

Hanford Elementary School District

REGULAR BOARD MEETING AGENDA

Wednesday, October 8, 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

- Case # 15-02 – Community Day School
- Case # 15-03 – Kennedy
- Case # 15-04 – Kennedy

OPEN SESSION

5:50 p.m. **1. PRESENTATIONS, REPORTS AND COMMUNICATIONS**

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

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

2. CONSENT ITEMS

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

- a) Approve warrant listings dated September 19, 2014; and September 26, 2014.
- b) Approve minutes of Regular Board Meeting September 24, 2014.
- c) Approve interdistrict transfers as recommended.

3. INFORMATION ITEMS

- a) Receive for information the following revised Administrative Regulation: (McConnell)
 - AR 6159.4 – Behavioral Interventions for Special Education Students
 - b) Receive for information the following revised Exhibit: (Martinez)
 - E 4112.9, 4212.9, 4312.9 – Employee Notifications (revised)
 - c) Receive for information the following new Administrative Regulation:
- *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.*

- (Martinez)
 - AR 4117.7 – Employment Status Reports (new)
- d) Receive for information the following revised Administrative Regulation: (Martinez)
 - AR 4117.14 & 4317.14 – Postretirement Employment (revised)
- e) Receive for information the following revised Administrative Regulation: (Martinez)
 - AR 4217.3 – Layoff and Reemployment Rights (revised)
- f) Receive for information the following revised Board Policy: (Martinez)
 - BP 4221 – Temporary, Short-Term, Substitute, and Non-Represented Part-Time Employees (revised)

4. BOARD POLICIES AND ADMINISTRATION

- a) Consider approval of the following revised Board Policy and Administrative Regulation: (Terry)
 - BP/AR 6173.1 – Education for Foster Youth
- b) Consider approval of the following revised Board Policy and Administrative Regulation: (Terry)
 - BP/AR 6162.51 – State Academic Achievement Tests
- c) Consider approval of the following revised Board Policy and Administrative Regulation: (Terry)
 - BP/AR 5144 - Discipline
- d) Consider approval of the following revised Board Policy: (Terry)
 - BP 3513.3 – Tobacco-Free Schools
- e) Consider approval of the following revised Board Bylaw and Administrative Regulation: (Terry)
 - BP/AR 3260 – Fees and Charges
- f) Consider approval of the following revised Board Policy: (Terry)
 - BP 0420.43 – Charter School Revocation

5. PERSONNEL (Martinez)

a. Employment

Classified

- Mayra Macias, Bilingual Clerk Typist II – 5.0 hrs., King, effective 10/2/14
- Sara Rubio-Dreading, READY Program Tutor – 4.5 hrs., Jefferson, effective 9/25/14

Temporary Employees/Substitutes/Yard Supervisors

- Hannah Bolen, Substitute Clerk Typist II, effective 9/19/14
- Inez Carreiro, Short-term Yard Supervisor – 2.0 hrs., Lincoln, effective 9/22/14 to 10/31/14
- Vallerie Dunn, Substitute Administrative Secretary-Confidential and Administrative Secretary II, effective 9/23/14
- Anna Lopez, Substitute Yard Supervisor, effective 9/23/14
- Mayra Macias, Substitute Bilingual Clerk Typist I, Clerk Typist I, Translator: Oral Interpreter and Written Translator, effective 8/14/14
- Ivane Magana, Substitute Custodian II, effective 9/24/14
- Jon Nagle, Substitute Yard Supervisor, effective, 9/22/14
- Loretta Oquita, Substitute Yard Supervisor, effective 9/25/14
- Marie Ramirez Tule, Substitute Yard Supervisor, effective 9/24/14
- Julius Rojas, Substitute Yard Supervisor, effective 9/24/14; Short-term Yard Supervisor – 2.5 hrs., King, effective 9/25/14 to 11/21/14
- Anjali Williams, Substitute READY Program Tutor and Special Circumstance Aide,

effective 9/16/14; Short-term Special Circumstance Aide – 5.75 hrs., Lincoln, effective 9/16/14 to 11/7/14

b. Resignations

- Celeste Gregory, Substitute READY Program Tutor, effective 12/14/13
- Timothy Grubb, Substitute Bus Driver, effective 2/22/14
- Paul Huerta, READY Program Tutor – 4.5 hrs., Monroe, effective 10/3/14
- Lourdes Lazcano, Teacher, King, effective 9/24/14
- Danielle Stacy, Substitute Clerk Typist I, effective 5/8/12

c. Termination of Probationary Employment

- Regina Jaso, Special Education Aide – 5.0 hrs., Lincoln, effective 9/18/14

d. Termination due to Failure to Respond to Annual Notification

- Andesar Ahmed, Substitute Yard Supervisor, effective 11/5/13
- Melissa Braley, Substitute Yard Supervisor, effective 11/12/13
- Athena Carrasco, Substitute Clerk Typist II, Food Service Worker II and Yard Supervisor, effective 5/23/14
- Alana Delgado, Substitute Yard Supervisor, effective 3/24/14
- Raymond Enriquez II, Substitute Educational Tutor K-6, effective 5/23/14
- Brigid Fogg, Substitute READY program Tutor and Yard Supervisor, effective 1/15/14
- Monica Gamez, Substitute Yard Supervisor and Translator: Oral Interpreter and Written Translator, effective 2/4/14
- Lonather Gray, Substitute Yard Supervisor, effective 2/3/12
- Thomas Green, Substitute Custodian I, effective 4/9/14
- John Hart, Custodian I, Delivery Worker and Warehouse/Reprographics and Mail Technician, effective 4/26/10
- Michael A. Hernandez, Alternative Education Program Aide, Custodian I, Educational Tutor K-6, Groundskeeper I, READY Program Tutor, Special Circumstance Aide, Special Education Aide and Warehouse/ Reprographics and Mail Technician, effective 5/7/14
- Jose Huerta, Substitute Yard Supervisor, effective 4/9/14
- Audrey Jacobson, Substitute Educational Tutor K-6, Special Circumstance Aide, Special Education Aide, effective 5/23/14
- Christopher Kellum Substitute Yard Supervisor, effective 4/8/14
- Jeremiah Kemp, Substitute Custodian II, effective 10/13/11
- Carlos Lerma Jr., Substitute Custodian I, effective 3/11/13
- Cindy Mishou, Substitute Clerk Typist I and Media Services Aide, effective 8/3/13
- Richard moore, Substitute Educational Tutor K-6, effective 11/4/13
- Victoria Naranjo, Substitute Bilingual Clerk Typist I, Clerk Typist I, Translator: Oral Translator and Written Translator, effective 11/21/11
- Natalie Ortega, Substitute READY Program Tutor, effective 8/27/13
- Jenny Palmer-Ogando, Substitute Educational Tutor K-6, Translator: Oral Interpreter and Written Translator , effective 9/19/12
- David Paramo, Substitute Custodian II, effective 2/25/14
- Andreanna Rodriguez, Substitute Special Education Aide, effective 12/18/13

d. Termination due to Failure to Respond to Annual Notification (continued)

- Erwin Rosaroso, Substitute Custodian I, effective 1/24/14
- Mark Rosaroso, Substitute Custodian I, effective 4/12/13
- Crystal Salinas, Substitute Alternative Education program Aide and READY program Tutor, effective 4/24/14
- Eric Sawyer, Substitute Yard Supervisor, effective 3/24/14
- Adriana Solis, Substitute Clerk Trainee, Translator: Oral Interpreter and Written Translator, effective 5/9/14
- Olivia Tiel, Substitute Bilingual Clerk Typist II, Clerk Typist II, Educational Tutor K-6, Translator: Oral Interpreter and Written Translator, effective 11/25/13
- Brandy Torres, Substitute Clerk Typist I and Yard Supervisor, effective 6/6/14
- Julyssa Villagomez, Substitute Clerk Typist I and Special Education Aide, effective 8/30/13
- Brooke Westlund, Substitute READY Program Tutor, effective 8/28/13
- Heather Wilkerson, Substitute READY Program Tutor, effective 9/16/13

- Suzanne Wilson, Substitute Custodian I and Health Care Assistant, effective 3/28/14
- e. **More Hours**
- Robert Alvarez, Short-term Yard Supervisor, from 1.25 hrs. to 2.25 hrs., Hamilton, effective 9/19/14 to 11/21/14
 - Francisca Estrada de Saldana, Short-term Yard Supervisor, from .50 hr. to 1.5 hrs., Hamilton, effective 9/19/14
 - Memory Oebel, Short-term Yard Supervisor, from .75 hrs. to 1.75 hrs., King, effective 9/15/14 to 10/31/14
 - Calvin Winston, Short-term Yard Supervisor, from 1.0 hr. to 2.0 hrs., Monroe, effective 9/8/14 to 11/21/14
- f. **Voluntary Transfer**
- Ana Fregoso, Short-term Yard Supervisor – 2.5 hrs., from Kennedy (1.5 hrs.)/Hamilton (1.0 hr.) to Kennedy (1.5 hrs.)/Monroe (1.0 hr.), effective 9/22/14 to 10/31/14
- g. **Decrease in Hours**
- Gennarina "Genella" Alvarez, Yard Supervisor, from 2.75 hrs. to 2.5 hrs., Hamilton, effective 9/19/14
 - Debora Harris, Yard Supervisor, from 3.75 hrs. to 2.25 hrs., Hamilton, effective 9/19/14
 - Veronica Leach, Yard Supervisor, from 2.25 hrs. to 2.0 hrs., Hamilton, effective 9/19/14
- h. **Leave of Absence**
- Linda Garcia, Yard Supervisor – 2.5 hrs., Jefferson, effective 9/19/14 to 9/26/14, medical
 - Gennifer Soriano, Yard Supervisor – 2.0 hrs., Lincoln, effective 9/8/14 to 10/31/14, medical
- i. **Job Descriptions**
- Assistant Superintendent of Special Services (revised – title change & editing only)
 - Chief Business Official (revised – title change & editing only)
 - Program Manager of Transportation (revised – title change & editing only)
- j. **Volunteers**
- | <u>Name</u> | <u>School</u> |
|------------------|---------------|
| Maria Ramirez | King |
| Susan Gonzalez | Lincoln |
| Niba Ortega | Richmond |
| Yuleni Cervantez | Roosevelt |
| Maegan Hill | Simas |
| Meissa Rubalcava | Washington |
| Barbara Sawyer | Washington |

ADJOURN MEETING

HANFORD ELEMENTARY SCHOOL DISTRICT
AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Liz Simas
DATE: September 30, 2014

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

Date you wish to have your item considered: October 8, 2014

ITEM: Student Discipline: Administrative Panel Recommendations

PURPOSE:

Case# 15-02 -- Community Day School

Case# 15-03 -- Kennedy

Case# 15-04 - Kennedy

**Hanford Elementary School District
Minutes of the Regular Board Meeting
September 24, 2014**

Minutes of the Regular Board Meeting of the Hanford Elementary School District Board of Trustees on September 24, 2014, at the Hamilton School cafeteria, 1269 Leland Way, Hanford, CA.

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

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

PRESENTATIONS, REPORTS AND COMMUNICATIONS

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

Jaime Martinez, Assistant Superintendent Human Resources, introduced newly tenured teachers. New certificated staff to HESD were introduced to the Board of Trustees and welcomed to the District.

Reception and Refreshments Trustees took a break at 5:50 p.m. and invited all in attendance to join them for a short reception and refreshments.

The meeting resumed at 6:20 p.m.

Public Comments None.

Board and Staff Comments None.

Requests to Address the Board None.

Dates to Remember President Jay reviewed dates to remember: September 27 Grades 4-6 Fall Round Robin #1; October 8 next regular Board Meeting.

INFORMATION ITEMS

BP/AR 6173.1 Dr. Paul J. Terry, Superintendent, presented for information the following revised Board Policy and Administrative Regulation:

- BP/AR 6173.1 – Education for Foster Youth

BP/AR 6162.51 Dr. Paul J. Terry, Superintendent, presented for information the following revised Board Policy and Administrative Regulation:

- BP/AR 6162.51 – State Academic Achievement Tests

- BP/AR 5144** Dr. Paul J. Terry, Superintendent, presented for information the following revised Board Policy and Administrative Regulation:
- BP/AR 5144 - Discipline
- BP/AR 3260** Dr. Paul J. Terry, Superintendent, presented for information the following revised Board Policy and Administrative Regulation:
- BP/AR 3260 – Fees and Charges
- BP 3513.3** Dr. Paul J. Terry, Superintendent, presented for information the following revised Board Policy:
- BP 3513.3 – Tobacco-Free Schools
- BP 0420.43** Dr. Paul J. Terry, Superintendent, presented for information the following revised Board Policy:
- BP 0420.43 – Charter School Revocation

CONSENT ITEMS

Trustee Hernandez made a motion to take consent items "a" through "f" together. Trustee Garner seconded, motion carried 5-0:

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

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

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

The items approved are:

- a) Warrant listings dated September 5, 2014 and September 10, 2014.
- b) Minutes of September 10, 2014 Regular Board Meeting.
- c) Interdistrict transfers as recommended.
- d) Donation of \$159.29 from Target to Roosevelt.
- e) Donation of \$150.00 from Edison International to Simas School.
- f) Donations of \$72.16 from Target and \$3,000.00 from Hamilton Parent Teacher Club to Hamilton School.

President Jay thanked and acknowledged donors for their generous support of HESD schools.

BOARD POLICIES AND ADMINISTRATION

Resolution #2-15

Trustee Hill made a motion to adopt Resolution #2-15: Sufficiency of Instructional Materials. Trustee Revious seconded; motion carried 5-0:

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

Resolution #3-15

Trustee Hill made a motion to adopt Resolution #3-15: In the Matter of Placement of a Classified Employee on the Reemployment List Following Exhaustion of all Available Leaves of Absence. Trustee Revious seconded; motion carried 5-0:

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

BP/AR 4131

Trustee Hill made a motion to approve the following revised Board Policy and Administrative Regulation for certificated personnel: BP 4131 – Staff Development (revised); AR 4131 – Staff Development (deleted). Trustee Revious seconded; motion carried 5-0:

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

BP 4231

Trustee Garner made a motion to adopt the following new Board Policy for classified personnel: BP 4231 – Staff Development. Trustee Hill seconded; motion carried 5-0:

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

BP 4331

Trustee Garner made a motion to adopt the following new Board Policy for management personnel: BP 4331 – Staff Development. Trustee Hernandez seconded; motion carried 5-0:

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

PERSONNEL

Trustee Hill made a motion to take Personnel items "a" through "h" collectively. Trustee Hernandez seconded; motion carried 5-0:

Garner – yes
Hernandez - yes

Hill – yes
Jay – yes
Revious – yes

Then Trustee Hill made a motion to approve Personnel items "a" through "h". Trustee Hernandez seconded; the motion carried 5-0:

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

The following tems were approved:

Item "a" – Employment Classified

- Hector Hernandez Garcia, READY Program Tutor – 4.5 hrs., Roosevelt, effective 9/8/14
- Regina Jaso, Special Education Aide – 5.0 hrs., Lincoln, effective 9/11/14

Temporary/Substitutes/Yard Supervisors

- Robert Alvarez, Short-term Yard Supervisor – 1.25 hrs., Hamilton, effective 9/8/14 to 11/21/14
- Yolanda Bell, 4-6 Girls Basketball Coach – 2 units, Roosevelt, effective 11/12/14 to 2/7/15/ 4-6 Girls Track Coach – 2 units, Roosevelt, effective 3/2/15 to 4/25/15
- Sara Crisp, 4-6 Girls Softball coach – 2 units, Roosevelt, effective 9/2/14 to 10/23/14
- Patricia De Ochoa, Substitute Clerk Typist II, effective 9/4/14
- Stacie Garcia, Short-term READY Program Tutor – 4.5 hrs., Roosevelt, effective 9/9/14 to 10/31/14
- Julie Kos, Sign Language Coach Grades 1-7 – 2 units, Jefferson, effective 9/2/14 to 10/24/14
- Marcos Macias Jr., Substitute Yard Supervisor, effective 9/8/14; Short-term Yard Supervisor – 2.25 hrs., Roosevelt, effective 9/8/14 to 10/31/14
- Kevin Mazza, Substitute Custodian I, effective 8/29/14
- Melanie Pimentel, Short-term Yard Supervisor – 1.0 hrs., Washington, effective 9/9/14 to 11/21/14
- Hannie Sewell, Substitute Custodian II, effective 9/10/14
- Tommy Stephens, 4-6 Girls Softball Coach – 2 units, Washington, effective 9/4/14 to 10/23/14
- Jesse Thompson, Short-term Yard Supervisor, 1.0 hrs., (M,T,Th,F), Monroe, effective 9/8/14 to 10/31/14
- Stacy Vargas, Substitute Yard Supervisor, effective 8/20/14; Short-term Yard Supervisor – 3.25 hrs., Kennedy, effective 8/20/14 to 11/21/14
- Leslie Walker-Flores, Short-term Special Circumstance Aide – 5.75 hrs., Washington, effective 9/15/14 to 10/17/14
- Calvin Winston, Short-term Yard Supervisor – 1.0 hrs., Monroe, effective 9/8/14 to 11/21/14

Certificated Short-term Employment

- Alicyn Cawley, Afterschool Intervention Teacher, St. Rose McCarthy School, effective 9/25/14 to 6/5/15
- Victoria Rioux, Afterschool Intervention Teacher, St. Rose McCarthy School, effective 9/25/14 to 6/5/15

Item "b" – Resignations • Kimberly Jenkins, Yard Supervisor – 1.0 hrs., Monroe, effective 8/29/14

**Item "c" –
More Hours**

- Teresita Espinoza, Yard Supervisor, from 2.75 hrs. to 3.25 hrs., Richmond, effective 8/14/14
- Georgia Freeman, Yard Supervisor, from 2.5 hrs. to 3.5 hrs., Monroe, effective 8/14/14
- Fidel Gonzalez, Yard Supervisor, from 2.25 hrs. to 2.5 hrs., Wilson, effective 8/14/14
- Raul Guzman, Yard Supervisor, from 3.25 hrs. to 3.5 hrs., Monroe, effective 8/14/14

- Debora Harris, Yard Supervisor, from 3.5 hrs. to 3.75 hrs., Hamilton, effective 8/25/14
- Angel Hawkins, Yard Supervisor, from 1.25 hrs. to 1.5 hrs., Roosevelt, effective 8/14/14
- Amanda Henderson, Yard Supervisor, from 2.25 hrs. to 3.0 hrs., Washington, effective 8/14/14
- Sonia Mena, Yard Supervisor, from 3.25 hrs. to 3.75 hrs., Jefferson, effective 8/14/14
- Rosemarie Rodriguez, Yard Supervisor, from 2.25 hrs. to 2.5 hrs., Washington, effective 8/14/14
- Laura Sandoval, Yard Supervisor, from 1.5 hrs. to 2.75 hrs., Jefferson, effective 8/14/14
- Carrie Serna, Yard Supervisor, from 2.5 hrs. to 3.5 hrs., Monroe, effective 8/14/14
- Leanne Smith, Short-term Yard Supervisor, from 1.0 hr. to 2.0 hrs., Roosevelt, effective 8/26/14 to 10/31/14
- June Strong, Yard Supervisor, from 2.75 hrs. to 3.75 hrs., Roosevelt, effective 8/14/14
- Maria Villafana, Yard Supervisor, from 3.25 hrs. to 3.5 hrs., Jefferson, effective 8/14/14
- Crystal Zeno-Jaworski, Yard Supervisor, from 2.5 hrs. to 3.75 hrs., Monroe, effective 8/20/14
- Cheyenne Zimmerman, Yard Supervisor, from 1.25 hrs. to 2.25 hrs., Monroe, effective 8/14/14

***Item "d" –
Temporary More Hours***

- Yessenia Chacon, Bilingual Clerk Typist II, from 5.0 hrs., King to 8.0 hrs., Lincoln, effective 10/2/14

***Item "e" –
Promotion/Transfer***

- Gennarina "Genella" Alvarez, Yard Supervisor, from 3.0 hrs. to 2.75 hrs., Hamilton, effective 8/14/14
- Ashley Candelaria, Yard Supervisor, from 2.0 hrs. to 1.0 hrs., Hamilton, effective 8/14/14
- Francisca Estrada de Saldana, Yard Supervisor, from 3.75 hrs. to .50 hr., Hamilton, effective 8/14/14
- Georgia Freeman, Yard Supervisor, from 3.5 hr. to 2.25 hrs., Monroe, effective 8/20/14
- Guadalupe Gonzalez, Yard Supervisor, from 3.5 hrs. to 2.75 hrs., effective 8/14/14; from 2.75 hrs. to 2.25 hrs., Hamilton, effective 8/25/14
- Debora Harris, Yard Supervisor, from 3.75 hr. to 3.5 hrs., Hamilton, effective 8/14/14
- Amanda Henderson, Yard Supervisor, from 3.0 hrs. to 2.25 hrs., Washington, effective 9/2/14
- Rosemarie Rodriguez, Yard Supervisor, from 2.5 hrs. to 2.25 hrs., Washington, effective 9/2/14
- Dilia Silveira, Yard Supervisor, from 3.75 hrs. to 3.25 hrs., Richmond, effective 8/14/14

***Item "f" –
Decrease in Hours***

- Linda Garcia, Yard Supervisor – 2.5 hrs., Jefferson, effective 9/2/14 to 9/18/14, medical

***Item "g" – Certify
employment status***

- Certify Employment Status of Non-Permanent Certificated Staff for 2014-15.
- See attached listing

***Item "h" –
Volunteers***

<u>Name</u>	<u>School</u>
Robert Alvarez (HESD employee)	Hamilton
Jacqueline Wong	Hamilton
Travis Johnson	Jefferson
Cicely Venturela	Kennedy
Jennifer Yang (HESD employee)	King
Hannah Bolen	Monroe
Amberly Barragan	Monroe
Leanna Neves	Monroe
Cindy West	Monroe
Jennifer Perryman (HESD employee)	Richmond
Kimberly Gutierrez	Roosevelt
Tommy Stephens (HESD employee)	Washington
Javantae Farmah (HESD employee)	Washington

FINANCIAL

Unaudited Actual Financial Report 2012-13

Trustee Garner made a motion to approve Unaudited Actual Financial Report for 2013-14. Trustee Hernandez seconded; motion carried 5-0:

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

Resolution #4-15

Trustee Revious made a motion to adopt Resolution #4-15: Garin Amendment. Trustee Garner seconded; motion carried 5-0:

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

Closed Session

At 6:40 p.m. the Trustees adjourned to closed session. They returned to Open Session at 7:08 p.m.

Open Session

Trustee Hernandez made a motion to accept the Findings of Facts and expel Case #15-01 for the remainder of the 2014-15 school year for violation of Education Code 48915 as determined by the Administrative Panel at hearings held on September 22, 2014. Parents may apply for readmission on or after June 5, 2015. Trustee Revious seconded; motion carried 5-0:

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

Adjournment

There being no further business, President Revious adjourned the meeting at 7:10 p.m.

Respectfully submitted,

Paul J. Terry,
Secretary to the Board of Trustees

Approved:

James L. Jay III, President

Lupe Hernandez, Clerk

HANFORD ELEMENTARY SCHOOL DISTRICT
HUMAN RESOURCES DEPARTMENT
ANNUAL BOARD CERTIFICATION:
STATUS OF NON-PERMANENT CERTIFICATED EMPLOYEES
2014-15 SCHOOL YEAR
September 24, 2014

Effective with the first paid duty day of their 2014-2015 employment contracts, the following non-permanent certificated employees shall be classified as follows:

A. TENURED

Alvarado, Karen	K-6 Teacher
Gallaher, Melanie	School Psychologist
Garcia, Jami	School Psychologist
Garcia, Tamra	K-6 Teacher
Garivay, Priscilla	K-6 Teacher
Gilbreth, Desiree	K-6 Teacher
Huerta, Jaqueline	K-6 Teacher
Johnson, Stacie	K-6 Teacher
Koss, Michael	K-6 Teacher
McIntosh, Amy	Special Education Teacher
Novielli, Christina	K-6 Teacher
Ramos, Monica	K-6 Teacher
Umscheid, Stefanie	School Psychologist
Warner, Katelyn	K-6 Teacher
Xiong, Gaosang	K-6 Teacher

B. SECOND-YEAR PROBATIONARY

Alvarez, Raquel	K-6 Teacher
Bell, Peggy	K-6 Teacher
Berna, Raechelle	7-8 Teacher
Bosworth, Kaylee	7-8 Teacher
Carlton, Emily	K-6 Teacher
Castro, Neyda	K-6 Teacher
Cole, Charles	K-6 Special Education Teacher
Cunha, Selina	K-6 Teacher
Curiel, Cindy	K-6 Teacher
Davis, Kaylea	K-6 Special Education Teacher
Doyel, Jacquelyn	K-6 Teacher
Fannin, Christopher	K-6 Teacher
Franco, Lauren	5-8 Art Teacher
Froley, Malissa	K-6 Teacher
Garcia, Marina	K-6 Teacher
Hinthorne, Samantha	K-6 Teacher
Howell, Lindsay	K-6 Teacher
Knodel, Jessica	K-6 Teacher
Lockhart, Melissa	K-6 Teacher
Magallon, Graciela	7-8 Teacher

B. SECOND-YEAR PROBATIONARY - Continued

McMahon, Lindsey	K-6 Teacher
Richmond, Jaimie	K-6 Teacher
Rodriguez Medina, Yesenia	7-8 Special Education Teacher
Sanchez-Leal, Cruz	Learning Director
Scott, Melisa	K-6 Teacher
Silva, Dana	K-6 Teacher
Smith, Megan	K-6 Teacher
Varela, Rita	School Psychologist
Whetton, Alexandra	K-6 Teacher
Willard, Britney	7-8 Special Education Teacher
Zanin, Stephanie	K-6 Teacher

C. FIRST-YEAR PROBATIONARY

Allen, Brandie	K-6 Teacher
Avina, Lauren	K-6 Teacher
Braun, Arlo	School Psychologist
Buller, Blanca Nelly	K-6 Teacher
Clifton, Tenisha	K-6 Teacher
Cortez, Lorena	K-6 Teacher
Council, Leslie	School Psychologist
Dailey, Robin	K-6 Teacher
Dirkes, Jane	K-6 Teacher
Dondero, Patricia	K-6 Teacher
Everett, Janie	K-6 Teacher
Foster, Crystal	K-6 Teacher
Gomez, Vanessa	K-6 Teacher
Gonzales, Henry	K-6 Teacher
Gordon, Sheri	7-8 Special Education Teacher
Grimes, Stacie	K-6 Teacher
Heugly, Katie	K-6 Teacher
Kavadas, Shannon	K-6 Teacher
Kishman, Laura	K-6 Teacher
Kuiper, Maureen	K-6 Teacher
Laghaifar, Taraneh	K-6 Teacher
Lazcano, Lourdes	K-6 Teacher Intern
Lemos, Alexandria	K-6 Teacher
Lewis, Debra	K-6 Teacher
Magpayo, Annise	K-6 Teacher
Martin, Amanda	School Counselor
Monico, Jessica	K-6 Teacher
Moreno, Melissa	K-6 Teacher
Myers, Lacee	K-6 Teacher
Ogren, Carlene	K-6 Teacher
Ormonde, Tagen	K-6 Teacher
Peterson, Jennifer	K-6 Teacher
Prodoehl, Jodi	K-6 Teacher
Ruby, Kristen	5-8 Music/Band Teacher

C. FIRST-YEAR PROBATIONARY - Continued

Salyer, Kathleen	School Nurse
Sands, Victoria	K-6 Teacher
Sparhawk, Jennifer	School Counselor
Sutton, Nadira	K-6 Teacher
Vega, Isabel	K-6 Teacher Intern
Weber, Jennifer	7-8 Teacher
Wolfe, Samantha	K-6 Special Education Teacher

D. PROBATIONARY – SHORT-TERM STAFF PERMITS

Brown, Greg	7-8 Teacher
Cruz-Rodriguez, Sandra	K-6 Teacher
Figueroa, Davian	K-6 Teacher
Llamas, Ana	K-6 Teacher
Sotelo, Marlena	K-6 Teacher

E. TEMPORARY: CATAGORICALLY FUNDED OR LEAVE REPLACEMENT

Riley, Loriann	School Psychologist (50%)
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Inters - IN

No	A/D	Sch Req'd	Home Sch	Date
I-080	A	Simas	Pioneer	9/29/2014
I-081	A	Washington	Kit Carson	9/29/2014
I-082	A	Washington	Kit Carson	9/29/2014
I-083	A	Washington	Kit Carson	9/29/2014

Inters - OUT

No	A/D	Sch Req'd	Home Sch	BD Date
O-080	A	Lemoore	Washington	9/29/2014
O-081	A	Coalinga	Washington	9/29/2014
O-082	A	Kit Carson	Simas	9/29/2014
O-083	A	Kit Carson	Washington	9/29/2014

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Karen McConnell

DATE: September 19, 2014

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: October 8, 2014

ITEM: Receive recommended revisions to Administrative Regulation 6159.4 – Behavioral Interventions for Special Education Students

PURPOSE: Regulation updated to reflect NEW LAW (AB 86) which, in effect, repeals specified state regulations pertaining to behavioral interventions for special education students, deletes the requirement for a "behavioral intervention plan" when a student with a disability exhibits a "serious behavioral problem" that significantly interferes with the implementation of the goals and objectives of his/her individualized education program, and instead requires the district to address any student behavior that impedes the student's own learning or the learning of other students.

FISCAL IMPACT: None

RECOMMENDATIONS:

Hanford ESD

Administrative Regulation

Behavioral Interventions For Special Education Students

AR 6159.4

Instruction

~~A special education student's behavior shall~~

Generally, any student identified as a student with a disability pursuant to the Individuals with Disabilities Education Act, 20 USC 1400-1482, is subject to the same disciplinary measures applicable to all students for such infractions unless it is a serious behavior problem as defined below: violations of the code of conduct, except when the student's behavior is determined to be a manifestation of his/her disability.

(cf. 5131 - Conduct)

(cf. 5144 - Discipline)

~~More serious behavioral problems shall be addressed through the systematic use of behavioral and emergency interventions as provided below.~~

Definitions

~~Serious behavioral problems are behaviors which are self injurious, assaultive or cause property damage, and other severe behavior problems that are pervasive and maladaptive for which instructional/behavioral approaches specified in the student's individualized education program (IEP) are found to be ineffective. (5 CCR 3001)~~

~~Behavioral intervention is a systematic implementation of procedures that result in lasting positive changes in the individual's behavior. "Behavioral intervention" means the design, implementation and evaluation of individual or group instructional and environmental modifications, including programs of behavioral instruction, to produce significant improvements in human behavior through skill acquisition and the reduction of problematic behavior. Behavioral interventions are designed to provide the individual greater access to a variety of community settings, social contacts and public events and ensure the individual's right to placement in the least restrictive environment, pursuant to the student's IEP. The use of behavioral interventions shall not cause pain or trauma, shall respect the individual's human dignity and personal privacy, and shall assure his/her physical freedom, social interaction and individual choice. (5 CCR 3001)~~

~~Behavior intervention plan is a written document which is developed when the student exhibits a serious behavior problem that significantly interferes with the implementation of the student's IEP.~~

~~Behavioral intervention case manager is a designated certificated school/ district/county staff member or other qualified personnel contracted by the district or county office, and trained in behavior analysis with emphasis on positive behavioral interventions. (5 CCR 3001)~~

~~Behavioral emergency is the demonstration of a serious behavior problem which has not previously been observed and for which a behavioral intervention plan has not been developed, or for which a previously designed behavioral intervention is not effective. (5 CCR 3001)~~

~~Functional Analysis Assessment~~

~~When a special education student's serious behavioral problem significantly interferes with implementing the goals and objectives of his/her IEP, the student's IEP team shall determine whether the instructional/behavioral approaches specified in the student's IEP have proven ineffective. If the IEP team finds that these approaches have been ineffective, a functional analysis assessment shall be conducted. (5 CCR 3052)~~

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

~~Before a functional analysis assessment begins, parents/guardians shall be notified and consent obtained pursuant to Education Code 56321. No such assessment shall preclude a parent/guardian from requesting a functional analysis assessment on the basis of language and speech disorders or specific learning disabilities. (5 CCR 3052)~~

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

~~The functional analysis assessment shall be conducted by, or be under the supervision of, a person with documented training in behavior analysis with an emphasis on positive behavioral interventions. This staff shall: (5 CCR 3052)~~

- ~~1. Observe the targeted inappropriate behavior, its frequency, duration and intensity~~
- ~~2. Observe events immediately preceding the behavior~~
- ~~3. Observe the consequences of the behavior to determine the purpose it serves for the student~~
- ~~4. Analyze the environment in which the behavior most frequently occurs~~
- ~~5. Analyze records for medical and health factors which may influence behavior~~
- ~~6. Review the history of the behavior, including the effectiveness of interventions used in the past~~

~~The parent/guardian shall receive a complete written report of the assessment. The report shall include: (5 CCR 3052)~~

1. ~~— A description of the nature and severity of the targeted behavior(s) in objective and measurable terms—~~
2. ~~— A description of the targeted behavior— that includes baseline data and an analysis of the antecedents and consequences that maintain the behavior and a functional analysis of the behavior across all appropriate settings in which it occurs~~
3. ~~— A description of the rate of alternative behaviors, their antecedents and consequences~~
4. ~~— A proposed behavioral intervention plan for consideration by the IEP team.—~~

Behavioral Intervention Plan

~~Within 10 business days after removing a student for more than 10 school days in a school year or commencing a removal that constitutes a change in placement, the district shall implement a behavioral intervention plan in accordance with 34 CFR 300.520, Board policy and administrative regulation.~~

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

~~Based on the functional assessment, the IEP team shall meet to determine whether a behavioral intervention plan is needed. If such a plan is needed, the IEP team shall be expanded to include a behavioral intervention case manager, qualified staff knowledgeable of the student's health needs, and others with expertise as deemed necessary by the parent/guardian, district or Special Education Local Plan Area (SELPA). This team shall develop a written behavioral intervention plan which includes: (5 CCR 3001)~~

1. ~~— A summary of relevant and determinative information gathered from the functional analysis assessment~~
2. ~~— An objective and measurable description of the targeted maladaptive behavior(s) and replacement positive behavior(s)~~
3. ~~— The student's goals and objectives specific to the behavioral intervention plan~~
4. ~~— A detailed description of interventions to be used and the circumstances for their use~~
5. ~~— Specific schedules for recording the frequency of intervention use and the frequency of the targeted and replacement behaviors, including specific criteria for discontinuing an intervention for lack of effectiveness or replacing it with a specified and identified alternative~~
6. ~~— Criteria by which the procedure will be faded or phased out, or less intense/restrictive intervention schedules or techniques that will be used~~
7. ~~— Those behavioral interventions which will be used in the home, residential facility, work-site or other noneducational settings~~

8. ~~Specific dates when the IEP team will periodically review the efficacy of the program~~

9. ~~The frequency~~

However, when the behavior of a student with a disability impedes his/her learning or the learning of others, the student's individualized education program (IEP) team shall consider the use of positive behavioral interventions and supports and other strategies consistent with 20 USC 1414(d) to address the student's behavior. (Education Code 56521.2; 34 CFR 300.324)

If, pursuant to a manifestation determination conducted as specified in 34 CFR 300.530, the student's behavior is determined to be a manifestation of his/her disability, the IEP team shall conduct a functional behavioral assessment (FBA) and implement a behavioral intervention plan (BIP) for the student. If a BIP is already in place for the student, the IEP team shall review and modify the BIP to address the student's behavior. (Education Code 56520; 34 CFR 300.324, 300.530)

In addition, when the disciplinary removal of the consultation to be provided by a student with a disability will result in a change in the student's placement as specified in 34 CFR 300.530, the student shall receive an FBA and behavioral intervention services and modifications designed to address the student's behavior so that it does not recur. (34 CFR 300.530)

Functional ~~ease manager to the staff~~ Behavioral Assessment

~~Based~~ Any FBA to be conducted for a student with a disability shall focus on identifying the results ~~function or purpose of the student's behavior.~~

Before any FBA is conducted, the Superintendent or designee shall notify the student's parent/guardian in accordance with Education Code 56321 and obtain the parent/guardian's consent. (Education Code 56321; 34 CFR 300.324)

(cf. 5145.6 - Parental Notifications)

(cf. 6159 - Individualized Education Program)

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

If the parent/guardian disagrees with the result of an FBA, he/she has the right to obtain an independent educational evaluation at district expense, subject to the conditions specified in 34 CFR 300.502.

Behavioral Intervention Plan ~~functional analysis assessment, and Services~~

When any behavioral intervention, support, or other strategy is to be used by the district, the Superintendent or designee shall consider the student's physical freedom and social interaction, administer the intervention, support, or other strategy in a manner that respects the student's dignity and personal privacy, and ensure the student's right to be placed in the least restrictive educational environment. (Education Code 56520)

When a student for whom a BIP is to be developed is also the responsibility of another agency for residential care or related services, the Superintendent or designee shall cooperate with the other agency to ensure that the BIP, to the extent possible, is implemented in a consistent manner. (Education Code 56520)

When a student for whom a BIP is to be developed is also the responsibility of another agency for residential care or related services, the Superintendent or designee shall cooperate with the other agency to ensure that the BIP, to the extent possible, is implemented in a consistent manner. (Education Code 56520)

Behavior assessments and behavioral intervention services shall be provided only by individuals who possess the qualifications specified in Education Code 56525 or 5 CCR 3065.

Emergency Interventions

~~Emergency interventions not specified in a student's behavioral intervention plan shall~~ may be used only ~~when necessary~~ to control unpredictable, spontaneous behavior ~~which~~ that poses clear and present danger of serious physical harm to the student or others and ~~which~~ that cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to contain the behavior. Emergency interventions shall not be used as a substitute for a systematic behavioral intervention plans. (5 CCR 3052) BIP that is designed to change, replace, modify, or eliminate a targeted behavior. (Education Code 56521.1)

~~Only emergency interventions approved by the SELPA may be used. No emergency intervention shall be used for longer than is necessary to contain the behavior. Upon~~ For any situation that requires a prolonged use of an emergency intervention, staff shall seek assistance of the principal or law enforcement agency, as applicable to the situation. (5 CCR 3052) (Education Code 56521.1)

Emergency interventions shall not involve the use of force exceeding what is reasonable and necessary under the circumstances. In addition, use of locked seclusion or a device, material, or objects that simultaneously immobilize all hands and feet shall not be allowed except as allowed by law. (Education Code 56521.1)

Parents/guardians and, if appropriate, residential care providers shall be notified within one school day whenever emergency intervention is used or serious property damage occurs. A behavior emergency report shall immediately be completed, kept in the student's file, and forwarded to the Superintendent or designee for review. This report shall include: (5 CCR 3052) all of the following information: (Education Code 56521.1)

1. The name and age of the student
2. The setting and location of the incident
3. The name of the staff or other persons involved

4. A description of the incident and the emergency intervention used
5. A statement of whether the student is currently engaged in a systematic behavioral intervention plan BIP
6. Details of any injuries sustained by ~~students~~ the student or others, including staff, as a result of the incident

If the behavior emergency report is for a student who does not have a ~~behavioral intervention plan~~ BIP, the Superintendent or designee shall, within two days, schedule an IEP team meeting to review the emergency report, determine the necessity for a ~~functional analysis assessment~~ FBA, and determine the necessity for an interim ~~behavioral intervention plan~~ BIP. The IEP team shall document the reasons for not conducting an ~~assessment~~ FBA and/or not developing an ~~interim plan~~ BIP. (5 CCR 3052 BIP. (Education Code 56521.1))

If the behavior emergency report is for a student who has a ~~behavioral intervention plan~~ BIP, any incident involving a previously unseen serious behavior problem or where a previously designed intervention is not effective shall be referred to the IEP team. The IEP team shall review the incident and determine whether the student's plan needs to be modified. (5 CCR 3052 (Education Code 56521.1))

Prohibited Interventions

The district prohibits ~~any~~ the use of ~~the following~~: (5 CCR 3052 ~~corporal punishment as defined in Education Code 49001 as an intervention~~. In addition, the district prohibits all of the following: (Education Code 56521.2))

1. Any intervention designed or likely to cause physical pain, including, but not limited to, electric shock
2. ~~Releasing~~ 2. Any intervention that involves the release of noxious, toxic, or otherwise unpleasant sprays, mists, or substances near the student's face
3. Any intervention that denies adequate sleep, food, water, shelter, bedding, physical comfort, or access to ~~the bathroom~~ facilities
4. Any intervention that ~~subjects~~ is designed to subject, used to subject, or likely to subject the student to verbal abuse, ridicule, or humiliation or that can be expected to cause excessive emotional trauma
5. ~~Use of any~~ Any restrictive intervention that uses a device, material, or objects which simultaneously immobilize all hands and feet, including the procedure known as prone containment, except that prone containment or similar techniques may be used by trained staff as a limited emergency intervention

6. Locked seclusion, unless in a facility otherwise licensed or permitted by state law to use a locked room
7. Any intervention that precludes adequate supervision of the student
8. Any intervention that deprives the student of one or more of his/her senses
9. ~~Force exceeding what is reasonable and necessary under the circumstances~~

Legal Reference:

EDUCATION CODE

49001 Prohibition of corporal punishment

56321 Notice of parental rights; consent of parents

56500-56508 Procedural safeguards, including due process rights

56520-56524 ~~56525 Behavioral Interventions~~ interventions

CODE OF REGULATIONS, TITLE 5

~~3001 Definitions~~

~~3052 Designated positive behavioral interventions~~

3065 Staff qualifications - related services

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act, especially:

1412 State eligibility

1415 Procedural safeguards

CODE OF FEDERAL REGULATIONS, TITLE 34

300.1-300.818 Assistance to states for the education of students with disabilities

Management Resources:

FEDERAL REGISTER

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

~~Regulation — HANFORD ELEMENTARY SCHOOL DISTRICT~~

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

Revised: September 24, 2014

(10/96 6/99) 12/13

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Jaime Martinez 

DATE: September 29, 2014

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☒ Information
☐ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **October 8, 2014**

ITEM: Receive the following revised Exhibit for information.

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

- E 4112.9, 4212.9, & 4312.9 – Employee Notifications (revised)

FISCAL IMPACT: None.

RECOMMENDATION: Consider for adoption at next regular board meeting.

All Personnel

E 4112.9 (a)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS

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

I. To All Employees

1. BP/AR 4119.11/4219.11/4319.11
The district's policy on sexual harassment, legal remedies, complaints
2. AR 3514.2
Use of pesticide product, active ingredients, Internet address to access information
Annually to all employees
3. ~~AR 6112~~
~~Public hearing on year-round implementing year-round program schedule~~
~~To all employees, prior to implementing year-round schedule~~
4. ~~AR 6112~~
~~Public hearing on block implementing block schedule~~
~~To all employees, prior to implementing block schedule~~
4. 5BP 4136/4236/4336
Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal
5. BP/AR 4112.3/4212.3/4312.3
Oath or affirmation of allegiance required of public employees
Prior to beginning employment
6. BP 4020
District's drug- and alcohol-free workplace; actions that will be taken if violated; available employee assistance programs
7. BP/AR 3513.3
District's tobacco-free schools policy and enforcement procedures
8. AR 4119.43/4219.43/4319.43
Bloodborne Pathogens – AIDS and hepatitis B, methods to prevent exposure
Annually to all employees
9. BP/AR 4154/4254/4354
Availability of COBRA/Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage
To covered employees and former employees

E 4112.9 (b)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

10. BP/AR 4157.1/4257.1/4357.1
Workers' compensation benefits, how to obtain medical care, role of primary physician,
form for reporting personal physician/chiropractor
Upon employment or by end of first pay period
11. BP/AR 5141.4
Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights,
copy of law
Prior to beginning employment
12. AR 4154/4254/4354
Disability insurance rights and benefits
Upon employment, and when employee goes on leave for specified reasons
13. BP/AR 1312.3, BP 3260
Uniform complaint procedures, ~~available~~ appeals, civil law remedies, ~~identity of~~
coordinator, complaints about student fees and local control and accountability plan
Annually to all employees
14. BP/AR 4161.8/4261.8/4361.8
Benefits through Family and Medical Leave Act (FMLA) and California Family Rights
Act (CFRA); obligation to provide 30 days' notice of need for leave when possible
To all employees via employee handbook, or to each new employee
15. BP 0410, BP 4030
District's policy on nondiscrimination and related complaint procedures
To all employees and job applicants
16. BP/AR 3514
Availability of asbestos management plan; any inspections, response actions or post-
response actions planned or in progress
Annually to all employees

II. To Certificated Employees

1. BP/AR 4121
Criteria for membership in retirement system; right to elect membership at any time
To eligible certificated employees in a timely manner, and to part-time and substitute
certificated employees within 30 days of hire
2. AR 4117.14/4317.14
~~Postretirement compensation limitation~~ earnings limitation or employment restriction
Upon employment of a retired certificated individual

E 4112.9 (c)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

3. BP/AR 4115, BP 4315
District regulations related to performance evaluations
4. BP/AR 4115
Copy of employee's evaluation
30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated
5. BP/AR 4115
Notice and description of the unsatisfactory performance
To a certificated employee with unsatisfactory evaluation
6. AR 4112.1
Request to notify district of intent to remain in service for the following school year; copy of law
By May 30
7. AR 4112.1, BP/AR 4121
Employment status and salary
To certificated employees upon employment
8. AR 4117.6
Whether or not employee is reelected for next school year
To probationary employees by March 15 of employee's second consecutive year of employment
9. AR 4117.4, BP/AR 4118
Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice
When certificated employee is subject to disciplinary action for cause
10. BP/AR 4118
Notice of deficiency and opportunity to correct
To certificated employee charged with unprofessional conduct
11. BP/AR 4118
Notice of intent to dismiss 30 days from notice
To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings
12. AR 4117.4
Reasons for dismissal and opportunity to appeal
To probationary employees 30 days prior to dismissal, or not later than March 15 for second- year probationary employees

E 4112.9 (d)

4212.9

4312.9

EMPLOYEE NOTIFICATIONS (continued)

13. AR 4117.4

Recommendation of nonreelection notice for reason other than personnel reduction;
statement of reasons upon request

To probationary employees in districts with less than 250 ADA, before notice of
nonreelection but no later than March 15, with final notice by May 15

14. BP/AR 4117.3

Reasons for personnel reduction and employees' right to hearing; final notice of Board
decision re: termination

By March 15 when necessary to reduce certificated personnel, with final notice by May 15

15. BP/AR 4121

District's decision not to reelect employee for following school year

On or before June 30, to temporary employee who served 75 percent of school year but
will be released

16. BP/AR 4158/4258/4358

Student has committed specified act that constitutes ground for suspension or expulsion

To teacher, when student engages in or is reasonably suspected of specified acts

17. ~~AR 4117~~ BP 4119.21

Contents of state regulation re: report to Commission on Teacher Credentialing

To certificated employee upon change in employment status due to alleged misconduct

18. AR 0520.2

School identified for restructuring opportunity to comment and participate

To teachers when school is identified for Title I program improvement restructuring

III. To Classified Employees

1. AR 4218

Notice of intent to dismiss in 30 days

To classified employee charged with mandatory leave of absence

2. BP/AR 4218

Notice of charges, procedures, and employee rights

When classified employee is subject to disciplinary action for cause, in nonmerit district

3. AR 4217.3

Notice of layoff and reemployment rights

To classified employees, at least 60 days prior to layoff, or by April 29 if specially funded
program is expiring

E 4112.9 (e)
 4212.9
 4312.9

EMPLOYEE NOTIFICATIONS (continued)

4. BP 4212
 Employee's class specification, salary data, assignment or work location, duty hours,
 prescribed workweek
 To classified employees upon employment and upon each change in classification
5. AR 4261.1, BP/AR 4261.11
 Exhaustion of leave, opportunity to request additional leave
 To classified permanent employee whose leave is exhausted
6. AR 3542
Expiration date of driver's license, driver's certificate and medical certificate need to be renewed
To school bus drivers and school activity bus drivers prior to expiration of specified documents
7. AR 3514
 Limitations on vehicle idling; consequences of not complying
To school bus and school activity bus drivers upon employment and at least once per year thereafter
8. BP/BP 4112.42/4212.42/4312.42
 Explanation of federal requirements for drug testing program and district's policy
 To school bus drivers, prior to district drug testing program and thereafter upon employment

IV. To Administrative/Supervisory Personnel

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

E 4112.9 (f)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

V. To Individual Employees Under Special Circumstances

1. AR 4112.6/4212.6/4312.6
Notice of derogatory information, opportunity to review and comment
Prior to placing derogatory information in personnel file
2. BB 9321
Employee's right to have complaints/charges heard in open session
24 hours before Board meets in closed session to hear complaints or charges against employee
3. BP 4119.23/4219.23/4319.23
Law prohibiting disclosure of confidential information obtained in closed session
Notice or training to employee with access to confidential information
4. BP/AR 4157.1/4257.1/4357.1
Potential eligibility for workers' compensation benefits, claim form
Within one ~~working~~ day of work-related injury or victimization of crime at workplace
5. BP/AR 4119.42/4219.42/4319.42
The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records
To any employee with exposure to bloodborne pathogens, upon initial employment and at least annually thereafter
6. AR 3514.1
Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location, of reference material
To any employee assigned to a work area where hazardous chemicals are present, upon initial assignment and upon new exposure situation
7. AR 3514.1
Any presence of hazardous substances in the work area, location and availability of hazard communication program, new safety data sheet, employee rights
To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area
8. AR 4161.5/4261.5/4361.5
Notice of rights, benefits, and obligations under military leave
To employee eligible for military leave

E 4112.9 (g)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

9. BP/AR 4161.8/4261.8/4361.8

~~Whether or not employee is eligible for FMLA leave, rights and obligations; consequences of failure to meet obligations~~ Designation of leave as FMLA or non-FMLA; any requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice


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

Exhibit
adopted: February 13, 2013
revised: August 28, 2013
revised: _____, 2014

HANFORD ELEMENTARY SCHOOL DISTRICT
Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Jaime Martinez 

DATE: September 29, 2014

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☒ Information
☐ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **October 8, 2014**

ITEM: Receive proposed Administrative Regulation 4117.7 Employment Status Request for information.

PURPOSE: Education Code 44030.5 and 44242.5 require the Superintendent to make a report to the Commission on Teacher Credentialing (CTC) when the employment status of a certificated employee has been changed as a result of alleged misconduct or while an allegation of misconduct is pending.

- AR 4117.7 – Employment Status Reports (new)

FISCAL IMPACT: None.

RECOMMENDATION: Consider for adoption at next regular board meeting.

NEW ADMINISTRATIVE REGULATION**Certificated Employees**

AR 4117.7 (a)

Employment Status Reports

- A. The Superintendent shall report to the Commission on Teacher Credentialing (CTC) any change in the employment status of a certificated employee who, while working in a position requiring a credential and as a result of an allegation of misconduct or while an allegation of misconduct is pending: (Education Code 44030.5, 44242.5; 5 CCR 80303)

1. Is dismissed or nonreelected

(cf. 4116 - Probationary/Permanent Status)

(cf. 4117.4 - Dismissal)

(cf. 4117.6 - Decision Not to Rehire)

2. Resigns

(cf. 4117.2 - Resignation)

3. Is suspended or placed on unpaid administrative leave for more than 10 days as a final adverse employment action

(cf. 4118 - Suspension/Disciplinary Action)

4. Retires

5. Is otherwise terminated by a decision not to employ or reemploy

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

(cf. 5141.4 - Child Abuse Prevention and Reporting)

This report is not required when the change in employment status is due solely to unsatisfactory performance pursuant to Education Code 44932 or a reduction in force pursuant to Education Code 44955-44958. (Education Code 44030.5, 44242.5; 5 CCR 80303)

(cf. 4115 - Evaluation/Supervision)

(cf. 4117.3 - Personnel Reduction)

- B. When required, the report of a change in employment status shall be submitted not later than 30 days after the employment action. The report shall be made using a form provided by the CTC and shall include all known information about each alleged act of misconduct by the employee. The report shall contain the name and current address of the certificated employee, name of the district, last school or district assignment, an explanation of the allegation of misconduct or pending allegation of misconduct, current contact information for all persons who may have information relating to the alleged misconduct, and any and all documentation related to the case. (Education Code 44030.5; 5 CCR 80303)

Employment Status Reports

Upon a change in employment status as a result of alleged misconduct or while an allegation of misconduct is pending, the Superintendent shall, in writing, inform the employee of the contents of 5 CCR 80303. (5 CCR 80303)

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

C. Additional Reports of Employee Misconduct

The Superintendent or designee shall submit a report to the CTC, using a form provided by the CTC and attaching all relevant documents, whenever:

1. An employee, by complaint, information, or indictment filed in court, is charged with a "mandatory leave of absence offense," defined as a sex or drug offense specified in Education Code 44940. (Education Code 44242.5, 44940, 44940.5)

Not later than 10 days after receipt of such a complaint, information, or indictment regarding an employee, the Superintendent or designee shall forward a copy of the received documents to the CTC. In addition, he/she shall report to the CTC any action taken in connection with extending the employee's mandatory leave beyond the initial period. (Education Code 44940, 44940.5)

If the offense results in a change in employment status, the Superintendent shall submit an employment status report in addition to the report of the mandatory leave of absence offense.

2. An employee refuses, without good cause, to fulfill a valid employment contract, or departs from district service without the consent of the Superintendent or Governing Board. (Education Code 44242.5, 44420)

D As appropriate, the Superintendent or designee also shall notify the CTC of any of the following:

1. A complaint filed with the district regarding a certificated employee's alleged sexual misconduct (Education Code 44242.5)

The notice to the CTC shall contain all of the following information: (5 CCR 80304)

- a. Name of the employee alleged to have engaged in the sexual misconduct
- b. Name, age, and address of each victim of the alleged sexual misconduct
- c. A summary of all information known to the district regarding the alleged sexual misconduct

Employment Status Reports

- d. A summary of the action, if any, taken at the district level in response to the complaint of sexual misconduct

(cf. 1312.1 - *Complaints Concerning District Employees*)
 (cf. 4119.11/4219.11/4319.11 - *Sexual Harassment*)
 (cf. 5145.7 - *Sexual Harassment*)

2. An employee's knowing and willful use of school records of student data in connection with, or in implicit or explicit attempts to recruit a student to be a customer for, any business owned by the certificated employee or in which the certificated employee is an employee (Education Code 44242.5, 44421.1)

(cf. 5125 - *Student Records*)

3. An employee's knowing and willful reporting of false fiscal expenditure data relative to the conduct of any educational program (Education Code 44242.5, 44421.5)
4. An employee's subversion or attempt to subvert any licensing examination or the administration of an examination (Education Code 44242.5, 44439)

Legal Reference:

EDUCATION CODE

44009 Conviction of specified crimes
 44010 Sex offense, definitions
 44011 Controlled substance offense, definitions
 44030.5 Employment status reports
 44225 Powers and duties of the CTC
 44242.5 Reports and review of alleged misconduct
 44420-44440 Adverse actions by CTC against credential holder
 44932 Causes for dismissal
 44940 Sex offenses and narcotic offenses; compulsory leave of absence
 44940.5 Compulsory leave of absence
 44955-44958 Reduction in force
 CODE OF REGULATIONS, TITLE 5
 80303 Reports of change in employment status, alleged misconduct
 80304 Notice of sexual misconduct

Management Resources:

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

California's Laws and Rules Pertaining to the Discipline of Professional Certificated Personnel, 2013


WEB SITES

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

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Jaime Martinez 

DATE: September 29, 2014

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☒ Information
☐ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **October 8, 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 4117.14 & 4317.14 – Postretirement Employment (revised)

FISCAL IMPACT: None.

RECOMMENDATION: Consider for adoption at next regular board meeting.

Certificated Personnel

AR 4117.14(a)
4317.14

POSTRETIREMENT EMPLOYMENT

When necessary, the ~~district~~ Governing Board may, ~~subject to specific legal requirements,~~ hire a qualified retired certificated individual who possesses the knowledge and experience needed to perform ~~specialized work or creditable service~~ for the district, as an employee, the employee of a third party, or an independent contractor/consultant, provided that all applicable restrictions specified by the California State Teachers' Retirement System (CalSTRS) are met. Applicable CalSTRS restrictions include, but are not limited to, a requirement that a retired member be paid compensation comparable to that for active employees for comparable duties and prohibitions against the hiring of a retired member within 180 days of his/her retirement and for the classified service, except as an aide pursuant to Education Code 45134. Additional restrictions and rules may apply to other employment situations, such as when CalSTRS retired members are employed as employees of third parties, independent contractors, or consultants. The Superintendent or designee should consult legal counsel when dealing with such employment situations. (Education Code 22119.5, 22164.5, 24214, 24214.5)

(cf. 3600 - Consultants)

(cf. 4111/4211/4311 - Recruitment and Selection)

(cf. 4112 - Appointment and Conditions of Employment)

Any retired ~~certificated individual who is a member of the defined benefit program of the State Teachers' Retirement System (STRS), and CalSTRS~~ who is hired by the district to perform ~~any services retired member activities as defined pursuant to Education Code 22119.5 22164.5 or 26113~~ shall be paid at a ~~an annualized rate commensurate with that of pay that shall not be below the minimum or exceed the maximum paid to other district employees performing comparable duties.~~ However, such a retired individual shall not make contributions to the CalSTRS retirement fund or accrue service ~~credits credit~~ based on compensation earned from ~~that service the retired member activity.~~ (Education Code 24214)

No retired ~~certificated individual who is a member of STRS~~ the CalSTRS defined benefit program shall be hired by the District for at least ~~six 180 calendar months~~ days after his/her retirement from service unless he/she has attained the normal retirement age. ~~Such hiring shall only be made with and qualifies for an exemption to the 180-day waiting period. To seek this exemption, the Governing Board shall, during the open session approval in a public of a Board meeting, as reflected in adopt a resolution that which shall include the following information about the nature of the appointment and the following findings:~~ (Education Code 24214.5)

1. ~~The appointment is necessary to fill a critically needed position before 180 days have passed~~ A statement expressing the Board's intent to seek an exemption to the 180-day waiting period.

POSTRETIREMENT EMPLOYMENT

2. ~~The retired individual is eligible for this exemption because he/she did not receive additional service credit pursuant to Education Code 22714 or 22715 or a financial inducement to retire~~ A description of the nature of the employment of the retiree.
3. ~~The retired individual's termination of employment with the district is not the basis for the need to acquire the services of the retired individual~~ A finding that the retiree has reached the normal retirement age.
4. A finding that the appointment of the retiree is necessary to fill a critically needed position before the 180-day waiting period has passed.
5. A finding that the retired individual did not receive additional service credit pursuant to Education Code 22714 or 22715 or any financial inducement to retire. Financial inducement to retire shall include, but is not limited to, cash or any form of compensation or other payment directly or indirectly paid by any public employer to the retired individual before or after his/her retirement, if the individual retires for service on or before a specific date or range of dates established by the public employer on or before the date the inducement is offered.
6. A finding that the retired individual's termination of employment with the district is not the basis for the need to acquire the services of the retired individual.

The resolution shall not be adopted through the Board's consent agenda. (Education Code 24214.5)

(cf. 9320 - Meetings and Notices)

When employing a retired individual who is eligible for exemption from the 180-day waiting period, the Superintendent or designee shall submit all required documentation to substantiate eligibility for the exemption to CalSTRS before the retired member begins performing any retired member activities. The Superintendent or designee may contact CalSTRS to request information as to whether the retired member qualifies for the exemption after 30 days of submitting the required documentation to CalSTRS. (Education Code 24214.5)

Postretirement Compensation Limitation, Notice, and Report

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

AR 4117.14(c)
4317.14

POSTRETIREMENT EMPLOYMENT (continued)

All CalSTRS retirees performing creditable service for the district shall be subject to the applicable CalSTRS earnings limit. Monies earned in excess of the limit may subject the CalSTRS retiree to a reduction in his/her retirement allowance. Compensation subject to the earnings limitation includes, but is not limited to, salary or wages, deferred compensation plans, purchase of an annuity contract, tax-deferred retirement plan or insurance program, and other plans or contributions when the cost is covered by a district. (Education Code 22119.5, 22164.5, 24214)

Whenever the district retains the services of a CalSTRS retiree as a district employee, employee of a third party, or an independent contractor, the Superintendent or designee shall: (Education Code 22461, 24214)

1. Advise the retired individual of the postretirement ~~compensation~~ limitation or employment restriction set forth in Education Code 22714, 24214, and or 24214.5 or any other applicable law;

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

2. Maintain accurate records of the retired individual's compensation and report it monthly to ~~STRS~~ CalSTRS and the individual, regardless of the method of payment or the fund from which the payments are made

~~When employing a retired individual who is eligible for any of the exemptions from the postretirement compensation limitation, the Superintendent or designee shall submit to STRS, all required documentation to substantiate eligibility for the exemption. (Education Code 24214, 24214.5)~~

Legal Reference: (see next page)

POSTRETIREMENT EMPLOYMENT (continued)*Legal Reference:**EDUCATION CODE**22119.5 Creditable service, definition**22131 Employer: employing agency, definition**22164.5 Retired member activities, definition**22461 Notice of earnings limitation**22714 Encouragement of retirement**22715 Additional service credit**22716 Unpaid services**24116 Service at California State University**24214 Creditable service by retiree**24214.5 Postretirement compensation limit; members below normal retirement age**24215 Service at California State University**26113 Creditable service, definition**35046 Consultancy contracts**41320.1 Appointment of trustee**42120-42129 Budget completion**44830 Employment of certificated employees**44830.3 Employment of district interns**44929 Service credit under STRS; additional two years**44929.1 2+2 service and year credit option under STRS**52055.57-52055.60 Local Educational Agency Intervention Program**45134 Age limits**CODE OF REGULATIONS, TITLE 5**27000-27009 Penalties and interests for late remittances and late and unacceptable reporting by employers**Management Resources:**WEB SITES**California State Teachers' Retirement System: <http://www.calstrs.com>***Regulation**

adopted: November 7, 2001

revised: September 5, 2007

revised: April 16, 2008

revised: June 10, 2009

revised: September 8, 2011

revised: September 13, 2011

revised: August 28, 2013


revised: _____, 2014

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Jaime Martinez 

DATE: September 29, 2014

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☒ Information
☐ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **October 8, 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 4217.3 – Layoff and Reemployment Rights (revised)

FISCAL IMPACT: None.

RECOMMENDATION: Consider for adoption at next regular board meeting.

LAYOFF AND REEMPLOYMENT RIGHTS

Classified employees shall be subject to layoff for lack of work or lack of funds. (Education code 45114, 45308)

A. Order of Layoff Within a Classification/Determination of Seniority

1. Layoff or reduction in assigned time of permanent or probationary classified employees shall be within a classification. The order of layoff shall be based on seniority within the class and higher classes in which the employee has served in the district.
2. Seniority for purposes of layoff or reduction in assigned time shall be determined in accordance with the provisions of the collective bargaining agreement between the district and the classified bargaining unit.
3. The Human Resources Department shall maintain up-to-date records of each employee's seniority in the district, in the bargaining unit, and in each classification in which the employee served, and shall determine the seniority of employees hired into a class on the same date by the procedures set forth in the collective bargaining agreement.
4. Length of service credit shall include time spent on military leaves of absence while employed by the district, including voluntary or involuntary active duty during a period of national emergency or war as a member of the Military Reserve or the National Guard.

(cf. 4161.5/4261.5/6361.5 - Military Leave)

5. Length of service credit for other types of unpaid leaves shall be in accordance with law and the provisions of the collective bargaining agreement.
6. Short-term and substitute employees are not part of the classified service and may be terminated at anytime without regard to the layoff and reemployment procedures in this regulation. NO permanent or probationary classified employee shall be laid off or suffer a reduction in assigned time while a short-term temporary or substitute employee is retained for work the employee is qualified to perform. This prohibition does not apply to the retention of a short-term employee who is hired for a period not exceeding ~~45~~ 60 days after which the short-term service may not be extended or renewed.

(cf. 4221 - Temporary/Substitute Personnel)

LAYOFF AND REEMPLOYMENT RIGHTS (continued)**B. Notice of Layoff/Reduction in Assigned Time**

Classified employees subject to layoff or reduction in assigned time because of lack of work or lack of funds shall receive notice of the layoff at least ~~45~~ 60 days before the effective date of the layoff or reduction in assigned time, and shall be informed of their reemployment and displacement rights, if any. The District shall notify the affected employee(s) in writing at least 60 calendar days before June 30 for any layoff effective at the end of the school year. The notice shall be given in writing no later than April 29, if the layoff is for lack of funds due to the expiration of a specially funded program at the end of any school year. The district is not obligated to provide ~~45~~ 60 days' notice to any person hired as a short-term or substitute employee, as defined in Education Code 45103.

The district is not bound to provide ~~45~~ 60 days' notice in the event of an actual and existing financial inability to pay the salaries of classified employees or if the layoff is due to a lack of work resulting from conditions not foreseeable or preventable by the district.

C. Voluntary Demotion, Reduction of Hours, or Retirement

Employees may take voluntary demotions or voluntary reductions in assigned time in lieu of layoff or in order to remain in their present position, or may elect to retire. Employees who do so shall be granted the same rights as persons laid off.

D. Reemployment Eligibility

1. Classified employees laid off because of lack of work or lack of funds are eligible for reemployment within a period of 39 months from the date of layoff, and shall be reemployed in preference to new applicants. Persons so laid off also have the right to apply and establish their qualifications for vacant promotional positions within the district during the 39-month period. When an employee is reemployed in a class that is different from the one in which he/she had permanent status, the employee shall be required to serve a probationary period for the new position.
2. Employees who take voluntary demotions or voluntary reductions in assigned time in lieu of layoff, or reassignment shall retain eligibility for reemployment in a vacant position in the class from which demoted or reassigned, or reinstatement to number of hours they previously held, for an additional period of 24 months, provided that the same tests of fitness under which they qualified for appointment to the class are still applicable.
3. Employees who take voluntary demotions or voluntary reductions in assigned time in lieu of layoff shall have the option of returning to a position in their former class or to positions with increased assigned time as vacancies become available, and without limitation of time. If there is a valid reemployment list, they shall be ranked on that list in accordance with their proper seniority.

LAYOFF AND REEMPLOYMENT RIGHTS (continued)

4. In order to be reemployed, an employee must be fully capable of performing the essential functions of the job. Employees who are unable to assume the essential functions of the position offered at the time called for reemployment will be kept on the reemployment list until another vacancy occurs and the employee is able to return to work or until the remainder of the 39 calendar months expired, whichever occurs sooner.

E. Reemployment Procedures

1. Reemployment or reinstatement offers shall be made in the order of the employee with the greatest seniority in the class.
2. When a vacancy occurs, the most senior employee on the reemployment list for the classification will be so notified by phone at his/her (to last known address contact number) and in writing by the District of an opening. Such written notice shall be sent by confirmation of delivery mail to the last address given the District by the employee. fastest means possible and given the opportunity to accept or reject appointment into the vacant position. The employee must advise the district of his/her decision not later than five work days following notification. If the employee accepts, he/she must report to work within two calendar weeks from the vacancy notification date unless a later date is specified or agreed to by the district. A copy shall be sent to the Union by the District.

F. Rights Upon Reemployment/Reinstatement

An employee on a reemployment list will be reemployed with all rights and benefits accorded to him/her at the time of the reduction in service.

1. A probationary employee will be reemployed as a probationary employee, and the time served toward the completion of the required probationary period will be counted.
2. When reemployed, the employee will be placed on the salary step held at the time of layoff. An employee who bumped into a lower class will, when reinstated to the previous class, be placed on the salary step to which he/she would have progressed had he/she remained there. An adjusted anniversary date will be established for step increment purposes so as to reflect the actual amount of time served in the district.
3. Sick leave (personal illness or injury leave) credits accrued prior to being placed on a reemployment list shall be restored when the employee is reemployed.

Legal reference (next page)

AR 4217.3 (d)

LAYOFF AND REEMPLOYMENT RIGHTS (continued)

Legal Reference:

EDUCATION CODE

45101 Definitions

45103 Classified service in districts not incorporating the merit system

45105 Positions under various acts not requiring certification qualifications; classification

45113 Rules and regulations for classified service in districts not incorporating the merit system

45114 Layoff and reemployment procedures; definitions

45115 Layoff: Reinstatement from service retirement

45117 Notice of layoff

45286 Limited term employees

45297 Right to take equivalent examination while employee in military service

45298 Reemployment and promotional examination preference of persons laid off; voluntary demotions or reductions in time

45308 Order of layoff and reemployment; length of service

45309 Reinstatement of permanent noncertified employees after resignation

UNITED STATES CODE, TITLE 38

4301-4307 Veterans' Reemployment Rights

COURT DECISIONS

San Mateo City School District v. Public Employment Relations Board (1983) 33 Cal.3d 850, 866

Management Resources:

WEB SITESCalifornia School Employees Association: <http://www.csea.com>

Regulation

approved: May 4, 1994

revised: November 7, 2001

revised: November 1, 2005

revised: June 27, 2012

revised: _____, 2014

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Jaime Martinez 

DATE: September 29, 2014

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☒ Information
☐ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **October 8, 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 4221 – Temporary, Short-Term, Substitute, and Non-Represented Part-Time Employees (revised)

FISCAL IMPACT: None.

RECOMMENDATION: Consider for adoption at next regular board meeting.

Classified Employees

BP 4221 (a)

Temporary, Short-Term, Substitute, And Non-Represented Part-Time Employees**A. Employment**

1. The Superintendent or designee may employ substitutes in positions of regular classified employees who are on leave, short-term personnel for work of a temporary nature, and other temporary employees including yard supervisors.
2. All temporary, short-term, substitute, and non-represented part-time employees serve at the pleasure of the Board and may be released at any time with or without statement of reasons. Such employees have no continuing employment rights or rights to a hearing before the Board.
3. Temporary, short-term substitute employees are not members of the classified service as defined in Education Code Section 45103 and shall not attain permanent status in the district.
4. All such employees are excluded from representation by collective bargaining agents regarding the terms and conditions of their employment. Such employees are not subject to the provisions of any agreement negotiated between the district and the Collective Bargaining agents.
5. All such employees shall be informed of the temporary nature of each assignment, the type of assignment, the length of time for which the person is being employed in the assignment, and the hourly rate to be paid. They shall be assigned, re-assigned and transferred to positions/school sites at the discretion of the district in accordance with staffing plans and other criteria determined by the district.
6. Each such employee shall meet legal and district conditions for employment.
7. Upon clearance for employment, the Superintendent or designee shall report the employment of new temporary, substitute, short-term, non-represented part-time or employees to the Board for ratification at the next Board meeting.

B. Compensation and Benefits

1. All such employees shall be paid for actual hours worked in accordance with the Board-approved pay schedules for yard supervisors and temporary and substitute employees.

(cf. 4251.1 - Temporary and Substitute Employee Wages)

2. All such employees shall be covered under the district's workers' compensation and unemployment insurance programs, and shall be accorded their rights under the Labor Code applicable to mandatory lunch and rest periods and overtime compensation. They are not covered under the rules and regulations for employees who are part of the classified service.

Temporary, Short-Term, Substitute, And Non-Represented Part-Time Employees

3. All such employees shall not be eligible for participation in the district's group health and welfare benefit plans, and shall not be entitled to paid leaves but shall be given time off work in accordance with law.
 - a. ~~Noon supervisors (yard supervisors) hired on or before May 1, 1991 and employed in positions which require ongoing daily service during the school year, shall be eligible to receive the same holiday, vacation, and leave benefits they received in the past. Yard Supervisors hired on or before May 1, 1991, who have completed 20 years of service to the district shall, upon retirement, be paid for one fifth of their accumulated sick leave balance.~~
 - b. ~~Grandfathered In Benefits for certain noon supervisors: these benefits are limited to:~~
 - ~~* Sick Leave: 9 days per year with unlimited accumulation. May be used for personal illness only. Not for personal necessity or personal leave day~~
 - ~~* Family Illness Leave: 3 days per year, non-cumulative~~
 - ~~* Jury Duty Leave: Number of days actual jury duty verified~~
 - ~~* Holiday Pay: All district recognized holidays, provided employee is in paid status the work day immediately preceding or succeeding the holiday~~
 - ~~* Vacation Pay: 10 days per year, or amount earned per year prior to May 1, 1991, whichever is more~~

C. Supervision/Performance Standards

1. Supervision of temporary, short-term and substitute personnel shall be conducted by the site administrator or his/her management designee.
2. Such employees shall be given an orientation to their duties and responsibilities, and district/school policies and procedures.
3. Such employees shall be held accountable for professional conduct in the same manner as regular employees.

(cf. 4119.21/4219.21/4319.21 - Code of Ethics)

(cf. 4119.22/4219.22/4319.22 - Employee Dress and Grooming)

4. The performance and any conduct incidents of substitutes and temporary employees shall be reported in accordance with regulations and procedures prescribed by the Superintendent or designee. (see AR 4221.12)

(cf. 4121.3/4221.3 - Substitute and Temporary Employees: Incident and Performance Reports)

BP 4221 (c)

Temporary, Short-Term, Substitute, And Non-Represented Part-Time Employees

5. Such personnel with serious or repeated performance or conduct problems shall be released from employment.
- D. The Superintendent or designee shall develop administrative regulations implementing this policy and shall ensure proper employment, assignment, supervision, and release of substitute and temporary employees.

*Legal Reference:**EDUCATION CODE**45103 Substitute and short-term positions; definitions**45109 Fixing of duties**45125 Fingerprint cards; criminal history**45160 Power of governing board to fix compensation**45256 Classified service ; exclusion*

Policy

adopted: November 7, 2001

revised: February 9, 2005

revised: _____, 2014

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Paul J. Terry, Ed. D.

DATE: September 29, 2014

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: October 8, 2014

ITEM: Consider approval of the following revised Board Policy and Administrative Regulation:

- BP/AR 6173.1 – Education for Foster Youth

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

FISCAL IMPACT: None.

RECOMMENDATION: Approve.

Hanford ESD

Board Policy

Education For Foster Youth

BP 6173.1

Instruction

~~The Board of Trustees recognizes the district's obligation to ensure that foster youth have the opportunity to achieve state and district academic standards. The district shall provide such students with access to the academic resources, services, and extracurricular and enrichment activities that are available to all district students.~~

The Governing Board recognizes that foster youth may face significant barriers to achieving academic success due to their family circumstances, disruption to their educational program, and their emotional, social, and other health needs. To enable such students to achieve state and district academic standards, the Superintendent or designee shall provide them with full access to the district's educational program and implement strategies identified as necessary for the improvement of the academic achievement of foster youth in the district's local control and accountability plan (LCAP).

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

(cf. 6011 - Academic Standards)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6173 - Education for Homeless Children)

(cf. 6179 - Supplemental Instruction)

The Superintendent or designee shall ensure that placement decisions for foster youth are based on the students' best interests as defined in law and administrative regulation. To that end, he/she shall designate a staff person as athe district liaison for foster youth to help facilitate the enrollment, placement, and transfer of foster youth.

The Superintendent or designee and district liaison shall ensure that all appropriate staff, including, but not limited to, each principal, school registrar, and attendance clerk, receive training regardingon the enrollment, placement, and righttransfer of foster youth and other related rights.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Board desires to provide foster youth with a safe, positive learning environment that is free from discrimination and harassment and that promotes students' self-esteem and academic achievement. The Superintendent or designee shall develop strategies to build a foster youth's feeling of connectedness with his/her school, including, but not limited to, strategies that promote positive discipline and conflict resolution, the development of resiliency and interpersonal skills, and the involvement of foster parents, group home administrators, and/or other caretakers in school programs and activities.

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

To address the needs of foster youth and help ensure the maximum utilization of available funds, the Superintendent or designee shall collaborate with local agencies and officials including, but not limited to, the county placing agency, social services, probation officers, and juvenile court officers. The Superintendent or designee shall explore the feasibility of entering into agreements with these groups to coordinate services and protect the rights of foster youth.

(cf. 1020 - Youth Services)

At least annually and in accordance with the established timelines, the Superintendent or designee shall report to the Board on the outcomes for foster youth regarding the goals and specific actions identified in the LCAP, including, but not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, and suspension/expulsion rates. As necessary, evaluation data shall be used to determine and recommend revisions to the LCAP for improving or increasing services for foster youth.

(cf. 0500 - Accountability)

(cf. 5123 - Promotion/Acceleration/Retention)

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

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

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

Legal Reference:

EDUCATION CODE

32228-32228.5 Student safety and violence prevention

42238.01-42238.07 Local control funding formula

42920-42925 Foster children educational services

~~48645.1-48646~~ Juvenile court schools

~~48645.5~~ Acceptance of coursework

48850-48859 Educational placement of students residing in licensed children's institutions

48915.5 Suspension and expulsion; students with disabilities, including foster youth

48918.1 Notice of expulsion hearing for foster youth

49061 Student records

49069.5 Foster care students, transfer of records

49076 Access to student records

51225.1 Exemption from district graduation requirements

51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course

51225.3 High school graduation

52060-52077 Local control and accountability plan

56055 Rights of foster parents in special education

60851 High school exit examination

HEALTH AND SAFETY CODE

1522.41 Training and certification of group home administrators

1529.2 Training of licensed foster parents

120341 Foster youth: school placement: immunization records

WELFARE AND INSTITUTIONS CODE

300 Children subject to jurisdiction

309 Investigation and release of child

317 Appointment of legal counsel

361 Limitations on parental or guardian control

366.27 Educational decision by relative providing living arrangements

602 Minors violating law; ward of court

726 Limitations on parental or guardian control

727 Order of care, ward of court

16000-16014 Foster care placement

UNITED STATES CODE, TITLE 20

1415 Procedural safeguards; placement in alternative educational setting

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42

670-679b Federal assistance for foster care programs

11431-11435 McKinney-Vento Homeless Assistance Act

Management Resources:

CSBA PUBLICATIONS

Educating Foster Youth: Best Practices and Board Considerations, Policy Brief, March 2008

AMERICAN BAR ASSOCIATION PUBLICATIONS

Mythbusting: Breaking Down Confidentiality and Decision-Making Barriers to Meet the Education Needs of Children in Foster Care, 2005

CALIFORNIA CHILD WELFARE COUNCIL

Partial Credit Model Policy and Practice Recommendations

CITIES, COUNTIES AND SCHOOLS PARTNERSHIP PUBLICATIONS

Our Children: Emancipating Foster Youth, A Community Action Guide

WEB SITES

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

American Bar Association: <http://www.americanbar.org>

California Child Welfare Council: <http://www.chhs.ca.gov/Pages/CAChildWelfareCouncil.aspx>

California Department of Education, Foster Youth Services:- <http://www.cde.ca.gov/ls/pf/fy>

California Department of Social Services, Foster Youth Ombudsman Office:

<http://www.fosteryouthhelp.ca.gov>

California Youth Connection: <http://www.cal youthconn.org/site/cyc>

Cities, Counties, and Schools Partnership: <http://www.ccspartnership.org/default.efm>

Policy

adopted: June 23, 2004

revised: May 20, 2009

revised: _____

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

Hanford ESD

Administrative Regulation

Education For Foster Youth

AR 6173.1

Instruction

Definitions

Foster youth means a child who has been removed from his/her home pursuant to Welfare and Institutions Code 309, is the subject of a petition filed under Welfare and Institutions Code 300 or 602, or has been removed from his/her home and is the subject of a petition filed under Welfare and Institutions Code 300 or 602. (Education Code or is a nonminor who is under the transition jurisdiction of a juvenile court, as described in Welfare and Institutions Code 450, and satisfies the criteria specified in Education Code 42238.01. (Education Code 42238.01, 48853.5)

Person holding the right to make educational decisions means a responsible adult appointed by a court pursuant to Welfare and Institutions Code 361 or 726.

School of origin means the school that the foster youth attended when permanently housed or the school in which he/she was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that the foster youth attended within the preceding 15 months and with which the youth is connected, the district liaison for foster youth shall determine, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, and in the best interests of the foster youth, which school is the school of origin. (Education Code 48853.5)

Best interests means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the foster youth's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students. (Education Code 48850, 48853)

District Liaison

The Superintendent designates the following position as the district's liaison for foster youth: (Education Code 48853.5)

Coordinator
Office of Child Welfare and Attendance
P.O. Box 1067
Hanford, CA 93232
(559) 585-3642

(cf. 6173 - Education for Homeless Children)

The liaison for foster youth shall:

1. Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of students in foster care (Education Code 48853.5)
2. Ensure proper transfer of credits, records, and grades when students in foster care transfer from one school to another or from one district to another (Education Code 48645.5, 48853.5)

When a student in foster care is enrolling in a district school, the liaison ~~or designee~~ shall contact the school last attended by the student to obtain, within two business days, all academic and other records. When a foster youth is transferring to a new school, the liaison ~~or designee~~ shall provide the student's records to the new school within two business days of receiving the new school's request. (Education Code 48853.5)

(cf. 5117—Interdistrict Attendance)

(cf. 5125 - Student Records)

(cf. 6146.3 - Reciprocity of Academic Credit)

3. When required by law, notify the foster youth's attorney and the representative of the appropriate county child welfare agency when the foster youth is undergoing any expulsion or other disciplinary proceeding, including, ~~for a student with a disability~~, a manifestation determination prior to a change in the student's foster youth's placement, when he/she is a student with a disability. (Education Code 48853.5, 48911, 48915.5, 48918.1)

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

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

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

4. As needed, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973

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

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

5. As needed, ensure that students in foster care receive appropriate school-based services, such as counseling and health services, supplemental instruction, and after-school services

(cf. 5141.6 - School Health Services)

(cf. 5148.2 - Before/After School Programs)

(cf. 5149 - At-Risk Students)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6174 - Education for English Language Learners)

(cf. 6177 - Summer School Learning Programs)
(cf. 6179 - Supplemental Instruction)

6. Develop protocols and procedures for creating awareness for district staff, including principals, school registrars, and attendance clerks, of the requirements for the proper enrollment, placement, and transfer of foster youth

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

7. Collaborate with the county placing agency, social services, probation officers, juvenile court officers, ~~nonprofit organizations, and advocates~~ and other appropriate agencies to help coordinate services for the district's foster youth

(cf. 1020 - Youth Services)
(cf. 1400 - ~~Relations Between Other Governmental Agencies and the Schools~~)
(cf. 5113.1 - Chronic Absence and Truancy)

8. Monitor the educational progress of foster youth and provide reports to the Superintendent or designee and the Governing Board based on indicators identified in the district's local control and accountability plan

(cf. 0460 - Local Control and Accountability Plan)

The Superintendent or designee shall regularly monitor the caseload of the liaison, as well as his/her additional duties outside of the foster youth program, to determine whether adequate time and resources are available to meet the needs of foster youth in the district.

Enrollment

A foster youth student placed in a licensed children's institution or foster family home within the district shall attend programs operated by the district unless one of the following circumstances applies: (Education Code 48853, 48853.5)

1. The student has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency, or in another local educational agency.

(cf. 6159 - Individualized Education Program)
(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)

2. The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best interest of the student to be placed in another educational program and submits a written statement to the district indicating that determination and that he/she is aware of the following:

a. ~~He/she is aware that the~~ a. The student has a right to attend a regular public school in the least restrictive environment.

b. The alternate educational program is a special education program, if applicable.

c. The decision to unilaterally remove the student from the district school and to place him/her in an alternate education program may not be financed by the district.

d. Any attempt to seek reimbursement for the alternate education program may be at the expense of the parent/guardian or other person holding the right to make educational decisions for the student.

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)

3. At the initial placement or any subsequent change in placement, the student exercises his/her right to continue in his/her school of origin, as defined above.

a.- The student may continue in the school of origin for the duration of the court's jurisdiction.

b.- If the court's jurisdiction over a grade K-8 student is terminated prior to the end of a school year, the student may continue in his/her school of origin for the remainder of the school year.

c.- If the court's jurisdiction is terminated while the student is in high school, the student may continue in his/her school of origin until he/she graduates.

d. If the student is transitioning between school grade levels, he/she shall be allowed to continue in the district of origin in the same attendance area to provide him/her the benefit of matriculating with his/her peers in accordance with the established feeder patterns of school districts. A student who is transitioning to a middle school or high school shall be allowed to enroll in the school designated for matriculation in another school district.

The district liaison may, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, recommend that the youth's right to attend the school of origin be waived and he/she be enrolled in any school that students living in the attendance area in which the foster youth resides are eligible to attend.- All decisions shall be made in accordance with the foster youth's best interests. (Education Code 48853.5)

Prior to making any recommendation to move a foster youth from his/her school of origin, the liaison shall provide the youth and the person holding the right to make educational decisions for the youth with a written explanation of the basis for the recommendation and how ~~this~~ the recommendation serves the youth's best interests. (Education Code 48853.5)

The role of the liaison shall be advisory with respect to placement decisions and determination of the school of origin. (Education Code 48853.5)

If the liaison, in consultation with the foster youth and the person holding the right to make educational decisions for the foster youth, agrees that the best interests of the youth would be served by his/her transfer to a school other than the school of origin, the principal or designee of the new school shall immediately enroll the foster youth. -The foster youth shall be immediately enrolled even if he/she: (Education Code 48853.5)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

2. Does not have clothing normally required by the school, such as school uniforms

(cf. 5132 - Dress and Grooming)

3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and medical records, including, but not limited to, immunization records or other documentation

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

If the foster youth or a person with the right to make educational decisions for the foster youth disagrees with the liaison's enrollment recommendation, he/she may appeal to the Superintendent. -The Superintendent shall make a determination within 30 calendar days of receipt of the appeal. Within 30 calendar days of receipt of the Superintendent's decision, the parent/guardian or foster youth may appeal that decision to the Board. -The Board shall consider the issue at its next regularly scheduled meeting. The Board's decision shall be final.

(cf. 9320 - Meetings and Notices)

If any dispute arises regarding the request of a foster youth to remain in the school of origin, the youth has the right to remain in the school of origin pending resolution of the dispute. (Education Code 48853.5)

Transportation

The district shall not be responsible for providing transportation to and from the school of origin.

Grades/Credits

Grades

(cf. 3540 - Transportation)

(cf. 3541 - Transportation Routes and Services)

Effect of Absences on Grades

The grades of a student in foster care shall not be lowered if the student is absent for any absence from school that is due to either of the following circumstances: (Education Code 49069.5)

1. A decision by a court or placement agency to change the student's placement, in which case the student's grades and credits shall be calculated as of the date he/she left school
2. A verified court appearance or related court-ordered activity

(cf. 5121 - Grades/Evaluation of Student Achievement)

Eligibility for Extracurricular Activities

A foster youth ~~whose~~ whose residence changes ~~residence~~ pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (Education Code 48850)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

Regulation
approved: April 24, 2013
Revised: _____

HANFORD ELEMENTARY SCHOOL DISTRICT
Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Paul J. Terry, Ed. D.

DATE: September 29, 2014

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: October 8, 2014

ITEM: Consider approval of the following revised Board Policy and Administrative Regulation:

- BP/AR 6162.51 – State Academic Achievement Tests

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

FISCAL IMPACT: None.

RECOMMENDATION: Approve.

Hanford ESD

Board Policy

Standardized Testing And Reporting Program State Academic Achievement Tests

BP 6162.51

Instruction

The Governing Board recognizes that state achievement test results provide an indication of student progress in achieving state academic standards and may be used to promote high-quality teaching and learning. The Superintendent or designee shall administer mandatory student assessments within the state Standardized Testing and Reporting (STAR) Program California Assessment of Student Performance and Progress (CAASPP) as required by law and in accordance with Board policy and administrative regulation.

(cf. 6011 - Academic Standards)

(cf. 6162.5 - Student Assessment)

(cf. 6162.54 - Test Integrity/Test Preparation)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

The Board of Trustees strongly encourages all students at the applicable grade levels to participate in the STAR~~state~~ assessments in order to maximize the usefulness of the data and enable the district to meet participation levels required for state and federal accountability systems. The Superintendent or designee shall notify students and parents/guardians about the importance of these assessments and shall develop strategies to encourage student participation. Students shall be exempted from participation only in accordance with law and administrative regulation.

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

~~The Board desires to use the results of the achievement tests to evaluate the performance of district students against the state's academic standards, the performance of students in other districts across the state, and national norms.~~

The Board shall annually examine STAR~~state~~ assessment results by school, grade level, and student subgroup in the Board's discussion of each school's ranking on the statewide Academic Performance Index. If the STAR performance level of the school is below the Board's established expectations, the Board may conduct an assessment by grade level of the reasons for the performance results and may adopt an improved performance plan in accordance with Education Code 52056as one measure of the district's progress in attaining its student achievement goals and shall revise the local control and accountability plan and other district or school plans as necessary to improve student achievement for underperforming student groups.

(cf. 0460 - Local Control and Accountability Plan)
 (cf. 0500 - Accountability)
 (cf. 0520 - Intervention for Underperforming Schools)
 (cf. 0520.1 - High Priority Schools Grant Program)

Legal Reference:

EDUCATION CODE

~~49076 Student records; access~~
 51041 Evaluation of educational program
~~52056 Board discussion of~~~~52052 Academic Performance Index rankings, including STAR results; numerically significant student subgroups~~
~~52060-52077 Local control and accountability plan~~
 56345 Individualized education program, contents
 60600-60630 Assessment of academic achievement
~~60640-60649 Standardized Testing~~~~California Assessment of Student Performance and Reporting Program~~~~Progress~~
 60660-60663 Electronic learning assessment resources
 60810 Assessment of language development
 99300-99301 Early Assessment Program

CODE OF REGULATIONS, TITLE 5

~~850-870 Standardized Testing and Reporting Program~~
 850-864 State assessments

UNITED STATES CODE, TITLE 20

~~1412(a)(17) Participation of students with disabilities in state assessments~~

6311 Adequate yearly progress

CODE OF FEDERAL REGULATIONS, TITLE 34

200.1 Standards and assessment

Management Resources:

CSBA PUBLICATIONS

Supporting Student Achievement: Student Assessment System in Flux, Governance Brief, June 2013

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

~~Matrix of Test Variations, Accommodations and Modifications for Administration of California Statewide Assessments~~

Assembly Bill 484 Questions and Answers

CALIFORNIA STATE UNIVERSITY PUBLICATIONS

The Early Assessment Program: Handbook for School Site Leaders, 2008

SMARTER BALANCED ASSESSMENT CONSORTIUM PUBLICATIONS

Usability, Accessibility, and Accommodations Guidelines, September 2013

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

The Use of Tests as Part of High-Stakes Decision-Making for Students: A Resource Guide for Educators and Policy-Makers, December 2000

WEB SITES

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

California Department of Education, ~~STAR Program~~Testing and Accountability:

<http://www.cde.ca.gov/ta/tg/sr>

California Learning Resources Network: <http://clrn.org>

California State University, Early Assessment Program: <http://www.calstate.edu/eap>

| Smarter Balanced Assessment Consortium: <http://www.smarterbalanced.org>

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

| <http://www.ed.gov/about/offices/list/ocr/index.html>

Policy

HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: July 17, 2002

Hanford, California

revised: December 14, 2005

revised: September 5, 2007

revised: _____

Hanford ESD

Administrative Regulation

Standardized Testing And Reporting Program State Academic Achievement Tests

AR 6162.51

Instruction

The district shall administer the following assessments in the Standardized Testing and Reporting (STAR) Program: California Assessment of Student Performance and Progress (CAASPP): (Education Code 60640)

1. The Smarter Balanced Assessment Consortium summative assessments for English language arts and mathematics, aligned with Common Core State Standards, in grades 3-8 and 11

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

All students at the applicable grade levels shall be administered these tests, except that:

a. English learners who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law

b. Students with disabilities may be provided an alternate test in accordance with their individualized education program (IEP), as provided in item #3 below

(cf. 6159 - Individualized Education Program)

-based achievement tests, as designated by the SBE (cf. 6164.6 - Identification and Education Under Section 504)

2. A California Standards Tests in science at grades 5, 8, and 10

(cf. 6142.93 - Science Instruction)

3. For students with disabilities who are unable to take the tests specified in items #1-2 above even with appropriate accommodations, the California Alternate Performance Assessment (CAPA) in English language arts and mathematics for students in grades 2-11 and either the CAPA or California Modified Assessment in science for students in grades 5, 8, and 10, in accordance with the student's IEP

4. The Standards-Based Test in Spanish (STS) to Spanish-speaking English learners in grades 2-11. This test shall be administered to English learners in addition to any applicable

~~standards-based the state achievement test. (Education Code 60640) tests administered in English.~~

(cf. 6174 - Education for English Language Learners)

~~3. — An alternate assessment, the California Alternate Performance Assessment (CAPA), or the California Modified Assessment (CMA) for students with disabilities when indicated in their individualized education program (IEP). (Education Code 56345, 60640; 5 CCR 850; 34 CFR 200.1)~~

~~Any special education student who is an English learner may be tested with the DPLT in accordance with item #3 above, unless the IEP specifically exempts him/her from such testing. (Education Code 56345)~~

~~The STS also may be used to assess students in a dual language immersion program who are not limited English proficient or who are redesignated fluent English proficient.~~

~~5. For students in grade 11 on a voluntary basis, an augmented achievement test approved for use in the Early Assessment Program as a measure of students' readiness for college-level work in English and/or mathematics pursuant to Education Code 99300-99301~~

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

~~(cf. 6164.6 — Identification and Education under Section 504)~~

Testing Period

~~The designated achievement test and the standards-based achievement tests shall be administered to students during a testing window of 21 instructional days that includes 10 instructional days before and after completion of 85 percent of the school's, track's, or program's instructional days. Testing for all students, including make-up testing, shall be completed within this 21-instructional day window. (Education Code 60640; 5 CCR 855)~~

~~The STAR writing assessment shall be administered only on the day specified annually by the Superintendent of Public Instruction. (Education Code 60640; 5 CCR 855)~~

~~The Superintendent or designee shall arrange for at least two make-up days for the testing of students who were absent during the period that any school administered the standards-based achievement test. All make-up testing shall occur within five instructional days of the last date that the district administered the tests, but not later than the 21-instructional day window established above. Make-up days for the writing assessment are specified by the State of California. Make-ups for the writing test will be given on the dates specified by the State. (Education Code 60640; 5 CCR 855)~~

The state achievement tests shall be administered within the testing period established by the State Board of Education (SBE) pursuant to Education Code 60640. Students who are absent during testing shall be provided an opportunity to take the tests during the period of time established by the SBE for make-up testing.

Exemptions

A parent/guardian may submit to the school a written request to excuse his/her child from any or all parts of any test. ~~District employees may discuss the STAR program with parents/guardians and may inform them of the availability of exemptions under Education Code 60615. However, the district and its employees shall not solicit or encourage any written exemption request on behalf of any student or group of students. (5 CCR 852)~~

Testing Variations

~~The designated achievement test, standards-based achievement tests, and DPLT Assessments shall be administered in accordance with the manuals or other instructions provided by the test contractor, unless and California Department of Education (CDE), except that students may be provided a testing variation, tool, support, or accommodation, or modification that is specifically allowed pursuant to 5 CCR 853.5. (5 CCR 853, 853.5)~~

~~All students may be Accommodations provided with the following variations: (5 CCR 853.5)~~

- ~~1. — Simplified or clarified test directions~~
- ~~2. — For grades 2-8, write-in test booklets (e.g., underlining, working math problems)~~

~~Any marks other than those in response circles for grades 2 and 3 must be erased to ensure that the tests can be scored.~~

- ~~3. — On the standards-based achievement test, as much time as needed within a single sitting to complete a test or test part~~

~~In addition, all students shall be provided with the following testing variations if such variations are regularly used in the classroom: (5 CCR 853.5)~~

- ~~1. — Special adaptive furniture~~
- ~~2. — Special lighting, special acoustics, or visual magnifying or audio amplification equipment~~
- ~~3. — An individual carrel or study enclosure~~
- ~~4. — Individual testing in a separate testing room provided that a district employee who has signed the STAR Test Security Affidavit directly supervises the student~~
- ~~5. — Colored overlay, masks, or other means to maintain visual attention to the test or test questions~~
- ~~6. — Manually Coded English or American Sign Language to communicate directions for test administration~~

Identified English learners shall be provided with the following testing variations if such variations are regularly used in the classroom or for assessment: (5 CCR 853.5)

1. ~~Flexible setting: testing in a separate room with other English learners provided that a district employee who has signed the Test Security Affidavit directly supervises the student.~~
2. ~~Flexible schedule: additional supervised breaks following each section within a test part provided that the test section is completed within a testing day. A test section is identified by a "STOP" at the end of it.~~
3. ~~Translated directions: hearing the test directions printed in the test administration manual translated into their primary language. English learners shall have the opportunity to ask clarifying questions about any test directions presented orally in their primary language.~~
4. ~~Glossaries: access to translation glossaries/word lists for the standards-based achievement tests in mathematics, science, and history/social science (English to primary language). The translation glossaries/word lists are to include only the English words or phrases with the corresponding primary language words or phrases. The glossaries/word lists shall not include definitions or formulas.~~

~~Students~~ students with disabilities shall be permitted to take the assessments with any of the testing variations listed in 5 CCR 853.5, provided the variations are those specified in their IEP or Section 504 plan. These variations may include, but are not limited to, accommodations in the presentation or setting of the test administration or in how a student is allowed to respond, and/or modifications in accordance with 5 CCR 853.5. (5 CCR 850, 853, 853.5)

District and Test Site Coordinators

Each- Staff Responsibilities

On or before September 30 of each year, the Superintendent or designee shall designate a district coordinator who shall oversee all matters related to the testing program and serve as the district representative and liaison with the California Department of Education (CDE) for all matters relating to test contractor and the STAR program. ~~The CDE.~~ In addition, the Superintendent or designee ~~also shall designate a coordinator at~~ for each test site. (5 CCR 857-858)

~~In addition to the~~ The duties prescribed in 5 CCR 857-858, the district coordinator shall establish guidelines to help ensure that the test contractor is provided complete student information, as of the district and school site test coordinators shall include those specified in 5 CCR 861 and 870, for purposes of the Academic Performance Index. CRR 857-858. (5 CCR 857-858)

(cf. 3553—Free and Reduced Price Meals)

After receiving summary reports and files from the test contractor, the district STAR coordinator shall review the files and reports for completeness and accuracy, and shall notify the test-

~~contractor and the CDE of any errors, discrepancies, or incomplete information. (5 CCR 857)~~

The Superintendent or designee also shall appoint test examiner(s) to administer the state assessments. A test examiner shall be an employee or contractor of the district or, for the CAPA, shall be a certificated or licensed employee of the school, district, or county office of education. (5 CCR 850)

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

As appropriate, the Superintendent or designee shall assign a specially trained district employee to serve as a test proctor to assist the test examiner; a specially trained district employee, or other person supervised by a district employee, to serve as a translator to translate the test directions into a student's primary language; and a district employee to serve as a scribe to transcribe a student's responses to the format required by the test. A student's parent/guardian shall not be eligible to be that student's translator or scribe. (5 CCR 850)

Test coordinators, examiners, proctors, translators, and scribes shall sign a test security agreement or affidavit. (5 CCR 850, 857-859)

Report of Test Results

~~The Superintendent or designee shall forward the student report provided by the test contractor to the student's parents/guardians within 20 working days of receiving the report from the contractor. If these reports are received from the contractor after the last day of instruction in the school year, each student's results shall be mailed to his/her parents/guardians. (5 CCR 863)~~

The report shall include~~For any state assessments that produce valid individual student results,~~
the Superintendent or designee shall provide a written report of the student's results to his/her parents/guardians which includes a clear explanation of the purpose of the test, the student's score, and its intended use by the district. (Education Code 60641. An individual student's scores shall also be reported to his/her school and teacher(s) and shall be included in his/her student record. (Education Code 60641; 5 CCR 863)

(cf. 5125 - Student Records)

(cf. 5145.6 - Parental Notifications)

~~An individual student's scores shall also be reported to his/her school and teachers and shall be included in his/her student record. (Education Code 60641)~~

(cf. 5125 - Student Records)

DistrictwideWith parent/guardian consent, the Superintendent or designee may release a student's test results to a postsecondary educational institution for the purposes of credit, placement, determination of readiness for college-level coursework, or admission. (Education

Code 60641)

The Superintendent or designee shall present districtwide, school-level, and grade-level results shall be reported to the Governing Board of Trustees at a regularly scheduled meeting. The Board shall not receive individual students' scores or the relative position of any individual student. (Education Code 49076, 60641)

~~(cf. 9321.1 -- Closed Session Actions and Reports)~~

~~Individual test results shall not be released without the written consent of the adult student or the minor student's parents/ guardians to any person other than a parent/ guardian; a teacher, counselor or administrator directly involved with the student. (Education Code 60607, 60641)~~

Regulation

HANFORD ELEMENTARY SCHOOL DISTRICT

approved: July 17, 20002

Hanford, California

revised: September 5, 2007

revised: May 7, 2008

revised: May 20, 2009

revised: _____

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Paul J. Terry, Ed. D.

DATE: September 29, 2014

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: October 8, 2014

ITEM: Consider approval of the following revised Board Policy and Administrative Regulation:

- BP/AR 5144 – Discipline

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

FISCAL IMPACT: None.

RECOMMENDATION: Approve.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Paul J. Terry, Ed. D.

DATE: September 15, 2014

FOR: (X) Board Meeting
() Superintendent's Cabinet

FOR: (X) Information
() Action

Date you wish to have your item considered: September 24, 2014

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

- BP/AR 5144 – Discipline

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

FISCAL IMPACT: None.

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

Hanford ESD

Board Policy

Discipline

BP 5144

Students

The Governing Board is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and to preparepreparing students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent involvement can minimize the need for disciplineddisciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall ~~approve, for each school,~~design a complement of effective, age-appropriate strategies for maintaining a positive school climate and correcting student behavior. ~~Suchmisbehavior at district schools. The strategies may include, but are not limited to,~~ conferences withshall focus on providing students and their parents/guardians;with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices.

In addition, the Superintendent or designee's strategies shall reflect the Board's preference for the use of study, guidance, or other intervention-related teams; enrollment in a program teaching prosocial behavior or anger management; and participation in a restorative justice program. Staff shall use preventativepositive interventions and alternative disciplinary measures and positive-conflict resolution techniques whenever possible. over exclusionary discipline measures as a means for correcting student misbehavior.

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required by law andor when other means of correction have been documented to have failed. (Education Code 48900.5)

(cf. 5020 - Parent Rights and Responsibilities)

~~(cf. 5144.1 - Suspension and Expulsion/Due Process)~~
~~(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))~~
~~(cf. 6159.4 - Behavioral Interventions for Special Education Students)~~
~~(cf. 5137 - Positive School Climate)~~
~~(cf. 5138 - Conflict Resolution/Peer Mediation)~~
~~(cf. 5145.9 - Hate-Motivated Behavior)~~
~~(cf. 6020 - Parent Involvement)~~
~~(cf. 6164.5 - Student Success Teams)~~

~~Board policies and administrative regulations shall outline acceptable student conduct and provide the basis for sound disciplinary practices.~~

~~(cf. 5131 - Conduct)~~
~~(cf. 5131.1 - Bus Conduct)~~

The Superintendent or designee shall create a model discipline matrix that lists violations and the consequences for each as allowed by law.

The administrative staff at each school may develop disciplinary rules to meet the school's particular needs. ~~However, the rules shall be consistent with law, Board policy, and district regulations. The Board may review, at an open meeting, shall review the approved school discipline rules for consistency with Board policy and state law. Site-level disciplinary rules shall be included in the district's comprehensive safety plan. (Education Code 35291.5, 32282)~~

~~(cf. 5131.2 - Bullying)~~
~~(cf. 9320 - Meetings and Notices)~~

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

~~Persistently disruptive students may be assigned to alternative programs or removed from school in accordance with law, Board policy, and administrative regulation.~~

~~(cf. 0450 - Comprehensive Safety Plan)~~
~~(cf. 3515 - Campus Security)~~
~~(cf. 3515.3 - District Police/Security Department)~~
~~(cf. 4158/4258/4358 - Employee Security)~~
~~(cf. 5136 - Gangs)~~
~~(cf. 5144.1 - Suspension and Expulsion/Due Process)~~
~~(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))~~
~~(cf. 6159.4 - Behavioral Interventions for Special Education Students)~~
~~(cf. 6184 - Continuation Education)~~

(cf. 6185—Community Day School)

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the district's nondiscrimination policies.

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing the skills needed to effectively implement the disciplinary strategies adopted for district schools, including, but not limited to, consistent school and classroom management skills, implementing effective disciplinary accountability and positive intervention techniques, and establishing development of strong, cooperative relationships with parents/guardians.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Corporal Punishment

~~Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. (Education Code 49001)~~

~~However, corporal punishment does not include any pain or discomfort suffered by a student as a result of his/her voluntary participation in an athletic or other recreational competition or activity. In addition, an employee's use of force that is reasonable and necessary to protect himself/herself, students, staff, or other persons, to prevent damage to property, or to obtain possession of weapons or other dangerous objects within the control of the student is not corporal punishment. (Education Code 49001)~~

District goals for improving school climate, based on suspension and expulsion rates, surveys of students, staff, and parents/guardians regarding their sense of school safety, and other local measures, shall be included in the district's local control and accountability plan, as required by law.

(cf. 4158/4258/4358—Employee Security0460 - Local Control and Accountability Plan)

(cf. 5131.7—Weapons and Dangerous Instruments3100 - Budget)

(cf. 6145.2—Athletic Competition)

At the beginning of each school year, the Superintendent or designee shall report to the Board regarding disciplinary strategies used in district schools in the immediately preceding school year and their effect on student learning.

Legal Reference:

EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Notification of parent/guardian

49000-49001 Prohibition of corporal punishment

49330-49335 Injurious objects

52060-52077 Local control and accountability plan

CIVIL CODE

1714.1 Parental liability for child's misconduct

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, October 2011

Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000

STATE BOARD OF EDUCATION POLICIES

01-02 School Safety, Discipline, and Attendance, March 2001

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONSDear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

CSBA: <http://www.csba.org>California Department of Education: <http://www.cde.ca.gov>Public Counsel: <http://www.fixschooldiscipline.org>U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy

adopted: April 24, 2013

revised: _____

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

Hanford ESD

Administrative Regulation

Discipline

AR 5144
Students

Site-Level Rules

Site-level rules shall be consistent with district policies and administrative regulations. In developing site-level disciplinary rules, the principal or designee shall solicit the participation, views, and advice of one representative selected by each of the following groups: (Education Code 35291.5)

1. Parents/guardians
2. Teachers
3. School administrators
4. School security personnel, if any

(cf. 3515.3 - District Police/Security Department)

5. For junior high schools, students enrolled in the school

Annually, site-level discipline rules shall be reviewed and, if necessary, updated to align with any changes in district discipline policies or goals for school safety and climate as specified in the district's local control and accountability plan. A copy of the rules shall be filed with the Superintendent or designee for inclusion in the comprehensive safety plan.

Each school shall review its site-level discipline rules at least every four years. (cf. 0450 - Comprehensive Safety Plan)
(cf. 0460 - Local Control and Accountability Plan)

School rules shall be communicated to students clearly and in an age-appropriate manner.

It shall be the duty of each employee of the school to enforce the school rules on student discipline. (Education Code 35291)

Disciplinary Strategies

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Except when a student's presence causes a danger to

himself/herself or others or he/she commits a single act of a grave nature or an offense for which suspension or expulsion is required by law, suspension or expulsion shall be used only when other means of correction have failed to bring about proper conduct. Disciplinary strategies may include, but are not limited to:

1. Discussion or conference between school staff and the student and his/her parents/guardians

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

2. Referral of the student to the school counselor or other school support service personnel for case management and counseling

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

3. Convening of a study team, guidance team, resource panel, or other intervention-related team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and his/her parents/guardians

(cf. 6164.5 - Student Success Teams)

4. When applicable, referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program or a Section 504 plan

(cf. 6159 - Individualized Education Program)

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

5. Enrollment in a program for teaching prosocial behavior or anger management

6. Participation in a restorative justice program

7. A positive behavior support approach with tiered interventions that occur during the school day on campus

88. Participation in a social and emotional learning program that teaches students the ability to understand and manage emotions, develop caring and concern for others, make responsible decisions, establish positive relationships, and handle challenging situations capably

9. Participation in a program that is sensitive to the traumas experienced by students, focuses on students' behavioral health needs, and addresses those needs in a proactive manner

10. After-school programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration

with local parent and community groups

(cf. 5148.2 - Before/After School Programs)

| 911. Recess restriction as provided in the section below entitled "Recess Restriction"

| 1012. Detention after school hours as provided in the section below entitled "Detention After School"

| 1113. Community service as provided in the section below entitled "Community Service"

| 1214. In accordance with Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities

(cf. 6145 - Extracurricular/Cocurricular Activities)

| 1315. Reassignment to an alternative educational environment

(cf. 6158 - Independent Study)

(cf. 6181 - Alternative Schools/Programs of Choice)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

| 1416. Suspension and expulsion in accordance with law, Board policy, and administrative regulation

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

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

When, by law or district policy, other means of correction are required to be implemented before a student could be suspended or expelled, any other means of correction implemented shall be documented and retained in the student's records. (Education Code 48900.5)

(cf. 5125 - Student Records)

Recess Restriction

A teacher may restrict a student's recess time only when he/she believes that this action is the most effective way to bring about improved behavior. When recess restriction may involve the withholding of physical activity from a student, the teacher shall try other disciplinary measures before imposing the restriction. Recess restriction shall be subject to the following conditions:

1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.
2. The student shall remain under a certificated employee's supervision during the period of

restriction.

3. Teachers shall inform the principal of any recess restrictions they impose.

(cf. 5030 - Student Wellness)

(cf. 6142.7 - Physical Education and Activity)

Detention After School

Students may be detained for disciplinary reasons up to one hour after the close of the maximum school day. (5 CCR 353)

If a student will miss his/her school bus on account of being detained after school, or if the student is not transported by school bus, the principal or designee shall notify parents/guardians of the detention at least one day in advance so that alternative transportation arrangements may be made. The student shall not be detained unless the principal or designee notifies the parent/guardian.

In cases where the school bus departs more than one hour after the end of the school day, students may be detained until the bus departs. (5 CCR 307, 353)

Students shall remain under the supervision of a certificated employee during the period of detention.

Students may be offered the choice of serving their detention on Saturday rather than after school.

(cf. 6176 - Weekend/Saturday Classes)

Community Service

As part of or instead of disciplinary action, the Board, Superintendent, principal, or principal's designee may, at his/her discretion, require a student to perform community service during nonschool hours on school grounds, or, with written permission of the student's parent/guardian, off school grounds. Such service may include, but is not limited to, community or school outdoor beautification, campus betterment, and teacher, peer, or youth assistance programs. (Education Code 48900.6)

This community service option is not available for a student who has been suspended, pending expulsion, pursuant to Education Code 48915. However, if the recommended expulsion is not implemented or the expulsion itself is suspended, then at the student may be required to perform community service for the resulting suspension. (Education Code 48900.6)

Notice to Parents/Guardians and Students

At the beginning of the school year, the Superintendent or designee shall notify

parents/guardians, in writing, about the availability of district rules related to discipline.
(Education Code 35291, 48980)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall also provide written notice of ~~the~~disciplinary rules ~~related to discipline~~ to transfer students at the time of their enrollment in the district.

Regulation
approved: April 24, 2013
Revised: _____

HANFORD ELEMENTARY SCHOOL DISTRICT
Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Paul J. Terry, Ed. D.

DATE: September 29, 2014

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: October 8, 2014

ITEM: Consider approval of the following revised Board Policy:

- BP 3513.3 – Tobacco-Free Schools

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

FISCAL IMPACT: None.

RECOMMENDATION: Approve.

Hanford ESD

Board Policy

Tobacco-Free Schools

BP 3513.3

Business and Noninstructional Operations

~~The Board of Trustees recognizes the health hazards associated with tobacco products, including the breathing of second-hand smoke, and desires to provide a healthy environment for students and staff. Employees are encouraged to serve as models for good health practices that are consistent with the district's instructional programs.~~

The Governing Board recognizes that smoking and other uses of tobacco and nicotine products constitute a serious public health hazard and are inconsistent with district goals to provide a healthy environment for students and staff.

(cf. 3514 - Environmental Safety)

(cf. 4159/4259/4359 - Employee Assistance Programs)

(cf. 5030 - Student Wellness)

(cf. 5131.62 - Tobacco)

(cf. 5141.23 - Asthma Management)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

~~In accordance with state and federal law, the The Board prohibits the smoking or use of tobacco-related products and disposal of any tobacco-related waste at any time in district-owned or leased buildings, on district property, and in district vehicles. (Health and Safety Code 104420; Health and Safety Code 104495; 20 USC 6083; Labor Code 6404.5; 20 USC 6083)~~

This prohibition applies to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off district property-owned, leased. Any written joint use agreement governing community use of district facilities or rented by or from the district.

~~The Superintendent or designee grounds shall inform students, parents/guardians, employees and include notice of the public about this district's tobacco-free schools policy and related procedures consequences for violations of the policy.~~

~~(cf. 4118—Suspension/Disciplinary Action)~~ 1330 - Use of School Facilities)

~~(cf. 4218—Dismissal/Suspension/Disciplinary Action)~~

~~(cf. 5144)~~ 1330.1 - Suspension and Expulsion/Due Process Joint Use Agreements)

~~The Superintendent or designee shall maintain a list of clinics and other resources which may assist individuals who wish to stop using tobacco products.~~

(ef. 1159/4259/4359 – Employee Assistance Programs)

The products prohibited include any product containing tobacco or nicotine, including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, electronic cigarettes, electronic hookahs, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products.

This policy does not prohibit the use or possession of prescription products and other cessation aids that have been approved by the U.S. Department of Health and Human Services, Food and Drug Administration, such as nicotine patch or gum.

Smoking or use of any tobacco-related product or disposal of any tobacco-related waste is prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. In addition, any form of intimidation, threat, or retaliation against a person for attempting to enforce this policy is prohibited. (Health and Safety Code 104495)

Legal Reference:

EDUCATION CODE

48900 Grounds for suspension/expulsion

48901 Prohibition against tobacco use by students

HEALTH AND SAFETY CODE

39002 Control of air pollution from nonvehicular sources

104350-104495 Tobacco use prevention, especially:

104495 Prohibition of smoking and tobacco waste on playgrounds

119405 Unlawful to sell or furnish electronic cigarettes to minors

LABOR CODE

3300 Employer, definition

6304 Safe and healthful workplace

6404.5 Occupational safety and health; use of tobacco products

UNITED STATES CODE, TITLE 20

6083 Nonsmoking policy for children's services

7117100-7117 Safe and Drug Free Schools and Communities Act

CODE OF FEDERAL REGULATIONS, TITLE 21

1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors

PERB RULINGS

Eureka Teachers Assn. v. Eureka City School District (1992) PERB Order #955 (16 PERC 23168)

CSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School District (1989) PERB Order #750 (13 PERC 20147)

Management Resources:

WEB SITES

~~CDE~~California Department of Education, Alcohol, Tobacco and Other Drug Prevention:

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

California Department of Education, Tobacco-Free School District Certification:

<http://www.cde.ca.gov/ls/he/at/tobaccofreecert.asp>

California Department of Public Health, Tobacco Control:

<http://www.cdph.ca.gov/programs/tobacco>

Occupational Safety and Health Standards Board: <http://www.dir.ca.gov/OSHSB/oshsb.html>

| U.S. Environmental Protection Agency: <http://www.epa.gov>

Policy

adopted: May 16, 2001

revised: June 19, 2003

revised: _____

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Paul J. Terry, Ed. D.

DATE: September 29, 2014

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: October 8, 2014

ITEM: Consider approval of the following revised Board Policy and Administrative Regulation:

- BP/AR 3260 – Fees and Charges

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

FISCAL IMPACT: None.

RECOMMENDATION: Approve.

Hanford ESD

Board Policy

Fees And Charges

BP 3260

Business and Noninstructional Operations

The ~~Governing Board of Trustees~~ recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students' participation in the district's educational program are made available to them at no cost.

—No student shall be required to pay a ~~fee, deposit, or other charge~~ fee, deposit, or other charge for his/her participation in an educational activity which constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities. (Education Code 49010, 49011; 5 CCR 350)

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

~~(cf. 3100 - Budget)~~

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

~~(cf. 6145 - Extracurricular and Co-curricular Activities)~~

As necessary, the Board may approve fees, deposits, and other charges which are specifically authorized by law. When approving such authorized fees, deposits, and charges, the district shall consider students' and parents/guardians' ability to pay when establishing fee schedules, or determining whether and granting waivers or exceptions should be granted, the Board shall consider relevant data, including the socio-economic conditions of district students' families and their ability to pay.

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

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

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

~~(cf. 5143 - Insurance)~~

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

A complaint alleging district noncompliance with the prohibition against requiring student fees, deposits, or other charges shall be filed in accordance with the principal or designee using the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 49013)

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

If, upon investigation, the district finds merit in the complaint, the Superintendent or designee shall recommend and the Board shall adopt an appropriate remedy to be provided to all

affected students and parents/guardians in accordance with 5 CCR 4600.

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

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)

The Superintendent or designee may provide additional~~shall include~~ information or professional development opportunities on Fees and Charges in the Staff Handbook for administrators, teachers, and other personnel regarding to be informed about permissible fees.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Legal Reference:

EDUCATION CODE

8239 Preschool and wraparound child care services

8250 Child care and development services for children with disabilities

8263 Child care eligibility

8482.6 After School Education and Safety programs

8760-87748773 Outdoor science and conservation programs

17453.1 District sale or lease of Internet appliances or personal computers to students or parents

17551 Property fabricated by students

19910-19911 Offenses against libraries

32033 Eye protective devices

32221 Insurance for athletic team member

32390 Fingerprinting program

35330-35332 Excursions and field trips

35335 School camp programs

38080-3808638085 Cafeteria establishment and use

38120 Use of school band equipment on excursions to foreign countries

39801.5 Transportation for adults

39807.5 Payment of transportation costs

39837 Transportation of students to places of summer employment

48050 Residents of adjoining states

48052 Tuition for foreign residents
 48904 Liability of parent or guardian
 49010-49013 Student fees
 49065 Charge for copies
 49066 Grades, effect of physical education class apparel
 49091.14 Prospectus of school curriculum
 51810-51815 Community service classes
 52612 Tuition for adult classes
 52613 Nonimmigrant aliens
56504 School records: students with disabilities

60410 Students in classes for adults

GOVERNMENT CODE

6253 Request for copy; fee

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

4600-4687 Uniform complaint procedures

4622 Notice

UNITED STATES CODE, TITLE 8

1184 Foreign students

COURT DECISIONS

Driving School Assn of CA v. San Mateo Union HSD (1993) 11 Cal. App. 4th 1513

Arcadia Unified School District v. State Department of Education (1992) 2 Cal 4th 251

Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739

Hartzell v. Connell (1984) 35 Cal. 3d 899

CTA v. Glendale School District Board of Education (1980) 109 Cal. App. 3d 738

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONSMANAGEMENT- ADVISORIES

Pupil 1030.97 Fiscal Management Advisory 97-02: Fees, Deposits, and Other Charges: Cap and Gown for High School Graduation Ceremony. Addendum to Fiscal Management Advisory 12-02, October 4, 2013

Fees, Deposits and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013

WEB SITES

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

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

~~(7/00 11/12) 4/14 Policy~~ HANFORD ELEMENTARY SCHOOL DISTRICT
 adopted: May 16, 2001 Hanford, California
 revised: September 11, 2013

Hanford ESD

Administrative Regulation

Fees And Charges

AR 3260

Business and Noninstructional Operations

When approved by the Governing Board of Trustees, the Superintendent or designee may impose a fee for the following: (5 CCR 350)

1. Insurance for athletic team members, with an exemption providing for the district to pay the cost of the insurance for any team member who is financially unable to pay for financial hardship (Education Code 32221)

(cf. 5143 - Insurance)

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

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

(cf. 6153 - School-Sponsored Trips)

4. Student fingerprinting program, as long as the fee does not exceed the actual costs associated with the program (Education Code 32390)

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

5. School camp programs in outdoor science education, conservation education, or forestry operated pursuant to Education Code 8760-8774, 8773 provided that the fee is not mandatory and no student is denied the opportunity to participate for nonpayment of the fee (Education Code 35335)

(cf. 6142.5 - Environmental Education)

6. Reimbursement for the direct cost of the materials provided by the district to a student for the fabrication of nonperishable personal property the student will take home for his/her own possession and use, such as wood shop, art, or sewing projects kept by the student (Education Code 17551)

7. Home-to-school transportation and transportation between regular, full-time day schools and regional occupational centers, programs, or classes, as long as the fee does not exceed the

statewide average nonsubsidized cost per student and as long as exemptions are made for indigent and disabled students (Education Code 39807.5)

(cf. 3250 - Transportation Fees)

8.— Transportation for students to and from their places of employment in connection with any summer employment program for youth (Education Code 39837)

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

10. Sale or lease of Internet appliances or personal computers for the purpose of providing access to the district's educational computer network, at no more than cost, as long as the district provides network access for families who cannot afford it (Education Code 17453.1)

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

(cf. 0440 - District Technology Plan)

(cf. 6163.4 - Student Use of Technology)

11. Fees for any community service class in civic, vocational, illiteracy, health, homemaking, and technical and general education, not to exceed the cost of maintaining the class (Education Code 51810, 51815)

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

1244. Eye safety devices worn in courses or activities involving the use of hazardous substances likely to cause injury to the eyes, when being sold to students and/or teachers or instructors to keep and; at a price not to exceed the district's actual costs (Education Code 32033)

(cf. 3514.1 - Hazardous Substances)

(cf. 5142 - Safety)

1342. Actual cost of furnishing copies of any student's records, except that no charge shall be made for furnishing, if he/she is a former student, up to two transcripts or two verifications of a former student's his/her various records or for reproducing records of a student with a disability when the cost would effectively prevent the parent/guardian from exercising the right to receive the copies (Education Code 49065, 56504)

(cf. 5125 - Student Records)

1443. Actual costs of duplication for reproduction of the prospectus of school curriculum or for copies of public records (Education Code 49091.14; Government Code 6253)

(cf. 1340 - Access to District Records)

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

(cf. 5020 - Parent Rights and Responsibilities)

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

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

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

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3554 - Other Food Sales)

16. ~~As allowed in law, replacement cost~~ Fines or reimbursement ~~reimbursements~~ for lost or damaged district books, supplies, or property, or for district ~~damage to library property loaned to a student that he/she fails to return~~ (Education Code 19910-19911, 48904)

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

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

(cf. 5111.2 - Nonresident Foreign Students)

18. Adult education books, materials, transportation, and classes, except that no fee may be charged for classes in elementary subjects or for which high school credit is granted when taken by a person who does not hold a high school diploma or, effective ~~and classes as specified in law~~ (Education Code ~~52612, 60410~~)

July 1, 2015, classes in English and citizenship (Education Code 39801.5, 52612, ~~60410~~)

(cf. 6200 - Adult Education)

19. Preschool and child care and development services, in accordance with the fee schedule established by the Superintendent of Public Instruction, unless the family qualifies for subsidized services or the program is for severely disabled children and the student is eligible to enroll in it (Education Code 8239, 8250, 8263)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

~~20. Physical education uniforms~~

~~(cf. 20. After School Education and Safety Programs, as long as no eligible student is denied the~~

ability to participate because of inability to pay the fee (Education Code 8482.6)

(7/00 11/12) 4/146142.7—Physical Education and Activity)

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT

approved: May 16, 2001 Hanford, California

revised: September 11, 2013

revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Paul J. Terry, Ed. D.

DATE: September 29, 2014

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: October 8, 2014

ITEM: Consider approval of the following revised Board Policy:
• BP 0420.43 – Charter School Revocation

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

FISCAL IMPACT: None.

RECOMMENDATION: Approve.

Hanford ESD

Board Policy

Charter School Revocation

BP 0420.43

Philosophy, Goals, Objectives and Comprehensive Plans

~~The Board of Trustees~~ The Governing Board expects any charter school it authorizes to provide a sound educational program that promotes student learning and to carry out its operations in a manner that complies with law and the terms of its charter.

(cf. 0420.4 - Charter School Authorization)

(cf. 0420.41 - Charter School Oversight)

(cf. 0420.42 - Charter School Renewal)

(cf. 0500 - Accountability)

The Board may revoke a charter before the date it is due to expire whenever the Board makes a written factual finding, supported by substantial evidence, that the charter school has done any of the following: (Education Code 47607)

1. Committed a material violation of any of the conditions, standards, or procedures set forth in the charter
2. Failed to meet or pursue any of the student outcomes identified in the charter
3. Failed to meet generally accepted accounting principles or engaged in fiscal mismanagement
4. Violated any provision of law

The Board shall also consider revocation of a charter whenever the California Collaborative for Educational Excellence (CCEE), after providing advice and assistance to the charter school pursuant to Education Code 47607.3, submits to the Board either of the following findings: (Education Code 47607.3)

1. That the charter school has failed or is unable to implement the recommendations of the CCEE
2. That the inadequate performance of the charter school, as based on an evaluation rubric adopted by the State Board of Education (SBE), is so persistent or acute as to require revocation of the charter

In determining whether to revoke a charter, the Board shall consider increases in student academic achievement for all "numerically significant" groups of students served by the charter

school, as defined in Education Code 52052, as the most important factor. (Education Code 47607, 47607.3)

At least 72 hours prior to any Board meeting at which the Board will consider issuing a Notice of Violation, the Board shall provide the charter school with notice and all relevant documents related to the proposed action. (5 CCR 11968.5.2)

(cf. 9320 - Meetings and Notices)

If the Board takes action to issue a Notice of Violation, it shall deliver the Notice of Violation to the charter school's governing body. The Notice of Violation shall identify: (Education Code 47607; 5 CCR 11965, 11968.5.2)

1. The charter school's alleged violation(s).
2. All evidence relied upon by the Board in determining that the charter school committed the alleged violation(s), including the date and duration of the alleged violation(s). The Notice shall show that each alleged violation is both material and uncured and that it occurred within a reasonable period of time before the Notice of Violation is issued.
3. The period of time that the Board has concluded is a reasonable period of time for the charter school to remedy or refute the identified violation(s). In identifying this time period, the Board shall consider the amount of time reasonably necessary to remedy each identified violation, which may include the charter school's estimation as to the anticipated remediation time.

By the end of the remedy period identified in the Notice of Violation, the charter school's governing body may submit to the Board a detailed written response and supporting evidence addressing each identified violation, including the refutation, remedial action taken, or proposed remedial action. (5 CCR 11968.5.2)

Within 60 calendar days of the conclusion of the remedy period, the Board shall evaluate any response and supporting evidence provided by the charter school's governing body and shall take one of the following actions: (5 CCR 11968.5.2)

1. Discontinue revocation of the charter and provide timely written notice of such action to the charter school's governing body
2. If there is substantial evidence that the charter school has failed to remedy a violation identified in the Notice of Violation or to refute a violation to the Board's satisfaction, continue revocation of the charter by issuing a Notice of Intent to Revoke to the charter school's governing body

If the Board issues a Notice of Intent to Revoke, it shall hold a public hearing concerning the revocation on the date specified in the notice, which shall be no later than 30 days after providing the notice. Within 30 calendar days after the public hearing, or within 60 calendar days if

extended by written mutual agreement of the Board and the charter school, the Board shall issue a final decision to revoke or decline to revoke the charter. (Education Code 47607; 5 CCR 11968.5.2)

If the Board fails to meet the timelines specified above for issuing a Notice of Intent to Revoke or a final decision, the revocation process shall be deemed terminated. (5 CCR 11968.5.2)

Within 10 calendar days of the Board's final decision, the Superintendent or designee shall provide a copy of the final decision to the California Department of Education (CDE) and the County Board of Education. (Education Code 47604.32; 5 CCR 11968.5.2)

Severe and Imminent Threat

The procedures specified above shall not be applicable when the Board determines, in writing, that any violation under Education Code 47607 constitutes a severe and imminent threat to the health or safety of students. In such circumstances, the Board may immediately revoke the school's charter by approving and delivering a Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety to the charter school's governing body, the County Board, and the CDE. (Education Code 47607; 5 CCR 11968.5.3)

Appeals

~~In the event~~ If the Board revokes the charter, the charter school may, within 30 days of the Board's final decision, appeal the revocation to the County Board. Either the charter school or the district may subsequently appeal the County Board's decision to the SBE. ~~(Education Code 47607)~~ However, a revocation based upon the findings of the CCEE pursuant to Education Code 47607.3 may not be appealed. (Education Code 47607, 47607.3; 5 CCR 11968.5.3-11968.5.5)

Legal Reference:

EDUCATION CODE

47600-47616.7 Charter Schools Act of 1992, especially:

47607 Charter renewals and revocations

52052 Numerically significant student subgroups; definition

CODE OF REGULATIONS, TITLE 5

11960-11969 Charter schools, especially:

11968.5-11968.5.5 Charter revocations

COURT DECISIONS

Today's Fresh Start, Inc. v. Los Angeles County Office of Education, (2013) 57 Cal.4th 197

Management Resources:

CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

Charter Schools: A Manual for Governance Teams, rev. 2012

WEB SITES

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

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

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

Policy

adopted: October 9, 2013

Revised: _____

HANFORD ELEMENTARY SCHOOL DISTRICT
Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department

AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Jaime Martinez

DATE: September 29, 2014

RE: (X) Board Meeting
() Superintendent's Cabinet
() Information
(X) Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **October 8, 2014**

ITEM: Consider approval of personnel transactions and related matters.

PURPOSE:

a. Employment

Classified

- Mayra Macias, Bilingual Clerk Typist II – 5.0 hrs., King, effective 10/2/14
- Sara Rubio-Dreading, READY Program Tutor – 4.5 hrs., Jefferson, effective 9/25/14

Temporary Employees/Substitutes/Yard Supervisors

- Hannah Bolen, Substitute Clerk Typist II, effective 9/19/14
- Inez Carreiro, Short-term Yard Supervisor – 2.0 hrs., Lincoln, effective 9/22/14 to 10/31/14
- Vallerie Dunn, Substitute Administrative Secretary-Confidential and Administrative Secretary II, effective 9/23/14
- Anna Lopez, Substitute Yard Supervisor, effective 9/23/14
- Mayra Macias, Substitute Bilingual Clerk Typist I, Clerk Typist I, Translator: Oral Interpreter and Written Translator, effective 8/14/14
- Ivane Magana, Substitute Custodian II, effective 9/24/14
- Jon Nagle, Substitute Yard Supervisor, effective, 9/22/14
- Loretta Oquita, Substitute Yard Supervisor, effective 9/25/14
- Marie Ramirez Tule, Substitute Yard Supervisor, effective 9/24/14
- Julius Rojas, Substitute Yard Supervisor, effective 9/24/14; Short-term Yard Supervisor – 2.5 hrs., King, effective 9/25/14 to 11/21/14
- Anjali Williams, Substitute READY Program Tutor and Special Circumstance Aide, effective 9/16/14; Short-term Special Circumstance Aide – 5.75 hrs., Lincoln, effective 9/16/14 to 11/7/14

b. Resignations

- Celeste Gregory, Substitute READY Program Tutor, effective 12/14/13
- Timothy Grubb, Substitute Bus Driver, effective 2/22/14
- Paul Huerta, READY Program Tutor – 4.5 hrs., Monroe, effective 10/3/14
- Lourdes Lazcano, Teacher, King, effective 9/24/14
- Danielle Stacy, Substitute Clerk Typist I, effective 5/8/12

c. Termination of Probationary Employment

- Regina Jaso, Special Education Aide – 5.0 hrs., Lincoln, effective 9/18/14

d. Termination due to Failure to Respond to Annual Notification

- Andesar Ahmed, Substitute Yard Supervisor, effective 11/5/13
- Melissa Braley, Substitute Yard Supervisor, effective 11/12/13
- Athena Carrasco, Substitute Clerk Typist II, Food Service Worker II and Yard Supervisor, effective 5/23/14
- Alana Delgado, Substitute Yard Supervisor, effective 3/24/14
- Raymond Enriquez II, Substitute Educational Tutor K-6, effective 5/23/14
- Brigid Fogg, Substitute READY program Tutor and Yard Supervisor, effective 1/15/14
- Monica Gamez, Substitute Yard Supervisor and Translator: Oral Interpreter and Written Translator, effective 2/4/14
- Lonather Gray, Substitute Yard Supervisor, effective 2/3/12
- Thomas Green, Substitute Custodian I, effective 4/9/14
- John Hart, Custodian I, Delivery Worker and Warehouse/Reprographics and Mail Technician, effective 4/26/10
- Michael A. Hernandez, Alternative Education Program Aide, Custodian I, Educational Tutor K-6, Groundskeeper I, READY Program Tutor, Special Circumstance Aide, Special Education Aide and Warehouse/Reprographics and Mail Technician, effective 5/7/14
- Jose Huerta, Substitute Yard Supervisor, effective 4/9/14
- Audrey Jacobson, Substitute Educational Tutor K-6, Special Circumstance Aide, Special Education Aide, effective 5/23/14
- Christopher Kellum Substitute Yard Supervisor, effective 4/8/14
- Jeremiah Kemp, Substitute Custodian II, effective 10/13/11
- Carlos Lerma Jr., Substitute Custodian I, effective 3/11/13
- Cindy Mishou, Substitute Clerk Typist I and Media Services Aide, effective 8/3/13
- Richard moore, Substitute Educational Tutor K-6, effective 11/4/13
- Victoria Naranjo, Substitute Bilingual Clerk Typist I, Clerk Typist I, Translator: Oral Translator and Written Translator, effective 11/21/11
- Natalie Ortega, Substitute READY Program Tutor, effective 8/27/13
- Jenny Palmer-Ogando, Substitute Educational Tutor K-6, Translator: Oral Interpreter and Written Translator , effective 9/19/12
- David Paramo, Substitute Custodian II, effective 2/25/14
- Andreanna Rodriguez, Substitute Special Education Aide, effective 12/18/13

d. Termination due to Failure to Respond to Annual Notification (continued)

- Erwin Rosaroso, Substitute Custodian I, effective 1/24/14
- Mark Rosaroso, Substitute Custodian I, effective 4/12/13
- Crystal Salinas, Substitute Alternative Education program Aide and READY program Tutor, effective 4/24/14
- Eric Sawyer, Substitute Yard Supervisor, effective 3/24/14
- Adriana Solis, Substitute Clerk Trainee, Translator: Oral Interpreter and Wirtten Translator, effective 5/9/14
- Olivia Tiel, Substitute Bilingual Clerk Typist II, Clerk Typist II, Educational Tutor K-6, Trasnslator: Oral Interpreter and Written Translator, effective 11/25/13
- Brandy Torres, Substitute Clerk Typist I and Yard Supervisor, effective 6/6/14
- Julyssa Villagomez, Substitute Clerk Typist I and Special Education Aide, effective 8/30/13
- Brooke Westlund, Substitute READY Program Tutor, effective 8/28/13
- Heather Wilkerson, Substitute READY Program Tutor, effective 9/16/13
- Suzanne Wilson, Substitute Custodian I and Health Care Assistant, effective 3/28/14

e. More Hours

- Robert Alvarez, Short-term Yard Supervisor, from 1.25 hrs. to 2.25 hrs., Hamilton, effective 9/19/14 to 11/21/14
- Francisca Estrada de Saldana, Short-term Yard Supervisor, from .50 hr. to 1.5 hrs., Hamilton, effective 9/19/14
- Memory Oebel, Short-term Yard Supervisor, from .75 hrs. to 1.75 hrs., King, effective 9/15/14 to 10/31/14
- Calvin Winston, Short-term Yard Supervisor, from 1.0 hr. to 2.0 hrs., Monroe, effective 9/8/14 to 11/21/14

f. Voluntary Transfer

- Ana Fregoso, Short-term Yard Supervisor – 2.5 hrs., from Kennedy (1.5 hrs.)/Hamilton (1.0 hr.) to Kennedy (1.5 hrs)/Monroe (1.0 hr.), effective 9/22/14 to 10/31/14

g. Decrease in Hours

- Gennarina "Genella" Alvarez, Yard Supervisor, from 2.75 hrs. to 2.5 hrs., Hamilton, effective 9/19/14
- Debora Harris, Yard Supervisor, from 3.75 hrs. to 2.25 hrs., Hamilton, effective 9/19/14
- Veronica Leach, Yard Supervisor, from 2.25 hrs. to 2.0 hrs., Hamilton, effective 9/19/14

h. Leave of Absence

- Linda Garcia, Yard Supervisor – 2.5 hrs., Jefferson, effective 9/19/14 to 9/26/14, medical
- Gennifer Soriano, Yard Supervisor – 2.0 hrs., Lincoln, effective 9/8/14 to 10/31/14, medical

i. Job Descriptions

- Assistant Superintendent of Special Services (revised – title change & editing only)
- Chief Business Official (revised – title change & editing only)
- Program Manager of Transportation (revised – title change & editing only)

j. Volunteers

<u>Name</u>	<u>School</u>
Maria Ramirez	King
Susan Gonzalez	Lincoln
Niba Ortega	Richmond
Yuleni Cervantez	Roosevelt
Maegan Hill	Simas
Meissa Rubalcava	Washington
Barbara Sawyer	Washington

RECOMMENDATION: Approve.

HANFORD ELEMENTARY SCHOOL DISTRICT
Job Description

DIRECTOR ASSISTANT SUPERINTENDENT OF SPECIAL SERVICES

DEFINITION

Under direction of the Superintendent, the Director Assistant Superintendent of Special Services provides leadership in special education services, health and guidance programs, directs and coordinates specially funded State and/or Federal grants, after-school child care programs, child welfare and attendance, and student discipline; and monitors District compliance with program goals and objectives.

SUPERVISION RECEIVED AND EXERCISED

The Director Assistant Superintendent receives general direction from the Superintendent. The Director Assistant Superintendent supervises the work of certificated and classified staff assigned to the Special Services Department, Child Welfare and Attendance Department, and exercises functional supervision over management, certificated, and classified staff in the areas assigned.

ESSENTIAL FUNCTIONS

- Coordinates and directs the district's special education services, health and guidance programs, after-school child care programs, and the child welfare and attendance, and student discipline procedures and processes.
- Maintains due process requirements and legal regulations related to student services, coordinates placement of students into and out of programs, and develops and implements inservice training programs appropriate to special education personnel.
- Plans and provides direction to appropriate staff in the implementation of the District's Special Education Master Plan.
- Assists in program selection, implementation, and evaluation at both District and individual levels.
- Establishes effective liaison and, when necessary, inter-agency agreements with other local educational agencies, community services and agencies, and the State Department of Education to coordinate necessary programs and services.
- Keeps informed of funding model and all legal requirements governing special education.

ESSENTIAL FUNCTIONS (continued)

- Assumes responsibility for completing, maintaining, and filing all reports and documents required by the State or federal governments in areas of responsibility.
- Ensures the maintenance of complete and cumulative legal individual records of all children receiving special education services.
- Plans and provides direction to staff regarding the development and monitoring of the district's student conduct policies and procedures.
- Coordinates and monitors the district's after-school child care programs and ensures compliance with program requirements.
- Interprets the legal requirements for services and programs to the staff, administration, Governing Board, and the public for programs in areas of responsibility.
- Establishes timelines and procedures for planning, implementation, and evaluation of Special Education, Health, and 504 Accommodations.
- Monitors Special Education, Health/Guidance, After-school programs, Grant funding, budget expenditures, and maintains compliance with State and federal regulations.
- Provides school site managers with information and/or training relative to Special Education, Health, Counseling, and 504 Accommodations.
- Maintains close working relationship with school-based and District level administrators to ensure information exchange, coordination of efforts and support for decision making process.
- Addresses and makes presentations to classified and certificated staff, parents, and community groups.
- Supports implementation of District student discipline policy and school sites' Code of Conduct.
- Anticipates problems and designs procedures to address matters of concern and empowers training others to make decisions and carryout responsibilities and facilitate solutions.
- Communicates effectively with a variety of audiences.

ESSENTIAL FUNCTIONS (continued)

- Analyzes statistical data and develops strategies for improvement.
- Plans, organizes, controls, and directs a variety of programs, projects and activities related to Special Education, Health, and Counseling programs.
- Provides technical expertise regarding assigned functions; formulate and develop policies and procedures; develop and evaluate programs for Special Education students.
- Develops and implements long and short-term plans and activities; provide leadership to the goal-setting process.
- Directs the preparation and maintenance of a variety of narrative and statistical reports, records and files; provide for appropriate research and compile reports for State and federal agencies.
- Communicates with other administrators, District personnel and program personnel to coordinate activities and programs, resolve issues and conflicts, and exchange information; assures proper implementation and communication of program activities with the instructional area personnel.
- Monitors District-wide 504 services and protection.
- Reviews, develops, and communicates health policies to others; provides consultation to personnel regarding health issues.
- Plans, organizes, controls and directs a variety of programs, projects, and activities related to the administration of Student Services activities and programs; formulatesgoals and administersregulations.
- Establishes and administers programs and procedures to implement student discipline, expulsion and exemption actions.

NECESSARY EMPLOYMENT STANDARDSKnowledge of:

Instructional practices for grades K-8.

Budget development and management.

Special programs, policies, and regulations.

Strategies for improving overall operations of the District.

Educational leadership strategies for purposes of program improvement.

Skill and Ability to:

Carry out District policies and regulations in areas assigned.

Monitor all programs and provide direction for improvement and compliance.

Manage budgets for assigned programs and areas of responsibility.

Provide leadership and direction to principals in utilizing support services.

EDUCATION AND EXPERIENCE:

Any combination of education and experience that could likely provide the required knowledge, skills and abilities is qualifying. A typical way to obtain the knowledge, skills and abilities would be:

Education: Masters Degree.

Experience: Four years successful multi-level elementary school teaching experience (K-8), and three years successful administrative experience at school and/or district level.

Licenses and Certificate: A valid California Administrative Services Credential.

WORKING CONDITIONS:

Environment: Office environment.

Physical Abilities: Sitting for extended periods of time, hearing and speaking to exchange information and make presentations, vision sufficient to read complex printed materials and monitor financial data.

Adopted: 07/24/96

Revised: 12/05/01

Revised: 08/23/06

Revised: ____ / ____ /14 (Title change and revision)

HANFORD ELEMENTARY SCHOOL DISTRICT
Job Description

ASSISTANT SUPERINTENDENT, FISCAL SERVICES CHIEF BUSINESS OFFICIAL (CBO)

PURPOSE

The ~~Assistant Superintendent for Fiscal Services~~ Chief Business Official (CBO) is responsible for all financial services involving the planning, development, and implementation of the District's accounting, payroll, purchasing, and budgetary systems in compliance with District goals and objectives and State/federal regulations and procedures. The ~~Assistant Superintendent~~ CBO serves as the principal advisor to the Superintendent and Board of ~~Education~~ Trustees in the areas of responsibility.

SUPERVISION RECEIVED AND EXERCISED

The ~~Assistant Superintendent~~ CBO, receives general direction from the Superintendent, supervises assigned managers and clerical staff, and exercises overall supervision over the District's Food Service program.

ESSENTIAL FUNCTIONS

- Advises the Board of Trustees and the Superintendent in the areas of fiscal policy, budget development, and fiscal support of all district operational programs;
- Coordinates the development of a budget plan in collaboration with key stakeholders to support the implementation of the district's Local Control Accountability Plan;
- Plans and recommends fiscal policy and develops procedures and controls in all areas of fiscal services;
- Prepares the District's annual budget for adoption by the Board of Trustees;
- Develops short-term and long-term financial forecasts for planning and collective bargaining purposes;
- Directs and supervises Payroll, Accounts Payable, and Accounts Receivable activities;
- Reviews and approves financial documents for accuracy and adherence to legal and procedural requirements and provides guidance to managers as needed;
- Directs and supervises the preparation of State-mandated cost reports;
- Prepares monthly financial reports and summaries for all budget accounts and distributes to departments and schools;

ESSENTIAL FUNCTIONS (continued)

- Maintains detailed budget account records for General Purpose and all Categorical funding sources;
- Collaborates and participates in the development of the Local Control Accountability Plan and coordinates development of a district budget that supports the plan;
- Prepares and maintains comprehensive financial records and reports as required by local, State, and federal agencies;
- Plans and coordinates external and internal financial audit activities;
- Directs and supervises the bid process and purchasing for all furniture, equipment, and consumable supplies;
- Collaborates and participates in the application process for school facilities funding and administers facility project budgets, once funded;
- Maintains individual employee leave, vacation, and compensatory time off records;
- Provides annual management training in fiscal regulations and procedures;
- Keeps informed of all legal and regulatory provisions related to fiscal accountability and record management;
- Participates in strategic planning and serves on Executive Council, Administrative Council, and Cabinet as principal advisor in fiscal matters;
- Arranges for property/liability insurance coverage, prepares claims, and coordinates claims adjustments with insurers;
- Prepares fiscal-related agenda items for Board review/approval; attends all Board meetings and makes presentations as needed.

OTHER FUNCTIONS:

- Provides general direction and supervision for the management of the Food Services division;
- Assists in managing the District's inventory and warehouse systems;
- Performs other related duties as required.

NECESSARY EMPLOYMENT STANDARDSKnowledge of:

Legal mandates, policies, regulations, and guidelines pertaining to school district fiscal management and school facility funding;

Budget strategies, methods, rules, and procedures;

General business practices, procedures, and terminology;

Operation of standard office machines.

Skill and Ability to:

Learn and correctly apply policies, procedures, laws and regulations pertaining to public school finance;

Operate office equipment, including calculator, personal computer, and copying machines;

Make arithmetical computations with speed and accuracy;

Train, direct, supervise, and evaluate employees.

Maintain cooperative working relationships with persons contacted in the course of the work.

EDUCATION AND EXPERIENCE: Any combination of education and experience that could likely provide the required knowledge, skills and abilities is qualifying. A typical way to obtain the knowledge, skills and abilities would be:

Education: Bachelor's Degree in Accounting/Finance or Business Administration.

Experience: Five years of management-level experience in budgeting, accounting, payroll, and financial reports and related fiscal management responsibilities including at least two years of experience in a public school district.

Hanford Elementary School District

Job Description – ~~Assistant Superintendent, Fiscal Services~~ Chief Business Official (CBO)

Page 4

WORKING CONDITIONS

Environment: Office environment.

Physical Abilities: Hearing and speaking to exchange information in person and on the telephone and to make presentations to the Board, Administration, and others; sitting for extended periods of time; vision sufficient to read and review complex written documentation, financial data, laws and regulations, professional journals, and computer monitor; and dexterity of hands and fingers to operate a personal computer and calculator, and prepare notes, drafts, and financial records.

Adopted: 04/1974

Revised: 06/15/88

Revised: 11/17/93

Revised: 12/05/01 (Title change & editing only)

Revised: / /14 (Title change & revision)

HANFORD ELEMENTARY SCHOOL DISTRICT
Job Description

SUPERVISOR PROGRAM MANAGER:

TRANSPORTATION SERVICES

DEFINITION

Under general supervision of the Director of Facilities and Operations, this position is responsible to plan, organize and direct the activities of the District-wide pupil transportation services. Incumbent is responsible for behind the wheel, classroom and in-service training of District school bus drivers. Coordinates programs of preventative and corrective maintenance of all District vehicles and grounds equipment.

DISTINGUISHING CHARACTERISTICS

The Supervisor Program Manager of Transportation Services is the first level Supervisor-Manager of the District's pupil transportation system.

SUPERVISION RECEIVED AND EXERCISED

The incumbent receives general supervision from the Director of Facilities and Operations.

Exercises direct supervision over the District's bus drivers and the District's vehicle mechanics.

ESSENTIAL FUNCTIONS

Duties may include but are not limited to the following:

- Coordinates and directs the District's student transportation program within the guidelines of federal, state, and District-level requirements.
- Maintains liaison between administration and law enforcement officials regarding District's pupil transportation system.
- Maintains schedules of bus routes and stops. Approves, coordinates and directs scheduling of all District extra-curricular vehicle field trips.
- Selects, requisitions and purchases parts and supplies for buses, vehicles and grounds equipment.
- Prepares and monitors departmental budget.
- Requests and participates in selection process for transportation openings.

ESSENTIAL FUNCTIONS (Cont.)

- Operates, maintains and repairs school buses, vehicles and grounds equipment when necessary.
- Provides direction and supervision for Transportation employees.
- Interprets to parents and students the District's Policies and Administrative Regulations relating to pupil transportation.
- Coordinates pupil discipline procedures with principals.
- Maintains required records and makes reports as required.
- Conducts surveys of traffic conditions and pupil loads.
- Plans and schedules vehicle and grounds equipment maintenance programs.
- Responsible for all facets of school bus driver training, including classroom portion of "School Bus Evacuation Program," and record keeping in accordance with State requirements.
- Maintains safety program as per District guidelines.
- Develops vehicle specifications for school buses and other District vehicles and equipment and coordinates the selection and purchase of school buses and other District vehicles.
- Maintains current standards with County and State for underground storage of hazardous materials.
- Conducts investigation and completes reports on all District vehicle accidents.
- Performs other related duties as assigned.

NECESSARY EMPLOYMENT STANDARDS

Basic Knowledge of:

All phases of school bus transportation systems.

Repair and maintenance of school buses, other automotive vehicles and grounds equipment.

Basic Knowledge of: (cont.)

Scheduling and routing of school buses.

Laws governing school bus operations as specified by the California Department of Education and California State Vehicle Code.

Basic first aid procedures and methods.

Ability to:

Operate, repair and maintain school buses, other automotive vehicles and grounds equipment.

Plan, prioritize, assign, supervise and evaluate the work of assigned personnel.

Communicate both verbally and in writing.

Establish and maintain effective working relationships with subordinates, school officials and the public.

Organize work and establish priorities.

EDUCATION AND EXPERIENCE

Any combination of education and experience that could likely provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the knowledge, skills, and abilities would be to:

Education: Equivalent to completion of twelfth grade. Specialized training in transportation management and personnel supervision is desirable.

Experience: Five years of transportation experience with two years of supervisory experience in fleet operations, preferably in pupil transportation.

Licenses/Certificate:

California Commercial Driver License, Class A or B with a (P)
Passenger Endorsement

California Special Driver Certificate (School Bus)

Current Medical Examiner's Certificate

Current first aid certification

Successful completion of the School Bus Driver Instructors Program
(desirable)

WORKING CONDITIONS

Environment: Indoor, outdoor and shop environment; subject to regular exposure to fumes, dust, and odors, and noise from equipment operation.

Physical Abilities: Sitting or standing for extended periods of time; moving on a variety of indoor and outdoor surfaces, including rough, wet, uneven terrain; driving a motor vehicle. Seeing, hearing, and speaking to communicate effectively orally and in writing. Dexterity of hands and fingers to operate a variety of specialized tools and equipment; bending at the waist; kneeling or crouching; turning/twisting; crawling under vehicles; carrying, pushing or pulling tool boxes and engines; lifting heavy objects weighing up to 80 pounds; and perform heavy physical labor; and driving passenger vehicles and trucks.

Hazards: Exposure to chemicals, fumes, odors, dust, dirt, electrical wiring; adverse weather conditions while driving or moving outdoors; protruding or falling objects on grounds and construction sites.

Adopted: 02/08/06

Revised: / 14 (Title change and revision)