie Treviño, Substitute Yard Supervisor, effective 1/13/14; Short-term Yard Supervisor 1.0 hr., Jefferson, effective 1/13/14 to 4/11/14
- Jacqueline Vargas, Substitute Bilingual Clerk Typist I, Clerk Typist, Translator:
 Oral Interpreter and Written Translator, effective 1/8/14
- Stacy Whittington, Substitute Food Service Worker I and Food Service Worker II, effective 12/3/13
- Suzanne Wilson, Substitute Custodian I and Health Care Assistant, effective 12/12/13

b. Resignations

- Joseph D'Agostino, Teacher, Wilson, effective 12/20/13
- Laura Benavides, READY Program Tutor 4.5 hrs., Hamilton, effective 1/14/14
- Susan Huerta, Teacher, Simas, effective 12/20/13
- Mildred Jackson, Substitute Alternative Education Program Aide, Babysitter, Instructional Aide, READY Program Tutor, Special Education Aide and Yard Supervisor, effective 11/20/09
- Brittany McCormick, Yard Supervisor 1.5 hr., Monroe, effective 12/20/13
- Priscilla Sosa, Substitute Clerk Trainee and Yard Supervisor, effective 12/2/13

c. Promotion/Transfer

- Shawn Carreiro, from Custodian II 8.0 hrs., Kennedy to Lead Custodian 8.0 hrs., Monroe, effective 12/16/13
- Maricia Cuevas, from Yard Supervisor 1.25 hrs., Hamilton to Bus Driver 4.5 hrs., Transportation/DSF, effective 12/16/13
- Veronica Grever, from Food Service Worker II 2.0 hrs., Wilson to Food Service Utility Worker, Food Services – 3.5 hrs., effective 12/16/13

d. Temporary Out of Class Assignment/Transfer

 Mark Alcala, from Custodian II – 8.0, Wilson to Lead Custodian – 8.0 hrs., Roosevelt, effective 12/16/13 to 4/28/14

e. More Hours

 Genella Alvarez, Yard Supervisor, from 2.75 hrs., to 3.0 hrs., Hamilton, effective 12/16/13

f. Salary/Wage Schedules for 2013-2014

Classified Salary Schedule (revised)

g. Volunteers

NameSchoolLaurie BaltazarHamiltonJulie McCalisterHamiltonIrma DominguezKing

Amanda Henderson (current employee) Lincoln/Washington
Carlos Ramos Lincoln
Alejandro Santillan Lincoln

David Gutierrez Monroe

Marlen Sanchez Monroe

Julie Dugan Roosevelt/Wilson Jr. High

RECOMMENDATION: Approve.

HANFORD ELELMENTARY SCHOOL DISTRICT 2013-2014 CLASSIFIED SALARY SCHEDULE

Panas	2013-2014	CLASSIFIE				Ston 4	Ston F
Range	Position		Step 1	Step 2	Step 3	Step 4	Step 5
1		*per Month per Hour	1,829 10.63	1,920 11.17	2,016 11.72	2,117 12.31	2,223 12.93
2		per Month per Hour	1,920 11.17	2,016 11.72	2,117 12.31	2,223 12.93	2,334 13.57
3	Clerk Trainee	per Month per Hour	2,016 11.72	2,117 12.31	2,223 12.93	2,334 13.57	2,451 14.25
4		per Month per Hour	2,117 12.31	2,223 12.93	2,334 13.57	2,451 14.25	2,574 14.96
5	Clerk -Typist I Food Service Worker I Instructional Aide	per Month per Hour	2,223 12.93	2,334 13.57	2,451 14.25	2,574 14.96	2,702 15.71
6	Bilingual Aide I Bilingual Clerk-Typist I Food Service Worker II Alternative Education Program Aide READY Program Tutor	per Month per Hour	2,334 13.57	2,451 14.25	2,574 14.96	2,702 15.71	2,837 16.50
7	Account Clerk I Custodian I Educational Tutor, K-6 Groundskeeper I Lead READY Program Tutor Signing Aide Special Circumstances Aide Special Education Aide Substitute Telephone Clerk	per Month per Hour	2,451 14.25	2,574 14.96	2,702 15.71	2,837 16.50	2,979 17.32
8	Account Clerk II Bilingual Aide II Clerk-Typist II Cook/Baker Food Service Utility Worker Media Services Aide	per Month per Hour	2,574 14.96	2,702 15.71	2,837 16.50	2,979 17.32	3,128 18.19
9	Bilingual Clerk-Typist II Bilingual Translator/Clerk Custodian II Delivery Worker Groundskeeper II Maintenance Worker I	per Month per Hour	2,702 15.71	2,837 16.50	2,979 17.32	3,128 18.19	3,285 19.10
10	Bus Driver Health Care Assistant Help Desk Technician Secretary	per Month per Hour	2,837 16.50	2,979 17.32	3,128 18.19	3,284 19.10	3,449 20.05
11	Bilingual Health Care Assistant Dispatcher Irrigation Specialist Lead Custodian	per Month per Hour	2,979 17.32	3,128 18.19	3,285 19.10	3,449 20.05	3,621 21.05
12	Account Technician I Warehouse/Reprographic & Mail Technician	per Month per Hour	3,128 18.19	3,285 19.10	3,449 20.05	3,621 21.05	3,802 22.11

Range	Position		Step 1	Step 2	Step 3	Step 4	109/ep 20
13	Head Custodian Maintenance Worker II Mechanic Migrant Services Specialist Painter/Maintenance Worker II Teacher Resource Center Specialist	per Month per Hour	3,285 19.10	3,449 20.05	3,621 21.05	3,802 22.11	3,992 23.21
14	Administrative Secretary I	per Month per Hour	3,449 20.05	3,621 21.05	3,802 22.11	3,992 23.21	4,192 24.37
15	Account Technician II Administrative Secretary II Child Welfare and Attendance Specialist Computer Maintenance Technician Database Specialist I	per Month per Hour	3,621 21.05	3,802 22.11	3,992 23.21	4,192 24.37	4,402 25.59
16	Account Technician III Community Day School Specialist Educational Interpreter Student Specialist	per Month per Hour	3,802 22.11	3,992 23.21	4,192 24.37	4,402 25.59	4,622 26.87
17	Bilingual Student Specialist Heating, Ventilation & Air Conditioning Specialist Locksmith	per Month per Hour	3,992 23.21	4,192 24.37	4,402 25.59	4,622 26.87	4,853 28.21
18	Account Technician IV Database Specialist II Lead Mechanic (Automotive) Network Engineer Student Advocate Junior High Systems Engineer	per Month per Hour	4,192 24.37	4,402 25.59	4,622 26.87	4,853 28.21	5,096 29.63
19		per Month per Hour	4,402 25.59	4,622 26.87	4,853 28.21	5,096 29.63	5,350 31.11
20		per Month per Hour	4,622 26.87	4,853 28.21	5,096 29.63	5,350 31.11	5,618 32.66

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

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

- Translator Employees who are assigned translation duties (verbal or written) outside their regularly assigned shift shall be paid at the current rate of pay for their regular position. Any time worked by an employee as a Translator shall not count toward benefit accrual within his/her regularly assigned position, including but not limited to health and welfare benefits, increased hours, or vacation and leave credit.
- Yard Duty Employees who assume yard supervision duties in addition to their regular position shall be paid for such extra duties at their current rate of pay for their regular position.
- Longevity A one-time non-renewable bonus of Five Hundred dollars (\$500) shall be paid to each full-time employee in his/her fifteenth (15th) year of service to the District with his/her June 30th pay warrant.
- Longevity Full-time Employees shall receive annual longevity pay when they complete milestone years of service as indicated below:

20 Years - \$ 500

25 Years - \$1,250

30 Years - \$2,250

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

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

ADDITIONAL COMPENSATION FOR CLASSIFIED EMPLOYEES

Bilingual Stipend: Employees who are required to use a second language from time to time in his/her regular assignment and who has demonstrated competency in the second language as established by the District shall receive a stipend in accordance with the following schedule. Payments will be made each month based upon work year as outlined in Article 23 Pay and Allowances of the CSEA/HESD Collective Bargaining Agreement.

BILINGUAL STIPEND SCHEDULE

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

Out of Classification Work: An employee who temporarily performs the essential functions of a higher classification shall be entitled to the lowest step in the higher range which exceeds the employee's rate of pay by a minimum of five percent (5%) (Article 23 Section H of the CSEA/HESD CBA Agreement)

Any **Health Care Assistant** who secures and maintains a valid California Licensed Vocational Nurse (L.V.N.) license will be entitled to a five (5%) incentive increase n his or her hourly rate of pay for all hours worked as outlined in Article 23 Pay and Allowances of the CSEA Collective Bargaining Agreement. (Article 23 Section K of the CSEA/HESD CBA Agreement)

Professional Growth increments will be awarded as follows:

	No. of Semester		No of Semester
Increments	Units	Increments	Units
1 st	5	14 th	70
2 nd	10	15 th	75
3^{rd}	15	16 th	80
4 th	20	17 th	85
5 th	25	18 th	90
6 th	30	19 th	95
7 th	35	20 th	100
8 th	40	21 st	105
9 th	45	22 nd	110
10 th	50	23 rd	115
11 th	55	24 th 25 th	120
12 th	60	25 th	125
13 th	65		

Employees will be paid, in addition to their regular rate of pay, six dollars and fifty cents (\$6.50) per month per increment. (See Article 11 Professional Growth).

ADDITIONAL COMPENSATION FOR CLASSIFIED EMPLOYEES (cont.)

Split Shift Differential Compensation: All employees whose regularly assigned shift contains one or more periods of unpaid time which exceeds ninety (90) minutes shall be paid a shift differential premium of seven (7%) above the regular rate of pay for all hours worked. (See Article 12, Section K of the CSEA/HESD Collective Bargaining

Agreement).

Night Differential: Any employee who works a regularly District-assigned shift between the hours of 5:00 p.m. and 6:00 a.m. shall receive a seven (7%) differential for each hour worked within that time frame. (See Article 12, Section L of the CSEA/HESD Collective Bargaining Agreement).

Work Week:

An employee with a regular work week other than Monday through Friday shall receive a fifteen percent (15%) shift differential for work days other than Monday through Friday. (See Article 12, Section T.3 of the CSEA/HESD Collective Bargaining Agreement).

On-Call Bus Driver Stipend: For a limited number of classified employees who work within the District and who serve in classifications other than Bus Driver or Bus Driver/Service Worker, but who are willing to obtain the required training and licenses to operate a school bus and serve as an on-call bus driver as needed, the District will pay a stipend of One Thousand Dollars and No Cents (\$1,000) per year to each employee. The number of On-Call Bus Drivers needed and eligibility for the stipend shall be evaluated and determined by the District at the commencement of each school year. (See Article 23, Section J of the CSEA/HESD Collective Bargaining Agreement).

Adopted: 11/12/13 Revised: / 1/14

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO:

Dr. Paul J. Terry

FROM:

Nancy White

DATE:

January 13, 2014

FOR:

(X) Board Meeting

() Superintendent's Cabinet

FOR:

() Information

(X) Action

Date you wish to have your item considered: January 22, 2014

ITEM:

Consider approval of Resolution #7-14: Approving the Kings County Director of Finance's Statement of Investment Policy and Delegating Investment Authority to the Kings County Director of Finance.

PURPOSE:

Government Code 53646 requires the chief fiscal officer of each school agency to present to their boards for adoption a policy governing investment of district funds. The law also requires the District to have a quarterly investment report on file.

The attached resolution recommends the adoption of the amended investment policy of the Kings County Department of Finance for funds held in the Kings County Treasury and also includes language that allows for investments in Tax and Revenue Anticipation Notes (TRAN's) as well as Certificates of Participation (COP's).

The investment policy of the Kings County Department of Finance was developed through an oversight committee. Hanford Elementary and other agencies whose funds are invested by the Kings County Department of Finance are represented on the committee and helped to develop the initial policy and the amendments being recommended at this time. The policy has been amended to include California Government Code changes from newly enacted legislation, to add provisions for make-whole bonds and for a few wording changes.

The policy lists the guidelines for the County Treasure's practices, policies and procedures by which the County Treasury Investment Pool shall be administered.

The policy covers the following areas:

- Safety of Principal
- Credit Risk
- Interest Rate Risk
- Liquidity
- Public Trust
- Maximum Rate of Return
- Standards of Care
- Prudence
- Ethics & Conflicts of Interest
- Delegation of Authority
- Safekeeping and Custody
- Investment Parameters
- Maximum Maturities

- Depository Institutions
- Authorized Financial Dealer & Institutions
- Internal Controls
- Safekeeping
- Voluntary Depositors
- · Withdrawal of Funds for External Investment
- Suitable and Authorized Investments
- Investment Types
- · Restrictions on Authorized Investments
- Competitive Bidding
- Collateralization
- Diversification

A copy of the County of Kings Director of Finance's Statement of Investment Policy is included in the Board's January 17, 2014, Friday mail. Quarterly investment reports for the Kings County Treasury are sent to HESD Board members in the Friday News as they are available.

FISCAL IMPACT:

None

RECOMMENDATION:

Approve Resolution #7-14: Approving the Kings County Director of Finance's Statement of Investment Policy and Delegating Investment Authority to the Kings County Director of Finance.

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

IN THE MATTER OF APPROVING
THE KINGS COUNTY DIRECTOR OF
FINANCE'S STATEMENT OF INVESTMENT
POLICY AND DELEGATING
INVESTMENT AUTHORITY TO THE
KINGS COUNTY DIRECTOR OF FINANCE
UNDER CALIFORNIA GOVERNMENT CODE
SECTIONS 53607, 53646 AND 53684 /

RESOLUTION NO. 7-14

WHEREAS, under Government Code section 53646, the Kings County Director of Finance ("Treasurer") may render an annual statement of investment policy to the Kings County Board of Supervisors and to the governing board of any local agency which has funds on deposit in the Kings County Treasury; and

WHEREAS, on December 10, 2013 the Kings County Board of Supervisors approved the Director of Finance's Statement of Investment Policy dated January 1, 2014 ("Investment Policy"); and

WHEREAS, the Investment Policy has been submitted to the District Board of Trustees ("District Board") for approval under Government Code section 53646; and

WHEREAS, under Government Code section 53646, the Treasurer may render a quarterly report ("Quarterly Report") to each local agency which has funds on deposit in the County Treasury and for which the Treasurer has made investments; and

WHEREAS, the Hanford Elementary School District ("District") has funds on deposit with the Kings County Director of Finance ("Treasurer"); and

WHEREAS, when keeping, holding, depositing and investing District funds on the District's behalf, the Treasurer acts as the "ex-officio" treasurer of the District; and

WHEREAS, the District Board has authority under Government Code sections 53607 and 53684 to delegate authority to the Treasurer to deposit and invest District funds under the provisions of Government Code sections 53601 and 53635; and

WHEREAS, the District Board now wishes to approve the Director of Finance's Statement of Investment Policy and to delegate investment authority to the Kings County Director of Finance ("Treasurer") for the ensuing twelve-month period.

NOW, THEREFORE, BE IT RESOLVED as follows:

- 1. Pursuant to Government Code section 53646, the District Board hereby approves the Investment Policy.
- 2. Pursuant to Government Code section 53646, the District Board acknowledges and approves the procedures utilized by the Treasurer in rendering and submitting each Quarterly Report, under the provisions of which the Treasurer shall render each such report. Under the provisions of Government Code section 53607, the Treasurer shall prepare a monthly report and maintain it on file in his/her office for review and inspection by the District Board, staff and designated agents.
- 3. Pursuant to Government Code sections 53607 and 53684, and subject to the requirements of Government Code sections 53601 and 53635, the District Board hereby delegates to the Kings County Director of Finance ("Treasurer") the discretionary authority to deposit, invest or reinvest the funds of the District in the County Treasury commencing on the date of approval of this resolution and continuing for the ensuing twelve months. Without limiting his discretion in any way, the Treasurer is hereby expressly authorized to invest such District funds in the Treasurer's Pooled Investment Portfolio.
- 4. The District Board hereby delegates to the Treasurer the discretionary authority to determine which District funds on deposit in the Kings County Treasury are monies which are sinking funds or money not required for immediate use within the meaning of Government Code section 53601 and which monies are excess funds within the meaning of Government Code section 53684.
- 5. The Treasurer shall assume full responsibility for such deposit and investment transactions until such time as the District Board revokes this delegation of authority or until the date which is twelve months from the date of approval of this resolution, unless renewed on or before that date by the District Board.

5 5	resolution was adopted upon motion by Trustee, at a regular meeting held on the 4, by the following vote:	
AYES: Trustees NOES: Trustees ABSENT: Trustees		
	President of the Board of Trustees Hanford Elementary School District	_
WITNESS my hand and	I seal of said Board of Trustees this day of	, 2014.
	Clerk of said Board of Trustees	

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

10:	Dr. Paul J. Terry
FROM:	Nancy White
DATE:	January 13, 2014
FOR:	(X) Board Meeting() Superintendent's Cabinet
FOR:	() Information (X) Action

Date you wish to have your item considered: January 22, 2014

ITEM:

Consider approval of Resolution #8-14. Revision of the 2013-2014 Budget.

PURPOSE:

Miscellaneous budget changes are listed on the attached resolution.

FISCAL IMPACT:

RECOMMENDATION:

Approve Resolution #8-14: Revision of the 2013-2014 Budget.

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

The Matter of
Adopting Budget
Revisions

RESOLUTION #: 8-14

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

The Board of Trustees adopted this resolution on January 22, 2014 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Clerk of the Governing Board Hanford Elementary School District

Budget Changes 2013-2014 Budget January 22, 2014

	Amount	
	Changed	Reason for Change
FUND 0100- GENERAL FUND		
Revenue		
801100 Local Control Funding Formula	\$ 187,907	Adjusted for estimated increase in ADA + 34
818200 Mental Health- Federal	20,073	Adjust allocation estimate
859000 Mental Health- State	4,678	Adjust allocation estimate
869900 Other Local	4,500	Donations
TOTAL REVENUE CHANGES	\$ 217,158	
Expenditures		
Location 000- Undesignated and Balance Sheet	Accounts	
979000 Undesignated Reserve	44,538	Balance is now \$2,241,060
	44,538	
Location 001- General Administration		
100000 Certificated Salaries	15,436	Salary COLA- Admin
200000 Classified Salaries	45,730	Added 2 Classified
300000 Employee Benefits	20,048	
	81,214	
Location 010- Facilities		
440000 Equipment	3,280	Replacement Sound System
500000 Services	15,000	Energy Consultant
	18,280	.
Location 014- Transportation		
200000 Classified Salaries	13,097	Added 1 Classified Position
300000 Employee Benefits	7,586	
	20,683	
ocation 020- General Schools	·	
200000 Classified Salaries	14,523	Salary COLA- Yard Supervisors
300000 Employee Benefits	1,669	•
400000 Books & Supplies	(12,311)	Attendance Incentives
.,	3,881	
Location 021- 038 School Sites		
400000 Books & Supplies	15,711	Attendance Incentives & Donations
500000 Services	1,100	
	16,811	
location 057. Vouth Davalanment		
days a constant of the constan	7,000	Uniform Replacements
	7,000	iis piassitteita
	7,000	

Budget Changes 2013-2014 Budget January 22, 2014

Locations 021-038 - School Based Supplementa	al Program (SBS)	P)
400000 Books & Supplies	(2,293)	Change per manager request
500000 Services	2,293_	
	•	
Title I and SWP (School Wide Program)		
100000 Certificated Salaries	(7,000)	Change per manager request
300000 Employee Benefits	340	
400000 Books & Supplies	6,608	
500000 Services	52	
	-	
Mental Health Funding- Federal & State		
100000 Certificated Salaries	195	Adjust per manager request & for additional revenue
500000 Services	1,000	
731010 Indirect Costs	416	
979000 Undesignated Reserve	23,140	
	24,751	
Quality Education Investment Act (QEIA)		
100000 Certificated Salaries	10,000	Change per manager request
400000 Books & Supplies	36,240	
500000 Services	3,760	
979000 Undesignated Reserve	(50,000)	
TOTAL EXPENDITURE CHANGES GENERAL FUND	\$ 217,158	

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO:

Dr. Paul J. Terry

FROM:

Nancy White

DATE:

January 13, 2014

FOR:

(X) Board Meeting

() Superintendent's Cabinet

FOR:

() Information

(X) Action

Date you wish to have your item considered: January 22, 2014

ITEM:

Consider approval to purchase Apple products from Apple, Inc.'s Education/State & Local Government Purchase Agreement via piggyback bid issue by Glendale Unified School District.

PURPOSE:

Purchases to be made at this time include 427 Apple iPad 2 tablet devices for student use during curriculum and testing activities as well as mobile security carts for the storage, charging and security of tablets.

FISCAL IMPACT:

The estimated total purchases at this time totals approximately \$270,000. The purchases will be funded with a combination of General Purpose, SWP, SBLP, SBSP and QEIA funds.

RECOMMENDATION:

Approve purchase of Apple products from Apple, Inc.'s Education/State & Local Government Purchase Agreement via piggyback bid issued by Glendale Unified School District.