

Hanford Elementary School District

REGULAR BOARD MEETING AGENDA

Wednesday, October 28, 2015
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# 16-02 - Roosevelt
Case# 16-03 – Kennedy
Case# 16-04 – Kennedy
Case# 16-05 – Hamilton

- **Personnel** *(Pursuant to Government Code 54956.9, trustees will adjourn to Closed Session to discuss the items listed below. The items to be discussed shall be announced in accordance with Government Code Section 54954.5 and/or under Education Code provisions)*
 - Conference with Labor Negotiators – (GC 54957.6)

Agency Representatives: P. Terry & J. Martinez; Employee Organization: CSEA

OPEN SESSION

- Take action on Student Discipline and Closed Session Personnel Items

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 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) Accept warrant listings dated October 9, 2015 and October 16, 2015
- b) Approve minutes of Regular Board Meeting October 14, 2015
- c) Approve interdistrict transfers as recommended

- *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 aides and services, in order to participate in the Board meeting should contact the Superintendent in writing.*

- d) Approve donation of \$5,850.89 from Jefferson Parent Teacher Club to Jefferson Charter Academy
- e) Approve donation of \$200 from Washington Parent & Teacher Club to HESD
- f) Approve donation of \$2,200 from Washington Parent & Teacher Club to HESD

3. INFORMATION ITEMS

- a) Receive for information quarterly reports regarding Williams Uniform Complaints (Terry)
- b) Receive for information the following revised Board Policy and Administrative Regulation: (White)
 - BP/AR 3100 – Budget
- c) Receive for information the following revised Board Policy and Administrative Regulation: (White)
 - BP/AR 3460 – Financial Reports and Accountability
- d) Receive for information the following revised Board Policy: (Martinez)
 - BP 4121.2 – Certificated Substitute and Temporary Teacher Pay Rates
- e) Receive for information the following revised Board Policy: (Martinez)
 - BP 4351.1 – Salary Step Placement and Advancement
- f) Receive for information the Tentative Agreements between District and California School Employees Association (CSEA) for 2015-2016 (contract re-openers)

4. BOARD POLICIES AND ADMINISTRATION

- a) Consider approval of consultant contract with Children's Storybook Garden & Museum (Gabler)
- b) Consider approval of the following revised Board Policy and Administrative Regulation: (Gabler)
 - BP/AR 5148 – Child Care and Development
- c) Consider approval of the following revised Board Policy: (McConnell)
 - BP 5148.2 – Before/After School Programs
- d) Consider approval of the following revised Administrative Regulation: (McConnell)
 - AR 5148.2 – Before/After School Programs
- e) Consider approval of the following revised Administrative Regulation: (Mulligan)
 - AR 1330 – Use of School Facilities
- f) Consider approval of the following revised Administrative Regulation: (Mulligan)
 - AR 3514.2 – Integrated Pest Management
- g) Consider approval of the following revised Administrative Regulation: (Martinez)
 - AR 4161.8, 4261.8, 4361.8 – Family Care and Medical Leave

5. PERSONNEL

- a) Employment (Martinez)
 - Temporary Employees/Substitutes/Yard Supervisors
 - Steven Cabral, Short-term Yard Supervisor – 2.0 hrs., Richmond, effective 11/2/15 to 12/1/15
 - Amanda Chandler, Yard Supervisor – 1.75 hrs., Roosevelt, effective 10/19/15
 - Rubi Cortez, Substitute Yard Supervisor, effective 10/7/15
 - Alma Flores Mireles, Substitute Food Service Worker I/II and Yard Supervisor, effective 10/13/15
 - Cedric Harbor, Short-term Yard Supervisor – 1.0 hrs., Roosevelt, effective 10/19/15 to 12/1/15
 - Christina Horn, Short-term Yard Supervisor – 1.75 hrs., Lincoln, effective 10/19/15 to 12/1/15
 - Christina Jenkins, Yard Supervisor – 2.0 hrs., Monroe, effective 10/19/15

Temporary Employees/Substitutes/Yard Supervisors (Cont.)

- Jamie Jordan, Yard Supervisor – 2.5 hrs., Simas, effective 10/19/15
- Guadalupe Lopez, Short-term Yard Supervisor – 1.5 hrs., Jefferson, effective 10/19/15 to 12/1/15
- Sherry Miller, Short-term yard Supervisor – 3.0 hrs., Lincoln, effective 10/19/15 to 12/1/15
- Crystal Muñiz, Short-term Yard Supervisor – 1.5 hrs., King, effective 11/2/15 to 12/1/15; Short-term Babysitter – 3.0 hrs. (W only), King, effective 10/14/15 to 5/18/16
- Selene Oakes, Substitute Yard Supervisor, effective 10/7/15
- Stacey Paez, Yard Supervisor – 1.5 hrs., Roosevelt, effective 11/2/15
- Lesley Walker-Flores, Short-term Special Education Aide – 5.0 hrs., Roosevelt, effective 10/5/15 to 12/18/15
- Patricia "Kathie" Woughter, Short-term Yard Supervisor – 2.0 hrs., Richmond, effective 10/19/15 to 12/1/15
- Sandra Virden, Short-term Yard Supervisor – 1.5 hrs., Roosevelt, effective 10/19/15 to 12/1/15

b) Resignations

- Raymond Enriquez II, READY Program Tutor – 4.5 hrs., Hamilton, effective 10/30/15

c) Terminations – Failure to Complete Child Abuse Training by Deadline

- Gloria Cabler, Substitute Clerk Typist II and Yard Supervisor, effective 1/26/15
- Doreen Champlin, Substitute Clerk Typist II, effective 5/28/15
- Patricia Conchas, Substitute Bilingual Aide I; READY Program Tutor, Translator: Oral Interpreter and Written Translator, effective 8/24/14
- Patricia De Ochoa, Substitute Clerk Typist II, effective 9/5/14
- Clara Flenoid, Substitute Food Service Worker I, effective 8/24/13
- Ana Fregoso, Substitute Bilingual Clerk Typist I, Clerk Typist I, Yard Supervisor, Translator: Oral Interpreter and Written Translator, effective 12/12/14
- Zujey Garcia Zavala, Substitute Clerk Trainee, Yard Supervisor, Translator: Oral Interpreter and Written Translator, effective 4/23/15
- Brittini Gingras, Substitute READY Program Tutor, effective 3/5/15
- John Gonzales, Substitute Custodian I, Groundkeeper I, Maintenance Worker I and Warehouse/Reprographic and Mail Technician, effective 4/22/13
- Sarah Henshaw, Substitute Yard Supervisor, effective 9/3/15
- Michael Hernandez, Substitute Custodian I, effective 11/5/14
- Aaron Johnston, Substitute Custodian I and Groundskeeper I, effective 3/18/15
- Patricia Mejia, Substitute Food Service Worker I, effective 6/7/12
- Megan Morse, Substitute READY Program Tutor, effective 5/4/15
- Timothy Olson, Substitute Custodian II, effective 12/19/14
- Sylvia Soto, Substitute Babysitter, Yard Supervisor, READY Program Tutor, Translator: Oral Interpreter and Written Translator, effective 6/4/15
- Andrea Taylor, Substitute Ready Program Tutor and Yard Supervisor, effective 6/4/15
- Khethmany Tibbets, Substitute Educational Tutor K-6, READY Program Tutor and Yard Supervisor, effective 6/5/15
- Claudia Torres, Substitute READY Program Tutor, Translator: Oral Interpreter and Written Translator, effective 8/15/14.
- Maria Villa, Substitute Bilingual Clerk Typist II, Clerk Typist II, Translator: Oral Interpreter and Written Translator, effective 6/4/15

- d) More Hours
 - Amanda Chandler, Short-term yard Supervisor, from 1.5 hrs. to 1.75 hrs., Roosevelt, effective 9/28/15 to 10/16/15
- e) Leave of Absence
 - Samantha Cortez, Yard Supervisor – 3.5 hrs., Lincoln, effective 9/28/15 to 10/16/15, medical
 - Carolina Ortega de Garcia, Bilingual Clerk Typist II – 5.0 hrs., Monroe, effective 11/3/15 to 11/27/15, baby bonding
- f) Salary/Wage Schedules for 2015-2016
 - 2015-16 Non-Represented Part-Time Employee Wage Schedule (revised)
- g) Volunteers

<u>Name</u>	<u>School</u>
Crystal Aldama	Hamilton
Melvin Cummings	Hamilton
Christine Daugherty	Hamilton
Marleny Angulo	Jefferson
Michael Herrera	Jefferson
Renee Nielsen	Jefferson
Sharon Ramseier-Williams	Jefferson
Alma Barajas	King
Leah Patrick	Lincoln
Monica Ramirez De Silva	Lincoln
Claudio Silva	Lincoln
Jade Barber	Monroe
Tiffany Gomez	Monroe
Dorothy Johnson	Monroe
Ashley Leskanic	Monroe
Melinda Martinez	Monroe
Silvia Villegas Estevez (HESD Employee)	Richmond
Jillian Amaro	Simas
Susana Gonzales	Simas
Tasia Munn	Simas
Sonia Rodriguez	Simas

6. FINANCIAL

- a) Consider approval of consultant contract with Demsey, Filliger and Associates for an updated actuarial study for Retiree Health Benefits as required by GASB 45 (White)
- b) Consider approval of consultant contract with Demsey, Filliger and Associates for an updated actuarial study on the District's Self-Funded Dental Plan (White)
- c) Consider adoption of Resolution # 5-16: California Uniform Public Construction Cost Accounting Act (CUPCAA) (Endo)

ADJOURN MEETING

HANFORD ELEMENTARY SCHOOL DISTRICT
AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Liz Simas
DATE: October 14, 2015

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

Date you wish to have your item considered: October 28, 2015

ITEM: Student Discipline - Administrative Panel Recommendations

PURPOSE:

Case# 16-02 - Roosevelt

Case# 16-03 – Kennedy

Case# 16-04 – Kennedy

Case# 16-05 - Hamilton

Hanford Elementary School District
Minutes of the Regular Board Meeting
October 14, 2015

Minutes of the Regular Board Meeting of the Hanford Elementary School District Board of Trustees on October 14, 2015 at the District Office Board Room, 714 N. White Street, Hanford, CA.

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

HESD Managers Present Dr. Paul J. Terry, Superintendent, and the following administrators were present: Don Arakelian, Lindsey Calvillo, Javier Espindola, Ramiro Flores, Joy Gabler, Matthew Gamble, David Goldsmith, Lucy Gomez, Jaime Martinez, Karen McConnell, Gerry Mulligan, Jennifer Pitkin, Liz Simas, Jason Strickland, and Nancy White.

Public Comments None

Board and Staff Comments None

Requests to Address the Board None

Dates to Remember President Garner reviewed dates to remember: Grades 4-6 Fall Round-Robin #2 on October 17th at 8:30 a.m.; Harrier Classic XIX on October 17th at 3:45 p.m.; Grade 4-6 Fall League Championship Games on October 22nd at 3:30 p.m.; Girls Spiker (VB) Classic XIX on October 27th at 5:00 p.m.; Regular Board Meeting on October 28th at 5:30 p.m.; Special Board Meeting November 18th at 5:30 p.m.

CONSENT ITEMS

Trustee Hill made a motion to take consent items "a" through "e" together. Trustee Garcia seconded; motion carried 5-0:

Garcia – Yes
 Garner – Yes
 Hernandez – Yes
 Hill - Yes
 Revious – Yes

Trustee Hill then made a motion to approve consent items "a" through "e". Trustee Garcia seconded; motion carried 5-0:

Garcia – Yes
 Garner – Yes
 Hernandez – Yes
 Hill - Yes
 Revious – Yes

The items approved are as follows:

- a) Warrant listings dated 9/18/15, 9/25/15, and 10/2/15.
- b) Minutes of Regular Board Meeting September 23, 2015 and Special Board Meeting September 23, 2015.
- c) Interdistrict transfers as recommended.
- d) Donation of \$150 from Edison International and \$1,693.83 from PTC to Simas School.
- e) Donation of \$1,000 from POM Wonderful and Wonderful Giving to Jefferson Charter School.

President Garner acknowledged and thanked Edison International, PTC, and POM Wonderful and Wonderful Giving for their donations.

INFORMATION ITEMS

- BP 5148.2** Karen McConnell, Assistant Superintendent Special Services, presented for information the following revised Board Policy:
- BP 5148.2 – Before/After School Programs
- AR 5148.2** Karen McConnell, Assistant Superintendent Special Services, presented for information the following revised Administrative Regulation:
- AR 5148.2 – Before/After School Programs
- BP/AR 5148** Joy Gabler, Assistant Superintendent Curriculum, Instruction & Professional Development, presented for information the following revised Board Policy and Administrative Regulation:
- BP/AR 5148 – Child Care and Development
- AR 1330** Gerry Mulligan, Director Facilities and Operations, presented for information the following revised Administrative Regulation:
- AR 1330 – Use of School Facilities
- Trustee Revious thanked Hanford Elementary School District for allowing Relay for Life to use school facilities.
- AR 3514.2** Gerry Mulligan, Director Facilities and Operations, presented for information the following revised Administrative Regulation:
- AR 3514.2 – Integrated Pest Management
- AR 4161.8
4261.8
4361.8** Jaime Martinez, Assistant Superintendent Human Resources, presented for information the following revised Administrative Regulation:
- AR 4161.8, 4261.8, 4361.8 – Family Care and Medical Leave

BOARD POLICIES AND ADMINISTRATION

- BP 4231** Trustee Revious made a motion to approve revised Board Policy 4231 – Staff Development. Trustee Hernandez seconded; motion carried 5-0:
Garcia – Yes
Garner – Yes
Hernandez – Yes
Hill - Yes
Revious – Yes
- AR 5121** Trustee Hernandez made a motion to approve revised Administrative Regulation 5121 – Grades/Evaluation of Student Achievement. Trustee Garcia seconded; motion carried 5-0:
Garcia – Yes
Garner – Yes
Hernandez – Yes
Hill - Yes
Revious – Yes
- MOU Kings View** Trustee Garcia made a motion to approve the Memorandum of Understanding (MOU) between Kings View Counseling Services and Hanford Elementary School District to provide mental health counselling to students referred by school personnel. Trustee Hill seconded; motion carried 5-0:
Garcia – Yes
Garner – Yes
Hernandez – Yes
Hill - Yes
Revious – Yes
- BP 3111** Trustee Hill made a motion to approve deleted Board Policy 3111 – Deferred Maintenance Funds. Trustee Garcia seconded; motion carried 5-0:
Garcia – Yes
Garner – Yes
Hernandez – Yes
Hill - Yes
Revious – Yes
- BP 3280** Trustee Garcia made a motion to approve revised Board Policy 3280 – Sale, Lease, Rental of District-Owned Real Property. Trustee Hill seconded; motion carried 5-0:
Garcia – Yes
Garner – Yes
Hernandez – Yes
Hill - Yes
Revious – Yes

- BP/AR 3550** Trustee Hernandez made a motion to approve revised Board Policy and Administrative Regulation 3550 – Food Service/Child Nutrition Program. Trustee Revious seconded; motion carried 5-0:
Garcia – Yes
Garner – Yes
Hernandez – Yes
Hill – Yes
Revious – Yes
- BP/AR 5143** Trustee Garcia made a motion to approve revised Board Policy and Administrative Regulation 5143 – Insurance. Trustee Hernandez seconded; motion carried 5-0:
Garcia – Yes
Garner – Yes
Hernandez – Yes
Hill – Yes
Revious – Yes
- BP 4131** Trustee Hill made a motion to approve revised Board Policy 4131 – Staff Development. Trustee Hernandez seconded; motion carried 5-0:
Garcia – Yes
Garner – Yes
Hernandez – Yes
Hill - Yes
Revious – Yes
- District’s Initial Proposal to CSEA** Trustee Garcia made a motion to approve HESD’s initial proposal for 2015-2016 Amendments to the Collective Bargaining Agreement between Hanford Elementary School District and California School Employees Association (reopened articles). Trustee Hill seconded; motion carried 5-0:
Garcia – Yes
Garner – Yes
Hernandez – Yes
Hill - Yes
Revious – Yes
- CSEA Initial Proposal** Trustee Garcia made a motion to approve CSEA’s initial proposals for 2015-2016 Amendments to the 2014-2017 Collective Bargaining Agreement between Hanford Elementary School District and CSEA (reopened articles). Trustee Revious seconded; motion carried 5-0:
Garcia – Yes
Garner – Yes
Hernandez – Yes
Hill - Yes
Revious – Yes

Jaime Martinez, Assistant Superintendent Human Resources, introduced Ron Riso, President of CSEA. Ron Riso spoke on behalf of CSEA and stated that negotiations are set to begin and they have worked closely with each department representative for negotiations. He expressed thanks to the Board and School District for their support.

PERSONNEL

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

Garcia – Yes
Garner – Yes
Hernandez – Yes
Hill - Yes
Revious – Yes

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

Garcia – Yes
Garner – Yes
Hernandez – Yes
Hill - Yes
Revious – Yes

Item "a" – Employment

The following items were approved:

Certificated Short-Term Employment

- Jeanne Rios, Learning Director, Lincoln, effective 10/5/15 to 12/18/15

Classified

- Leah Blanco, Food Service Worker II – 2.5 hrs., Wilson, effective 9/24/15
- Guadalupe Coronel-Lopez, READY Program Tutor – 4.5 hrs., Roosevelt, effective 9/17/15
- Udocia "Leonor" Littlejohn, Food Service Worker I – 3.0 hrs., Washington, effective 9/21/15
- Cecily Perez, READY Program Tutor – 4.5 hrs., King, effective 9/28/15
- Jesse Thompson, Custodian II – 8.0 hrs., Monroe/King, effective 9/28/15
- Breanna Young, READY Program Tutor – 4.5 hrs., Simas, effective 9/24/15

Temporary Employees/Substitutes/Yard Supervisors

- Ashley Acle, Substitute Food Service Worker I, effective 9/21/15
- Rosarita Alvarez, Short-term Yard Supervisor – 2.25 hrs., King, effective 10/19/15 to 12/18/15
- Kayla Bauer, Substitute Custodian I, Special Education Aide, READY Program Tutor and Yard Supervisor, effective 9/30/15
- Yolanda Bell, 4-6 Girls Basketball Coach, Roosevelt, effective 11/9/15 to 2/6/16
- Leah Blanco, Substitute Clerk Typist II and Food Service Worker I, effective 9/15/15

***Item "a" –
Employment
(Cont.)***

- Vanessa Burch, Yard Supervisor – 3.25 hrs., Kennedy, effective 10/19/15
- Yessika Del Agua, Substitute Yard Supervisor, effective 9/22/15
- Christina Heckathorne, Yard Supervisor – 3.25 hrs., Kennedy, effective 10/19/15
- Anna Mauldin, Short-term Yard Supervisor – 1.5 hrs., King, effective 9/21/15 to 10/30/15; Yard Supervisor – 1.5 hrs., King, effective 11/2/15
- Sherree Nowack, Yard Supervisor – 3.25 hrs., Kennedy, effective 10/19/15
- Crystal Muñiz, Short-term Yard Supervisor – 1.5 hrs., King, effective 9/21/15 to 10/30/15
- Grace Perez, Substitute Yard Supervisor, effective 9/25/15; Short-term Yard Supervisor – 1.5 hrs., Hamilton, effective 9/28/15 to 11/20/15
- Marilyn Sanchez-Ibarra, Substitute Health Care Assistant, effective 9/15/15
- Zachary Westover, Substitute READY Program Tutor, effective 9/25/15

***Item "b" –
Resignations***

- Jolee Davis, Substitute READY Program Tutor – 4.5 hrs., effective 9/5/15
- Vallerie Dunn, Substitute Administrative Secretary II, Administrative Secretary (Confidential), effective 3/10/15
- Brenda Ramirez-Arevalo, Substitute Yard Supervisor, effective 9/9/15
- Crystal Zeno-Jaworski, Yard Supervisor – 1.0 hr., Monroe, effective 9/18/15

***Item "c" –
Promotion***

- Josue Avalos Piña, from Groundskeeper II – 8.0 hrs., to Irrigation Specialist – 8.0 hrs., Grounds/DSF, effective 9/21/15

***Item "d" –
Administrative
Transfer***

- Rafael Lerma, Custodian II – 8.0 hrs., from Monroe/Wilson to Wilson, effective 9/28/15
- Ivane "Victor" Magaña, Custodian II – 8.0 hrs., from King/Kennedy to Kennedy, effective 9/28/15

***Item "e" – More
Hours***

- Renee Barker, Yard Supervisor, from 2.0 hrs. to 2.5 hrs., Simas, effective 9/16/15
- Christina Heckathorn, Short-term Yard Supervisor, from 2.75 hrs. To 3.25 hrs., Kennedy, effective 9/14/15 to 10/16/15
- Christina Jenkins, Short-term Yard Supervisor, from 1.75 hrs. to 2.0 hrs., Monroe, effective 9/21/15
- Josephine Kneisel, Yard Supervisor, from 3.25 hrs. to 3.5 hrs., Roosevelt, effective 9/28/15
- Veronica Leach, Yard Supervisor, from 1.75 to 2.25 hrs. Hamilton, effective 9/17/15; Yard Supervisor – 2.25 hrs. to 2.75 hrs., Hamilton, effective 9/28/15
- Diana Lugo, Yard Supervisor, from 2.0 hrs. to 2.5 hrs., Jefferson, effective 9/21/15
- Felimena Reynolds, Yard Supervisor, from 1.5 hrs. to 3.25 hrs., Monroe, effective 9/21/15
- Menchu Rosaroso, Yard Supervisor, from 1.5 hrs. to 1.75 hrs., Monroe, effective 9/21/15; Yard Supervisor, from 1.75 hrs. to 3.0 hrs., Monroe, effective 9/28/15

***Item "f" –
Decrease in
Hours***

- Teresita Espinoza, Yard Supervisor, from 3.75 hrs. to 3.5 hrs., Richmond, effective 9/28/15
- Eulalia "Lolly" Olvera-Barron, Yard Supervisor, from 3.75 hrs. to 3.5 hrs., Richmond, effective 9/28/15
- Michael Quiñones, Yard Supervisor, from 3.25 hrs. to 3.0 hrs., Washington, effective 10/13/15
- Rosemarie Rodriguez, Yard Supervisor, from 2.25 hrs. to 2.0 hrs., Washington, effective 10/13/15
- Calvin Winston, Yard Supervisor, from 3.5 hrs. to 2.0 hrs., Monroe, effective 9/21/15

***Item "g" –
Leave of Absence***

- Taylor Furtado, READY Program Tutor – 4.5 hrs., Simas, effective 9/24/15 to 6/3/16, baby bonding
- Lissette Leyva, School Nurse, Special Services, effective 8/12/15 to 8/21/15, personal

***Item "h" –
Volunteers***

<u>Name</u>	<u>School</u>
Laura Buenrostro	Hamilton
Vanessa Burch (HESD Employee)	Hamilton
Selene Oaks	Hamilton
Nohemi Flores-Medina	Jefferson
Beatriz Huizar (HESD Employee)	Jefferson
Rachel Lerma	Jefferson
Loida Miller	Jefferson
Mayra Macias (HESD Employee)	King/Monroe
Maria Perez	King/Wilson
Monica Flores	Lincoln
Lucia Orozco	Lincoln
Rosalie Chavez	Monroe
Theodore Hayden	Monroe
Yolanda Hughes	Monroe
Tracy Hulbert	Monroe
Jessica Lemus	Monroe
Felimen Reynolds (HESD Employee)	Monroe
Kelsey Warren	Monroe
Ofelia Sandoval	Richmond
Bruce Boyer	Roosevelt
Vanessa Carson (HESD Employee)	Simas
Gabriela Castillo	Simas
Amy Clapp	Simas
Theresa Escamilla	Simas
Gloria Ramirez	Simas
Jose Ramirez	Simas
Diana Va'asili	Simas
Yuliana Vital	Simas
Vanessa Cancio	Simas/Hamilton
Keri De Alba	Washington

FINANCIAL

Resolution #4-16: 2014-2015 Budget Trustee Hill made a motion to approve adoption of Resolution #4-16: Final Revision of the 2014-2015 Budget. Trustee Garcia seconded; motion carried 5-0: Garcia – Yes
Garner – Yes
Hernandez – Yes
Hill - Yes
Revious – Yes

Certification of Signatures Trustee Hill made a motion to approve Certification of Signatures. The revision is needed due to change in Chief Business Official. Trustee Hernandez seconded; motion carried 5-0:
Garcia – Yes
Garner – Yes
Hernandez – Yes
Hill - Yes
Revious – Yes

Adjournment There being no further business, President Garner adjourned the meeting at 5:54 p.m.

Respectfully submitted,

Paul J. Terry,
Secretary to the Board of Trustees

Approved:

Jeff Garner, President

Lupe Hernandez, Clerk

No	A/D	Sch Req'd	Home Sch	Date
I-174	A	Monroe	Pioneer	10/19/2015
I-175	A	Wilson	Kit Carson	10/19/2015

No	A/D	Sch Req'd	Home Sch	BD Date
O-124	A	Kit Carson	Roosevelt	10/19/2015
O-125	A	Kit Carson	Monroe	10/19/2015

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Javier Espindola

DATE: October 16, 2015

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: October 28, 2015

ITEM: Donation of \$5,850.89 from Jefferson Parent Teacher Club to Jefferson Charter Academy.**PURPOSE:** To be used to for student incentives and library books.**FISCAL IMPACT:** Increase to accounts as follows:

0900-0000-0-1110-1000-571020-021-0000	\$ 3,290.00
0900-0000-0-1110-1000-430006-021-0000	\$ 450.00
0900-0000-0-0000-2700-520000-021-0000	\$ 211.60
0900-0000-0-0000-2420-420000-021-0000	\$ 1,899.29

RECOMMENDATIONS: Accept Donation

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Matt Gamble *Matt Gamble*

DATE: 10/16/15

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

Date you wish to have your item considered: 10/28/15

ITEM: Donation of \$200.00 from Washington PTC to HESD

PURPOSE: Student Incentives

FISCAL IMPACT: 0100-0000-0-1110-1000-575030-028-0000

RECOMMENDATIONS: Accept Donation

WASHINGTON PARENT & TEACHER

PATRIOTS CLUB

P.O. BOX 1067
HANFORD, CA 93230
(559) 585-3805

1710

90-7300/3211

Oct 16, 2015
DatePay to the Order of *HESD Food Services Dept* \$ *200.00*
two hundred and 00/100 Dollars240 N. IRWIN
HANFORD, CA 93230-4540
PHONE 559-584-0922

For

*Box Tops & 50M Regs**Matt Gamble*

⑆321173001⑆

0000188278⑆

1710

Alvin G. Galt

MP

and Clarke

GUARDIAN SAFETY® YELLOW

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Matt Gamble

Matt B M

DATE: 10/16/15

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: 10/28/15

ITEM: Donation of \$2200.00 from Washington PTC to HESD

PURPOSE: Student Incentives

FISCAL IMPACT: 0100-0000-0-1110-1000-430001-028-0000

RECOMMENDATIONS: Accept Donation

WASHINGTON PARENT & TEACHER
 PATRIOTS CLUB
 P.O. BOX 1067
 HANFORD, CA 93230
 (559) 585-3805

1708

90-7300/3211

Oct 16, 2015

Date

Pay to the
Order of*HESD*\$ *2,200.00**two thousand two hundred and 00/100*

Dollars

Security
Features
Details on
Back.

240 N. IRWIN
 HANFORD, CA 93230-4540
 PHONE 559-584-0922

For *Student Incentives**Matt B M*

⑆321173001⑆

0000188278⑆

1708

Alina Rodriguez

MP

GUARDIAN SAFETY® YELLOW

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Paul J. Terry, Ed. D.

DATE: October 13, 2015

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: October 28, 2015

ITEM: Quarterly report (4/1/15 – 6/30/15 and 7/1/15 – 9/30/14) regarding Williams Uniform Complaints. The types of complaints covered in the Williams Uniform Complaint Procedures are:

1. Instructional Materials - Sufficient textbooks and instructional materials
2. Facilities – conditions that pose an emergency or urgent threat to the health or safety of students or staff
3. Teacher vacancy or misassignment

PURPOSE: To comply with the requirements Education Code 35186, the Superintendent shall report summarized data on the nature and resolution of all Williams Uniform Complaints to the Board and the County Superintendent of Schools on a quarterly basis.

For the fourth quarter of 2014-15 and first quarter of 2015-16 school year there were no Williams Uniform Complaints filed.

FISCAL IMPACT: None

RECOMMENDATIONS: None

Valenzuela/CAHSEE Lawsuit Settlement

Quarterly Report on Williams Uniform Complaints

[Education Code § 35186(d)]

District: HANFORD ELEMENTARY

Person completing this form: Paul J. Terry

Title: Superintendent

Quarterly Report Submission Month/Quarter:
(check one)

☐

October

1st Quarter

☐

January

2nd Quarter

☐

April

3rd Quarter

Quarterly Report Submission Year:

2014-15

☒

July

4th Quarter

Date for information to be reported publicly at governing board meeting: October 28, 2015

Please check the box that applies:

☒

No complaints were filed with any school in the district during the quarter indicated above.

☐

Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	-0-		
Teacher Vacancy or Misassignment	-0-		
Facilities Conditions	-0-		
CAHSEE Intensive Instruction and Services	-0-		
TOTALS	-0-		

Paul J. Terry, Ed.D.
Superintendent

Signature

October 29, 2015
Date

Please submit to:

Russell Watley, Sr.
Kings County Office of Education
Williams Compliance Technician
(559)589-7082
rwatley@kingscoe.org

Valenzuela/CAHSEE Lawsuit Settlement

Quarterly Report on Williams Uniform Complaints

[Education Code § 35186(d)]

District: HANFORD ELEMENTARY

Person completing this form: Paul J. Terry

Title: Superintendent

Quarterly Report Submission Month/Quarter:
(check one)

☒
☐
☐
☐

October 1st Quarter
January 2nd Quarter
April 3rd Quarter
July 4th Quarter

Quarterly Report Submission Year: 2015-16

Date for information to be reported publicly at governing board meeting: October 28, 2015

Please check the box that applies:

- ☒ No complaints were filed with any school in the district during the quarter indicated above.
- ☐ Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	-0-		
Teacher Vacancy or Misassignment	-0-		
Facilities Conditions	-0-		
CAHSEE Intensive Instruction and Services	-0-		
TOTALS	-0-		

Paul J. Terry, Ed.D.
Superintendent

Signature

October 29, 2015
Date

Please submit to:

Russell Watley, Sr.
Kings County Office of Education
Williams Compliance Technician
(559)589-7082
rwatley@kingscoe.org

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Dr. Paul J. Terry

FROM: Nancy White

DATE: October 19, 2015

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

FOR: (X) Information
() Action

Date you wish to have your item considered: October 28, 2015

ITEM:

Receive the following Board Policy and Administrative Regulation for Information:
BP/AR Budget.

PURPOSE:

The Board Policy and Administrative Regulation are being revised as follows:

- To reflect new law which eliminates the option to develop the District budget using the "dual budget" process and to address board responsibilities related to the budget adoption and review.
- To reflect new regulations which address the calculation of "increased and improved services" for LCFF expenditures.
- To reflect new law which limits the maximum amount of funds that may be held in district reserves and ending balances under certain conditions.

FISCAL IMPACT:

None.

RECOMMENDATION:

Consider for adoption at the next scheduled public Board meeting.

Hanford ESD

Board Policy

Budget

BP 3100

Business and Noninstructional Operations

The Board of Trustees recognizes its critical responsibility for adopting a sound budget for each fiscal year which is aligned with the district's vision, goals, priorities, local control and accountability plan (LCAP), and other comprehensive plans. The district budget shall guide administrative decisions and actions throughout the year and shall serve as a tool for monitoring the fiscal health of the district.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0400 - Comprehensive Plans)

~~(cf. 3000 - Concepts and Roles)~~

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3300 - Expenditures and Purchases)

(cf. 3460 - Financial Reports and Accountability)

(cf. 9000 - Role of the Board)

The district budget shall show a complete plan and itemized statement of all proposed expenditures and all estimated revenues for the following fiscal year, together with a comparison of revenues and expenditures for the current fiscal year. The budget shall also include the appropriations limit and the total annual appropriations subject to limitation as determined pursuant to Government Code 7900-7914. (Education Code 42122)

~~The Board shall adopt the budget only after a local control and accountability plan (LCAP) developed pursuant to Education Code 52060-52077 or an annual update to the LCAP is in place for the budget year. Expenditures necessary to implement the LCAP or the annual update during the subsequent fiscal year shall be included in the budget.~~ 0460—Local Control and Accountability Plan)

Budget Development and Adoption Process

~~The Superintendent or designee shall establish an annual budget development process and calendar in accordance with the single budget adoption process described in Education Code 42127(i). He/she shall annually notify the County Superintendent of Schools of the district's decision to use the single budget adoption process in the subsequent year.~~ In order to provide guidance in the development of the budget, the Board shall annually establish budget priorities based on identified district needs and goals and on realistic projections of available funds.

The Superintendent or designee shall oversee the preparation of a proposed district budget for

approval by the Board and shall involve appropriate staff in the development of budget projections.

~~The Board encourages public input in the budget development process and~~ The Board shall hold a public hearing on the proposed budget in accordance with Education Code 42103 and 42127.

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

The Board shall adopt the district budget on or before July 1 of each year. (Education Code 42127)

At a public meeting held on a date after the public hearing on the budget, the Board shall adopt the budget following its adoption of the LCAP or an annual update to the LCAP at the same meeting. The budget shall include the expenditures necessary to implement the LCAP or the annual update to the LCAP. (Education Code 42127)

The budget that is formally adopted by the Board shall ~~be in the format~~ adhere to the state's Standardized Account Code Structure as prescribed by the Superintendent of Public Instruction. (Education Code 42126, 42127)

The Superintendent or designee may supplement this format with additional information as necessary to effectively communicate the budget to the Board, staff, and public.

No later than five days after the Board adopts the district budget or by July 1, whichever occurs first, the Board shall file with the County Superintendent of Schools the adopted district budget and supporting data. The budget and supporting data shall be maintained and made available for public review. (Education Code 42127)

(cf. 1340 - Access to District Records)

If the County Superintendent disapproves or conditionally approves the district's budget, the Board shall review and respond to his/her recommendations at a public meeting on or before September 8. The response shall include any revisions to the adopted budget and any other proposed actions to be taken as a result of those recommendations. (Education Code 42127)

Budget Advisory Committee

The Superintendent or designee may appoint a budget advisory committee composed of staff, Board representatives, and/or members of the community.

The committee shall ~~develop~~ submit recommendations during the budget development process and its duties shall be assigned each year based on district needs. All recommendations of the committee shall be advisory only and shall not be binding on the Board ~~or the Superintendent or~~

designee.

- (cf. 1220 - Citizen Advisory Committees)
- (cf. 2230 - Representative and Deliberative Groups)
- (cf. 3350 - Travel Expenses)
- (cf. 9130 - Board Committees)
- (cf. 9140 - Board Representatives)

Budget Criteria and Standards

The Superintendent or designee shall develop a district budget in accordance with state criteria and standards ~~adopted by the State Board~~ specified in 5 CCR 15440-15450 as they relate to projections of Education (SBE), average daily attendance (ADA), enrollment, ratio of ADA to enrollment, local control funding formula revenue, salaries and benefits, other revenues and expenditures, facilities maintenance, deficit spending, unrestricted general fund balance, and reserves. In addition, he/she shall provide the supplemental information specified in 5 CCR 15451 which addresses the methodology and budget assumptions used, contingent liabilities, use of one-time revenues for ongoing expenditures, use of ongoing revenues for one-time expenditures, contingent revenues, contributions, long-term commitments, unfunded liabilities, status of collective bargaining agreements, the LCAP, and LCAP expenditures. (Education Code 33127, 33128, 33128.3, 33129, 42127.01; 5 CCR 15440-15451)

~~The budget shall provide that funding received through state supplemental and concentration grants pursuant to Education Code 42238.02 and 42238.03 shall be used in accordance with regulations adopted by the SBE for schoolwide or districtwide purposes to increase or improve services for~~ district budget shall provide for increasing or improving services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students. Unduplicated students are students who are ~~English learners, eligible for free or reduced-price meals, English learners, and/or foster youth at least in proportion to the increase to the district's revenue generated from such funds.~~ (Education Code 42238.07; 5 CCR 15496)

- (cf. 3553 - Free and Reduced Price Meals)
- (cf. 6173.1 - Education for Foster Youth)
- (cf. 6174 - Education for English Language Learners)

The Board may establish other budget assumptions or parameters which may take into consideration the stability of funding sources, legal requirements and constraints on the use of funds, anticipated increases and/or decreases in the cost of services and supplies, ~~categorical~~ program requirements, and any other factors necessary to ensure that the budget is a realistic plan for district revenues and expenditures.

- (cf. 2210 - Administrative Discretion Regarding Board Policy)
- (cf. 3110 - Transfer of Funds)

Fund Balance

The district shall classify fund balances in compliance with Governmental Accounting Standards Board (GASB) Statement 54, as follows:

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

For this purpose, all commitments of funds shall be approved by a majority vote of the Board. The constraints shall be imposed no later than the end of the reporting period of ~~(June 30),~~ although the actual amounts may be determined subsequent to that date but prior to the issuance of the financial statements.

4. Assigned fund balance includes amounts which ~~the Board or its designee intends to use~~ are intended for a specific purpose but do not meet the criteria to be classified as restricted or committed.

The Board delegates authority to assign funds to the assigned fund balance to the Superintendent ~~or designee~~ and authorizes the assignment of such funds to be made any time prior to the issuance of the financial statements. The Superintendent may further delegate the authority to assign funds at his/her discretion.

5. Unassigned fund balance includes amounts that are available for any purpose.

When multiple types of funds are available for an expenditure, the district shall first utilize funds from the restricted fund balance as appropriate, then from the committed fund balance, then from the assigned fund balance, and lastly from the unassigned fund balance.

~~To protect the district against unforeseen circumstances such as revenue shortfalls and unanticipated expenditures, the~~ The Board intends to maintain a minimum assigned and unassigned fund balance which includes a reserve for economic uncertainties equal in an amount the Board deems sufficient to at least two months of general fund operating expenditures, or 17-percent of general fund expenditures maintain fiscal solvency and other financing uses stability and to protect the district against unforeseen circumstances.

If the assigned and unassigned fund balance falls below ~~this~~ the level set by the Board due to an emergency situation, unexpected expenditures, or revenue shortfalls, the Board shall develop a plan to recover the fund balance which may include dedicating new unrestricted revenues, reducing expenditures, and/or increasing revenues or pursuing other funding sources.

Long-Term Financial Obligations

The district's current-year budget and ~~multi-year~~ multiyear projections shall include adequate provisions for addressing the district's long-term financial obligations, including, but not limited to, long-term obligations resulting from collective bargaining agreements, financing of facilities projects, unfunded or future liability for retiree benefits, and accrued workers' compensation claims.

(cf. 4141/4241 - Collective Bargaining Agreement)

(~~cf. 4143/4243 - Negotiations/Consultation~~)

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

(cf. 7210 - Facilities Financing)

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

The Board shall approve a plan for meeting the district's long-term obligations to fund nonpension, other postemployment benefits (OPEBs). This plan shall include a specific funding strategy and the method that will be used to finance the district's annual fiscal obligations for such benefits in a manner that continually reduces the deficit to the district to the extent possible. The Board reserves the authority to review and amend the funding strategy as necessary to ensure that it continues to serve the best interests of the district and maintains flexibility to adjust for changing budgetary considerations.

When the Superintendent or designee presents a report to the Board on the estimated accrued but unfunded cost of OPEBs, the Board shall disclose, as a separate agenda item at the same meeting, whether or not it will reserve a sufficient amount of money in its budget to fund the present value of the benefits of existing retirees and/or the future cost of employees who are eligible for benefits in the current fiscal year. (Education Code 42140)

When the Superintendent or designee presents a report to the Board on the estimated accrued but unfunded cost of workers' compensation claims, the Board shall disclose, as a separate agenda item at the same meeting, whether or not it will reserve in the budget sufficient amounts to fund the present value of accrued but unfunded workers' compensation claims or if it is otherwise decreasing the amount in its workers' compensation reserve fund. The Board shall annually certify to the County Superintendent the amount, if any, that it has decided to reserve in the budget for these costs. The Board shall submit to the County Superintendent any budget revisions that may be necessary to account for this budget reserve. (Education Code 42141)

Budget Amendments

No later than 45 days after the Governor signs the annual Budget Act, the Superintendent or designee shall make available for public review any revisions in budgeted revenues and expenditures which occur as a result of the funding made available by that Budget Act.
(Education Code 42127)

Whenever revenues and expenditures change significantly throughout the year, the Superintendent or designee shall recommend budget amendments to ensure accurate projections of the district's net ending balance. When final figures for the prior-year budget are available, this information

shall be used as soon as possible to update the current-year budget's beginning balance and projected revenues and expenditures.

In addition, budget amendments shall be submitted for Board approval as necessary when ~~the state budget is adopted~~, collective bargaining agreements are accepted, district income declines, increased revenues or unanticipated savings are made available to the district, program proposals are significantly different from those approved during budget adoption, interfund transfers are needed to meet actual program expenditures, and/or other significant changes occur that impact budget projections.

Legal Reference:

EDUCATION CODE

1240 Duties of county superintendent of schools
 33127-33131 Standards and criteria for local budgets and expenditures
~~35035 Powers and duties of superintendent~~
~~35161 Powers and duties, generally, of governing boards~~
 42103 Public hearing on proposed budget; requirements for content of proposed budget
 42122-42129 Budget requirements
 42130-42134 Financial certifications
 42140-42141 Disclosure of fiscal obligations
 42238-42251 Apportionments to districts, especially:
 42238.01-42238.07 Local control funding formula
 42602 Use of unbudgeted funds
~~42605 Tier 3 categorical flexibility~~
 42610 Appropriation of excess funds and limitation thereon
 45253 Annual budget of personnel commission
 45254 First year budget of personnel commission
 52060-52077 Local control and accountability plan

GOVERNMENT CODE

7900-7914 Appropriations limit

CODE OF REGULATIONS, TITLE 5

15060 Standardized account code structure
 15440-15451 Criteria and standards for school district budgets
15494-15496 Local control funding formula, expenditures

Management Resources:

~~CSBA PUBLICATIONS~~

~~Local Control Funding Formula 2013, Governance Brief, August 2013~~

~~State Priorities for Funding: The Need for Local Control and Accountability Plans, Fact Sheet, August 2013~~

~~School Finance CD-ROM, 2005~~

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

New Requirements for Reporting Fund Balance in Governmental Funds, January 7, 2011

FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS

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

GOVERNMENT FINANCE OFFICERS ASSOCIATION

Best Practice: Appropriate Level of Unrestricted Fund Balance in the General Fund, 2009

GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS

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

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

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

WEB SITES

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

Association of California School Administrators: <http://www.acsa.org>

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

California Department of Finance: <http://www.dof.ca.gov>

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

Government Finance Officers Association: <http://www.gfoa.org>

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

~~Legislative Analyst's Office: <http://www.lao.ca.gov>~~

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

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: May 16, 2001 Hanford, California

revised: June 15, 2011

revised: September 10, 2014

Revised: _____

Hanford ESD

Administrative Regulation

Budget

AR 3100

Business and Noninstructional Operations

Budget Advisory Committee

Membership of the district's budget advisory committee may include representatives of each of the following groups:

1. Board of Trustees members, provided that less than a majority of the Board serves on the committee

(cf. 9140 - Board Representatives)

2. District and school site administrators
3. Representatives of bargaining units
4. Certificated and/or classified staff
5. Parents/guardians
6. Representatives of the business community and/or other community members
7. Students

(cf. 1220 - Citizen Advisory Committees)

(cf. 2230 - Representative and Deliberative Groups)

(cf. 9130 - Board Committees)

The committee's duties may include, but not necessarily be limited to:

1. Making recommendations regarding budget priorities
2. Recommending cost reduction strategies, such as identifying services that may be reduced, made more efficient, or discontinued
3. Reviewing the clarity and effectiveness of budget documents and communications
4. Presenting progress reports on the committee's work and a final report of recommendations to the Superintendent or designee and to the Board

The specific duties of the committee shall be clearly defined and presented to each member in writing, along with any background information necessary for the successful completion of the committee's charges, the timelines for reporting the committee's progress, and timelines for completion of each task.

(cf. 3350 - Travel Expenses)

Public Hearing

~~The Initial Budget Adoption~~

~~On or before July 1 of each year, the Board shall adopt a budget which adheres to the state's standardized account code structure (SACS) as prescribed by the Superintendent of Public Instruction (SPI). (Education Code 42126, 42127)~~

~~Before adopting the district budget for the subsequent fiscal year, the Board shall hold a public hearing. The agenda for this the public hearing shall be posted at least 72 hours before the hearing and shall indicate the location where the budget may be inspected. The proposed budget shall be available for public inspection at least three working days before this hearing. This hearing shall be held at the same meeting as the public hearing to solicit public input on the local control and accountability plan (LCAP) or the annual update to the LCAP. (Education Code 42103, 42127, 52062)~~

(cf. 0460 - Local Control and Accountability Plan)

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

The Superintendent or designee shall notify the County Superintendent of Schools of the location, dates, and times at which the proposed budget may be inspected, as well as the location, date, and time of the public hearing, in sufficient time for the County Superintendent to publish such information in a newspaper of general circulation at least 10 days but not more than 45 days before the hearing as required by Education Code 42103.

Whenever the proposed district budget includes a combined assigned and unassigned ending fund balance that exceeds the minimum recommended reserve for economic uncertainties adopted by the State Board of Education, the district shall provide, for each fiscal year included in the budget, the following information for public review and discussion at the public hearing: (Education Code 42127; 5 CCR 15450)

1. The minimum recommended reserve for economic uncertainties
2. The combined assigned and unassigned ending fund balances that are in excess of the minimum recommended reserve
3. A statement of reasons substantiating the need for the combined assigned and unassigned

ending balances that are in excess of the minimum recommended reserve

During the hearing, any district resident may speak to the proposed budget or to any item in the budget. The hearing may conclude when all residents who have requested to be heard have had the opportunity to speak. (Education Code 42103)

(cf. 9323 - Meeting Conduct)

~~After the public hearing, at a public meeting held on a different date, the Board shall adopt the district budget following adoption of the LCAP at the same meeting. The budget shall not be adopted if an approved LCAP or annual update to the LCAP is not in effect for the budget year. (Education Code 52062)~~

~~Superintendent or designee shall file the adopted budget with the County Superintendent no later than five days after adoption or by July 1, whichever occurs first. The budget and supporting data shall be maintained and made available for public review. (Education Code 42127)~~

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

Revised Budget

~~No later than 45 days after the Governor signs the annual Budget Act, the Superintendent or designee shall make available for public review any revisions in budgeted revenues and expenditures which are consequently necessary. (Education Code 42127)~~

~~If the County Superintendent disapproves the district's budget, the Board shall review and respond to his/her recommendations at a public meeting on or before September 8. The response shall include any revisions to the adopted budget and any other proposed actions to be taken as a result of those recommendations. (Education Code 42127)~~

~~The revised budget and supporting data shall be maintained and made available for public review. (Education Code 42127)~~

Budget Review Committee for Disapproved Budgets

If the district's ~~revised~~ budget is disapproved by the County Superintendent for any reason other than his/her disapproval of the district's local control and accountability plan (LCAP) or annual update to the LCAP, the budget shall be reviewed by a budget review committee, unless the Board and County Superintendent agree to waive the requirement and the California Department of Education accepts the waiver. (Education Code 42127)

This committee shall consist of either: (Education Code 42127.1, 42127.1, 42127.2)

1. Three persons selected by the Board from a list of candidates provided by the SPI, Superintendent of Public Instruction (SPI), who shall be selected within five working days after receiving the list of candidates

2. A regional review committee convened by the County Superintendent with the approval of the Board

If the budget review committee recommends disapproval of the district budget, the Board may submit a response to the SPI no later than five working days after receipt of the committee's report. The response may include any revisions to the adopted final budget and any other proposed actions to be taken as a result of the committee's recommendations. _(Education Code 42127.3)

If the SPI disapproves the district budget after reviewing the committee's report and the district's response, the Board shall consult with the County Superintendent as he/she develops and adopts, by November 30, a fiscal plan and budget that will allow the district to meet its financial obligations. _For the current fiscal year, the district shall operate in accordance with the budget adopted by the County Superintendent. _(Education Code 42127.3)

Until the district receives approval of its budget, it shall continue to operate either on the basis of the prior year's budget or on the basis of the current year's unapproved budget as adopted and revised by the Board, whichever budget contains a lower total spending authority. _(Education Code 42127.4)

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT
 approved: May 16, 2001 Hanford, California
 revised: June 15, 2011
 revised: September 10, 2014

Revised:_____

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Dr. Paul J. Terry

FROM: Nancy White

DATE: October 19, 2015

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

FOR: (X) Information
() Action

Date you wish to have your item considered: October 28, 2015

ITEM:

Receive the following Board Policy and Administrative Regulation for Information:
BP/AR Financial Reports and Accountability.

PURPOSE:

The Board Policy and Administrative Regulation are being revised as follows:

- To reflect changes due to the new LCFF Revenue formula.
- To reflect additional annual audit measures.

FISCAL IMPACT:

None.

RECOMMENDATION:

Consider for adoption at the next scheduled public Board meeting.

Hanford ESD

Board Policy

Financial Reports And Accountability

BP 3460

Business and Noninstructional Operations

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

(cf. 3100 - Budget)

(cf. 3110 - Transfer of Funds)

(cf. 3300 - Expenditures and Purchases)

(cf. 3430 - Investing)

(cf. 4143/4243 - Negotiations/Consultation)

(cf. 9000 - Role of the Board)

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

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

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

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

(cf. 1340 - Access to District Records)

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

organization to advise the district on fiscal matters.

Unaudited Actual Receipts and Expenditures

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

Gann Appropriations Limit Resolution

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

(cf. 9322 - Agenda/Meeting Materials)

Interim Reports/Certification of Ability to Meet Fiscal Obligations

The Superintendent or designee shall submit two interim fiscal reports to the Board, the first report covering the district's financial and budgetary status for the period ending October 31 and the second report covering the period ending January 31. The reports and supporting data shall be made available by the district for public review. (Education Code 42130)

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

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

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

If the district's certification is subsequently changed by the County Superintendent from a

positive to a qualified or negative certification, or from a qualified to a negative certification, the Board may appeal the decision to the SPI within five days of receiving the notice of change. (Education Code 42131)

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

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

At any time during the year when the County Superintendent conducts a comprehensive review of the district's financial and budgetary conditions after he/she has determined that the district's budget does not comply with state criteria and standards for fiscal stability, the Board shall review the County Superintendent's recommendations at a public Board meeting. Within 15 days of receiving the report, the district shall notify the County Superintendent and the SPI of its proposed actions on the recommendation. (Education Code 42637)

Audit Report

Pursuant to Education Code 41020, if the district has a disapproved budget, has received a negative certification on any budget or interim fiscal report during the current fiscal year or either of the two preceding fiscal years, or has otherwise been determined by the County Superintendent to have a lack of going concern, any contract the district enters into for auditing services must be approved by the County Superintendent.

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

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

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

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

Prior to December 15 whenever possible, but in no case later than January 31, the Board shall review, at an open meeting, the annual district audit for the prior year, any audit exceptions identified in that audit, the recommendations or findings of any management letter issued by the

auditor, and any description of correction or plans to correct any exceptions or any issue raised in a management letter. (Education Code 41020.3)

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

Legal Reference:

EDUCATION CODE

1240 Duties of county superintendent of schools
 14500-14508 Financial and compliance audits
 17150-17150.1 Public disclosure of non-voter-approved debt
 17170-17199.5 California School Finance Authority
 33127 Standards and criteria for local budgets and expenditures
 33128 Standards and criteria; inclusions
 33129 Standards and criteria; use by local agencies
 35035 Powers and duties of superintendent
 41010-41023 Accounting system
 41326 Emergency apportionment
 41344 Repayment of apportionment significant audit exceptions
 41344.1 Appeals of audit findings
 41455 Examination of financial problems of local districts
 42100-42105 Requirement to prepare and file annual statement
 42120-42129 Budget requirements
 42130-42134 Financial reports and certifications
 42140-42142 Public disclosure of fiscal obligations
 42637 County superintendent review of district's financial and budgetary conditions
 42652 Revocation or suspension of warrant authority
 48300-48316 Student attendance alternatives
[52060-52077 Local control and accountability plan](#)

GOVERNMENT CODE

3540.2 School district; qualified or negative certification; proposed agreement review and comment
 7900-7914 Appropriations limit
 16429.1 Local agency investment fund
 53646 Reports of investment policy and compliance

CODE OF REGULATIONS, TITLE 5

15060 Standardized account code structure
 15070 Submission of reports using standardized account code structure
 15440-15451 Criteria and standards for school district budgets
 15453-15464 Criteria and standards for school district interim reports
 19810-19816.1 Audits

UNITED STATES CODE, TITLE 31

7501- 7507 Single audits of federal program funds

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: Fiscal Accountability, 2006

CALIFORNIA DEPARTMENT OF EDUCATION COMMUNICATIONS

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

Audit Resolution Process: Repayment Plans, December 8, 2000

FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS

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

GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS

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

[GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS \(continued\)](#)

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

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

STATE CONTROLLER PUBLICATIONS

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

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

Government Auditing Standards, 2011

Financial Audit Manual, revised 2008

U.S. OFFICE OF MANAGEMENT AND BUDGET CIRCULARS

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

WEB SITES

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

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

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

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

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

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

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

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

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

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

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

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: May 16, 2001 Hanford, California

revised: June 15, 2011

revised: September 11, 2013

Revised: _____

Hanford ESD

Administrative Regulation

Financial Reports And Accountability

AR 3460

Business and Noninstructional Operations

Interim Reports

Each interim fiscal report developed pursuant to Education Code 42130 shall include an assessment of the district budget as revised to reflect current information regarding the adopted state budget, district property tax revenues, if any, and ending balances for the preceding fiscal year. (Education Code 42130, 42131)

The ~~report~~interim reports shall be based on State Board of Education (SBE) criteria and standards which address fund and cash balances, reserves, deficit spending, estimation of average daily attendance (ADA), projected enrollment, ratio of ADA to enrollment, projected local control funding formula (LCFF) revenue limit, salaries and benefits, other revenues and expenditures, and facilities maintenance. For purposes of assessing projections of LCFF revenue, the first interim report shall be compared to the adopted district budget, and the second interim report shall be compared to the projections in the first interim report. (Education Code ~~33128.3~~, 42130; 5 CCR 15453-15464)

(cf. 3100 - Budget)

(cf. 3220.1 - Lottery Funds)

(cf. 3300 - Expenditures and Purchases)

(cf. 3314 - Payment for Goods and Services)

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

~~(cf. 3100 — Budget)~~

(cf. 3110 - Transfer of Funds)

~~(cf. 3111 — Deferred Maintenance Funds)~~

Audit Report

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

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

The audit shall include an audit of income and expenditures by source of funds for all funds of the district, including the student body and cafeteria funds and accounts and any other funds under the control or jurisdiction of the district, as well as an audit of student attendance procedures. The audit shall also include a determination of whether LCFF funds were expended in accordance with the district's local control and accountability plan or an approved annual update of the plan. (Education Code 41020)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3430 - Investing)

(cf. 3451 - Petty Cash Funds)

(cf. 3452 - Student Activity Funds)

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

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

(cf. 5117 - Interdistrict Attendance)

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

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

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

Fund Balance

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

1. Nonspendable fund balance, including amounts that are not expected to be converted to cash, such as resources that are not in a spendable form or are legally or contractually required to be maintained intact
2. Restricted fund balance, including amounts constrained to specific purposes by their providers or by law
3. Committed fund balance, including amounts constrained to specific purposes by the Board
4. Assigned fund balance, including amounts which the Board or its designee intends to use for a specific purpose
5. Unassigned fund balance, including amounts that are available for any purpose

Negative Balance Report

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

Non-Voter-Approved Debt Report

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

(cf. 7214 - General Obligation Bonds)

When the Board is considering the issuance of certificates of participation and other debt instruments that are secured by real property and do not require the approval of the voters of the district, the Superintendent or designee shall provide notice to the County Superintendent and ~~County Auditor~~ county auditor no later than 30 days before the Board's approval to proceed with issuance. The Superintendent or designee shall provide the Board, the ~~County Auditor~~ county auditor, the County Superintendent, and the public with information necessary to assess the

anticipated effect of the debt issuance, including related repayment schedules, evidence of the district's ability to repay the obligation, and the issuance costs. (Education Code 17150.1)

Other Postemployment Benefits Report (GASB 45)

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

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

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

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

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

Workers' Compensation Claims Report

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

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT

approved: May 16, 2001 Hanford, California

revised: June 15, 2011

revised: September 11, 2013

Revised: _____

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Jaime Martinez

DATE: October 19, 2015

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☒ Information
☐ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **October 28, 2015**

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 the home instruction teacher pay to the current Certificated Teacher Salary Schedule.

- BP 4121.2 – Certificated Substitute and Temporary Teacher Pay Rates (revised)

FISCAL IMPACT: None.

RECOMMENDATION: Consider for adoption at next regular board meeting.

Certificated Personnel

BP 4121.2

CERTIFICATED SUBSTITUTE AND TEMPORARY TEACHER PAY RATES**Substitute Teachers****Day-to-Day Substitutes**

	<u>Pre-K</u>	<u>K-6</u>	<u>7-8</u>
1 st through 30th consecutive instructional day in same assignment	\$50.00/ ½ day	\$100/day	\$110/day

Long-Term Substitutes: More than 30 consecutive instructional days in same classroom/assignment. At the conclusion of the initial long-term assignment, substitute may be considered for continuance of the long-term rate at the discretion of the District.

	<u>Pre-K</u>	<u>K-6</u>	<u>7-8</u>
Regular (Preliminary or Clear) K-8 Credential	\$ 90/ ½ day	180/day	\$190/day
Long-term Substitute Emergency Permit		\$160/day	\$170/day

Home Instruction

~~\$30.00/hour~~ Average Hourly Rate (AHR) based on the Certificated Teacher Salary Schedule

Substitute Nurses

Mutually acceptable per diem rate.

The Superintendent or designee shall develop administrative regulations to implement this policy and pay procedures.

Policy

adopted: November 15, 2000

revised: October 16, 2002

revised: August 24, 2005

revised: January 20, 2010

revised: December 10, 2014

revised: _____, 2015

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Jaime Martinez

DATE: October 19, 2015

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

(X) Information
() Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **October 28, 2015**

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.

- BP 4351.1 – Salary Step Placement and Advancement (revised)

FISCAL IMPACT: None.

RECOMMENDATION: Consider for adoption at next regular board meeting.

Management, Supervisory and Confidential Personnel

SALARY STEP PLACEMENT AND ADVANCEMENT

A. Initial Placement

1. Initial salary step placement of a new or promoted employee on the salary schedules for management, supervisory, and confidential employees shall normally be at Step 1 of the appropriate salary range. Previous in-district and verified outside experience in a similar capacity may be considered on a year for-year basis for advanced step placement up to and including Step 3 of the appropriate salary range if approved by the Superintendent or designee.
2. Initial step placement at Steps 2 through 5 of a candidate without experience, or at Steps 4 or 5 of a candidate with experience, shall be approved only under the following conditions:
 - a. To match the salary earned by a candidate in his/her current position if that is a condition of the candidate's acceptance of employment in the position offered by the district and no equally qualified candidate is available to fill the position at a lower salary. The Superintendent or designee shall verify that the current salary of the candidate exceeds Step 1 of the district's salary range for the position offered.
 - b. To meet the salary requirement of a qualified candidate for a position in a specialty for which there is a shortage of qualified applicants in the market and no equally qualified candidate is available to fill the position at a lower salary.
 - c. To provide a promotional candidate with a salary improvement above his/her current salary if that salary is lower than Step 5 of the promotional position salary range.
 - (1) An employee whose promotion is to be effective before one-half of the duty days assigned to the promotional position has elapsed (eligible for step advancement on July 1) shall, at the time of promotion, be placed on the Step that provides a 4% improvement over the salary he/she would have earned in his/her current position.
 - (2) An employee whose promotion is to be effective after one-half of the duty days assigned to the promotional position has elapsed (not eligible for step advancement on July 1) shall be placed on the Step that provides a 4% improvement over the salary he/she would have earned in his/her current position on July 1 of the ensuing fiscal year.
 - (3) Comparisons of salaries shall be based on annual base salaries as reflected on the appropriate salary schedules without regard to number of work days, previous or future stipends, or potential

salary increases due to cost-of-living adjustments (COLA) not yet approved by the Board at the time of the effective date of the promotion.

B. Step Advancement

A one-step advancement on the salary range shall be granted effective with the first work day of each fiscal year for employees who were hired or promoted during the previous fiscal year and were in paid status for more than one-half of the duty days assigned to their positions during the previous fiscal year.

C. Interns and Interim Appointments

1. Administrative Interns shall advance to the salary range of the appropriate position in accordance with the following schedule:
 - a. Effective at the beginning of the contracted work year if the credential requirements for the position have been met on or before September 12 of that year; or
 - b. Effective February 1 if the credential requirements for the position have been met by February 10.
2. Certificated employees appointed on an interim or substitute basis to an administrative position shall be paid the following: ~~at 95% of Step 1 of the appropriate range on the management salary schedule or at 105% of their regular position salary, whichever is higher.~~

Current Certificated Administrators will be paid at the step which corresponds to their current step placement for the position in which they will be serving on an interim or substitute basis.

Current Certificated Non-Management employees will be provided with an 8% pay increase to their daily rate.

Outside employees will be paid commensurate with their qualifications and experience with Superintendent approval.

D. Bilingual Stipend for Confidential Employees:

An employee who is required to use a second language from time to time in his/her regular assignment and who has demonstrated competency in the second language as established by the District shall receive a bilingual stipend of \$400 per year or the prorated amount for less than a year.

Policy

adopted: March 5, 1997

revised: November 7, 2001

revised: August 20, 2008

revised: February 26, 2014

revised: _____, 2015

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

Hanford Elementary School District
HUMAN RESOURCES DEPARTMENT

AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Jaime Martinez

DATE: October 19, 2015

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☒ Information
☐ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: October 28, 2015

ITEM: Receive, for information, Tentative Agreements between District and California School Employees Association (CSEA) for 2015-2016 (contract re-openers).

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

A copy of the Tentative Agreements will be available, for review and comment by the public, in the Superintendent's Office on October 29, 2015.

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

FISCAL IMPACT: Costs and funding sources are attached.

RECOMMENDATION: Receive for information only.

Tentative Agreement – October 15, 2015
2015-2016 Negotiations with CSEA

ARTICLE 22: HEALTH AND WELFARE BENEFITS

A. Regular Employees Working Six (6) Hours or More

1. For each Bargaining Unit member employed in a position assigned thirty (30) hours or more per week, excluding extra-/overtime hours, the District shall provide the following health and welfare benefits to the employee and his/her eligible dependents, effective as follows:

- a. **New employees:** On the first day of the month following the first day of active duty.

- b. **Employees in the District whose eligibility results from an increase in hours:**

If the assignment begins in the current school year, on the first day of the month following appointment to and acceptance of the position, regardless of the date the employee actually assumes the duties of his/her new position.

If the assignment begins the next school year, benefits will begin the 1st of the month following the first day of active duty in the new school year.

- c. Provision of the above benefits is contingent upon timely submission of completed enrollment forms by the employee to the Human Resources Department. Participation shall not be available on a retroactive basis if enrollment forms are not submitted prior to the first of the month for which eligibility was determined.

2. **The health and welfare benefits shall include the following:**

- a. **Medical Insurance:**

Preferred Provider Medical Program. The benefits of the plan shall fully conform to specifications presented to and agreed upon by the Union during discussions leading to agreement on this provision.

The Bargaining Unit may select a different medical and/or prescription insurance plan for its members, effective October 1 of each year, unless

a specific year is stipulated, from alternatives available with current plan provider and submitted by the District to CSEA by June 1 of each year, unless a specific year is stipulated, provided the Bargaining Unit has ratified the change and notified the Human Resources Department by the deadline date provided in accordance with the Medical Plan Administrator guidelines. CSEA shall select three (3) plan designs from those available through the plan provider. In addition, the District and CSEA will mutually agree on the fourth plan design from those available through the plan provider. It is specifically agreed that, should CSEA fail to notify the District of a medical and/or prescription drug plan change by such deadline of each year, eligible Bargaining Unit members shall remain covered by their current medical and prescription drug plans as available through the current plan provider. Benefit changes will become effective the first day of any month following the applicable waiting period, as specified in the Plan Administrator guidelines.

b. **Dental Insurance:**

A District Self-Funded Incentive Dental Plan for employees and eligible dependents, featuring a scale of 70 - 100% payment of reasonable and customary fees for covered services. Effective October 1, 2001, the maximum annual benefit for each individual covered by this insurance shall be Two Thousand Dollars (\$2,000).

c. **Vision Insurance:**

A Vision Plan for the employee and eligible dependents, paying for authorized service on the basis of a schedule for eye examination, glass lenses, and frames.

d. **Life Insurance:**

A \$50,000 Basic Life Insurance Plan (plus Accidental Death and Dismemberment Plan) paying on the death of an employee under age 65, from any cause authorized by the plan provider, the amount of \$50,000 to the beneficiary named by the employee. Employees over age 65 shall be eligible for a reduced benefit amount as set forth in the policy established

by the insurance company. During an unpaid leave for any reason, life insurance will be discontinued (per the insurance company). Employees have the option to convert to an individual plan.

3. Eligible spouses and dependents who have medical, dental, and/or vision insurance benefits through employment other than the District shall use benefit plans from their employment as primary coverage.
4. Effective November 1, 2015, ~~t~~The maximum annual District contribution toward the total premiums for the above benefits shall be Eleven Thousand Three Hundred Seventy-Two Dollars and Zero Cents (\$11,000) (\$11,372) per employee, ~~for the benefit plan year (October 1 through September 30).~~
5. Monthly payroll deductions shall begin with the October (i.e. the first month of the plan year) ~~pay warrant of the first fiscal year~~ for which total health benefit plan costs exceed the maximum District contribution, and shall be for the difference between the monthly total costs and the monthly maximum District contribution as defined above.

B. Regular Employees Working Three (3) But Less than Six (6) Hours

1. The District agrees to provide the following health and welfare benefits to each Bargaining Unit member employed in a position assigned at least fifteen (15) but less than thirty (30) hours per week, excluding extra-/overtime hours, and for a scheduled work year of nine (9) months of contracted working days or more per fiscal year. Each qualified employee will begin coverage as follows:
 - a. **New employees:** On the first day of the month following the first day of active duty.
 - b. **Employees in the District whose eligibility results from an increase in hours:**
 If the assignment begins in the current school year, on the first day of the month following appointment to and acceptance of the position, regardless of the date the employee actually assumes the duties of his/her new position.

If the assignment begins the next school year, benefits will begin the 1st of the month following the first day of active duty in the new school year.

- c. Provision of the above benefits is contingent upon timely submission of completed enrollment forms by the employee to the Human Resources Department. Participation shall not be available on a retroactive basis if enrollment forms are not submitted prior to the first of the month for which eligibility was determined.

2. The health and welfare benefits shall consist of the following coverage:

a. Dental Insurance:

A District Self-Funded Incentive Dental Plan for employees and eligible dependents, featuring a scale of 70 - 100% payment of reasonable and customary fees for covered services. Effective October 1, 2001, the maximum annual benefit for each individual covered by this insurance shall be Two Thousand Dollars (\$2,000).

b. Vision Insurance:

A Vision Plan for the employee and eligible dependents, paying for authorized service on the basis of a schedule for eye examination, glass lenses, and frames.

c. Life Insurance:

A \$50,000 Basic Life Insurance Plan (plus Accidental Death and Dismemberment Plan) paying on the death of an employee under age 65, from any cause authorized by the plan provider, the amount of \$50,000 to the beneficiary named by the employee. The District contribution to the premium for life insurance benefits shall be 100% of the cost.

Employees over age 65 shall be eligible for a reduced benefit amount as set forth in the policy established by the insurance company. During an unpaid leave for any reason, life insurance will be discontinued (per the insurance company). Employees have the option to convert to an individual plan.

3. Eligible spouses and dependents who have dental and/or vision insurance benefits through employment other than the District shall use benefit plans from their employment as primary coverage.
4. Effective November 1, 2015, ~~t~~The maximum annual District contribution toward the total premiums for the above benefits shall be One Thousand Two Hundred and ~~Sixty-One~~ Ninety-Seven Dollars and Thirty-Two Cents ~~(\$1,261.32)~~ (\$1,297.32). Monthly payroll deductions shall begin with the October (i.e., first month of the plan year) ~~pay warrant of the first fiscal year~~ for which total health benefit plan costs exceed the maximum District contribution, and shall be for the difference between the monthly total costs and the monthly maximum District contribution as defined above.

C. Retirees

1. Effective July 1, 2007, for retirees under age 65 meeting the following criteria, the District will contribute one hundred percent (100%) of the maximum contribution for active employees toward the premium for the current District plan for medical and dental coverage only for the employee and dependents for a period of ten (10) years or until reaching age sixty-five (65), whichever comes first:
 - a. Thirteen (13) consecutive years of service; and
 - b. Participating in the District group medical insurance program as in Section A.2.a. above at the time immediately prior to retiring; .
 - c. Age fifty-five (55) or older but not older than 64; and
 - d. Sign up for the appropriate plan immediately upon retirement without a break in coverage; and
 - e. Timely payment by retiree of his/her share of the premium as required by the District as a condition to remain eligible for this benefit.
2. Retirees who participated in the District's medical insurance program in accordance with Section 1. above who don't meet the service requirement, or who are 65 or older, will be allowed to continue their medical and dental insurance benefits at no cost to the District. Eligible retirees must pay the full

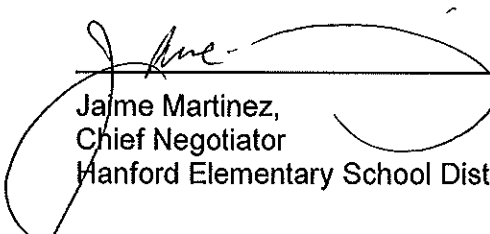
cost of premiums as outlined by the District at the time of election of continuation, and as updated on a periodic basis.

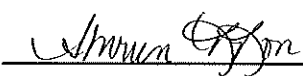
3. Upon attainment of age 65, all retirees and eligible dependents must enroll in Medicare Part B and in Medicare Part A, and pay the required Medicare premium(s), as a condition to continued participation in the District's medical group insurance.

Retirees who participated in the District's \$50,000 Basic Life Insurance Program retiring from the District at age 55 or older, but not older than 64; with at least 13 consecutive years of service may choose to continue to participate in the Basic Life Insurance Program until the attainment of age 65 at no cost to the District. Failure to make timely premium payments shall result in cancellation of insurance coverage.

FOR THE DISTRICT:

FOR CSEA:

 _____ 10/15/15
 Jaime Martinez,
 Chief Negotiator
 Hanford Elementary School District
 Date

 _____ 10/15/15
 Shereese Rose,
 Negotiations Chair
 CSEA Chapter #344
 Date

ARTICLE 23: PAY AND ALLOWANCES

- A. The 2013-2014 2014-2015 Classified Salary Schedules shall be increased by ~~five (5.0%)~~ six percent (6.0%) and become the ~~2014-2015~~ 2015-2016 Classified Salary Schedule.
- B. All new employees shall be placed on the salary schedule in a uniform manner.
1. All new employees shall be rated in not higher than Step 2. Three (3) years of prior work experience in a similar job classification are required for Step 2 placement. The District with mutual agreement will have flexibility to go beyond Step 2 for hard to fill job classifications.
 2. An employee who is promoted to a higher classification shall be entitled to the lowest step in the higher range which exceeds the employee's rate of pay by a minimum of five percent (5%). This minimum five percent (5%) increase shall be based on what the employee would have earned during the twelve months following the date of the promotion including step advancement, if any, had s/he not been promoted.
- C. **Frequency:** Employees shall be paid once per month payable on or before the last working day of the month. If the normal pay date falls on a holiday or weekend, the paycheck shall be issued on the preceding work day.
- D. **Step Advancement:**
1. Employees' step advancement date shall be July 1 of each year.
 2. New employees shall receive a step increase on July 1 if they were employed effective on or before December 31 of the preceding year.
- E. An employee regularly contracted to work in two (2) separate job classifications in one (1) fiscal year shall be paid for all hours in paid status at the range and step of the classification which is the higher of the two.
- F. **Longevity Pay:** The District shall pay longevity pay for each employee who qualifies as follows:
1. A one-time non-renewable bonus of Five Hundred dollars (\$500), less taxes and deductions, shall be paid to each full-time employee in his/her fifteenth (15th) year of service to the District with his/her June 30th pay warrant.

2. Full-time employees shall receive annual longevity pay when they complete milestone years of service as indicated below:
 - a. Fifteen (15) years: One Thousand One Hundred Twenty-Five Dollars (\$1,125)
 - b. Twenty (20) years: Two Thousand Two Hundred Fifty Dollars (\$2,250)
 - c. Thirty (30) years: Three Thousand Three Hundred Seventy-Five Dollars (\$3,375)
 3. Part-time employees shall receive the appropriate pro rata share when they complete milestone years of service:
 4. Employees shall receive longevity pay on July 1 if they reached one of the above milestones on or before December 31 of the current year.
- G. **Bilingual Stipend:** Any employee who is required to use a second language from time to time in his/her regular assignment and who has demonstrated competency in the second language as established by the District shall receive a stipend in accordance with the following schedule. Said payments shall be paid each month on a one-twelfth (1/12) basis for each twelve (12) month employee, on a one-eleventh (1/11) basis for each eleven (11) month employee, and on a one-tenth (1/10) basis for each ten (10) month employee as part of the employee's regular monthly paycheck. Eligibility for said stipend shall commence on the first of the month following the completion of demonstrated competency. Stipend payment is not to be considered a part of the employee's regular rate of pay.

BILINGUAL STIPEND SCHEDULE

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

- H. **Out of Classification Work:** An employee who temporarily performs the essential functions of a higher classification shall be entitled to the lowest step in

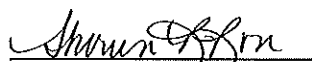
the higher range which exceeds the employee's rate of pay by a minimum of five percent (5%).

- I. Upon appropriate written authorization from the employee, the District shall deduct from the salary of any employee and make appropriate remittance for annuities, credit union, savings bonds, charitable donations, or any other plans or programs jointly approved by the Union and the District.
- J. **On-Call Bus Driver Stipend.** For a limited number of classified employees who work within the District and who serve in classifications other than those positions requiring a School Bus Driver's License Certification, but who are willing to obtain the required training and licenses to operate a school bus and serve as an on-call Bus Driver as needed, the District will pay a stipend of One Thousand Dollars and No Cents (\$1,000) per year to each employee. The number of on-call Bus Drivers needed and eligibility for the stipend shall be evaluated and determined by the District at the commencement of each school year.
- K. **LVN Licensure Incentive:** Any Health Care Assistant (or Bilingual Health Care Assistant) who secures and maintains a valid California Licensed Vocational Nurse (L.V.N.) licensure shall be entitled to a five percent (5%) incentive increase in his or her hourly rate of pay for all hours worked. The five percent (5%) incentive increase will become effective the first of the month following documentation and receipt of a California L.V.N. license and will remain in effect as long as a valid L.V.N. license is maintained. The employee is responsible to provide annual verification to the District of a current L.V.N. licensure in order to receive the incentive.

FOR THE DISTRICT:

FOR CSEA:

 10/15/15
 Jaime Martinez,
 Chief Negotiator
 Hanford Elementary School District

 10/15/15
 Shereese Rose,
 Chief Negotiations Chair
 CSEA Chapter #344

HANFORD ELEMENTARY SCHOOL DISTRICT
2015-2016 CLASSIFIED SALARY SCHEDULE (Interim)

Range	Position		Step 1	Step 2	Step 3	Step 4	Step 5
1		*per Month per Hour	2,053 11.84	2,156 12.44	2,263 13.06	2,377 13.71	2,495 14.40
2		per Month per Hour	2,156 12.44	2,263 13.06	2,377 13.71	2,495 14.40	2,620 15.12
3	Clerk Trainee	per Month per Hour	2,263 13.06	2,377 13.71	2,495 14.40	2,620 15.12	2,751 15.87
4		per Month per Hour	2,377 13.71	2,495 14.40	2,620 15.12	2,751 15.87	2,889 16.67
5	Clerk -Typist I Food Service Worker I Instructional Aide	per Month per Hour	2,495 14.40	2,620 15.12	2,751 15.87	2,889 16.67	3,033 17.50
6	Bilingual Aide I Bilingual Clerk-Typist I Food Service Worker II Alternative Education Program Aide READY Program Tutor	per Month per Hour	2,620 15.12	2,751 15.87	2,889 16.67	3,033 17.50	3,185 18.37
7	Account Clerk I Custodian I Educational Tutor, K-6 Groundskeeper I Lead READY Program Tutor Signing Aide Special Circumstances Aide Special Education Aide Substitute Telephone Clerk	per Month per Hour	2,751 15.87	2,889 16.67	3,033 17.50	3,185 18.37	3,344 19.29
8	Account Clerk II Clerk-Typist II Cook/Baker Food Service Utility Worker Media Services Aide	per Month per Hour	2,889 16.67	3,033 17.50	3,185 18.37	3,344 19.29	3,511 20.26
9	Bilingual Clerk-Typist II Bilingual Translator/Clerk Custodian II Delivery Worker Groundskeeper II Maintenance Worker I	per Month per Hour	3,033 17.50	3,185 18.37	3,344 19.29	3,511 20.26	3,687 21.27
10	Bus Driver Bus Driver/Service Worker Health Care Assistant Help Desk Technician Secretary	per Month per Hour	3,185 18.37	3,344 19.29	3,511 20.26	3,687 21.27	3,871 22.33
11	Bilingual Health Care Assistant Dispatcher Irrigation Specialist Lead Custodian	per Month per Hour	3,344 19.29	3,511 20.26	3,687 21.27	3,871 22.33	4,065 23.45
12	Account Technician I Warehouse/Reprographic & Mail Technician	per Month per Hour	3,511 20.26	3,687 21.27	3,871 22.33	4,065 23.45	4,268 24.62

Range	Position		Step 1	Step 2	Step 3	Step 4	Step 5
13	Head Custodian Maintenance Worker II Mechanic Parent Liaison Specialist Painter/Maintenance Worker II Teacher Resource Center Specialist	per Month per Hour	3,687 21.27	3,871 22.33	4,065 23.45	4,268 24.62	4,481 25.85
14	Administrative Secretary I	per Month per Hour	3,871 22.33	4,065 23.45	4,268 24.62	4,481 25.85	4,706 27.15
15	Account Technician II Administrative Secretary II Child Welfare and Attendance Specialist Computer Maintenance Technician Database Specialist I	per Month per Hour	4,065 23.45	4,268 24.62	4,481 25.85	4,706 27.15	4,941 28.50
16	Account Technician III Community Day School Specialist Educational Interpreter Student Specialist	per Month per Hour	4,268 24.62	4,481 25.85	4,706 27.15	4,941 28.50	5,188 29.93
17	Bilingual Student Specialist Heating, Ventilation & Air Conditioning Specialist Locksmith	per Month per Hour	4,481 25.85	4,706 27.15	4,941 28.50	5,188 29.93	5,447 31.43
18	Account Technician IV Database Specialist II Lead Mechanic (Automotive) Network Engineer Systems Engineer	per Month per Hour	4,706 27.15	4,941 28.50	5,188 29.93	5,447 31.43	5,720 33.00
19		per Month per Hour	4,941 28.50	5,188 29.93	5,447 31.43	5,720 33.00	6,006 34.65
20		per Month per Hour	5,188 29.93	5,447 31.43	5,720 33.00	6,006 34.65	6,306 36.38

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

The Two (2) furlough days for the eleven (11) and twelve (12) month employees are being restored and are reflected on this salary schedule.

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

Translator - Employees who are assigned translation duties (verbal or written) outside their regularly assigned shift shall be paid at the current rate of pay for their regular position. Any time worked by an employee as a Translator shall not count toward benefit accrual within his/her regularly assigned position, including but not limited to health and welfare benefits, increased hours, or vacation and leave credit.

Yard Duty - Employees who assume yard supervision duties in addition to their regular position shall be paid for such extra duties at their current rate of pay for their regular position.

Longevity - Full-time Employees shall receive annual longevity pay when they complete milestone years of service as indicated below:

15 Years - \$1,125
20 Years - \$2,250
30 Years - \$3,375

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

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

ADDITIONAL COMPENSATION FOR CLASSIFIED EMPLOYEES

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

BILINGUAL STIPEND SCHEDULE

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

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

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

Professional Growth increments will be awarded as follows:

No. of Semester		No of Semester	
Increments	Units	Increments	Units
1 st	6	12 th	72
2 nd	12	13 th	78
3 rd	18	14 th	84
4 th	24	15 th	90
5 th	30	16 th	96
6 th	36	17 th	102
7 th	42	18 th	108
8 th	48	19 th	114
9 th	54	20 th	120
10 th	60	21 st	126
11 th	66		

Employees will be paid, in addition to their regular rate of pay, ten dollars and zero cents (\$10.00) per month per increment. (See Article 11 Professional Growth).

ADDITIONAL COMPENSATION FOR CLASSIFIED EMPLOYEES (cont.)

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

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

Work Week:

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

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

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

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

In accordance with the requirements of Government Code Section 3547.5, the Superintendent and Chief Business Officer of Hanford Elementary School District, hereby certify that the District can meet the costs incurred under the Collective Bargaining Agreement between the District and the California School Employees Association, Chapter #344 Bargaining Unit, during the term of the agreement from July 1, 2014 to June 30, 2017.

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

<u>Budget Adjustment Categories</u>	<u>Budget Adjustment Increase (Decrease)</u>
<u>Revenues/Other Financing Sources</u>	<u>0</u>
<u>Expenditures/Other Financing Uses</u>	<u>0</u>
<u>Ending Balance Increase (Decrease)</u>	<u>(492,404)</u>

N/A _____(No budget revisions necessary)

District Superintendent
(Signature)

October 28, 2015
Date

Chief Business Officer
(Signature)

October 28, 2015
Date

DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT

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

Hanford Elementary School District

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

Certificated _____ Classified X
New Agreement _____ or Reopener X

The proposed agreement is a three-year agreement that covers the period beginning July 1, 2014 and ending June 30, 2017 and will be acted upon by the Governing Board at its meeting on November 18, 2015.

A.(1) Proposed Change in Compensation

Compensation	Cost Prior to Proposed Agreement	Fiscal Impact of Proposed Agreement Increase (Decrease) and Percentage Change		
		Current Year 2015-16	Year 2 2016-17	Year 3 2017-18
1. Base Salary	\$ 6,023,553	\$ 361,413	\$ 361,413	\$ 361,413
		4.88%	4.88%	4.88%
2. Other Compensation – i.e. Stipends or Bonuses	\$ 0	\$ 0	\$ 0	\$ 0
		0%	0%	0%
3. Total Salary - (Sum of 1 & 2)	\$ 6,023,553	\$ 361,413	\$ 361,413	\$ 361,413
		4.88%	4.88%	4.88%
4. Statutory Benefits - STRS, PERS, FICA, WC, UI, Medicare	\$ 1,381,020	\$ 82,861	\$ 82,861	\$ 82,861
		1.12%	1.12%	1.12%
5. Health/Welfare Benefits	\$ 1,275,857	\$ 48,130	\$ 48,130	\$ 48,130
		0.65%	0.65%	0.65%
6. Total Benefits - (Total Lines 4 & 5)	\$ 2,656,877	\$ 130,991	\$ 130,991	\$ 130,991
		1.77%	1.77%	1.77%
7. Total Compensation – (sum of 3 & 6)	\$ 8,680,430	\$ 492,404	\$ 492,404	\$ 492,404
		6.65%	6.65%	6.65%

DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT

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

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

-
- The salary schedule for 2015-2016 shall reflect a 6% increase effective July 1, 2015.
-
- The District's annual contribution to Medical, Dental, Vision and Life insurance benefits will increase by \$372 from \$11,000.00 to \$11,372.00 for employees working six hours or more per day. The District's annual contribution to Dental, Vision and Life insurance benefits will increase by \$36 from \$1,261.32 to \$1,297.32 for employees working three hours but less than six hours per day.
-

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

None

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

None

DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT

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

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

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

The District and/or the Union may re-open negotiations for the 2016-17 school year over Pay and Allowances (Article 23) and/or Health and Welfare Benefits (Article 22) and two additional Articles each.

E. Source of Funding for Proposed Agreement

1. Current Year

Undesignated Reserve:	Unrestricted	\$423,970
	Restricted:	<u>68,434</u>
		\$492,404

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

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

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

Not applicable – This is not a multi-year agreement

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

DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT

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

G. Certification

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

District Superintendent
(Signature)

October 28, 2015
Date

Contact Person: Nancy White/David Endo **Telephone No.:** (559) 585-3628

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

	(Col. 1) Latest Board- Approved Budget *	(Col. 2) Adjustments as a Result of Settlement (from page 1)	(Col. 3) Other Revisions (provide explanation)	(Col. 4) Total Impact on Budget (Col. 1+2+3)
REVENUES				
Revenue Limit Source (8010-8099)	45,151,337			45,151,337
Remaining Revenues (8100-87991)	7,410,252			7,410,252
TOTAL REVENUES	52,561,589			52,561,589
EXPENDITURES				
1000 Certificated Salaries	25,210,553			25,210,553
2000 Classified Salaries	9,072,947	+ 361,413		9,434,360
3000 Employees' Benefits	11,713,908	+ 130,991		11,844,899
4000 Books and Supplies	3,987,756			3,987,756
5000 Services and Operating Exps	3,104,381			3,104,381
6000 Capital Outlay	1,403,300			1,403,300
7000 Other	807,366			807,366
TOTAL EXPENDITURES	55,300,211	+ 492,404		55,792,615
OPERATING SURPLUS (DEFICIT)	(2,738,622)			(3,231,026)
OTHER SOURCES AND TRANSFERS IN	0			0
OTHER USES AND TRANSFERS OUT	0			0
CURRENT YEAR INCREASE (DECREASE) IN FUND BALANCE	(2,738,622)			(3,231,026)
BEGINNING BALANCE	7,113,552		+828,486	7,942,028
CURRENT-YEAR ENDING BALANCE	4,374,930			4,711,012
COMPONENTS OF ENDING BALANCE:				
Reserved Amounts	714,948	-68,434	-28,850	617,664
Reserved for Economic Uncertainties	3,240,000			3,240,000
Board Designated Amounts	300,000			300,000
Unappropriated Amounts	119,982	- 423,970	+857,336	553,348

A. Date of governing board approval of budget revisions in Col. 1 June 24, 2015
 (Adopted Budget)

Explanation for Column 3: Adjust Beginning Balance to Actual

Contact Person: Nancy White/David Endo

Date: October 28, 2015

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Joy Gabler

DATE: 10/19/15

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: 10/28/15

ITEM: Consider approval of consultant contract with Children's Storybook Garden & Museum.

PURPOSE: A member of the Children's Storybook Garden & Museum will provide an in-class 30 minute standards-aligned lesson. The lesson will be tied to a specific storybook and will be conducted for all kindergarten and 1st grade students in the district.


FISCAL IMPACT: \$6200.00

RECOMMENDATIONS: Approve

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Joy Gabler 

DATE: October 15, 2015

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: October 28, 2015

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

- BP 5148 – Child Care and Development
- AR 5148 – Child Care and Development

PURPOSE: The following Board Policy and Administrative Regulation reflect 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.

FISCAL IMPACT: None

RECOMMENDATIONS: Approve.

Hanford ESD

Board Policy

Child Care And Development

BP 5148

Students

The Governing Board of Trustees desires to provide child care and development services ~~on or near school sites~~ which meet the developmental needs of children.

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

and offer a convenient child care alternative ~~(cf. 5148.1 - Child Care Services for Parenting Students)~~ parents/guardians in the community.

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

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

(cf. 6175 - Migrant Education Program)

The ~~Superintendent or designee~~ Board shall enter into a contract with the California Department of Education (CDE) for the provision of child care and development services by the district.

(cf. 3312 - Contracts)

The Board shall approve for the district's child care and development program a written philosophical statement, goals, and objectives that reflect the cultural and linguistic characteristics of the families to be served and address the program components specified in 5 CCR 18272-18281 and the accompanying administrative regulation. (5 CCR 18271)

(cf. 0000 - Vision)

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

Eligibility and Enrollment

Child care admissions policies and procedures shall be in writing and available to the public. Such policies and procedures shall include criteria designating those children whose needs can be met by the child care center's program and services, the ages of children who will be accepted, program activities, any supplementary services provided, any field trip provisions, any transportation arrangements, food service provisions, and health examination requirements. (5 CCR 18105; 22 CCR 101218)

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

(cf. 3540 - Transportation)

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

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

The Superintendent or designee shall ensure that subsidized child care is provided to eligible families to the extent that state and/or federal funding is available and shall establish ~~admissions~~enrollment priorities in accordance with Education Code 8263 and 5 CCR 18106.

To the extent that space is available after the enrollment of children who are eligible for subsidized services, priority for admissions shall be given to district students, children of district students, and children of district employees.

(cf. 5111.1 - District Residency)

~~(cf. 5116 - School Attendance Boundaries)~~(cf. 5146 - Married/Pregnant/Parenting Students)

Staffing

The Superintendent or designee shall ensure that individuals working in child care and development programs have the necessary qualifications and have satisfied all legal requirements.

(cf. 1240 - Volunteer Assistance)

(cf. 4112.2 - Certification)

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

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Facilities

Upon recommendation of the Superintendent or designee, the Board may approve any of the following for the provision of child care and development services:

1. The use of existing district facilities that have capacity
2. Renovation or improvement of district facilities to make them suitable for such services
3. Purchase of relocatable child care facilities
4. Inclusion of child care facilities in any new construction
5. Agreement with a public agency or community organization for the use of community facilities

(cf. 1330.1 - Joint Use Agreements)

(cf. 7110 - Facilities Master Plan)

The Superintendent or designee shall develop and implement an annual plan for self-ensure that facilities used for child care services meet all applicable health and safety standards. (5 CCR 18020; 22 CCR 101238-101239.2)

Complaints

For a licensed child care center, any complaint alleging health and safety violations shall be referred to the California Department of Social Services. For a license-exempt facility, such complaints shall be referred to the appropriate Child Development regional administrator. Any other alleged violation of state or federal laws governing child care and development programs shall be investigated and resolved using the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Program Evaluation

The Superintendent or designee shall annually conduct an evaluation of the district's child care and development services which conforms to in accordance with state requirements and includes. The evaluation report shall be submitted to the Board and the CDE along with an assessment by parents/guardians action plan which establishes program goals and objectives for the coming year and addresses any areas identified as needing improvement. (5 CCR 18279-18281)

(cf. 0500 - Accountability)

Legal Reference:

EDUCATION CODE

8200-8499.10 Child Care and Development Services Act, including especially:

8200-8209 General provisions for child care and development services

8210-8216 Resource and referral program

8220-8226 Alternative payment program

8230-8233 Migrant child care and development program

8235-8239 California state preschool program

8240-8244 General child care programs

8250-8252 Programs for children with special needs

8263 Eligibility and priorities for subsidized child development services

8263.3 Disenrollment of families due to reduced funding levels

8263.4 Enrollment of students ages 11-12 years

8273-8273.3 Fees

8278.3 Child Care Facilities Revolving Fund

8360-8370 Personnel qualifications

8400-8409 Contracts

8482-8484.665 After-school education and safety program

8484.7-8484.8 21st Century community learning centers

~~8485-8488 Child supervision programs~~

8493-8498 Facilities

8499-8499.7 Local planning councils

~~17609-17610 Integrated pest management, applicability to child care facilities~~

49540-49546 Child care food program

49570 National School Lunch program

~~54740-54749.5 Cal SAFE program for pregnant/parenting students and their children~~

56244 Staff development funding

HEALTH AND SAFETY CODE

1596.70-1596.895 California Child Day Care Act

1596.90-1597.21 Day care centers

120325-120380 Immunization requirements

CODE OF REGULATIONS, TITLE 5

4610-4687 Uniform complaint procedures

18000-18434 Child care and development programs, especially:

18012-18122 General requirements

18180-18192 Federal and state migrant programs

~~18200-18207 School-age community child care services program~~

18210-18213 Severely handicapped program

18220-18231 Alternative payment program

18240-18248 Resource and referral program

18270-18281 Program quality, accountability

18290-18292 Staffing ratios

18295 Waiver of qualifications for site supervisor

18300-18308 Appeals and dispute resolution

80105-80125 Commission on Teacher Credentialing, child care and development permits

CODE OF REGULATIONS, TITLE 22

101151-101239.2 General requirements, licensed child care centers, including especially:

101151-101163 Licensing and application procedures

101212-101231 Continuing requirements

101237-101239.2 Facilities and equipment

UNITED STATES CODE, TITLE 42

1751-1769 School lunch programs

9831-9852 Head Start programs

9858-9858q Child care and development block grant

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch program

CODE OF FEDERAL REGULATIONS, TITLE 45

98.2-98.93 Child care and development fund

COURT DECISIONS

CBS Inc. v. The Superior Court of Los Angeles County, State Department of Social Services,
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~~Program Quality Standards and Standards Based on Exemplary Practice for Center-Based~~
~~Programs and Family Child Care Home Networks, October 2004~~

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~~Child Development Permit Professional Growth Manual, July 2008~~

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California Association for the Education of Young Children: <http://www.caeyc.org>

California Child Development Administrators Association: <http://www.ccdaa.org>

California Department of Education, ~~Child Development~~ Early Education and Support Division:
<http://www.cde.ca.gov/sp/cd>

California Department of Education, Early Education Management Bulletins:
<http://www.cde.ca.gov/sp/cd/ci/allmbs.asp>

California Department of Social Services, Licensing Information:
<http://www.edssccld.ca.gov/PG492.htm>

California Head Start Association: <http://caheadstart.org>

California School-Age Consortium: <http://calsac.org>

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

National Association for the Education of Young Children: <http://www.naeyc.org>

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

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: April 21, 2004 Hanford, California

revised:

Hanford ESD

Administrative Regulation

Child Care And Development

AR 5148

Students

Licensing

All district child care and development services shall be licensed by the California Department of Social Services, unless exempted pursuant to Health and Safety Code 1596.792 or 22 CCR 101158.

The license shall be posted in a prominent, publicly accessible location in the facility. (Health and Safety Code 1596.8555)

Licensed child care centers shall be subject to the requirements of Health and Safety Code 1596.70-1597.21 and, 22 CCR 101151-101239.2, and, when applicable, 22 CCR 101451-101539.

~~A program offered before and after school for school-age children shall be exempt from the regulations in 22 CCR 101151-101239.2 if the program is operated by the school and run by qualified district staff. An outside organization or individual using a district school to operate a child care program is subject to licensure even if the program is open only to the students enrolled at that school. (22 CCR 101158)~~

Program Components

The district's child care and development program shall include ~~but not~~ the following components:

1. A developmental profile recording each child's physical, cognitive, social, and emotional development which shall be limited used to: plan and conduct developmentally and age-appropriate activities (Education Code 8203.5; 5 CCR 18272)

Program staff shall complete the "Desired Results Developmental Profile," available from the California Department of Education (CDE), for each child who is enrolled in the program for at least 10 hours per week and for any child with disabilities regardless of the number of hours enrolled. The profile shall be completed within 60 days of enrollment and at least once every six months thereafter for children of all ages. (Education Code 8203.5; 5 CCR 18270.5, 18272)

2. ~~1.~~ An educational program which: ~~(complies with 5 CCR 18273)~~

a. ~~Is,~~ including the provision of services that are developmentally, linguistically, and culturally appropriate

- b. ~~Is and~~ inclusive of children with special needs
- e. ~~Encourages respect for others~~
- d. ~~Supports children's physical, cognitive, language, social and emotional development~~
- e. ~~Promotes and maintains practices that are healthy and safe~~

(cf. 5148.2 - Before/After School Programs)
 (cf. ~~6300~~5148.3 - Preschool/Early Childhood Education)
 (cf. 6159 - Individualized Education Program)
 (cf. 6164.4 - Identification of Individuals for Special Education)
 (cf. 6164.6 - Identification and Education Under Section 504)
 (cf. 6174 - Education for English Language Learners)

3. ~~2.~~ ~~A staff development program which:~~ (complies with 5 CCR 18274)

- a. ~~Identifies training needs~~
- b. ~~Provides written job descriptions~~
- e. ~~Provides an orientation plan for new employees~~
- d. ~~Provides staff development opportunities related to the functions in each employee's job description and identified training needs~~
- e. ~~Provides for annual written performance evaluations, unless a different frequency is specified in a collective bargaining agreement~~
- f. ~~Provides each staff member with information necessary to perform his/her duties~~

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

~~34.~~ Parent/guardian involvement and education, including: ~~(which comply with 5 CCR 18275)~~

- a. ~~An orientation for~~ and involve parents/guardians
- b. ~~At through an orientation, at~~ least two individual conferences per year
- e. ~~Parent/guardian, meetings with program staff~~

d. ~~— An open door policy that encourages parents/guardians to participate in the daily activities whenever possible~~

e. ~~— A parent/guardian, an advisory committee to advise the district on issues related to services to families and children~~

f. ~~— Sharing of, participation in daily activities, and information regarding children's~~
child's progress

(cf.

46020 - Parent Involvement)

5. A health and social services component which ~~(complies with 5 CCR 18276)~~

a. ~~— Identifies the needs of the child and the family for health or social services~~

b. ~~— Refers a child and/or family includes referrals to appropriate agencies in the community agencies as needed~~

c. ~~— Conducts follow-up procedures with the parent/guardian to ensure that the needs have been met~~

~~(cf. 5141.6 - Student Health and Social~~ (cf. 1020 - Youth Services)

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

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.23 - Asthma Management)

(cf. 5141.6 - School Health Services)

6. A community involvement component which includes soliciting community support and providing information to the community regarding available services ~~(complies with 5 CCR 18277)~~

6

7. A nutrition component which ensures that children in the program have ~~are provided nutritious meals, beverages, and snacks that meet state and federal guidelines for child care programs or the National School Lunch program (standards and have access to drinking water throughout the day, including at meal times (Health and Safety Code 1596.808; 5 CCR 18278; 42 USC 1766)~~

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

(cf. 5030 - Student Wellness)

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

8. An annual plan for program evaluation which conforms with the state's "Desired Results for Children and Families" system and includes, but is not limited to, a self-evaluation, parent

survey, and environment rating scale using forms provided by the CDE (5 CCR 18270.5, 18279, 18280)

(cf. 0500 - Accountability)

Staffing Ratios

The district's child care and development program shall maintain at least the minimum adult-child and teacher-child ratios specified in 5 CCR 18290-18292 based on the ages of the children served.

Admissions

Admissions policies shall include criteria designating those children whose needs can be met by the center's program and services, the ages of children who will be accepted, program activities, any supplementary services provided, any field trip provisions, any transportation arrangements, food service provisions and a medical assessment requirement. (5 CCR 18105; 22 CCR 101218)

Child Eligibility and Enrollment

The district's subsidized child care and development services shall accord equal treatment may be available to ~~infants and school age~~ children through age 12 years and access to services to ~~individuals~~ students with disabilities through age 21 years in accordance with law their individualized education program and Education Code 8208. (Education Code 8208, 8263.4; 5 CCR 18089, 18407, 18422)

Eligible families shall be those who document both an eligibility basis and a need for care, as follows: (Education Code 8263)

1. The family is eligible for subsidized services on the basis of being a current aid recipient, income eligible, or homeless and/or the family's children are recipients of protective services or have been identified as being, or at risk of being, abused, neglected, or exploited.
2. The family has a need for child care based on the unavailability of the parents/guardians to care for and supervise their children for some portion of the day because they are either working, seeking employment, participating in vocational education and training programs, seeking permanent housing for family stability, or temporarily or permanently incapacitated. Alternatively, a family satisfies the need requirement if the child is identified by a legal, medical, social services agency, or emergency shelter as a recipient of child protective services or as being, or at risk of being, neglected, abused, or exploited.

The Superintendent or designee shall maintain a district waiting list in accordance with admission priorities. As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

First priority for enrollment shall be given to neglected or abused children who are recipients of

child protective services, or children who are at risk of being neglected or abused, upon written referral from a legal, medical, or social services agency. If unable to enroll a child in this category, the district shall refer the child's parent/guardian to local resource and referral services so that services for the child can be located. (Education Code 8263)

Second priority for enrollment shall be given to families who are income eligible, as defined in Education Code 8263.1. Families with the lowest gross monthly income in relation to family size shall be admitted first. If two or more families are in the same priority in relation to income, the family that has a child with disabilities shall be admitted first or, if there is no child with disabilities, the family that has been on the waiting list for the longest time shall be admitted first. (Education Code 8263, 8263.1)

The district shall allow eligible children ages 11-12 years to combine enrollment in a before-school or after-school program with subsidized child care services during the time that the before-school or after-school program does not operate. Children ages 11-12 years, except for children with disabilities, shall be eligible for subsidized child care services only for the portion of care needed that is not available in a before-school or after-school program. (Education Code 8263.4)

After all children eligible for subsidized services have been enrolled, the district may enroll children in accordance with the priorities established by the Governing Board.

The district's decision to approve or deny services shall be communicated to the parent/guardian through a written Notice of Action mailed or delivered within 30 days from the date the application is signed by the parent/guardian. (5 CCR 18094, 18118)

~~(cf. 0410 – Nondiscrimination in District Programs and Activities)~~
~~(cf. 5145.3 – Nondiscrimination/Harassment/6 - Parental Notifications)~~
~~(cf. 6159 – Individualized Education Program)~~
~~(cf. 6164.4 – Identification of Individuals for Special Education)~~
~~(cf. 6164.6 – Identification and Education Under Section 504)~~

Subsequently, the Superintendent or designee shall mail or deliver a Notice of Action to a parent/guardian at least 14 calendar days before any intended change in services, including, but not limited to, an increase or decrease in fees, an increase or decrease in the amount of services, or termination of services, due to any of the following circumstances: (5 CCR 18095, 18119)

1. A determination during recertification or update of the application that the need or eligibility requirements are no longer being met or the fee or amount of service needs to be modified
2. Failure of the parent/guardian to document the family's need or eligibility after the district requested such documentation in writing
3. An indication by the parent/guardian that he/she no longer wants the service

4. The death of a parent/guardian or child

5. The conclusion of a limited-term agreement, provided that the parent/guardian has been informed in writing of the date that the services would terminate

The Superintendent or designee shall establish and maintain a basic data file for each family receiving child care and development services containing the completed and signed application for services, documentation used to determine the child's eligibility and need, and copies of all Notices of Action. (5 CCR 18081, 18095)

Fees and Charges

Except when offering a program which is prohibited by law from charging any fees, the Superintendent or designee may charge fees for services according to the fee schedule established by the Superintendent of Public Instruction, the actual cost of services, or the maximum daily/hourly rate specified in the contract, whichever is least. (Education Code 8250, 8263, 8273, 8273.1, 8273.2, 8447; 5 CCR 18078, 18108-18110)

However, no fee shall be charged to a family that is receiving CalWORKS cash aid, an income-eligible family whose child is enrolled in a part-day California State Preschool Program, or a family whose income level, in relation to family size, is less than the first entry in the fee schedule. (Education Code 8273.1; 5 CCR 18110)

In addition, any family receiving child care on the basis of having a child who is a recipient of child protective services, or having a certification by a county child welfare agency that child care services continue to be necessary, may be exempt from these fees for up to 12 months. Any family whose child is receiving child care on the basis of being at risk of abuse, neglect, or exploitation may be exempt from these fees for up to three months, unless the family becomes eligible based on receipt of child protective services or certification of need by a county child welfare agency. The cumulative period of exemption for these purposes shall not exceed 12 months. (Education Code 8273.1)

Fees shall be assessed at initial enrollment and reassessed when a family is recertified or experiences a change in status. Fees shall be considered delinquent after seven days from the date that fees are due. Parents/guardians shall be notified in the event that fees are delinquent. If a reasonable plan for payment of the delinquent fees has not been provided by the parents/guardians, services shall be terminated if all delinquent fees are not paid within two weeks of such notification. Parents/guardians shall receive a copy of the district's regulations regarding fee collection at the time of initial enrollment into the program. (Education Code 8273; 5 CCR 18082, 18114, 18115)

Disenrollment

When necessary due to a reduction in state reimbursements, families shall be disenrolled from subsidized child care and development services in the following order: (Education Code 8263.3)

1. Families with the highest income in relation to family size shall be disenrolled first.
2. If two or more families have the same income ranking, children without disabilities who have been enrolled in child care services the longest shall be disenrolled first. After all children without disabilities have been disenrolled, children with disabilities shall be disenrolled, with those who have been enrolled in child care services the longest being disenrolled first.
3. Families whose children are receiving child protective services or are at risk of neglect, abuse, or exploitation, regardless of family income, shall be disenrolled last.

Whenever the district issues a notice to the families who will be disenrolled due to funding reduction, a parent/guardian may appeal the decision only on the grounds that the factors used to determine the family's disenrollment are incorrect. He/she shall submit the appeal within 14 calendar days of receipt of the notice, or within 19 calendar days if the notice was mailed.

The Superintendent or designee shall review the appeal and notify the parent/guardian, in writing, of the district's final decision within 10 calendar days of receiving the appeal request. Services shall continue to be provided pending the appeal decision.

Health Examination

A physical examination and evaluation, including age-appropriate immunization, shall be required prior to or within six weeks of enrollment, unless the parent/guardian submits a letter stating that such examination is contrary to his/her religious beliefs. (Education Code 8263)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

~~(cf. 5148.1 - Child Care Services for Parenting Students)~~

Attendance

Sign-in and sign-out sheets shall be used daily for all children for attendance accounting purposes. ~~(5 CCR 18065)~~

Attendance records shall include verification of excused absences, including the child's name, date(s) of absence, specific reason for absence, and signature of parent/guardian or district representative. (5 CCR 18065, 18066)

Absences shall be excused for the following reasons:-

1. Illness or quarantine of the child or of the parent/guardian (Education Code 8208)
2. Family emergency (Education Code 8208)

A family emergency shall be considered to exist when unforeseen circumstances cause

the need for immediate action, such as may occur in the event of a natural disaster or when a member of the child's immediate family dies, has an accident, or is required to appear in court.

3. Time spent with a parent/guardian or other relative as required by a court of law (Education Code 8208)

4. Time spent with a parent/guardian or other relative which is clearly in the best interest of the child (Education Code 8208)

_____ An absence shall be considered to be in the best interest of the child when the time is spent with the child's parent/guardian or other relative for reasons deemed justifiable by the program coordinator or site supervisor.

_____ Except for children who are recipients of child protective services or are at risk of abuse or neglect, excused absences in the best interest of the child shall be limited to 10 days during the contract period. (5 CCR 18066)

Any absence due to a reason other than ~~the any of those stated~~ above, or without the required verification, shall be considered an unexcused absence. After three unexcused absences during the year, the program coordinator or site supervisor shall notify the parents/guardians. Children who continue to have excessive unexcused absences may be removed from the program at the discretion of the program coordinator in order to accommodate other families on the waiting list for admission.

Parents/guardians shall be notified of the policies and procedures related to excused and unexcused absences for child care and development services. (5 CCR 18066)

(cf. 5145.6 – Parent Notifications)

Rights of Parents/Guardians

At the time a child is accepted into a licensed child care and development center, the child's parent/guardian or authorized representative shall be notified of his/her rights as specified in 22 CCR 101218.1, including, but not limited to, the right to enter and inspect the child care facility and the right to be informed, upon request, of the name and type of association to the center of any adult who has been granted a criminal record exemption. ~~← (Health and Safety Code 1596.857; 22 CCR 101218.1)~~

~~The Superintendent or designee shall inform parents/guardians of their right to enter the child-care facility without advance notice during normal operating hours or any time their child is receiving services in the facilities.~~

The written notice of parent/guardian rights also shall be permanently posted within the facility in a location accessible to parents/guardians. Notwithstanding these rights, access to the facility may be denied to an adult whose behavior presents a risk to children present in the facility or to noncustodial parents/guardians when so requested by the responsible parent/guardian. (Health and Safety Code 1596.857)

Records

The Superintendent or designee shall ~~establish and maintain a basic data file for each family receiving records of enrollment, attendance, types of families served, income received from all families participating in the district's~~ **child care and development** ~~services which shall contain the data specified in 5 CCR 18081 program, and any other records required by the CDE.~~

(cf. 3580 - District Records)

~~A developmental profile measuring the child's physical, cognitive, social and emotional development shall be completed in accordance with 5 CCR 18272. (Education Code 8203.5; 5 CCR 18272)~~

Regulation	HANFORD ELEMENTARY SCHOOL DISTRICT
Approved:	April 21, 2004 Hanford, California
Revised:	May 26, 2005
Revised:	

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Karen McConnell

DATE: October 16, 2015

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: October 28, 2015

ITEM: Receive recommended revisions to Board Policy 5148.2 – Before / After School Programs

PURPOSE: Policy and regulation updated to reflect new law SB 1221, which requires after school programs to submit program attendance reports on a semi-annual basis and to use a program quality improvement process that is based on standards developed by the CDE. Policy also adds material on qualifications of staff and volunteers and outlines timelines for review and maintenance of the program plan.

FISCAL IMPACT: None

RECOMMENDATIONS: Approve

Hanford ESD

Board Policy

Before/After School Programs

BP 5148.2

Students

~~The Board of Trustees desires to provide after-school enrichment programs that support the regular education program and provide safe, constructive~~

The Governing Board desires to provide after-school enrichment programs that support the regular education program and provide safe alternatives for students. In order to increase academic achievement of participating students, the content of such programs shall be aligned coordinated with the district's vision and goals for student learning, its curriculum, and district and state academic standards ~~and shall be integrated with other learning support activities.~~

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 5147 - Dropout Prevention)

(cf. 5148 - Child Care and Development)

(cf. 6011 - Academic Standards)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6177 - Summer Learning Programs)

(cf. 6179 - Supplemental Instruction)

The district's program shall be planned through a collaborative process that includes parents/guardians, students, and representatives of participating schools, governmental agencies including city and county parks and recreation departments, local law enforcement, community organizations, and, if appropriate, the private sector. (Education Code 8422, 8482.5)

(cf. 1020 - Youth Services)

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

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 6020 - Parent Involvement)

The establishment of any program shall be approved by the Board and the principal of each participating school. (Education Code 8421, 8482.3)

The Superintendent or designee shall ensure that all staff who directly supervise students in the district's after-school program possess appropriate knowledge and experience. As needed, staff and volunteers shall receive ongoing training related to their job responsibilities. (Education Code 8483.4)

(cf. 1240 - Volunteer Assistance)
(cf. 4131 - Staff Development)
(cf. 4222 - Teacher Aides/Paraprofessionals)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

The program shall include academic and enrichment elements in accordance with law and administrative regulation. In addition, the program may include support services that reinforce the educational component and promote student health and well-being, ~~including, but not limited to, drug and violence prevention programs, character education, and programs that promote parent/guardian involvement.~~

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5030 - Student Wellness)
(cf. 5131.6 - Alcohol and Other Drugs)
~~(cf. 6020 - Parent Involvement)~~
(cf. ~~6142.3~~ - ~~Civie~~7 - Physical Education and Activity)

No fee shall be charged for participation in the program.

The Board and the Superintendent or designee shall monitor student participation rates and shall identify multiple measures that shall be used to ~~determine~~evaluate program effectiveness, ~~such as. Such measures may include, but are not limited to, student outcome-based data on academic performance, attendance, and positive behavioral changes data; program self-assessments; feedback from staff, participating students, and parents/guardians; and observations of program activities.~~

(cf. 0500 - Accountability)

Every three years, the program shall review its after-school program plan, including program goals, program content, and outcome measures. Documentation of the program plan shall be maintained for a minimum of five years. (Education Code 8482.3)

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

8263 Eligibility and priorities for subsidized child development services

8263.4 Enrollment of students ages 11-12 years

8273.1 Family fees, exemptions

8350-8359.1 Programs for CalWORKS recipients

8360-8370 Personnel qualifications

8420-8428 21st Century After-School Program for Teens

8482-8484.665 After School Education and Safety Program

8484.7-8484.9 21st Century Community Learning Centers

8490-8490.7 Distinguished After School Health Recognition Program

17264 New construction; accommodation of before- and after-school programs

35021.3 After-school physical recreation instructors

45125 Criminal record check

45330 Paraprofessionals; instructional aides35340-45349 Paraprofessionals; instructional aides49024 Criminal background check; Activity Supervisor Clearance Certificate49430-~~49436~~49434 Nutrition standards

49553 Free or reduced-price meals

69530-69547.9 Cal Grant program

UNITED STATES CODE, TITLE 20

6314 Title I schoolwide programs

6319 Program improvement

7171-7176 21st Century ~~community learning centers~~Community Learning CentersUNITED STATES CODE, TITLE 421766-1766a Child and Adult Care Food ProgramCODE OF FEDERAL REGULATIONS, TITLE 7226.17 Nutrition standards

Management Resources:

~~CSBA ADVISORIES~~~~Proposition 49: New Funding for Before and After School Programs, July 2006~~

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

~~21st Century High School After School Safety and Enrichment for Teens (ASSETS) Program
Evaluation Guidebook 2005-06, July 2006~~~~COUNCIL OF CHIEF STATE SCHOOL OFFICERS (CCSSO) PUBLICATIONS~~~~Using NCLB Funds to Support Extended Learning Time: Opportunities for Afterschool
Programs, August 2005~~~~NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS~~~~Building and Sustaining After-School Programs: Successful Practices in School Board
Leadership, 2005~~~~U.S. DEPARTMENT OF EDUCATION NON-REGULATORY GUIDANCE~~~~21st Century Community Learning Centers, February 2003~~A Crosswalk Between the Quality Standards for Expanded Learning and Program Quality
Assessment Tools, 2014Quality Standards for Expanded Learning in California: Creating and Implementing a Shared
Vision of Quality, 2014California After School Physical Activity Guidelines, 2009

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

~~After-School Programs: Keeping Children Safe and Smart, June 2000~~21st Century Community Learning Centers, Nonregulatory Guidance, February 2003

WEB SITES

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

~~Academy for Educational Development, Promising Practices in Afterschool:-
<http://www.afterschool.org>~~

California Department of Education, Before and After School ~~Partnerships Office:~~
<http://www.cde.ca.gov/ls/ba>

California Healthy Kids Survey: <https://chks.wested.org>

California School-Age Consortium: <http://calsac.org>

~~Children Now: Commission on Teacher Credentialing:~~ <http://www.childrennowctc.ca.gov>

Partnership for Children and Youth: <http://partnerforchildren.org>

~~Council U.S. Department of Chief State School Officers Agriculture:~~

<http://www.esso.org/fns.usda.gov/cnd/care/afterschool.htm>

~~National School Boards Association, Extended Day Learning Opportunities Program:-
<http://www.nsba.org/edle>~~

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

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

Adopted: January 21, 2009 Hanford, California

Revised: October 14, 2015

Approved:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Karen McConnell

DATE: October 16, 2015

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: October 28, 2015

ITEM: Receive recommended revisions to Administrative Regulation 5148.2 – Before / After School Programs

PURPOSE: Policy and regulation updated to reflect new law SB 1221, which requires after school programs to submit program attendance reports on a semi-annual basis and to use a program quality improvement process that is based on standards developed by the CDE. Policy also adds material on qualifications of staff and volunteers and outlines timelines for review and maintenance of the program plan.

FISCAL IMPACT: None

RECOMMENDATIONS: Approve

Hanford ESD

Administrative Regulation

Before/After School Programs

AR 5148.2

Students

~~After School Education and Safety (ASES) Programs~~

~~The district's ASES program may serve students in grades K-6. (Education Code 8482.3)~~

Grades K-6

The district's After School Education and Safety (ASES) program may serve students in grades K-6. (Education Code 8482.3, 8484.8)

Consistent with state funding priorities, the district shall, to the extent feasible, give priority to establishing ASES programs that serve students in schools ~~in which at least 50 percent~~with the highest percentage of ~~elementary~~ students ~~are~~ eligible for free ~~or~~and reduced-price meals ~~under the National School Lunch program.~~

(cf. 3553 - Free and Reduced Price Meals)

The district's ASES program shall primarily serve students in Title I schoolwide programs or serve a high percentage of students from low-income families. (Education Code 8484.8; 20 USC 7173)

(cf. 6171 - Title I Programs)

The district's ASES and 21st CCLC program(s) shall be operated in accordance with the following:

1.- Program Elements

a.- The program shall include an educational and literacy element in which tutoring or homework assistance is provided in language arts, mathematics, history and social science, computer training, and/or science. (Education Code 8482.3)

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6142.93 - Science Instruction)

(cf. 6154 - Homework/Makeup Work)

(cf. 6163.4 - Student Use of Technology)

b.- The program shall include an educational enrichment element which may include, but is not limited to, fine arts, career technical education, recreation, technology, physical fitness, and prevention activities. (Education Code 8482.3)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

(cf. 6142.6 - Visual and Performing Arts)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6178 - Career Technical Education)

2.- Nutrition

a. If snacks or meals are made available in the program, they shall conform to state nutrition standards specified in Education Code 49430-~~49436~~ 49434 or 42 USC 1766 as applicable.
(Education Code 8482.3; 42 USC 1766-1766a; 7 CFR 226.17)

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

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

~~3.—— Location of Program~~

3. Location of Program

a. The program may be offered at one or multiple school sites and/or at an easily available and accessible off-campus facility. _(Education Code 8482.3)

b. When there is a significant barrier to student participation in the after-school component of a program at the school of attendance, the district may, with the approval of the Superintendent of Public Instruction, provide services at another school site. A significant barrier includes either of the following: (Education Code 8482.8)

(1) Fewer than 20 students participating in the program component

(2) Extreme transportation constraints, including, but not limited to, desegregation busing, busing for magnet or open enrollment schools, or student dependence on public transportation

In such cases, the district shall arrange for safe, supervised transportation between school sites; ensure communication among staff in the regular school program, staff in the after-school program, and parents/guardians; and ensure alignment of the educational and literacy elements with the regular school program of participating students. (Education Code 8482.8)

(cf. 3540 - Transportation)

4.- Staffing

a. All staff members who directly supervise students shall, at a minimum, meet the qualifications for an instructional aide. (Education Code 8483.4; 20 USC 6319)

(cf. 4222 - Teacher Aides/Paraprofessionals)

b.- All program staff and volunteers shall be subject to the health screening and-fingerprint clearance requirements in law and Board policy. (Education Code 8483.4)

(cf. 1240 - Volunteer Assistance)

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

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

~~(cf. 4212.5 - Criminal Record Check)~~

c.- The student-to-staff ratio shall be no more than 20 to 1. (Education Code 8483.4)

5.- Hours of Operation

b. An after-school program shall begin immediately upon the conclusion of the regular school day and shall operate a minimum of 15 hours per week and at least until 6 p.m. on every regular school day. (Education Code 8483)

6. Admissions

a. Every student attending a school operating a program is eligible to participate in the program, subject to program capacity. (Education Code 8482.6)

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

b. If the number of students wishing to participate in the program exceeds program capacity, students shall be selected for enrollment based on the following guidelines:

(1) Priority for enrollment shall be given to students identified as in need of academic remediation or support in accordance with Board policy or administrative regulations.

(cf. 6179 - Supplemental Instruction)

(2) Any remaining capacity shall be filled by students selected at random.

(3) A waiting list shall be established to accommodate additional students if space becomes available.

7. Attendance/Early Release

a. Each student admitted into a district program shall be expected to attend the full number of hours that the program is in operation every day that he/she participates. ~~However, when~~

b. When necessary, a student's parent/guardian may request, in writing, that the Superintendent or designee approve the reasonable late daily arrival of his/her child for the before-school program or the reasonable early daily release of his/her child from the after-school program. The Superintendent or designee shall not approve such a request if the student would be attending less than one-half of the daily program hours.

8. Summer/Intersession/Vacation Programs

a. An after-school program offered during summer, intersession, and/or vacation days may be operated for either three hours or six hours per day in accordance with Education Code 8483.76. When both before-school and after-school programs are offered for the same students on such days, they shall be operated for a minimum of four and one-half hours per day. (Education Code 8483, 8483.1, 8483.2, 8483.76)

b. A program offered during summer, intersession, and/or vacation periods may open eligibility to every student attending a school in the district, with priority for enrollment given to students enrolled in the school that received the grant. (Education Code 8483.76)

~~c.6-~~ To address the needs of students and school closures, the program may be conducted at an off-site location or an alternate school site. The program shall notify the California Department of Education (CDE) of the change of location and shall include a plan to provide safe transportation pursuant to Education Code 8484.6. (Education Code 8483.76)

d. Any program operating for six hours per day shall provide at least one nutritionally adequate free or reduced-price meal to each eligible student during each program day. (Education Code 8483.76)

e. For any program operating six hours per day, district procedures pertaining to student attendance and early release as specified in item #7 above shall apply. (Education Code 8483.76)

(cf. 6177 - Summer Learning Programs)

Volunteers

The Superintendent or designee may establish a registry of volunteer after-school physical recreation instructors and other after-school program volunteers. (Education Code 35021.3)

To be included in the registry, a volunteer shall submit to a criminal background check pursuant to Education Code 45125. He/she also shall submit current contact information to the district and shall update that information whenever the information changes. (Education Code 35021.3)

The Superintendent or designee may use a volunteer registered with the district or may select another person to provide physical recreation to students after school hours or to provide other services. (Education Code 35021.3)

~~Admissions~~

~~a. — Every student attending a school operating a program is eligible to participate in the program, subject to program capacity. (Education Code 8482.6)~~

~~b. — If the number of students wishing to participate in the program exceeds program capacity, students shall be selected for enrollment based on the following guidelines:~~

~~(1) — Enrollment shall be filled by students on a first come, first serve basis.~~

~~(2) — A waiting list shall be established to accommodate additional students if space becomes available.~~

Reports

The Superintendent or designee shall annually submit to the CDE outcome-based data ~~on academic performance, attendance, and positive behavioral changes~~, including, but not limited to: (Education Code 8427, 8482.3, 8484)

1. ~~Participating students'~~ For participating students, school day attendance on an annual basis and program attendance on a semi-annual basis

2. ~~Program attendance~~

3. ~~One or more of the following measures of program effectiveness based on the individual program's focus:~~

a. ~~Positive behavioral changes, as reported by school day teachers or program staff who directly supervise students~~

b. ~~Standardized Testing and Reporting (STAR) test scores~~

2. Evidence of a program quality improvement process that is data driven and based on CDE program quality standards

(cf. 0500 - Accountability)

~~(cf. 6162.51 — Standardized Testing and Reporting Program)~~

~~c. — Homework completion rates as reported by school day teachers or program staff who directly supervise students~~

d. ~~Skill development as reported by school day teachers or program staff who directly supervise students~~

e. ~~Any other measures developed by the CDE~~

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT
Approved: January 21, 2009 Hanford, California
Revised: October 14, 2015
Approved:

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Dr. Paul J. Terry

FROM: Gerry Mulligan *GM*

DATE: October 19, 2015

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

FOR: () Information
(X) Action

Date you wish to have your item considered: October 28, 2015

ITEM:

Consider adoption of the following revised Administrative Regulation:

- AR 1330 – Use of School Facilities

PURPOSE:

The following Board Policy and Administrative Regulation reflect 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 mandates and Education Code changes.

FISCAL IMPACT:

None.

RECOMMENDATION:

Adopt.

Hanford ESD

Administrative Regulation

Use Of School Facilities

AR 1330

Community Relations

Application for Use of Facilities

~~The Superintendent or designee shall maintain application procedures and regulations for the use of school facilities which: (Education Code 38133)~~

- ~~1. Encourage and assist groups desiring to use school facilities for approved activities.~~
- ~~2. Preserve order in school buildings and on school grounds, and protect school facilities. If necessary, a person may be designated to supervise this task.~~
- ~~3. Ensure that the use of facilities or grounds is not inconsistent with the use of the school facilities or grounds for school purposes and does not interfere with the regular conduct of school work.~~

~~Any person applying for the use of any school facilities or grounds on behalf of any society, group, or organization shall present written authorization from the group or organization to make the application.~~

Persons or organizations applying for the use of school facilities or grounds shall submit a facilities use statement indicating that they uphold the state and federal constitutions and do not intend to use school premises or facilities to commit unlawful acts.

Civic Center Use

Subject to district policies and regulations, school facilities and grounds shall be available to citizens and community groups as a civic center for the following purposes: (Education Code 32282, 38131)

1. Public, literary, scientific, recreational, educational, or public agency meetings
2. The discussion of matters of general or public interest
3. The conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious organization
4. Child care programs to provide supervision and activities for children of preschool and elementary school age

(cf. 5148 - Child Care and Development)
 (cf. 5148.2 - Before/After School Programs)
 (cf. 5148.3 - Preschool/Early Childhood Education)

5. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies

6. Supervised recreational activities, including, but not limited to, sports league activities that are arranged for and supervised by entities, including religious organizations or churches, and in which youth may participate regardless of religious belief or denomination

7. A community youth center

(cf. 1020 - Youth Services)

8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

(cf. 0450 - Comprehensive Safety Plan)
 (cf. 3516 - Emergencies and Disaster Preparedness Plan)

9. A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization

A veterans' organization means the American Legion, Veterans of Foreign Wars, Disabled American Veterans, United Spanish War Veterans, Grand Army of the Republic, or other duly recognized organization of honorably discharged soldiers, sailors, or marines of the United States, or any of their territories. (Military and Veterans Code 1800)

10. Other purposes deemed appropriate by the Governing Board

Restrictions

School facilities or grounds shall not be used for any of the following activities:

1. Any use by an individual or group for the commission of any crime or any act prohibited by law
2. Any use which is inconsistent with the use of the school facilities for school purposes or which interferes with the regular conduct of school or school work
3. Any use which involves the possession, consumption, or sale of alcoholic beverages or any restricted substances, including tobacco

(cf. 3513.3 - Tobacco-Free Schools)

The district may exclude certain school facilities from nonschool use for safety or security reasons. ~~Excluded facilities include school offices, classrooms and kitchen facilities.~~

Damage and Liability

Groups, organizations, or persons using school facilities or grounds shall be liable for any property damage caused by the activity. The ~~District~~district may charge the amount necessary to repair the damages and may deny the group further use of school facilities or grounds. (Education Code 38134)

Any group or organization using school facilities or grounds shall be liable for any injuries resulting from its negligence during the use of district facilities or grounds. The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk. (Education Code 38134)

Groups or organizations shall provide the ~~District~~district with evidence of insurance against claims arising out of the group's own negligence when using school facilities. (Education Code 38134)

As permitted, the Superintendent or designee may require a hold harmless agreement and indemnification when warranted by the type of activity or the specific facilities being used.

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT
approved: May 16, 2001 Hanford, California
revised: December 11, 2013

Revised:_____

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Dr. Paul J. Terry

FROM: Gerry Mulligan *GM*

DATE: October 19, 2015

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: October 28, 2015

ITEM:

Consider adoption of the following revised Administrative Regulation:

- AR 3514.2 – Integrated Pest Management

PURPOSE:

The following Administrative Regulation is being updated to reflect a new law (SB 1405, 2014) which (1) requires certain persons to complete a Department of Pesticide Regulation (DPR) approved training course beginning July 1, 2016; (2) requires posting of the integrated pest management (IPM) plan on the school or district web site or distribution of the plan with the annual parental notification whenever a non-exempted pesticide will be used; (3) expands the content of the annual notification to include the Internet address where the school's IPM plan is posted, if applicable, and the opportunity to view the IPM plan in the school office; and (4) requires reporting to the DPR whenever the pesticide use is not otherwise reported by the pest control operator to county officials.

FISCAL IMPACT:

None.

RECOMMENDATION:

Adopt.

Hanford ESD

Administrative Regulation

Integrated Pest Management

AR 3514.2

Business and Noninstructional Operations

Definition

The Superintendent or designee shall designate an employee at the district office and/or school site to develop, implement, and coordinate an integrated pest management (IPM) program that incorporates effective, least toxic pest management practices. The IPM coordinator shall prepare and regularly update a districtwide or school site IPM plan based on the template provided by the California Department of Pesticide Regulation (DPR).

Integrated Pest Management (IPM) ~~pest management~~ means a strategy that focuses on long-term prevention or suppression of pest problems through a combination of techniques such as monitoring for pest presence and establishing treatment threshold levels, using nonchemical practices to make the habitat less conducive to pest development, improving sanitation, and employing mechanical and physical controls. Pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property, and the environment are used only after careful monitoring indicates they are needed according to pre-established guidelines and treatment thresholds. ~~(Education Code 17609; Food and Agricultural Code 13181)~~

Procedures

~~The Superintendent or designee~~ IPM plan and this administrative regulation shall ~~designate a staff person~~ not apply to develop, implement, and coordinate an IPM program reduced-risk pesticides, including self-contained baits or traps, gels or pastes used for crack and crevice treatments, antimicrobials, and pesticides exempt from registration by law. (Education Code 17610.5; 3 CCR 6147)

The IPM coordinator shall not use any pesticide that incorporates effective, least toxic pest management practices. is prohibited by DPR or the U.S. Environmental Protection Agency, as listed on the DPR web site. (Education Code 17610.1)

Program Components

The district's program shall include, but not necessarily be limited to, the following ~~elements~~ components:

1. ~~Carefully~~ Identifying and monitoring ~~and identifying the~~ pest population levels and identifying practices that could affect pest populations. Strategies for managing the pest shall be influenced by the pest species and whether that species poses a threat to people, property, or the

environment.

2. Setting action threshold levels to determine when pest populations or vegetation at a specific location might cause unacceptable health or economic ~~hazard~~ hazards that would indicate corrective action should be taken.

3. Modifying or eliminating pest habitats to deter pest populations and minimize pest infestations.

4. Considering a full range of possible alternative cost-effective treatments.– Such alternative treatments may include taking no action or controlling the pest by physical, horticultural, or biological methods. Cost or staffing considerations alone will not be adequate justification for the use of chemical control agents.

5. Selecting nonchemical pest management methods over chemical methods whenever such methods are effective in providing the desired control or, when it is determined that chemical methods must be used, giving preference to those chemicals that pose the least ~~hazard~~ hazardous effects to people and the environment.

~~6. Ensuring that persons applying pesticides follow label precautions and are trained in the principles and practices of IPM.~~

~~7~~6. Limiting pesticide purchases to amounts needed for the year. Pesticides shall be stored at a secure location that is not accessible to students and unauthorized staff. They shall be stored and disposed of in accordance with state regulations and label directions registered with the U.S. Environmental Protection Agency (EPA) EPA as well as any disposal requirements indicated on the product label.

Prohibited Pesticides

~~The IPM Coordinator shall not (cf. 3514 - Environmental Safety)~~
~~(cf. 3514.1 - Hazardous Substances)~~

7. Informing parents/guardians and employees regarding pesticide use as described in the sections "Notifications" and "Warning Signs" below.

8. Ensuring that persons applying pesticides follow label precautions and are sufficiently trained in the principles and practices of IPM.

(cf. 4231 - Staff Development)

Beginning July 1, 2016, the IPM coordinator and any employee or contractor who intends to apply a pesticide on at a school site if that pesticide has been granted shall annually complete a conditional or interim registration or an experimental DPR-approved training course on IPM and the safe use permit by the California Department of Pesticide Regulation (DPR) or if the

pesticide is subject to an experimental registration issued by the EPA and either of the following conditions exists: pesticides in relation to the unique nature of school sites and children's health. (Education Code 17610.1 17614; Food and Agricultural Code 13186.5)

1. ~~_____ The pesticide contains a new active ingredient.~~

2. ~~_____ The pesticide is for new use.~~

In addition, the IPM Coordinator shall not use a pesticide on a school site if DPR cancels or suspends registration or requires that the pesticide be phased out from use. (Education Code 17610.1)

Notifications

The IPM Coordinator shall annually notify staff Staff and parents/guardians of students enrolled at a school site shall be annually notified, in writing, regarding pesticide products expected to be applied at the school ~~facility~~ site in the upcoming year. The notification shall include at least the following: (Education Code 17612)

1. The name of each pesticide product expected to be applied in the upcoming year and the active ingredient(s) in it

2. The Internet address (~~http~~ https://www.cdpr.ca.gov/schoolipm-info) used to access information on pesticides and pesticide use reduction developed by the DPR pursuant to Food and Agricultural Code 13184.

2

3. If the school has posted its IPM plan, the Internet address where the plan may be found

4. The ~~name~~ opportunity to view a copy of each pesticide product expected to be applied ~~the~~ IPM plan in the ~~upcoming year and the active ingredient(s) in it~~ school office

35. An opportunity for interested persons to register to receive prior notification of each application of a pesticide at the school site

6. Other information deemed necessary by the IPM coordinator

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 3517 - Facilities Inspection)

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

(cf. 5145.6 - Parental Notifications)

Whenever a person registers to receive notice of individual pesticide application ~~at~~ pursuant to item #5 above, the ~~school site~~. ~~The IPM Coordinator~~ coordinator shall notify such registered persons of individual pesticide applications at least 72 hours prior to the application. ~~The~~ notice shall include the product name, the active ingredient(s) in the product, and the intended date of

application. (Education Code 17612)

4. ~~Other information deemed necessary by the Superintendent or IPM Coordinator.~~

If a pesticide product not included in the annual notification is subsequently intended for use at a school site, the IPM ~~Coordinator~~coordinator shall provide written notification of its intended use to staff and parents/guardians of students enrolled at the school, at least 72 hours prior to the application. (Education Code 17612)

If a school chooses to use a pesticide not exempted pursuant to Education Code 17610.5, it shall post the school or district IPM plan on the school's web site or, if the school does not have a web site, then on the district web site. If neither the school nor district has a web site, then the IPM plan shall be included with the annual notification sent to staff and parents/guardians pursuant to Education Code 17612 as described above. The plan shall include the name of the school designee or IPM coordinator, the pesticides applied at the school site by school or district employees and hired pest control applicators, and a date when the plan shall be reviewed and updated as necessary. When not required, the IPM coordinator may post or distribute the IPM plan at his/her discretion. (Education Code 17611.5)

Whenever the IPM ~~Coordinator~~coordinator deems that the immediate use of a pesticide is necessary to protect the health and safety of students, staff, or other persons at the school site, he/she shall make every effort to provide the required notifications prior to the application of the pesticide. (Education Code 17612)

~~Posting of~~ Warning Signs

The IPM ~~Coordinator~~coordinator shall post a warning sign at each area of the school site where pesticides will be applied that shall be visible to all persons entering the treated area. The sign shall be posted at least 24 hours prior to the application and shall remain posted until 72 hours after the application. -The warning sign shall prominently display the following information: (Education Code 17612)

1. The term "Warning/Pesticide Treated Area"
2. The product name, manufacturer's name, and the EPA's product registration number
3. Intended areas and dates of application
4. Reason for the pesticide application

When advance posting is not possible due to an emergency condition requiring immediate use of a pesticide, the warning sign shall be posted immediately upon application and shall remain posted until 72 hours after the application. (Education Code 17609, 17612)

Records

At the end of each calendar year, the IPM coordinator shall submit to the DPR, on a form provided by the DPR, a copy of the records of all pesticide use at the school site for that year, excluding any pesticides exempted by law and any pesticide use reported by the pest control operator pursuant to Food and Agricultural Code 13186. The IPM coordinator may submit more frequent reports at his/her discretion. (Education Code 17611)

Each school site shall maintain records of all pesticide use at the school for four years, and shall make the information available to the public, upon request, in accordance with the California Public Records Act. Such records may be maintained by retaining a copy of the warning sign posted for each pesticide application with a recording on that copy of the amount of the pesticide used. (Education Code 17611)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

Legal Reference:

BUSINESS AND PROFESSIONS CODE

8593.2 Licensed pest control operators; training requirements

EDUCATION CODE

17366 Legislative intent (fitness of buildings for occupancy)

17608-~~17613~~17614 Healthy Schools Act of 2000

48980 Notice at beginning of term

48980.3 Notification of pesticides

FOOD AND AGRICULTURAL CODE

11401-12408 Pest control operations and agricultural chemicals

13180-13188 Healthy Schools Act of 2000

GOVERNMENT CODE

3543.2 Scope of representation; right to negotiate safety conditions

6250-6270 California Public Records Act

CODE OF REGULATIONS, TITLE 3

6147 Pesticides exempted from registration requirements

CODE OF REGULATIONS, TITLE 8

340-340.2 Employer's obligation to provide safety information

UNITED STATES CODE, TITLE 7

136-136y Insecticide, Fungicide and Rodenticide Act

Management Resources:

CALIFORNIA DEPARTMENT OF PESTICIDE REGULATION PUBLICATIONS

California School IPM Model Program Guidebook

U.S. ENVIRONMENTAL PROTECTION AGENCY

Protecting Children in Schools from Pests and Pesticides, 2002

Pest Control in the School Environment: Adopting Integrated Pest Management, 1993

WEB SITES

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

California Department of Pesticide Regulation, School IPM: _

<http://www.cdpr.ca.gov/schoolipm.info>

U.S. Environmental Protection Agency, Integrated Pest Management at Schools:

<http://www.epa.gov/pesticides/ipm>

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT

approved: November 2, 2011 Hanford, California

Revised: _____

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Jaime Martinez

DATE: October 19, 2015

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☐ Information
☒ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **October 28, 2015**

ITEM: Consider adoption of the following revised Administrative Regulation.

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

- AR 4161.8/4261.8/4361.8 Family Care and Medical Leave (revised)

FISCAL IMPACT: None.

RECOMMENDATION: Adopt.

All Personnel

AR 4161.8(a)

4261.8

FAMILY CARE AND MEDICAL LEAVE

4361.8

The district shall not ~~interfere with, restrain, or deny the exercise or attempted exercise by~~ any eligible employee ~~of his/her right to any family care and, medical leave,~~ or pregnancy disability leave (PDL) ~~provided through~~ pursuant to the Family and Medical Leave Act (FMLA), the California Family Rights Act (CFRA), or the Fair Employment and Housing Act (FEHA), ~~nor or restrain or interfere with the employee's exercise of such right.~~ In addition, the district shall not discharge an employee or discriminate or retaliate against ~~any employee~~ him/her for ~~his/her involvement in any inquiry or proceeding related to any~~ taking such leave ~~under any of these laws or for his/her opposition to or challenge of any unlawful district practice in relation to any rights granted by any of these laws;~~ or for his/her involvement in any related inquiry or proceeding. (Government Code 12945, 12945.2; 2 CCR 11094; 29 USC 2615)

(cf. 4030 – Nondiscrimination in Employment)

(cf. 4032 – Reasonable Accommodation)

(cf. 4033 – ~~Location~~ Lactation Accommodation)

A. Definitions

The words and phrases defined below shall have the same meaning throughout this administrative regulation except where a different meaning is otherwise specified.

Child (son or daughter) means a biological, adopted, or foster child; a stepchild; a legal ward; or a child ~~of a person standing to whom the employee stands~~ in loco parentis as long as the child is under 18 years of age or an adult dependent child. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611)

Eligible employee for FMLA and CFRA purposes means an employee who has been employed with the district for at least 12 months and who has at least 1,250 hours of service with the district during the previous 12-month. However, these requirements shall not apply when an employee applies for PDL. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.110)

Employee disabled by pregnancy means a woman who, in the opinion of her health care provider, is: ~~unable~~ (2 CCR 110.35)

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

AR 4161.8(b)
4261.8
4361.8

FAMILY CARE AND MEDICAL LEAVE

Parent means a biological, foster, or adoptive parent, a stepparent; a legal guardian; or another person who stood in loco parentis to the employee when the employee was a child. Parent does not include a spouse's parents. (Government Code 12945.2; 2 CCR ~~7297.0~~; 11087; ~~29~~ USC 2611; 29 CFR 825.122)

Serious health condition means an illness, injury, (including, but not limited to, on-the-job injuries), impairment, or physical or mental condition of the employee or his/her child, parent, or spouse, including, but not limited to, treatment for substance abuse, that involves either of the following: (Government Code 12945.2; 2 CCR ~~7297.0~~; 11087, 11097; 29 USC 2611; 29 CFR 825.113, ~~825.114~~, 825.115)

1. Inpatient care in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity

A person is considered an inpatient when a health care facility formally admits him/her to the facility with the expectation that he/she will remain overnight and occupy a bed, even if it later develops that the person can be discharged or transferred to another facility and does not actually remain overnight.

Incapacity means the inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment, or the recovery that it requires.

2. Continuing treatment or continuing supervision by a health care provider, including one or more of the following:
 - a. A period of incapacity of more than three consecutive full days
 - b. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition
 - c. Any period of incapacity due to pregnancy or for prenatal care under FMLA
 - d. Any period of incapacity which is permanent or long term due to a condition for which treatment may not be effective.
 - e. Any period of absence to receive multiple treatments, including recovery, by a health care provider

Spouse means a partner in marriage as defined in Family Code 300. ~~In addition, for purposes of CFRA,~~ including same sex partners in marriage, or a registered domestic partner ~~shall have within the same rights, protections, and benefits as a spouse and protections provided to a spouse's child shall also apply to a child of a registered domestic partner.~~ (meaning of Family Code 297-297.5, 300; 2 CCR ~~7297.0~~; 11087; 29 CFR 825.122)

AR 4161.8(c)
4261.8
4361.8

FAMILY CARE AND MEDICAL LEAVE

B. Eligibility

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

1. The birth of a child of the employee or placement of a child with the employee in connection with the employee's adoption or foster care of the child (baby bonding)
2. To care for the employee's child, parent, or spouse; ~~and, under CFRA, registered domestic partner, or child of a registered domestic partner~~ with a serious health condition
3. The employee's own serious health condition that makes him/her unable to perform one or more essential functions of his/her position;
4. Any qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a military member on covered active duty or call to covered active duty (or has been notified of an impending call or order to covered active duty)
5. To care for a covered servicemember with a serious injury or illness if the ~~employee~~covered servicemember is the employee's spouse, child, parent, or next of kin, as defined, ~~of the servicemember.~~

In addition, the district shall grant PDL to any ~~pregnant~~ female employee ~~PDL during pregnancy, when she~~who is disabled by pregnancy, childbirth, or ~~any~~other related medical condition. (Government Code 12945; 2 CCR ~~7291.4~~11037)

C. Terms of Leave

An eligible employee shall be entitled to a total of 12 work weeks of FMLA or CFRA leave during any 12-month period, except in the case of leave to care for a covered servicemember as provided under "Military Caregiver Leave" below. To the extent allowed by law, CFRA and FMLA leaves shall run concurrently. (Government Code 12945.2; 29 USC 2612)

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

AR 4161.8(d)
4261.8
4361.8

FAMILY CARE AND MEDICAL LEAVE

In addition, for each pregnancy, any female employee who is disabled by pregnancy, childbirth, or other related condition shall be entitled to PDL for the period of the disability not to exceed four months. For a part-time employee, the four months shall be calculated on a proportional basis. (Government Code 12945; 2 CCR 7291.9 11042)

PDL shall run concurrently with FMLA leave for disability caused by an employee's pregnancy. At the end of the employee's FMLA leave for disability caused by pregnancy, or at the end of four months of PDL, whichever occurs first, a CFRA-eligible employee may request to take CFRA leave of up to 12 work weeks for the reason of the birth of her child; if for to bond with or care for the child ~~has been born by this date (e.g., baby bonding), whether or not she or the child has a serious health condition or disability.~~ To the extent allowed by law, CFRA and FMLA leaves shall run concurrently. (Government Code 12945, 12945.2; 2 CCR 7291.13, 7297.6 11046, 11093)

Leave taken for the birth or placement of child must be concluded within the 12-month period beginning on the date of the birth or placement of the child. Such leave does not need to be taken in one continuous period of time. ~~The basic minimum duration of the leave for the birth or placement of a child shall be two weeks. However, the district shall grant a request for leave of less than two weeks' duration on any two occasions.~~ (2 CCR 7297.3 11090; 29 USC 2612)

If both parents of a child work for the district, their family care and medical leave related to the birth or placement of the child shall be limited to a combined total of 12 work weeks. This restriction shall apply ~~whether or not~~ regardless of the parents are married, not married, or registered domestic partners legal status of both parents' relationship. (Government Code 12945.2; 2 CCR 7297.4 11088; 29 USC 2612)

D. Use/Substitution of Paid Leaves

During the period of ~~family care and medical leave~~ PDL or any FMLA or CFRA leave, the employee may elect to use his/her accrued vacation leave, accrued leave, ~~other accrued time off, or any other paid or unpaid time off negotiated with the district, unless otherwise directed by Board Policy or collective bargaining agreement.~~ If the leave is because of the employee's own serious medical condition or pregnancy, the employee must use accrued sick leave pursuant to collective bargaining agreements and/or Board policy. For PDL, CFRA, or FMLA leave due to an employee's own serious health condition, the employee shall use accrued sick leave and may use accrued vacation leave and other paid time off at his/her option. (Government Code 12945, 12945.2; 2 CCR 11044; 2 CCR 11092; 29 USC 2612; Government Code 12945.2)

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

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(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4161/4261/4361 - Leaves)

(cf. 4161.1/4361.1 – Personal Illness/Injury Leave)

(cf. 4261.1 – Personal Illness/Injury Leave)

E. Intermittent Leave/Reduced Work or Leave Schedule

1. PDL and family care and medical leave for the serious health condition of an employee or his/her child, parent, or spouse, ~~or registered domestic partner~~ may be taken intermittently or on a reduced work or leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition. However, the district ~~may~~shall limit leave increments to the shortest period of time that the district's payroll system uses to account for absences or use of leave: provided it is not to be greater than one hour. (2 CCR ~~7291.9, 7297.3~~11042, 11090; 29 USC 2612)
2. The district may require an employee to transfer temporarily to an available alternative position if the employee is pregnant and provides medical certification from her health care provider of ~~the~~a medical need for intermittent leave or leave on a reduced work or leave schedule or if the employee's need for the intermittent leave or leave on a reduced work or leave schedule is foreseeable based on his/her planned medical treatment or that of a family member. This alternative position must have equivalent pay and benefits and must better accommodate recurring periods of leave than the employee's regular job, and the employee must be qualified for the position. Transfer to an alternative position may include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced work or leave schedule. (2 CCR ~~7291.8, 7297.3~~11041, 11090; 29 USC 2612)

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

F. Request for Leave

~~An~~The district shall consider an employee's request for PDL or family care and medical leave only if the employee ~~shall~~provides at least verbal notice sufficient to make the district aware of the need to take ~~PDL or family care and medical~~the leave and the anticipated timing and duration of the leave. (2 CCR ~~7291.17, 7297.4~~11050, 11091)

For family care and medical leave, the employee need not expressly assert or mention FMLA/CFRA to satisfy this requirement; ~~however,~~ However, he/she must state the reason the leave is needed (e.g., birth of child, medical treatment). If more information is necessary to determine whether the employee is eligible for family care and medical leave, the Superintendent or designee shall inquire further and obtain the necessary details of the leave to be taken. (2 CCR ~~7297.4~~11091)

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The district shall respond to requests for leave as soon as practicable, but no later than five business days after receiving the employee's request. (2 CCR 11091)

Based on the information provided by the employee, the Superintendent or designee shall designate the leave, paid or unpaid, as FMLA/CFRA qualifying leave and shall give notice of such designation to the employee. ~~(2 CCR 7297.4)~~Failure of an employee to respond to permissible inquiries regarding the leave request may result in denial of CFRA protection if the district is unable to determine whether the leave is CFRA qualifying. (2 CCR 11091; 29 CFR 825.300)

When an employee is able to foresee the need for the PDL or family care and medical leave ~~is foreseeable~~at least 30 days in advance of the leave, the employee shall provide the district with at least 30 days advance notice before the leave. ~~The~~When the 30 days notice is not practicable because of a lack of knowledge of when leave will be required to begin, a change in circumstances, a medical emergency, or other good cause, the employee shall provide the district with notice as soon as practicable. Failure of an employee to provide required notice may result in a denial of leave. (2 CCR 11050, 11091)

In all instances the employee shall consult with the Superintendent or designee and make a reasonable effort to schedule, subject to the health care provider's approval, any planned appointment or- medical treatment or supervision so as to minimize disruption to district operations. (Government Code 12945.2; 2 CCR ~~7291.17, 7297.4~~11050, 11091)

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

G. Certification of Health Condition

Within five business days of an employee's request for family care and medical leave for his/her own or his/her child's, parent's or spouse's serious health condition, the Superintendent or designee shall request that the employee provide certification by a health care provider of the need for leave. Upon receiving the ~~District's~~district's request, the employee shall provide the certification within 15 days, unless either the Superintendent or designee provides additional time or it is not practicable under the particular circumstances, despite the employee's diligent, good faith efforts. (2 CCR ~~7297.04~~11091; 29 CFR 825.305)

The certification shall include the following: (Government Code 12945.2; 2 CCR ~~7297.0~~11087; 29 USC 2613)

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1. The date on which the serious health condition began
2. The probable duration of the condition
3. If the employee is requesting leave to care for a child, parent, or spouse, ~~or registered domestic partner~~ with a serious health condition, ~~the health care provider's certification must have~~ both of the following:
 - a. Statement that the serious health condition warrants the participation of the employee to provide care, such as by providing psychological comfort, arranging for third party care, or directly providing or participating in the medical care of the child, parent, or spouse during a period of the treatment or supervision ~~of the child, parent, spouse, or registered domestic partner~~
 - b. Estimated amount of time the health care provider believes the employee needs to care for the child, parent, or spouse, ~~or registered domestic partner~~
4. If the employee is requesting leave because of his/her own serious health condition, a statement that due to the serious health condition, he/she is unable to work at all or is unable to perform one or more essential functions of his/her job
5. If the employee is requesting leave for intermittent treatment or on a reduced work or leave schedule for planned medical treatment, a statement of the medical necessity for the leave, the dates on which treatment is expected to be given, the duration of such treatment, and the expected duration of the leave

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

When an employee has provided sufficient medical certification to enable the district to determine whether the employee's leave request is FMLA/CFRA-eligible, the Superintendent or designee shall notify the employee within five business days whether the leave is FMLA/CFRA-eligible. The Superintendent or designee may also retroactively designate leave as FMLA/CFRA leave as long as appropriate notice is given to the employee and there is no harm or injury to the employee. (2 CCR 11091; 29 CFR 825.301)

If the ~~district~~ Superintendent or designee doubts the validity of a certification that accompanies a request for leave for the employee's own serious health condition, ~~the district~~ he/she may require the employee to obtain a second opinion from a district-approved health care provider, at district expense. If the second opinion is contrary to the first, the ~~district~~ Superintendent or designee may require the employee to obtain a third medical opinion from a third health care provider approved by both the employee and the district, again at district expense. The opinion of the third health care provider shall be final and binding. (Government Code 12945.2; 2 CCR 11091; 29 USC 2613)

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For PDL, the Superintendent or designee shall request that the employee provide certification by a health care provider of the need for leave at the time the employee gives notice of the need for PDL, or within two business days of giving the notice. If the need for PDL is unforeseen, the Superintendent or designee shall request the medical certification within two business days after the leave commences. The Superintendent or designee may request certification at some later date if he/she has reason to question the appropriateness of the leave or its duration. (2 CCR 7291.17 11050)

For PDL that is foreseeable and for which at least 30 days notice has been given, the employee shall provide the medical certification before the leave begins. When this is not practicable, the employee shall provide the certification within the time frame specified by the Superintendent or designee which must be at least 15 days after the request, unless it is not practicable under the particular circumstances despite the employee's diligent, good faith efforts. (2 CCR 7291.17 11050)

Medical certification for PDL purposes shall include a statement that the employee needs to take the leave because she is disabled by pregnancy, childbirth, or a related medical condition, the date on which the employee became disabled because of pregnancy, and the estimated duration of the leave. (2 CCR 7291.17 11050)

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

If additional PDL or family care and medical leave is needed when the time estimated by the health care provider expires, the district may require the employee to provide recertification in the manner specified for the leave. (Government Code 12945.2; 2 CCR 7291.17 11050; 29 USC 2613)

The Superintendent or designee shall not request any genetic information related to an employee except as authorized by law in accordance with the California Genetic Information Nondiscrimination Act of 2011.

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

Upon expiration of an employee's PDL or family care and medical leave taken for his/her own serious health conditions, the employee shall present certification from the health care provider that he/she is able to resume work.

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

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FAMILY CARE AND MEDICAL LEAVE

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

I. Rights to Reinstatement

Upon granting an employee's request for ~~pregnancy disability leave or family care and medical leave~~ PDL or FMLA/CFRA leave, the Superintendent or designee shall agree to reinstate the employee in the same or a comparable position when the leave ends. (Government Code 12945.2; 2 CCR ~~7291.10~~ 11043, 11089; 29 USC 2614;)

However, the district may refuse to reinstate an employee returning from ~~family care and medical~~ FMLA or CFRA leave to the same or a comparable position if all of the following apply: (Government Code 12945.2; 2 CCR 11089; 29 USC 2614)

1. The employee is a salaried "key employee" who is among the highest paid 10 percent of district employees who are employed within 75 miles of the employee's worksite.
2. The refusal is necessary to prevent substantial and grievous economic injury to district operations.
3. The district informs the employee of its intent to refuse reinstatement at the time it determines that the refusal is necessary, and the employee fails to immediately return to service.

(cf. 4117.3 – Personnel Reduction)

(cf. 4217.3 Layoff/Rehire)

The district may also refuse to reinstate an employee to the same or comparable position if the FMLA/CFRA leave was fraudulently obtained by the employee. (2 CCR 11089; 29 CFR 825.216)

The district may refuse to reinstate an employee to the same position after taking PDL if, at the time the reinstatement is requested, the employee would not otherwise have been employed in that position for legitimate business reasons unrelated to the employee's PDL. (2 CCR ~~7291.10~~ 11043)

J. Maintenance of Benefits/Failure to Return from Leave

During the period when an employee is on ~~pregnancy disability leave~~ PDL or family care and medical leave, he/she shall maintain his/her status with the district and the leave shall not constitute a break in service for purposes of longevity, seniority under any collective bargaining agreement, or any employee benefit plan. (Government Code 12945.2; 2 CCR 11092; 29 USC 2614)

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For up to a maximum of four months for PDL ~~or~~ and 12 work weeks for other family care and medical leave, the district shall continue to provide an eligible employee the group health plan coverage that was in place before he/she took the leave. The employee is responsible to continue paying their employee portion of the insurance premiums (if applicable) to maintain such benefits and shall reimburse the district for premiums paid during the leave ~~is~~ if he/she fails to return to district employment after the expiration of all available leaves and the failure is for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond his/her control (Government Code 12945.2; 2 CCR 7291.11 11044, 11092; 29 USC 2614; 29 CFR 825.213).

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

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

In addition, during the period when an employee is on ~~pregnancy disability~~ PDL leave or family care and medical leave, the employee shall be entitled to continue to participate in other employee benefit plans including life insurance, short-term or long-term disability insurance, accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same conditions as would apply to an unpaid leave taken for any other purpose. However, for purposes of pension and retirement plans, the district shall not ~~be required to make plan payments for an employee during~~ any unpaid portion the leave period and the leave period shall not be counted for purposes of time accrued under the plan. (Government Code 12945.2; 2 CCR 7291.11 11044, 11092)

K. Military Family Leave Resulting from Qualifying Exigencies

An eligible employee may take up to 12 work weeks of unpaid FMLA leave during ~~the each~~ 12-month period established by the district in the section entitled “Terms of Leave” above, for one or more qualifying exigencies while his/her child, parent, or spouse who is a military member is on covered active duty or on call to covered active duty status ~~for one or more qualifying exigencies~~. (29 USC 2612; 29 CFR 825.126)

~~Military member means an employee’s spouse, son, daughter, or parent on covered active duty or call to covered active duty status. (29 CFR 825.126)~~

Covered active duty means duty during the deployment of a member of the regular Armed Forces to a foreign country or duty during the deployment of a member of the National Guard or Reserves to a foreign country under a call or an order to active duty in support of a contingency operation pursuant to law. (29 USC 2611; 29 CFR 825.126)

Qualifying ~~E~~ exigencies include time needed to: (29 CFR 825.126)

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1. Address issues arising from short notice deployment ~~(of up to seven calendar days from the date of receipt of call or order of short notice deployment)~~
2. Attend military events and related activities, such as any official ceremony or family assistance program related to the covered active duty or call to covered active duty status
3. Arrange ~~child care~~ child care or attend school activities arising from the covered active duty or call to covered active duty, such as arranging for alternative child care, enrolling or transferring a child to a new school, or attending meetings
4. Make or update financial and legal arrangements to address a military member's absence
5. Attend counseling provided by someone other than a health care provider
6. Spend time (up to 15 days of leave per instance) with a military member who is on short-term, temporary, Rest and Recuperation leave during deployment
7. Attend to certain post-deployment activities, such as arrival ceremonies or reintegration briefings
8. Care for a military member's parent who is incapable of self-care when the care is necessitated by the military member's covered active duty
89. Address any other event that the employee and district agree is a qualifying exigency

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

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

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

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

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FAMILY CARE AND MEDICAL LEAVE

L. Military Caregiver Leave

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

Covered servicemember may be: (29 CFR 825.127)

1. A current member, of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for ~~that~~ **a serious** injury or illness
2. A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran

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

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

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

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

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

1. For a current member of the Armed Forces, an injury or illness incurred by the member in the line of duty on active duty, or that existed before the beginning of the member's active duty and was aggravated by the member's service in the line of duty while on active duty in the Armed Forces, and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

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

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

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

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

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

M. Notifications

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

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1. **General Notice:** Information explaining the provisions of the FEHA/PDL and FMLA/CFRA and employee rights and obligations shall be posted in a conspicuous place on district premises, or electronically, and shall be included in employee handbooks. (2 CCR ~~7291.16, 7297.9~~11049, 11095; 29 USC 2619)

The general notice shall also explain an employee's obligation to provide the Superintendent or designee with at least 30 days notice of the need for the requested leave, when the need ~~for the leave~~ is reasonably foreseeable at least 30 days prior to the start of the leave. (2 CCR ~~7291.17, 7297.4~~11050, 11091)

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

2. **Eligibility Notice:** When an employee requests leave, including PDL, or when the Superintendent or designee acquires knowledge that an employee's leave may be for an FMLA/CFRA qualifying reason, the Superintendent or designee shall, within five business days, provide notification to the employee of his/her eligibility to take such leave (2 CCR ~~7291.16~~11049, 11091; 29 CFR 825.300)
3. **Rights and Responsibilities Notice:** Each time the eligibility notice is provided to an employee, the Superintendent or designee shall provide written notification explaining the specific expectations and obligations of the employee, including any consequences for a failure to meet those obligations. Such notice shall include, as appropriate~~appropriate~~applicable: (29 CFR 825.300)
 - a. A statement that the leave may be designated and counted against the employee's annual FMLA/CFRA leave entitlement and the appropriate 12-month entitlement period, if qualifying
 - b. Any requirements for the employee to furnish medical certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status and the consequences of failing to provide the certification
 - c. The employee's right to ~~substitute~~use paid leave, whether the district will require ~~substitution~~use of paid leave, conditions related to any ~~substitution~~use of paid leave, and the employee's entitlement to take unpaid leave if the employee does not meet the conditions for paid leave
 - d. Any requirements for the employee to make ~~any~~ premium payments necessary to maintain health benefits, the arrangement for making such payments, and the possible consequences of failure to make payments on a timely basis

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- e. ~~If applicable, the~~The employee's status as a "key employee;" if applicable, potential consequence that restoration may be denied following the FMLA leave, and explanation of the conditions required for such denial
- f. The employee's right to maintenance of benefits during the leave and restoration to the same or an equivalent job upon return from leave
- g. The employee's potential liability for health insurance premiums paid by the district during the employee's unpaid FMLA leave should the employee not return to service after the leave

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

4. **Designation Notice:** When the Superintendent or designee has information (e.g., sufficient medical certification) to determine whether the leave qualifies as FMLA/CFRA leave, he/she shall, within five business days, provide written notification designating the leave as FMLA/CFRA qualifying or, if the leave will not be so designated, the reason for that determination. (2 CCR 11091; 29 CFR 825.300)

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

If the district requires paid leave to be ~~substituted for~~used during an otherwise unpaid family care and medical leave, the notice shall so specify. If the district requires an employee to present a ~~fitness-for-duty~~release to return to work certification that addresses the employee's ability to perform the essential functions of the job, the notice shall also specify that requirement. (2 CCR 11091, 11097; 29 CFR 825.300)

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

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FAMILY CARE AND MEDICAL LEAVE

N. Records

The Superintendent or designee shall maintain records pertaining to an individual ~~employees'~~employee's use of family care and medical leave in accordance with law. (Government Code 12946; 29 USC 2616; 42 USC 2000ff-~~11~~1; 29 CFR 825.500)

Legal Reference (see next page)

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Legal Reference

44965 Granting of leaves of absence for pregnancy and childbirth
FAMILY CODE
297-297.5 Rights, protections and benefits under law; registered domestic partners
300 Validity of marriage
GOVERNMENT CODE
12926 Fair Employment and housing act, definitions
12940 Unlawful employment practices
12945 Pregnancy; childbirth or related medical condition; unlawful practice
12945.1-12945.2 California Family Rights Act
CODE OF REGULATIONS, TITLE 2
~~7291.2-7291.16~~ 11035-11051 Sex discrimination: pregnancy, childbirth and related medical conditions
~~7297.0-7297.11~~ 11087-11098 California Family ~~care leave~~ Rights Act
UNITED STATES CODE, TITLE 1
7 Definition of marriage, spouse
UNITED STATES CODE, TITLE 42
2000ff-1-2000ff-11 Genetic Information Nondiscrimination Act of 2008
CODE OF FEDERAL REGULATIONS, TITLE 29
825.100-825.800 Family and Medical Leave Act of 1993
COURT DECISIONS
~~United States~~ States v. Windsor, (2013) 699 F.3d 169
~~Re Marriage Cases, (2008) 43 Cal.4th 757~~
Faust v. California Portland Cement Company, (2007) 150 Cal.App. 4th 864
Tellis v. Alaska Airlines, (9th Cir., 2005) 414 F.3d 1045

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U.S. DEPARTMENT OF LABOR PUBLICATIONS
Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers
WEB SITES
California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>
U.S. Department of Labor, FMLA: <http://www.dol.gov/esa/whd/fmla>

Regulation

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HANFORD ELEMENTARY SCHOOL DISTRICT
Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department

AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Jaime Martinez

DATE: October 19, 2015

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

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **October 28, 2015**

ITEM: Consider approval of personnel transactions and related matters.

PURPOSE:

a. Employment

Temporary Employees/Substitutes/Yard Supervisors

- Steven Cabral, Short-term Yard Supervisor – 2.0 hrs., Richmond, effective 11/2/15 to 12/1/15
- Amanda Chandler, Yard Supervisor – 1.75 hrs., Roosevelt, effective 10/19/15
- Rubi Cortez, Substitute Yard Supervisor, effective 10/7/15
- Alma Flores Mireles, Substitute Food Service Worker I/II and Yard Supervisor, effective 10/13/15
- Cedric Harbor, Short-term Yard Supervisor – 1.0 hrs., Roosevelt, effective 10/19/15 to 12/1/15
- Christina Horn, Short-term Yard Supervisor – 1.75 hrs., Lincoln, effective 10/19/15 to 12/1/15
- Christina Jenkins, Yard Supervisor – 2.0 hrs., Monroe, effective 10/19/15
- Jamie Jordan, Yard Supervisor – 2.5 hrs., Simas, effective 10/19/15
- Guadalupe Lopez, Short-term Yard Supervisor – 1.5 hrs., Jefferson, effective 10/19/15 to 12/1/15
- Sherry Miller, Short-term yard Supervisor – 3.0 hrs., Lincoln, effective 10/19/15 to 12/1/15
- Crystal Muñiz, Short-term Yard Supervisor – 1.5 hrs., King, effective 11/2/15 to 12/1/15; Short-term Babysitter – 3.0 hrs. (W only), King, effective 10/14/15 to 5/18/16

Temporary Employees/Substitutes/Yard Supervisors (continued)

- Selene Oakes, Substitute Yard Supervisor, effective 10/7/15
- Stacey Paez, Yard Supervisor – 1.5 hrs., Roosevelt, effective 11/2/15
- Lesley Walker-Flores, Short-term Special Education Aide – 5.0 hrs., Roosevelt, effective 10/5/15 to 12/18/15
- Patricia “Kathie” Woughter, Short-term Yard Supervisor – 2.0 hrs., Richmond, effective 10/19/15 to 12/1/15
- Sandra Virden, Short-term Yard Supervisor – 1.5 hrs., Roosevelt, effective 10/19/15 to 12/1/15

b. Resignations

- Raymond Enriquez II, READY Program Tutor – 4.5 hrs., Hamilton, effective 10/30/15

c. Terminations – Failure to Complete Child Abuse Training by Deadline

- Gloria Cabler, Substitute Clerk Typist II and Yard Supervisor, effective 1/26/15
- Doreen Champlin, Substitute Clerk Typist II, effective 5/28/15
- Patricia Conchas, Substitute Bilingual Aide I; READY Program Tutor, Translator: Oral Interpreter and Written Translator, effective 8/24/14
- Patricia De Ochoa, Substitute Clerk Typist II, effective 9/5/14
- Clara Flenoid, Substitute Food Service Worker I, effective 8/24/13
- Ana Fregoso, Substitute Bilingual Clerk Typist I, Clerk Typist I, Yard Supervisor, Translator: Oral Interpreter and Written Translator, effective 12/12/14
- Zujey Garcia Zavala, Substitute Clerk Trainee, Yard Supervisor, Translator: Oral Interpreter and Written Translator, effective 4/23/15
- Brittni Gingras, Substitute READY Program Tutor, effective 3/5/15
- John Gonzales, Substitute Custodian I, Groundkeeper I, Maintenance Worker I and Warehouse/Reprographic and Mail Technician, effective 4/22/13
- Sarah Henshaw, Substitute Yard Supervisor, effective 9/3/15
- Michael Hernandez, Substitute Custodian I, effective 11/5/14
- Aaron Johnston, Substitute Custodian I and Groundskeeper I, effective 3/18/15
- Patricia Mejia, Substitute Food Service Worker I, effective 6/7/12
- Megan Morse, Substitute READY Program Tutor, effective 5/4/15
- Timothy Olson, Substitute Custodian II, effective 12/19/14
- Sylvia Soto, Substitute Babysitter, Yard Supervisor, READY Program Tutor, Translator: Oral Interpreter and Written Translator, effective 6/4/15
- Andrea Taylor, Substitute Ready Program Tutor and Yard Supervisor, effective 6/4/15
- Khethmany Tibbets, Substitute Educational Tutor K-6, READY Program Tutor and Yard Supervisor, effective 6/5/15

- c. Terminations – Failure to Complete Child Abuse Training by Deadline (cont.)**
- Claudia Torres, Substitute READY Program Tutor, Translator: Oral Interpreter and Written Translator, effective 8/15/14.
 - Maria Villa, Substitute Bilingual Clerk Typist II, Clerk Typist II, Translator: Oral Interpreter and Written Translator, effective 6/4/15
- d. More Hours**
- Amanda Chandler, Short-term yard Supervisor, from 1.5 hrs. to 1.75 hrs., Roosevelt, effective 9/28/15 to 10/16/15
- e. Leave of Absence**
- Samantha Cortez, Yard Supervisor – 3.5 hrs., Lincoln, effective 9/28/15 to 10/16/15, medical
 - Carolina Ortega de Garcia, Bilingual Clerk Typist II – 5.0 hrs., Monroe, effective 11/3/15 to 11/27/15, baby bonding
- f. Salary/Wage Schedules for 2015-2016**
- 2015-16 Non-Represented Part-Time Employee Wage Schedule (revised)
- g. Volunteers**
- | <u>Name</u> | <u>School</u> |
|---|---------------|
| Crystal Aldama | Hamilton |
| Melvin Cummings | Hamilton |
| Christine Daugherty | Hamilton |
| Marleny Angulo | Jefferson |
| Michael Herrera | Jefferson |
| Renee Nielsen | Jefferson |
| Sharon Ramseier-Williams | Jefferson |
| Alma Barajas | King |
| Leah Patrick | Lincoln |
| Monica Ramirez De Silva | Lincoln |
| Claudio Silva | Lincoln |
| Jade Barber | Monroe |
| Tiffany Gomez | Monroe |
| Dorothy Johnson | Monroe |
| Ashley Leskanic | Monroe |
| Melinda Martinez | Monroe |
| Silvia Villegas Estevez (HESD Employee) | Richmond |
| Jillian Amaro | Simas |
| Susana Gonzales | Simas |
| Tasia Munn | Simas |
| Sonia Rodriguez | Simas |

RECOMMENDATION: Approve.

2015-2016 NON-REPRESENTED PART-TIME EMPLOYEE WAGE SCHEDULE

JOB TITLE	HOURLY RATE	
Accompanist (up to 80 hours/year)	\$15.00	
Athletic Coach (Non Certificated Walk On Coach)	\$10.00	
Babysitter	\$9.00 <u>10.00</u>	
Choral Leader (up to 140 hours/year)	\$15.00	
Translators: Oral Interpreters Written Translators	\$15.00 \$20.00	
Yard Supervisors:	<u>K-6 & K-8 Jefferson</u>	<u>7-8</u>
Entry	\$ 10.17	\$ 10.53
Step 2 ¹	\$ 10.62	\$ 10.97
Step 3 ¹	\$ 11.09	\$ 11.44
Step 4 ¹	\$ 11.54	\$11.89
Step 5 ¹	\$ 12.00	\$ 12.37
Super Max. ²	\$ 12.47	\$ 12.83
¹ Annual advancement to Steps 2 through 5 requires satisfactory attendance and job performance and approval by the Superintendent or designee. ² Advancement to the Super Maximum Step requires a minimum of 10 years of regular service in any capacity at the Hanford Elementary School District, satisfactory attendance and job performance, and approval by the Superintendent or designee.		
Substitutes	Lowest Rate for appropriate position	

Adopted: 06/24/15

Revised: / /15 (effective 1/1/16)

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Dr. Paul J. Terry

FROM: Nancy White

DATE: October 19, 2015

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

FOR: () Information
(X) Action

Date you wish to have your item considered: October 28, 2015

ITEM:

Consider approval of consultant contract with Demsey, Filliger and Associates for an updated actuarial study for Retiree Health Benefits as required by GASB 45.

PURPOSE:

Government Accounting Standards Board (GASB) 45 establishes standards for governmental employers to measure and report their costs and obligations relating to post employment benefits other than pensions. The most common example of post employment benefits, other than pensions, is retiree health benefits. An actuarial study is required in order to determine the cost of these retiree benefits.

Our last study was performed in 2013. An update is required every two years. Demsey, Filliger and Associates performed our previous GASB 45 actuarial studies and has provided actuarial services for our District in the past for our self-funded dental fund.

FISCAL IMPACT:

The cost of the actuarial study will be \$4,500 and will be paid from the General Fund.

RECOMMENDATION:

Approve consultant contract with Demsey, Filliger and Associates for an actuarial study for Retiree Health Benefits as required by GASB 45.

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Dr. Paul J. Terry

FROM: Nancy White

DATE: October 19, 2015

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

FOR: () Information
(X) Action

Date you wish to have your item considered: October 28, 2015

ITEM

Consider approval of consultant contract with Demsey, Filliger and Associates for an updated actuarial study on the District's Self-Funded Dental Plan.

PURPOSE

The actuarial study for our self-funded dental fund is three years old and needs to be updated. Demsey, Filliger and Associates have performed our previous actuarial studies and their fee has always been competitive. We have been pleased with their previous work and would recommend contracting with them again.

FISCAL IMPACT

The fee of \$2,000 will be paid from the Self-Funded Dental Fund.

RECOMMENDATION

Approve consultant contract with Demsey, Filliger and Associates for an actuarial study on the District's Self-Funded Dental Plan.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: David Endo

DATE: 10/19/2015

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: 10/28/2015

ITEM: Resolution adopting California Uniform Public Construction Cost Accounting Act (CUPCCAA)

PURPOSE: By utilizing procedures outlined in the Uniform Public Construction Cost Accounting Act (Section 22000 et seq. of the Public Contract Code), the District will reduce lead time required on construction projects less than \$175,000.

FISCAL IMPACT: Project lead time reduction and potential cost savings on construction projects less than \$175,000

RECOMMENDATIONS: Approve the resolution.

**RESOLUTION NO. 5-16
BEFORE THE GOVERNING BOARD
OF THE HANFORD ELEMENTARY SCHOOL DISTRICT
KINGS COUNTY, CALIFORNIA**

**RESOLUTION ADOPTING UNIFORM PUBLIC
CONSTRUCTION COST ACCOUNTING ACT**

WHEREAS, the California Uniform Cost Account Act of Public Contract Code et seq. (“Act”) permits the district to utilize “informal” bidding procedures for public works projects of the district which fall within the purview of the Act; and

WHEREAS, by resolution duly adopted by the Board on October 28, 2015, the district has elected to become subject to the Act; and

WHEREAS, to engage in the informal bidding procedures permitted under the Act, the district must adopt procedures governing the district’s selection of contractors for public works projects subject to the Act.

THEREFORE, BE IT RESOLVED that the Governing Board approves that public projects, as defined by the Act, of one hundred seventy five thousand dollars (\$175,000) or less, may be led to contract by informal bidding procedures as set forth in Section 22032, et seq., of the Public Contract Code.

BE IT ALSO RESOLVED that the Governing Board approves that a list of contractors shall be developed and maintained in accordance with the provisions of Section 22034 of the Public Contract Code, and criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission.

BE IT ALSO RESOLVED that the Governing Board approves that, where a public project is to be performed, it is subject to the provisions of this resolution and a notice inviting formal bids shall be sent to all contractors for the category of work to be bid, as shown on the list developed in accordance with this resolution and/or to all construction trade journals as specified by the California Uniform Construction Cost Accounting Commission in accordance with Section 22036 of the Public Contract Code. Additional contractors and/or construction trade journals may be notified at the discretion of the district’s Chief Business Official, or his designee, provided, however, that there is no list of qualified contractors maintained by the district for the particular category of work to be performed. The notice inviting bids shall be sent only to the construction trade journals specified by the Commission. If the product or service is proprietary in nature, such that it can be obtained only from a certain contractor, the notice inviting informal bids may be sent exclusively to such contractors.

BE IT ALSO RESOLVED that the Governing Board approves that the district's Chief Business Official, and/or his designee are authorized to award information contracts pursuant to this resolution.

THE FOREGOING RESOLUTION was adopted by the Governing Board of the Hanford Elementary School District of Kings County, State of California, at a meeting of said Board held on the 28th day of October, 2015, by the following vote:

AYES:
NOES:
ABSENT:

President of the Board of Trustees
Hanford Elementary School District

WITNESS my hand and seal of said Board of Trustees this 28th day of October, 2015.

Clerk of said Board of Trustees