

Hanford Elementary School District

1/107

REGULAR BOARD MEETING AGENDA

Wednesday, April 8, 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# 15-17 – CDS
 - Case #15-18 – Roosevelt
- **Personnel** (*Pursuant to Government Code Section 54956.9, trustees will adjourn to Closed Session to discuss the items listed below. The items to be discussed shall be announced in accordance with Government Code Section 54954.5 and/or under Education Code provisions.*)
 - Public Employment – Fiscal Services Specialist

OPEN SESSION

- Take action on Student Discipline

6:00 p.m.

1. PRESENTATIONS, REPORTS AND COMMUNICATIONS

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

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

2. CONSENT ITEMS

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

- a) Accept warrant listings dated March 20, 2015; and March 27, 2015.
- b) Approve minutes of Regular Board Meeting March 25, 2015.
- c) Approve interdistrict transfers as recommended.
- d) Approve donation of \$2,940.00 from MLK PTC to MLK School. (Colvard)
- e) Approve donation of \$57.96 from Target to Roosevelt School. (Carrillo)
- f) Approve donations to Simas School of \$150.00 from Edison International, and \$6.87 from Savemart SHARES. (Baldwin)

- *Materials related to an item on this agenda submitted to the Board after distribution of the agenda packet are available for public inspection at the Superintendent's Office located at 714 N. White Street, Hanford, CA during regular business hours.*
- *Any individual who requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the Board meeting should contact the Superintendent in writing.*

3. INFORMATION ITEMS

- a) Receive for a report from the District English Learner Advisory Committee (DELAC) February 11, 2015 meeting. (Gomez, Carlton)
- b) Receive Hanford Elementary Teachers Association's (HETA's) Initial Proposal for 2015-2016 amendments to the Collective Bargaining Agreement between Hanford Elementary School District (HESD) and HETA (reopened articles): (Martinez)
- c) Receive for information the following revised Board Policy: (McConnell)
 - BP 5141.21 Administering Medication and Monitoring Health Conditions
- d) Receive for information the following revised Administrative Regulation: (McConnell)
 - AR 5141.21 – Administering Medication and Monitoring Health Conditions
- e) Receive for information the following revised Administrative Regulation: (McConnell)
 - AR 5141.3 – Health Examinations
- f) Receive for information the following revised Board Policy: (McConnell)
 - BP 5141 – Health Care and Emergencies
- g) Receive for information the following revised Administrative Regulation: (McConnell)
 - AR 5141 – Health Care and Emergencies
- h) Receive information on 2015-2016 Local Control Accountability Plan. (Terry)

4. BOARD POLICIES AND ADMINISTRATION

- a) Hear and consider for approval updated 2014-2015 School Plans. (Carlton)
- b) Consider approval of consultant contract with The Leadership and Learning Center – Houghton Mifflin Harcourt. (Gabler)
- c) Consider approval of consultant contract with Regents of the University of California on behalf of Lawrence Hall of Science to present science workshops for Richmond 4th and 5th graders on May 12, 2015. (Calvillo)
- d) Consider for approval the following revised Board Policy: (Terry)
 - BP 5131.2 - Bullying
- e) Consider approval of the following revised Board Policy and Administrative Regulation: (Terry)
 - BP/AR 5145.3 – Nondiscrimination/Harassment
- f) Consider for approval the following revised Board Policy and Administrative Regulation: (Terry)
 - BP/AR 5145.7 – Sexual Harassment
- g) Consider for approval the following revised Board Policy and Administrative Regulation: (Simas)
 - BP/AR 6158 – Independent Study
- h) Consider for approval the following revised Administrative Regulation: (Simas)
 - 6173 – Homeless Children

5. PERSONNEL (Martinez)**a) Employment***Certificated, effective 8/10/15*

- Amanda Avila, Teacher, Probationary I
- Cassondra Barrett, Probationary I
- Erin Bush, Probationary I
- Anastasia Cann, Probationary I
- Nicole Cartledge, Probationary I
- Bailey Doyle, Probationary I
- Julee Evangelo, Intern
- Cristal Flores, Probationary I
- Jennifer Fossett, Probationary I
- Jenell Haire, Probationary I
- Kellie Jones, Probationary I
- Diana Kelly, Probationary I
- Lisa McClurg, Probationary I
- Megan Munro, Intern
- Melissa Nabayan, Probationary I
- Paul Raymond, Probationary I
- Brittany Tweedy, Probationary I

Temporary Employees/Substitutes/Yard Supervisors

- Margaret Blasko, Short-term Yard Supervisor – 3.0 hrs., Simas, effective 4/7/15 to 6/5/15
- Sindal Burkett, Short-term Yard Supervisor – 1.5 hrs., King, effective 4/7/15 to 6/5/15 (rescind)
- Memory Oebel, Short-term Yard Supervisor – 1.5 hrs., Kings, effective 4/7/15 to 6/5/15
- Derek Silveira, Substitute Custodian I, effective 3/23/15
- Khethmany Tibbetts, Short-term Educational Tutor K-6 – 3.5 hrs., Washington, effective 3/25/15 to 5/7/15; Short-term Yard Supervisor – 1.0 hrs., (M, T, Th, F), Washington, effective 3/26/15 to 5/29/15
- Alexis Villa, Short-term Yard Supervisor – 1.5 hrs., Roosevelt, effective 4/7/15 to 6/5/15

b) Resignations

- Robin Daily, Teacher, Richmond, effective 6/5/15
- Andrea Keel, Yard Supervisor – 3.25 hrs., Kennedy, effective 3/26/15
- Kristina Keen, Substitute Yard Supervisor, effective 3/27/15
- Lori Kuckenbaker, Teacher, Monroe, effective 6/5/15
- June Strong, Yard Supervisor – 3.75 hrs., Roosevelt, effective 3/19/15

c) More Hours

- Ashley Candelaria, Yard Supervisor, from 1.0 hr. to 1.25 hrs., Hamilton, effective 4/7/15
- Francisca Estrada de Saldana, Yard Supervisor, from 3.0 hrs., to 3.25 hrs., Hamilton, effective 4/7/15
- Christina Jenkins, Short-term Yard Supervisor, from 3.0 hrs., (1.5 hrs., Monroe/1.5 hrs., Simas), to 1.5 hrs., Monroe, effective 4/7/15 to 6/5/15

d) Decrease in Hours

- Menchu Rosaroso, Short-term Yard Supervisor, from 3.0 hrs., (1.5 hrs., Monroe/1.5 hrs., Simas), to 1.5 hrs., Monroe, effective 4/7/15 to 6/5/15

e) Leave of Absence

- Stephanie Umscheid, School Psychologist, Special Services, effective 4/13/15 to 6/12/15 (2 days a week), baby bonding

f) Volunteers

<u>Name</u>	<u>School</u>
Iliana Gutierrez	Hamilton
Jessieca Vallin (HESD Employee)	Hamilton
Jennifer Beltran	Jefferson
Maria Canchola-Delgado	Jefferson
Natividad Cisneros	Jefferson
Monica Madonado-Hubanks	Jefferson
Emmy Reyes	Jefferson
Erika Torres	Jefferson
Alejandra Valdes Lopez	Jefferson
Olivia Mendoza	King
Vanessa Runnion	Monroe
Brad Smith	Monroe
Carlos Sousa	Monroe
Rachel Thompson	Monroe
Amber Miller	Richmond
Sarah Briano	Roosevelt
Jennifer Vryhof	Simas
Danielle Beucher	Washington
Tyler Haener	Washington
Linda Ochoa	Washington
Jackye Smith	Washington

ADJOURN MEETING

HANFORD ELEMENTARY SCHOOL DISTRICT
AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Liz Simas
DATE: March 26, 2015

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

Date you wish to have your item considered: April 8, 2015

ITEM: Administrative Panel Recommendations

PURPOSE:

Case# 15-17 - CDS

Case# 15-18 - Roosevelt

Hanford Elementary School District
Minutes of the Regular Board Meeting
March 25, 2015

Minutes of the Regular Board Meeting of the Hanford Elementary School District Board of Trustees on March 25, 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, and Hill were present. Trustee Revious was absent.

Closed Session Trustees immediately adjourned to closed session for the purposes of:

- Student Discipline pursuant to Education Code section 48918;

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

HESD Managers Present Dr. Paul J. Terry, Superintendent, and the following administrators were present: Donnie Arakelian, Kristina Baldwin, Doug Carlton, Anthony Carrillo, Kenny Eggert, Joy Gabier, David Goldsmith, Lucy Gomez, Jaime Martinez, Karen McConnell, Gerry Mulligan, Julie Pullis, Liz Simas, and Nancy White.

Readmissions #15-09 and #15-11 Trustee Hernandez made a motion to approve readmission for Cases #15-09 and #15-11 based upon the students' compliance with the Plan of Rehabilitation. Trustee Garcia seconded; motion carried 4-0:

Garcia – yes
 Garner – yes
 Hernandez –yes
 Hill – yes
 Revious – absent

Expulsion #15-14 Trustee Hernandez made a motion to accept the Findings of Fact and expel Case #15-14 for the remainder of the 2014-15 school year and the first semester of the 2015-16 school year for violation of Education Code 48900 as determined by the Administrative Panel at a Hearing held March 24, 2015. Parents may apply for readmission on or after December 18, 2015. Trustee Garcia seconded; motion carried 4-0:

Garcia – yes
 Garner – yes
 Hernandez –yes
 Hill – yes
 Revious – absent

Expulsion #15-15 Trustee Hernandez made a motion to accept the Findings of Fact and expel Case #15-15 for the remainder of the 2014-15 school year for violation of Education Code 48900 as determined by the Administrative Panel at Hearings held March 24, 2015. Parents may apply for readmission on or after June 5, 2015. Trustee Garcia seconded; motion carried 4-0:

Garcia – yes
 Garner – yes
 Hernandez –yes
 Hill – yes

Revious – absent

Expulsion #15-16 Trustee Hernandez made a motion to accept the Findings of Fact and expel Case #15-16 for the remainder of the 2014-15 school year and the first semester of the 2015-16 school year for violation of Education Code 48900 as determined by the Administrative Panel at Hearings held March 24, 2015. However, Trustee Hernandez further moved that the parents may apply for readmission on or after June 5, 2015. If readmission is granted, the expulsion order shall be suspended and student may attend regular school in probationary status on a Behavior Conditions Plan through December 18, 2015. Trustee Garcia seconded; motion carried 4-0:

Garcia – yes
 Garner – yes
 Hernandez –yes
 Hill – yes
 Revious – absent

Public Comments None.

Board and Staff Comments None.

Requests to Address the Board at future meetings None.

Dates to Remember President Garner reviewed Dates to Remember: March 27 minimum day; then Spring Break until school resumes on April 7; next regular board meeting 5:30 p.m. April 8; Girls' Diamond Classic April 10th at 3:30 p.m.; Boys' Diamond Classic April 13th at 4:30 p.m.; second board meeting of the month on April 22nd; HESD Track Meet Saturday April 25th.

INFORMATION ITEMS

BP 5131.2 Superintendent Dr. Terry presented for information the following revised Board Policy:

- BP 5131.2 - Bullying

BP/AR 5145.3 Superintendent Dr. Terry presented for information the following revised Board Policy and Administrative Regulation:

- BP/AR 5145.3 – Nondiscrimination/Harassment

BP/AR 5145.7 Superintendent Dr. Terry presented for information the following revised Board Policy and Administrative Regulation:

- BP 5145.7 – Sexual Harassment

BP/AR 6158 Liz Simas, Coordinator Child Welfare and Attendance, presented for information the following revised Board Policy and Administrative Regulation:

- BP/AR 6158 – Independent Study

AR 6173

Liz Simas, Coordinator Child Welfare and Attendance, presented for information the following revised Administrative Regulation:

- AR 6173 – Education for Homeless Children

CONSENT ITEM

Trustee Garcia made a motion to take consent items "a" through "f" together. Trustee Hill seconded, motion carried 4-0:

Garcia – yes
Garner – yes
Hernandez – yes
Hill – yes
Revious – absent

Trustee Garcia then made a motion to approve consent items "a" through "f". Trustee Hernandez seconded, motion carried 4-0:

Garcia – yes
Garner – yes
Hernandez – yes
Hill – yes
Revious – absent

The items approved as follows:

- a) Warrant listings dated March 6, 2015; and March 13, 2015.
- b) Minutes of regular Board Meeting March 11, 2015.
- c) Interdistrict transfers as recommended.
- d) Donation of \$350 from Washington PTC to Washington School.
- e) Donation of \$28.88 from Target to Lee Richmond Elementary School.
- f) Donation of \$6,900.00 from Monroe Parent Club to Monroe School.

President Garner acknowledged and thanked Washington PTC, Target and Monroe PTC for their donations in support of HESD schools.

BOARD POLICIES AND ADMINISTRATION**2015-16 School
Calendar**

Trustee Hill made a motion to adopt the proposed 2015-16 school calendar. Trustee Hernandez seconded; motion carried 4-0:

Garcia – yes
Garner – yes
Hernandez – yes
Hill – yes
Revious – absent

Consultant Contract Trustee Hill made a motion to approve consultant contract with Sinclair Research Group. Trustee Garcia seconded; motion carried 4-0:

Garcia – yes
Garner – yes
Hernandez – yes
Hill – yes
Revious – absent

Out-of-State travel Trustee Hill made a motion to approve out-of-state travel for Director of Information Systems David Goldsmith to attend Interop Conference and Professional Development in Las Vegas, Nevada. Trustee Garcia seconded; motion carried 4-0:

Garcia – yes
Garner – yes
Hernandez – yes
Hill – yes
Revious – absent

BP/AR 1312.3 Trustee Hill made a motion to approve revised Board Policy and Administrative Regulation BP/AR 1312.3 – Uniform Complaint Procedures. Trustee Garcia seconded; motion carried 4-0:

Garcia – yes
Garner – yes
Hernandez – yes
Hill – yes
Revious – absent

AR 1312.4 Trustee Garcia made a motion to approve revised Administrative Regulation BP/AR 1312.4 – Williams Uniform Complaint Procedures. Trustee Hernandez seconded; motion carried 4-0:

Garcia – yes
Garner – yes
Hernandez – yes
Hill – yes
Revious – absent

BP/AR 5144.1 Trustee Hill made a motion to approve revised Board Policy and Administrative Regulation BP/AR 5144.1 – Suspension and Expulsion/Due Process. Trustee Hernandez seconded; motion carried 4-0:

Garcia – yes
Garner – yes
Hernandez – yes
Hill – yes
Revious – absent

Exhibit BP/AR 3553 Trustee Hernandez made a motion to approve revised Exhibit to Board Policy and Administrative Regulation BP/AR 3553 – Free and Reduced Price Meals. Trustee Garcia seconded; motion carried 4-0:

Garcia – yes
Garner – yes
Hernandez – yes
Hill – yes
Revious – absent

WW Band Room Preconstruction Services Agreement Trustee Hill made a motion to approve Preconstruction Services Agreement with David A. Bush, Inc. for the Band Room Remodel at Woodrow Wilson Jr. High School. Trustee Hernandez seconded; motion carried 4-0:

Garcia – yes
Garner – yes
Hernandez –yes
Hill – yes
Revious – absent

Architectural Services Agreement – Richmond & Monroe Trustee Hernandez made a motion to approve Architectural Services Agreement with Mangini Associates, Inc. – for the exterior painting of Richmond and Monroe Schools. Trustee Hill seconded; motion carried 4-0:

Garcia – yes
Garner – yes
Hernandez –yes
Hill – yes
Revious – absent

Authorization to solicit bids Trustee Hernandez made a motion to authorize solicitation of bids for the exterior painting of Monroe and Richmond Schools. Trustee Garcia seconded; motion carried 4-0:

Garcia – yes
Garner – yes
Hernandez –yes
Hill – yes
Revious – absent

PERSONNEL

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

Garcia – yes
Garner – yes
Hernandez – yes
Hill – yes
Revious – absent

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

Garcia – yes
Garner – yes
Hernandez – yes
Hill – yes
Revious – absent

The following items were approved:

Item "a" – Employment

Temporary Employees/Substitutes/Yard Supervisors

- Margaret Blasko, Substitute Clerk Trainee and Yard Supervisor, effective 3/6/15
- Sindal Burdnett, Short-term Yard Supervisor – 1.5 hrs., King, effective 4/7/15 to 6/5/15
- Sadie Escalera, Short-term Yard Supervisor – 3.0 hrs., Simas, effective 4/7/15 to 6/5/15
- Savina Guzman, Short-term Yard Supervisor – 2.25 hrs., King, effective 4/7/15 to 6/5/15
- Sarah Henshaw, Substitute Ready Program Tutor, Special Circumstance Aide, Special Education Aide and Yard Supervisor, effective 3/9/15; Short-term Yard Supervisor – 1.0 hr. (M,T,Th,F), Washington, effective 3/10/15 to 5/29/15
- Anna Lopez, Yard Supervisor – 1.5 hrs., Roosevelt, effective 4/7/15
- Diana Lugo, Short-term Yard Supervisor – 1.0 hrs., Jefferson, effective 4/7/15 to 6/5/15
- Kathleen Luis, Substitute Clerk Typist I and School Operations Officer, effective 3/3/15
- Katelin Mello, Yard Supervisor – 1.75 hrs., Kennedy, effective 4/7/15
- Marisol Ayala Navarro, Substitute READY Program Tutor, Translator: Oral Interpreter and Written Translator, effective 3/3/15
- Memory Oebel, Substitute Yard Supervisor, effective 3/11/15
- Melanie Pimentel, Short-term Yard Supervisor – 2.25 hrs., Washington, effective 4/7/15 to 6/5/15
- Felimena Reynolds, Short-term Yard Supervisor – 1.25 hrs., Monroe, effective 4/7/15 to 6/5/15
- Rosa Sedano, Substitute Babysitter, Clerk Typist I, READY Program Tutor and Yard Supervisor, effective 3/6/15
- Sylvia Soto, Short-term Yard Supervisor – 1.5 hrs., Kennedy, effective 4/7/15 to 6/5/15
- Khethmeny Tibbetts, Substitute READY Program Tutor, effective 2/27/15

**Item "b" –
Resignations**

- Michael Corder, Custodian II – 8.0 hrs., Hamilton, effective 3/20/15
- Kaylea Davis, Teacher, King, effective 6/5/15
- Jane Kirkes, Teacher, King, effective 6/5/15
- Amy Glandon, Teacher, Kennedy, effective 6/5/15
- Lisa Morales, Substitute Bilingual Clerk Typist I, Clerk Typist I, Translator: Oral Interpreter and Written Translator, effective 1/21/15
- Sara Semple, Media Services Aide – 5.5 hrs., King, effective 6/12/15
- Kierra Thomas, Yard Supervisor – 3.0 hrs., Lincoln, effective 6/5/15

**Item "c" –
Retirement**

- Debbie Wilson, Financial Services Specialist - 8.0 hrs., Fiscal Services/DO, effective 8/5/15
- Anita Yager, Bilingual Clerk Typist II – 8.0 hrs., Washington, effective 6/12/15

**Item "d" –
Leave of Absence**

- Renee Barker, Yard Supervisor – 1.5 hrs., Monroe, effective 3/3/15 to 3/27/15, medical

**Item "e" –
Volunteers**

<u>Name</u>	<u>School</u>
Pamela Adams	Hamilton
Rosa Sedano	Hamilton
Ana Solorzano (HESD Employee)	Jefferson
Susan Perez	Kennedy
Denise Rodriguez	King
Deborah Hubble	Monroe
Laura Lackey	Monroe
Alfred Trovato	Monroe
Herlinda Alvarez	Richmond
Lidia Cervantez (HESD Employee)	Richmond
Katherine Brasel	Simas
Richard Mendez	Simas

FINANCIAL**Certification of
Second Interim
Report for 2014-15**

Trustee Garcia made a motion to approve certification of Second Interim Report for 2014-15. Trustee Hill seconded; motion carried 4-0:

Garcia – yes
Garner – yes
Hernandez – yes
Hill – yes
Revious – absent

Resolution #13-15

Trustee Hill made a motion to approve Resolution #13-15: Resolution of the Board of Trustees of the Hanford Elementary School District Approving Plans and Specifications, Approving a Guaranteed Maximum Price and Authorizing Execution and Delivery of the Site Lease and Facilities Lease Relating to the Kitchen Remodel at Woodrow Wilson Jr. High School. Trustee Hernandez seconded; motion carried 4-0:

Garcia – yes
Garner – yes
Hernandez – yes
Hill – yes
Revious – absent

- Board of Trustees Meeting Minutes
• March 25, 2015 - Page 8

Adjournment

There being no further business, President Garner adjourned the meeting at 6:37 p.m.

Respectfully submitted,

Paul J. Terry,
Secretary to the Board of Trustees

Approved:

Jeff Garner, President

Lupe Hernandez, Clerk

Inters - IN

No	A/D	Sch Req'd	Home Sch	Date
I-141	A	Wilson	Pioneer	4/08/2015
I-141	A	Monroe	Pioneer	4/08/2015
I-142	A	Simas	Pioneer	4/08/2015
I-143	A	Simas	Lemoore	4/08/2015
I-144	A	Wilson	Lakeside	4/08/2015
I-145	A	Monroe	Pioneer	4/08/2015
I-146	A	Monroe	Pioneer	4/08/2015

Inters - OUT

No	A/D	Sch Req'd	Home Sch	BD Date
O-100	A	Lemoore	King	4/8/2015

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Debra Colvard

DATE: 3/23/15

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

Date you wish to have your item considered: April 8, 2015

ITEM: Consider approval of \$2,940.00 donation from MLK PTC to MLK School.**PURPOSE:** To purchase benches for students and parents at school site.**FISCAL IMPACT:** \$2,940.00 increase to account #0100-0000-0-0000-8200-430000-012-0000**RECOMMENDATIONS:** Accept donation.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Anthony Carrillo

DATE: March 19, 2015

For: ☒ Board Meeting
☐ Superintendent's Cabinet

For: ☐ Information
☒ Action

Date you wish to have your item considered: April 8, 2015

ITEM: Consider acceptance of \$57.96 donation from Target to Roosevelt School.

PURPOSE: For purchase of attendance and behavior incentives.


FISCAL IMPACT (if any): Increase of \$57.96 to account
#0100-0000-0-1110-1000-430001-026-0000

RECOMMENDATION (if any): Accept donation.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Kristina Baldwin DATE: 3/19/15

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: 4/8/15

ITEM: Donation from Savemart S.H.A.R.E.S. for \$6.87. Program and from Edison International for \$150.00.

PURPOSE: To purchase instructional supplies

FISCAL IMPACT: Increase of \$156.87 to Simas School General Fund Budget

RECOMMENDATIONS: accept donations

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Paul Terry, Ed.D.

FROM: Lucy Gomez, Doug Carlton

DATE: March 27, 2015

For: ☒ Board Meeting
☐ Superintendent's Cabinet

For: ☒ Information
☐ Action

Date you wish to have your item considered: April 8, 2015

ITEM: Receive for information a report from the District English Learner Advisory Committee (DELAC) February 11, 2015 meeting.

PURPOSE: The DELAC advises the board on the educational programs and services for English learners, the Single Plan for Student Achievement, and the district's annual needs assessment.

FISCAL IMPACT: DELAC is a requirement of the Local Control Funding Formula along with Title I and Title III funding.

Hanford Elementary School District



Hanford Elementary School District (HESD) District English Language Advisory Committee Meeting #2 Report to the Board of Trustees

Date of Meeting: February 11, 2015
Starting Time: 9:00 a.m.
Location: District Office Board Room, 714 N. White Street

1. Purpose of the Meeting:
To advise the board on conducting a district-wide needs assessment on a school by school basis; to review and comment on the district's reclassification procedures
2. The DELAC received information on the following topics:
 - Local Control Accountability Plan (LCAP)
 - Review of LCAP implementation current year
 - Recommendations for 2015-2016 and beyond
 - Local Education Agency Plan Addendum (LEAP Addendum)
 - Title III Action Plan
 - Programs and services for EL students
 - Outreach, involvement, and training for parents of EL students
 - Single Plans for Student Achievement (School Plans)
 - Programs and Services for English Learners


The DELAC provided the following recommendations:

- Continue to add student technology at school sites
- Provide teachers with training in the area of technology
- Expand after-hours instructional opportunities for EL students to include time outside of the regular school year
- Continue and expand parent training and support, particularly in the areas of mathematics and ESL for parents
- Approve the Consolidated Application

Hanford Elementary School District
HUMAN RESOURCES DEPARTMENT

AGENDA REQUEST FORM

TO: Dr. Paul Terry

FROM: Jaime Martinez 

DATE: March 30, 2015

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☒ Information
☐ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **April 8, 2015**

ITEM: Receive Hanford Elementary Teachers Association's (HETA's) Initial Proposal for 2015-2016 amendments to the Collective Bargaining Agreement between Hanford Elementary School District (HESD) and HETA (reopened articles).

PURPOSE: To initiate the negotiation process for 2015-2016 amendments to the Collective Bargaining Agreement between HESD and HETA. The current 3-year agreement allows for re-negotiating Article 11, School Calendar and Work Year, Article 18, Employee Group Health and Welfare Insurance Benefits and Article 20, Salary.

The Rodda Act requires "sunshining" of initial proposal before negotiations commence.

FISCAL IMPACT: Unknown; proposal is subject to negotiation.

RECOMMENDATION: Receive proposal for information only.

TO: Jaime Martinez, Assistant Superintendent, Human Resources
 FROM: Michael Rogers, HETA VP, Negotiations
 RE: HETA Contract Reopeners per Article 1 C of the Collective
 Bargaining Agreement
 DATE: March 27, 2015

Jaime,

Here are the three Articles that both parties agreed to reopen for
 the 2015-2016 school year-

Article 11 Calendar

We previously agreed to the calendar with the following information-

Draft 2

First teacher work day	Aug. 10, 2015
First day of school	Aug. 13, 2015
Fall PD day	Oct. 23
Parent conferences	Nov. 23-24
No school	Nov. 25
Thanksgiving Break	Nov. 26-27
Winter Break	Dec. 21-Jan. 8
Spring Break	March 21-28
Last day of school	June 3

Article 18 Employee Group Health and Welfare Insurance Benefits

HETA would like the District to maintain fully District paid Dental, Vision, Life, and Medical insurance premiums, including any increase for the 2015-2016 school year. In addition, the Association is interested in regaining co-pays and or deductibles that were reduced during cost-containment years.

Article 20 Salary

The Association proposes that the salary schedule be increased so the District is highly competitive with other school districts in Kings and Tulare Counties in order to retain current employees and continue to attract high quality educators for the future.

Michael Rogers

HETA VP, Negotiations

Team members-

Garrett Toy

Gracie Pittman

Kristi Hamilton

Rosa Adams

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Karen McConnell *KM*

DATE: March 20, 2015

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: April 8, 2015

ITEM: Receive recommended revisions to Board Policy 5141.21 – Administering Medication and Monitoring Health Conditions

PURPOSE: Regulation updated to add definitions of epinephrine auto-injectors and anaphylaxis and to reflect new legislation (SB 1266) which requires district to provide emergency epinephrine auto-injector(s) to each school site, required annual notice to staff requesting volunteers, and deletes requirements for a district plan.

FISCAL IMPACT: None

RECOMMENDATIONS:

Hanford ESD

Board Policy

Administering Medication And Monitoring Health Conditions

BP 5141.21

Students

The Governing Board of Trustees recognizes/believes that during the regular school day, some attendance is critical to student learning and that students may who need to take medication prescribed or ordered for them by an their authorized health care provider to be able providers should have an opportunity to fully participate in the educational program.

(cf. ~~The Superintendent or designee shall develop processes for the administration of~~ 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

Any medication to these students. For any prescribed for a student with a disability, as defined who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973, necessary medication shall be administered in accordance with the student's individualized education program or Section 504 services plan as applicable.

(cf. 6159 - Individualized Education Program)

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

IfFor the administration of medication to other students during school or school-related activities, the Superintendent or designee shall develop protocols which shall include options for allowing a parent/guardian chooses, he/she may to administer the medication to his/her child at school or, designate another individual who is not a school employee other individuals to do so on his/her behalf, and, with the child's authorized health care provider's approval, request the district's permission for his/her child to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

(cf. 1250 - Visitors/Outsiders)

(cf. ~~6116 - Classroom Interruptions~~)

In addition, upon written request by the parent/guardian and with the approval of the student's authorized health care provider, a student with a medical condition that requires frequent treatment, monitoring, or testing may be allowed to self administer, self monitor, and/or self test. The student shall observe universal precautions in the handling of blood and other bodily fluids.

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Asthma Management)
 (cf. 5141.27 - Food Allergies/Special Dietary Needs)
(cf. 6116 - Classroom Interruptions)

In addition, the Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Administration of Medication by School Personnel

Any- medication prescribed by an authorized health care provider, including ~~an~~ but not limited to, emergency, ~~federal Food and Drug Administration approved~~, antiseizure medication for a student ~~with epilepsy who suffers epileptic seizures~~, auto-injectable epinephrine, insulin, or glucagon, may be administered by the school nurse or other designated school personnel only when- the Superintendent or designee has received written statements from both the student's parent/guardian and authorized health care provider. (Education Code 49414.7, 49423; 5 CCR 600)

~~School nurses and other designated~~ When medically unlicensed school personnel shall administer medications in accordance with law, Board policy, and administrative regulation and shall be afforded appropriate liability protection.

~~(cf. 3530 - Risk Management/Insurance)~~
~~(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)~~
~~(cf. 4119.43/4219.43/4319.43 - Universal Precautions)~~

~~Only a school nurse or other school employee with an appropriate medical license may administer an insulin injection to a student. In the event that no such licensed school personnel is available, the district may contract with a licensed nurse from a public or private agency to administer insulin to the student.~~

~~(cf. 5141.24 - Specialized Health Care Services)~~

~~When unlicensed personnel are authorized by law to administer~~ any medication to students, such as emergency, FDA approved, antiseizure medication, auto-injectable epinephrine auto-injector, insulin, or glucagon, the Superintendent or designee shall ensure that school -personnel designated to administer it to students any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with ~~emergency~~ immediate communication access to, a school nurse, physician, or other appropriate individual. (Education Code 49414, 49414.5, 49414.7, 49423, 49423.1)

The Superintendent or designee shall maintain documentation of the training, and ongoing supervision, as well as annual written verification of competency of ~~such~~ other designated school personnel.

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

School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, and administrative regulation and shall be afforded appropriate liability protection.

(cf. 3530 - Risk Management/Insurance)
(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

Legal Reference:

EDUCATION CODE

48980 Notification at beginning of term
 49407 Liability for treatment
 49408 Emergency information
 49414 Emergency epinephrine auto-injectors
 49414.5 Providing school personnel with voluntary emergency training
 49414.7 Emergency medical assistance; administration of epilepsy medication
 49422-49427 Employment of medical personnel, especially:
 49423 Administration of prescribed medication for student
 49423.1 Inhaled asthma medication
 49480 Continuing medication regimen; notice

BUSINESS AND PROFESSIONS CODE

2700-2837 Nursing, especially:
 2726 Authority not conferred
 2727 Exceptions in general
 3501 Definitions
4119.2 Acquisition of epinephrine auto-injectors

CODE OF REGULATIONS, TITLE 5

600-611 Administering medication to students
620-627 Administration of emergency antiseizure medication by trained volunteer nonmedical school personnel

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974
 1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

COURT DECISIONS

American Nurses Association v. O'Connell, (2010) 185 Torlakson, (2013) 57 Cal.App.4th 393570

Management Resources:

CSBA PUBLICATIONS

Pandemic Influenza. Fact Sheet, September 2007

AMERICAN DIABETES ASSOCIATION PUBLICATIONS

Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes, May 2006

CALIFORNIA DEPARTMENT OF EDUCATION ~~LEGAL ADVISORIES~~ PUBLICATIONS

Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS

Helping the Student with Diabetes Succeed: A Guide for School Personnel, June 2003

WEB SITES

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

American Diabetes Association: <http://www.diabetes.org>

California Department of Education, Health Services and School Nursing:

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

National Diabetes Education Program: <http://www.ndep.nih.gov>

U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information: <http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma>

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

Revised: May 9, 2012 Hanford, California

Revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Karen McConnell *KM*

DATE: March 20, 2015

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: April 8, 2015

ITEM: Receive recommended revisions to Administrative Regulation 5141.21 – Administering Medication and Monitoring Health Conditions

PURPOSE: Regulation updated to add definitions of epinephine auto-injectors and anaphylaxis and to reflect new legislation (SB 1266) which requires district to provide emergency epinephine auto-injector(s) to each school site, required annual notice to staff requesting volunteers, and deletes requirements for a district plan.

FISCAL IMPACT: None

RECOMMENDATIONS:

Hanford ESD

Administrative Regulation

Administering Medication And Monitoring Health Conditions

AR 5141.21

Students

Definitions

Authorized health care provider means an individual who is licensed by the State of California to prescribe or order medication, including, but not limited to, a physician, or physician assistant, ~~credentialed school nurse, registered nurse, public health nurse, etc.,~~ (Education Code 49423; 5 CCR 601)

Other designated school personnel ~~may include~~ means any individual employed by the district, including a nonmedical school employee, who has volunteered or consented to administer the medication or otherwise assist the student and who may legally administer the medication to the student or assist the student in the administration of the medication. (5 CCR 601, 621)

Medication may include not only a substance dispensed in the United States by prescription, but also a substance that does not require a prescription, such as over-the-counter remedies, nutritional supplements, and herbal remedies. (5 CCR 601)

Emergency medical assistance for a student suffering an epileptic seizure means the administration of an emergency antiseizure medication such as diazepam rectal gel and other emergency medications approved by the federal Food and Drug Administration for patients suffering from epileptic seizures. (Education Code 49414.7; 5 CCR 621)

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

Anaphylaxis means a potentially life-threatening hypersensitivity to a substance, which may result from an insect sting, food allergy, drug reaction, exercise, or other cause. Symptoms may include shortness of breath, wheezing, difficulty breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma. (Education Code 49414)

(cf. 5141.23 - Asthma Management)

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

Notifications to Parents/Guardians

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

parents/guardians of the options available to students who need to take prescribed medication during the school day and the rights and responsibilities of parents/guardians regarding those options. (Education Code 49480)

(cf. 5145.6 - Parental Notifications)

In addition, the Superintendent or designee shall inform the parents/guardians of any student on a continuing medication regimen for a nonepisodic condition of the following requirements: (Education Code 49480)

1. The parent/guardian is required to inform the school nurse or other designated employee of the medication being taken, the current dosage, and the name of the supervising physician.
2. With the parent/guardian's consent, the school nurse or other designated employee may communicate with the student's physician regarding the medication and its effects and may counsel school personnel regarding the possible effects of the medication on the student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

Parent/Guardian Responsibilities

The responsibilities of the parent/guardian of any student who may need medication during the school day shall include, but are not limited to:

~~1. Each year, providing required parent/guardian and authorized health care provider written statements~~

1. Providing parent/guardian and authorized health care provider written statements each school year as described in the sections "Parent/Guardian Statement" and "Health Care Provider Statement" below. ~~In addition, the~~ The parent/guardian shall provide a new authorized health care provider's statement if the medication, dosage, frequency of administration, or reason for administration changes. ~~-(Education Code 49414.5, 49414.7, 49423, 49423.1; 5 CCR 600, 626)~~

2. If the student is on a continuing medication regimen for a nonepisodic condition, informing the school nurse or other designated certificated employee of the medication being taken, the current dosage, and the name of the supervising physician; and updating the information when needed. (Education Code 49480)

3. If the student suffers from epilepsy, notifying the principal or designee whenever the student has had an emergency antiseizure medication administered to him/her within the past four hours before on a school day. (Education Code 49414.7)

4. Providing medications in properly labeled, original containers along with the authorized health care provider's instructions. For prescribed or ordered medication, the container also shall bear the name and telephone number of the pharmacy, the student's identification, and the name and phone number of the authorized health care provider. (5 CCR 606)

Parent/Guardian Statement

When district employees are to administer medication to a student, the parent/guardian's written statement shall:

1. Identify the student
2. Grant permission for an authorized district representative to communicate directly with the student's authorized health care provider -and pharmacist, as may be necessary, regarding the ~~authorized health care provider's-~~ written statement or any other questions that may arise with regard to the medication
3. Contain an acknowledgment that the parent/guardian understands how district employees will administer the medication or otherwise assist the student in ~~the~~its administration ~~of~~ medication
4. Contain an acknowledgment that the parent/guardian understands his/her responsibilities to enable district employees to administer or otherwise assist the student in the administration of medication, including, but not limited to, the parent/guardian's responsibility to provide a written statement from the authorized health care provider-, to ensure that the medication is delivered to the school in a proper container by an individual legally authorized to be in possession of the medication, and to provide all necessary supplies and equipment
5. Contain an acknowledgment that the parent/guardian understands that he/she may terminate the consent for such the administration of the medication or for otherwise assisting the student in the administration of medication at any time

In addition to the requirements in items #1-5 above, if a parent/guardian ~~and/or a physician~~ has requested that his/her child be allowed to carry and self-administer prescription auto-injectable epinephrine, ~~prescription diabetic medication~~ or prescription inhaled asthma medication, the parent/guardian's written statement shall: (Education Code 49423, 49423.1)

1. Consent to the self-administration
2. Release the district and school personnel from civil liability if the student suffers an adverse reaction as a result of self-administering the medication

In addition to the requirements in items #1-5 above, if a parent/guardian wishes to designate an individual who is not an employee of the district to administer medication to his/her child, the parent/guardian's written statement shall clearly identify the individual and shall state:

1. The individual's willingness to accept the designation
2. That the individual is permitted to be on the school site

3. Any limitations on the individual's authority

Health Care Provider Statement

When ~~any district employees are~~ employee is to administer prescribed medication to a student, or when a student is to be allowed to carry and self-administer ~~prescription diabetes medication, auto-injectable epinephrine, or prescription inhaled~~ prescribed diabetes or asthma medication during school hours, the authorized health care provider's written statement shall include:

1. Clear identification of the student (Education Code 49414.7, 49423, 49423.1; 5 CCR 602, 626)

2. The name of the medication (Education Code 49414.7, 49423, 49423.1; 5 CCR 602, 626)

3. The method, amount, and time schedules by which the medication is to be taken (Education Code 49414.7, 49423, 49423.1; 5 CCR 602, 626)

4. If a parent/guardian has requested that his/her child be allowed to self-administer medication, confirmation that the student is able to self-administer the medication (Education Code 49423, 49423.1; 5 CCR 602)

~~(cf. 5141.23—Asthma Management)~~

~~(cf. 5141.27—Food Allergies/Special Dietary Needs)~~

5. For medication that is to be administered on an as-needed basis, the specific symptoms that would necessitate administration of the medication, allowable frequency for administration, and indications for referral for medical evaluation

6. Possible side effects of the medication

7. Name, address, telephone number, and signature of the student's authorized health care provider

~~8. Parents/guardians shall provide medications in properly labeled, original containers along with the student's authorized health care provider instructions. For prescribed medication, the container also shall bear the name and telephone number of the pharmacy, the student's identification, and the name and phone number of the student's authorized health care provider. Medications that are not in their original container shall not be accepted or administered.~~

When authorizing a district employee to administer emergency, FDA-approved, antiseizure medication to a student, the authorized health care provider's written statement shall also include the following: (Education Code 49414.7; 5 CCR 626)

1. Detailed seizure symptoms, including frequency, type, or length of seizures that identify when the administration of the medication becomes necessary

2. Any potential adverse responses by the student and recommended mitigation actions, including when to call emergency services

3. A protocol for observing the student after a seizure, including, but not limited to, whether he/she should rest in the school office or return to his/her class; and the length of time for he/she should be under direct observation; and

4. A statement that, following a requirement to seizure, a school administrator or other staff member shall contact the school nurse and the student's parent/guardian to continue the observation plan

District Responsibilities

The school nurse or other designated school personnel shall:

1. Administer or assist in administering ~~medications~~ medication in accordance with the authorized health care provider's written- statement
 2. Accept delivery of medications from parents/guardians and count and record them upon receipt
 3. Maintain a list of students needing medication during the school day, including those authorized to self-administer ~~medications~~ medication, and note on the list the type of medication and the times and dosage to be administered
 4. Maintain for each student a medication log which may:
 - a. Specify the student's name, medication, dose, method of administration, time of administration during the regular school day, date(s) on which the student is required to take the medication, and the authorized health care provider's -name and contact information
 - b. Contain space for daily recording of the date, time, and amount of medication administered, and the signature of the individual administering the medication
 5. Maintain for each student a medication record which may include the authorized health care provider's- written statement, the parent/guardian's written statement, the medication log, and any other written documentation related to the administration of medication to the student
 6. Ensure that student confidentiality is appropriately maintained
- (cf. 5125 - Student Records)
7. Coordinate and, as appropriate, ensure the administration of medication during field trips and after other school-related activities

(cf. 5148.2 - Before/After School Programs)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

8. Report to ~~the~~ student's parent/guardian and the site administrator any refusal by the student to take his/her medication
9. Keep all medication to be administered by the district in a locked drawer or cabinet; ~~except for medication that is approved to be self-carried by students~~
10. As needed, communicate with ~~the~~ student's authorized health care provider ~~and/or~~ pharmacist regarding the medication and its effects
11. Counsel other designated school personnel regarding the possible effects of ~~the~~ medication on ~~the~~ student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose
12. Ensure that any unused, discontinued, or outdated medication is returned to the student's parent/guardian at the end of the school year or, if the medication cannot be returned, dispose of it in accordance with state laws and local ordinances
13. Provide immediate medical assistance, if needed, and report to the site administrator, ~~school nurse and the student's parent/guardian instances, and, if necessary, the student's~~ authorized health care provider any instance when ~~the~~ medication is not administered properly, including administration of the wrong medication or failure to administer the medication in accordance with authorized health care provider's written statement

~~Upon receiving such notification, the school nurse may notify the student's authorized health care provider and shall document the error in the medication log.~~

Additional Requirements for Management of Epileptic Seizures

In addition to ~~other applicable provisions in preceding the sections above,~~ the Superintendent or designee shall make arrangements for assisting students with epilepsy who may suffer a seizure at school. Such arrangements shall include the following: (Education Code 49414.7; 5 CCR 620-627)

1. ~~The notification of any Services or Accommodations:~~ Whenever a parent/guardian who requests that a nonmedical district employee be trained to provide emergency medical assistance to his/her child, the parent/guardian shall be notified that the child may qualify for services or accommodations under ~~apursuant to 20 USC 1400-1482, the Individuals with Disabilities Education Act (IDEA), or 29 USC 794, Section 504 plan or an individualized education program (IEP) of the federal Rehabilitation Act of 1973 (Section 504).~~

(cf. 6159 - Individualized Education Program)

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

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

The Superintendent or designee shall assist the parent/guardian to explore that option and shall encourage him/her to adopt the option if the student is determined to be eligible for such service or accommodation.

If the student's parent/guardian refuses to have him/her assessed for services or accommodations under IDEA or Section 504, the Superintendent or designee may develop~~(cf. 6159 - Individualized Education Program)~~
~~(cf. 6164.6 - Identification and Education Under Section 504)~~

2. — The creation of an individualized health plan, seizure action plan, or other appropriate health plan designed to acknowledge and prepare for the ~~child's~~ student's health care needs in school, if a parent/guardian refuses to have his/her child assessed for services or accommodations under the Section 504 plan or an IEP.

3. — 2. Request for Volunteers: The Superintendent or designee shall distribute an electronic notice to school staff, no more than twice per school year, for each per student whose parent/guardian has requested provision of emergency medical assistance pursuant to Education Code 49414.7. The notice shall be in bold print and, in accordance with Education Code 49414.7, shall contain a description of the request for a volunteer requestschool employee, the training that thesuch volunteer school employee will receive, the voluntary nature of the program, and the timelines for the volunteer school employee to rescind his/her offer. No other means of soliciting volunteer school employees shall be conducted.

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

If no employee volunteers to administer emergency, ~~FDA approved,~~ antiseizure medication to a student, the Superintendent or designee shall ~~re-notify~~ again notify the student's parent/guardian of the option to ~~be have the student~~ assessed for services and accommodations under IDEA or Section 504 and the federal Individuals with Disabilities Education Act.

4. — ~~An assurance that any~~ 3. Training: Any employee who volunteers to administer an emergency, FDA approved, antiseizure medication receives training shall receive from a licensed health care professional the training specified in 5 CCR 623 before administering such medication. ~~When a trained employee has not administered an emergency, FDA approved, antiseizure medication to a student within two years after completing the training, he/she shall attend a new training program to retain the ability to administer an emergency antiseizure medication.~~

5. — ~~An assurance that any training provided for district employees who volunteer to administer emergency antiseizure medications to students includes~~ The training shall include, but is not limited to:

- a. Recognition and treatment of different types of seizures

- b. Administration of an emergency, ~~FDA approved,~~ antiseizure medication
- c. Basic emergency follow-up procedures, including, but not limited to, a requirement for the principal or designee to call the emergency 911 telephone number and to contact the student's parent/guardian, but not necessarily to transport the student to an emergency room
- d. Techniques and procedures to ensure student privacy

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 5022 - Student and Family Privacy Rights)

6. ~~When a trained employee has not administered an emergency antiseizure medication to a student within two years after completing the training and a student who may need the administration of an emergency antiseizure medication is enrolled in the school, the employee shall be retrained in order to retain the ability to administer an emergency antiseizure medication.~~

4. Notification of Administration: The Superintendent or designee shall establish a process for notifying the credentialed school nurse, or the Superintendent or designee as applicable, whenever an employee administers an emergency antiseizure medication to a student at a school site.

5. Supervision of Volunteers: Volunteer school employees shall be supervised by a licensed health care professional in accordance with 5 CCR 627.

Emergency Epinephrine Auto-Injectors

The Superintendent or designee shall provide epinephrine auto-injectors to school nurses or other employees who have volunteered to administer them in an emergency and have received training. The school nurse, or a volunteer employee when a school nurse or physician is unavailable, may administer an epinephrine auto-injector to provide emergency medical aid to any person suffering, or reasonably believed to be suffering, from potentially life-threatening symptoms of anaphylaxis at school or a school activity. (Education Code 49414)

At least once per school year, the Superintendent or designee shall distribute to all staff a notice requesting volunteers to be trained to administer an epinephrine auto-injector and describing the training that the volunteer will receive. (Education Code 49414)

The principal or designee at each school may designate one or more volunteers to receive initial and annual refresher training, which shall be provided by a school nurse or other qualified person designated by a physician and surgeon authorized pursuant to Education Code 49414, and shall be based on the standards developed by the Superintendent of Public Instruction. Written

materials covering the required topics for training shall be retained by the school for reference. (Education Code 49414)

A school nurse or other qualified supervisor of health, or a district administrator if the district does not have a qualified supervisor of health, shall obtain a prescription for epinephrine auto-injectors for each school from an authorized physician and surgeon. Such prescription may be filled by local or mail order pharmacies or epinephrine auto-injector manufacturers. Elementary schools shall, at a minimum, be provided one adult (regular) and one junior epinephrine auto-injector. Secondary schools shall be provided at least one adult (regular) epinephrine auto-injector, unless there are any students at the school who require a junior epinephrine auto-injector. (Education Code 49414)

If an epinephrine auto-injector is used, the school nurse or other qualified supervisor of health shall restock the epinephrine auto-injector as soon as reasonably possible, but no later than two weeks after it is used. In addition, epinephrine auto-injectors shall be restocked before their expiration date. (Education Code 49414)

Information regarding defense and indemnification provided by the district for any and all civil liability for volunteers administering epinephrine auto-injectors shall be provided to each volunteer and retained in his/her personnel file. (Education Code 49414)

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

A school may accept gifts, grants, and donations from any source for the support of the school in carrying of the requirements of Education Code 49414, including, but not limited to, the acceptance of epinephrine auto-injectors from a manufacturer or wholesaler. (Education Code 49414)

(cf. 3290 - Gifts, Grants and Bequests)

The Superintendent or designee shall maintain records regarding the acquisition and disposition of epinephrine auto-injectors for a period of three years from the date the records were created. (Business and Professions Code 4119.2)

(cf. 3580 - District Records)

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT
 Revised: May 9, 2012 Hanford, California
 Revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Karen McConnell *KM*

DATE: March 20, 2015

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: April 8, 2015

ITEM: Receive recommended revisions to Administrative Regulation 5141.3 – Health Examinations

PURPOSE: Regulation reflects new law (SB 1172) which specifies the grade levels at which vision tests must be conducted and requires near-vision screening to be included in the tests. Regulation also expands materials on hearing tests and reflects new law (SB 852) which extends the suspension of requirements for scoliosis screening thorough the 2014-2015 fiscal year.

FISCAL IMPACT: None

RECOMMENDATIONS:

Hanford ESD

Administrative Regulation

Health Examinations

AR 5141.3

Students

The principal at each school shall notify parents/guardians of the rights of students and parents/guardians related to health examinations. (Education Code 48980; 20 USC 1232h)

(cf. 5022 - Student and Family Privacy Rights)

(cf. 5141.32 - Health Screening for School Entry)

(cf. 5141.6 - School Health Services)

(cf. 5145.6 - Parental Notifications)

A parent/guardian may annually file with the principal a written statement ~~with the principal~~ withholding consent to the physical examination of his/her child. ~~The child~~ Any such student shall be exempt from any physical examination but shall be subject to exclusion from attendance when contagious or infectious disease is reasonably suspected. (Education Code 49451; 20 USC 1232h)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.26 - Tuberculosis Testing)

Vision and Hearing Tests

~~Students shall have their-~~

Each student's vision shall be appraised, by the school nurse or other personnel authorized by the district. (under Education Code 49452, 49454 during the kindergarten year or upon first enrollment or entry in a district elementary school and subsequently in grades 2, 5, and 8. However, a student who is tested upon first enrollment or entry in the district in grade 4 or 7 shall not be required to be appraised in the next immediate year. (Education Code 49455)

~~All students shall be tested for visual acuity when they first enroll in elementary school and every three years thereafter until the student completes grade 8. External observations of the student's eyes, visual performance and perception shall be made by the school nurse and the classroom teacher. (Education Code 49455)~~

For~~The vision appraisal shall include tests for visual acuity, including near vision. Male students shall also be tested one time, after the student reaches~~ once for color vision in grade 1. Results or later and the results of the test appraisal shall be entered into the student's health record.

(Education Code 49455)

Evaluation (cf. 5125 - Student Records)

Appraisal of a student's vision may be waived at the parent/guardian's request if the under either of the following conditions: (Education Code 49455)

1. The student's parent/guardian requests a waiver and presents a certificate from either a medical doctor or a physician/surgeon, physician assistant, or optometrist specifying showing the results of an examination of the student's vision, including visual acuity, and, in male students, color vision. (Education Code 49455)
2. The student's parents/guardians file with the principal a written statement that they adhere to the faith or teachings of any well-recognized religious sect, denomination, or organization and, in accordance with its creed, tenets, or principles depend for healing upon prayer in the practice of their religion.

Visual defects or any other defects found as a result of the vision examination shall be reported to the parent/guardian with a request that remedial action be taken to correct or cure the defect. - If made in writing, such reports shall not include a referral to any private practitioner, and the The report of a visual defect, if made in writing, shall be made on a form prescribed by the Superintendent of Public Instruction. (Education Code 49456)

The report shall not include a referral to any private practitioner. However, the student may be referred to a public clinic or diagnostic and treatment center operated by a public hospital or by the state, county, or city department of public health. (Education Code 49456)

In addition to the vision appraisals described above, the school nurse and/or classroom teacher shall continually and regularly observe students' eyes, appearance, behavior, visual performance, and perception that may indicate vision difficulties. (Education Code 49455)

Hearing Tests

The Superintendent or designee shall provide for the administration of hearing tests to district students by personnel authorized to conduct such testing pursuant to Education Code 49452 and 49454 and in accordance with the procedures specified in 17 CCR 2951.

Each student shall be given a hearing screening test at the following times: (17 CCR 2951)

1. Kindergarten or grade 1
2. Grade 2
3. Grade 5
4. Grade 8

6. Upon first entry into the California public school system

Each student enrolled in a special education program, other than those enrolled because of a hearing problem, shall be given a hearing test when enrolled in the program and every third year thereafter. Hearing tests may be given more frequently as needed, based on the individualized education program team's evaluation of the student. (17 CCR 2951)

(cf. 6159 - Individualized Education Program)

A follow-up hearing threshold test shall be administered to any student who fails to respond to any of the required frequencies in the screening test or is otherwise determined to need further evaluation. (17 CCR 2951)

The Superintendent or designee shall provide written notification of test results to the parents/guardians of any student who fails the hearing tests. When the test results fall within the levels specified in 17 CCR 2951 or there is evidence of pathology, such as an infection of the outer ear, chronic drainage, or a chronic earache, the notification shall include a recommendation that a further medical and audiological evaluation be obtained. (17 CCR 2951)

The dates and results of all screening tests and copies of threshold tests shall be included in the student's health records. (17 CCR 2951)

The principal or designee shall prepare an annual report of the school hearing testing program, using forms provided by the Department of Health Services, with copies to the Superintendent and the County Superintendent of Schools. (17 CCR 2951)

Scoliosis Screening

Each female student in grade 7 and each male student in grade 8 shall be screened for scoliosis.— This screening shall comply with California Department of Education standards and shall be performed by qualified personnel as specified in law. (Education Code 49452.5)

Persons performing the screening shall not solicit, encourage or advise treatment of the student for scoliosis or any other condition discovered in the course of the screening. (Education Code 49452.5)

The parent/guardian of any student suspected of having scoliosis shall receive a notice which includes an explanation of scoliosis and describes the significance of treatment at an early age. This notice shall also describe the public services available for treatment and include a referral to appropriate community resources. (Education Code 49452.5)

Type 2 Diabetes Information

Because type 2 diabetes in children is a preventable and treatable disease, parents/guardians are encouraged to have their child screened by an authorized health care practitioner for risk factors

of the disease, including excess weight, and to request tests of their child's blood glucose to determine if he/she has type 2 diabetes or pre-diabetes.

(cf. 5030 - Student Wellness)

The Superintendent or designee shall provide parents/guardians of incoming students in grade 7 with an information sheet developed by the CDE regarding type 2 diabetes, which includes: (Education Code 49452.7)

1. A description of the disease and its risk factors and warning signs
2. A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes be screened for the disease
3. A description of the different types of diabetes screening tests available
4. A description of treatments and prevention methods

The information sheet may be provided with the annual parental notifications required pursuant to Education Code 48980. (Education Code 49452.7)

The Superintendent or designee may provide information to parents/guardians regarding public or private sources from which they may receive diabetes screening and education services for free or at reduced costs.

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT
Approved: May 16, 2001 Hanford, California____
Revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Karen McConnell *KM*

DATE: March 20, 2015

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: April 8, 2015

ITEM: Receive recommended revisions to Board Policy 5141 -- Health Care and Emergencies**PURPOSE:** Update language to reflect current practices**FISCAL IMPACT:** None**RECOMMENDATIONS:**

Hanford ESD

Board Policy

Health Care And Emergencies

BP 5141

Students

The ~~Governing Board of Trustees~~ recognizes the importance of taking appropriate action whenever an emergency threatens the safety, health, or welfare of a student at school or during school-sponsored activities.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

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

(cf. 5141.22 - Infectious Diseases)

(cf. 5142 - Safety)

The Superintendent or designee shall develop procedures to ensure that first aid and/or medical attention is provided as quickly as possible when student accidents and injuries occur and that parents-/guardians are notified of accidents as appropriate. ~~The Superintendent or designee shall ask parents/guardians to provide emergency information in order to facilitate communication in the event of an accident or illness.~~

(cf. ~~5141.1 - Accidents~~ 3530 - Risk Management/Insurance)

(cf. 5143 - Insurance)

(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall ask parents/guardians to provide emergency contact information in order to facilitate communication in the event of an accident or illness.

District staff shall appropriately report and document student accidents.

Resuscitation Orders

The Board believes that staff members should not be placed in the position of determining whether or not to follow any parental or medical "do not resuscitate" orders. Staff shall not accept or follow any such orders unless they have been informed by the Superintendent or designee that the request to accept such an order has been submitted to the Superintendent or designee, signed by the parent/guardian, and supported by a written statement from the student's physician and an order from an appropriate court.

The Superintendent or designee shall ensure that all parents/guardians are informed of this policy.

Legal Reference:

EDUCATION CODE

32040-32044 First aid equipment

49300-49307 School safety patrols

49407 Liability for treatment

49408 Emergency information

49409 Athletic events; physicians and surgeons; emergency medical care; immunity

49417 Automated external defibrillators

49470 Medical and hospital services for athletic program

49471 Medical and hospital services not provided or available

49472 Medical and hospital services for pupils

49474 Ambulance services

51202 Instruction in personal and public health and safety

CIVIL CODE

1714.21 Defibrillators; CPR; immunity from civil liability

FAMILY CODE

6550-6552 Caregivers

HEALTH AND SAFETY CODE

1797.196 ~~Automatic~~ Automated external defibrillators, immunity from civil liability1799.102 Personal liability immunity

CODE OF REGULATIONS, TITLE 8

5193 California Bloodborne Pathogens Standard

CODE OF REGULATIONS, TITLE 22100031-10043 Automated external defibrillators

Management Resources:

WEB SITES

American Heart Association: <http://www.americanheart.org>American Red Cross: <http://www.redcross.org>California Department of Health Care Services: <http://www.dhcs.ca.gov>

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

Adopted: May 16, 2001 Hanford, California

Revised: May 26, 2005

Revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Karen McConnell *KM*

DATE: March 20, 2015

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: April 8, 2015

ITEM: Receive recommended revisions to Administrative Regulation 5141 – Health Care and Emergencies

PURPOSE: Update language to reflect current practices

FISCAL IMPACT: None

RECOMMENDATIONS:

Hanford ESD

Administrative Regulation

Health Care And Emergencies

AR 5141
Students

Emergency Contact Information

In order to facilitate contact in case of an emergency or accident, the principal or designee shall annually request that parents/guardians shall furnish the schools with provide the current following information specified below:

1. Home address and telephone number
2. Parent/guardian's business address and telephone number
3. ~~3.~~ Parent/guardian's cell phone number and email address, if applicable
4. ~~Name, address, and telephone number of a relative or friend~~ an alternative contact person to whom the student may be released and who is authorized by the parent/guardian to care for the student in cases of emergency or when the parent/guardian cannot be reached
45. Local physician to call in case of emergency

(cf. 5021 - Noncustodial Parents)

(cf. 5. Parent/guardian's cell phone number and e-mail address, if applicable)

Under 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5142 - Safety)

In addition, parents/guardians shall be encouraged to notify the school whenever their emergency contact information changes.

Notification/Consent for Medical Treatment

Whenever a student requires emergency or urgent medical treatment while at school or a school-sponsored activity, the principal or designee shall contact the parent/guardian or other person identified on the emergency contact form in order to obtain consent for the medical treatment.

If the student's parent/guardian or other contact person cannot be reached to provide consent, the principal may seek reasonable medical treatment for the student as needed, unless the parent/guardian has been previously filed with the school district a written objection to any medical treatment other than first aid.

Consent by Caregiver

A person who has filed with the district a completed caregiver's authorization affidavit for an
minor district student pursuant to Family Code 6550-6552 shall have the right to consent to or
refuse school-related medical care on behalf of the minor student. - The caregiver's authorization
shall be invalid ~~for~~ if the district receives ~~notices~~ notice from the caregiver that the minor student
is no longer living with the caregiver. (Family Code 6550)

(cf. 5111.1 - District Residency)

The caregiver's consent to medical care shall be superseded by any contravening decision of the
parent or other person having legal custody of the student, provided that this contravening
decision does not jeopardize the student's life, health, or safety. (Family Code 6550)

~~(cf. 5111.11 - Residency of Students with Caregiver)~~

~~(cf. 5141 - Health Care and Emergencies)~~

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT
Approved: March 19, 1997 Hanford, California
Reviewed: May 16, 2001
Revised: May 26, 2005
Revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Paul J. Terry, Ed. D.

DATE: March 30, 2015

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: April 8, 2015

ITEM: Receive information on 2015-2016 Local Control Accountability Plan (LCAP).

PURPOSE:

FISCAL IMPACT:

RECOMMENDATION: Information only.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Paul Terry, Ed.D.

FROM: Doug Carlton

DATE: March 27, 2015

For: ☒ Board Meeting
☐ Superintendent's Cabinet

For: ☐ Information
☒ Action

Date you wish to have your item considered: April 8, 2015

ITEM: Hear and consider for approval updated 2014-2015 School Plans

PURPOSE: Each school has carefully and thoroughly followed the planning process. Schools have developed Action Strategies that are designed to increase student achievement. School Site Councils have monitored the implementation of school plans and approved this update of School Plans for the remainder of the 2014-2015 school year.

The school plans include funding from Title I Part A (including the addition of Title I carryover funds from the prior school year), the Local Control Funding Formula (Supplemental/Concentration), and Quality Education Improvement Act (QEIA) for King, Lincoln and Richmond schools. The purpose of these funds is to meet the needs of students who are low income, English learner, or foster youth, and to provide teacher training.

Fiscal Impact:

Hamilton Elementary	\$	131,350
Hanford Community Day	\$	5,000
Jefferson Elementary	\$	72,685
Kennedy Jr. High	\$	124,814
King Elementary	\$	907,057
Lincoln Elementary	\$	685,098
Monroe Elementary	\$	148,282
Richmond Elementary	\$	716,611
Roosevelt Elementary	\$	149,889
Simas Elementary	\$	98,179
Washington Elementary	\$	132,780
Wilson Jr. High	\$	123,579

RECOMMENDATION: Approve the updated 2014-2015 School plans.

2014-2015 School Planning Update

Executive Summary: April 8, 2015

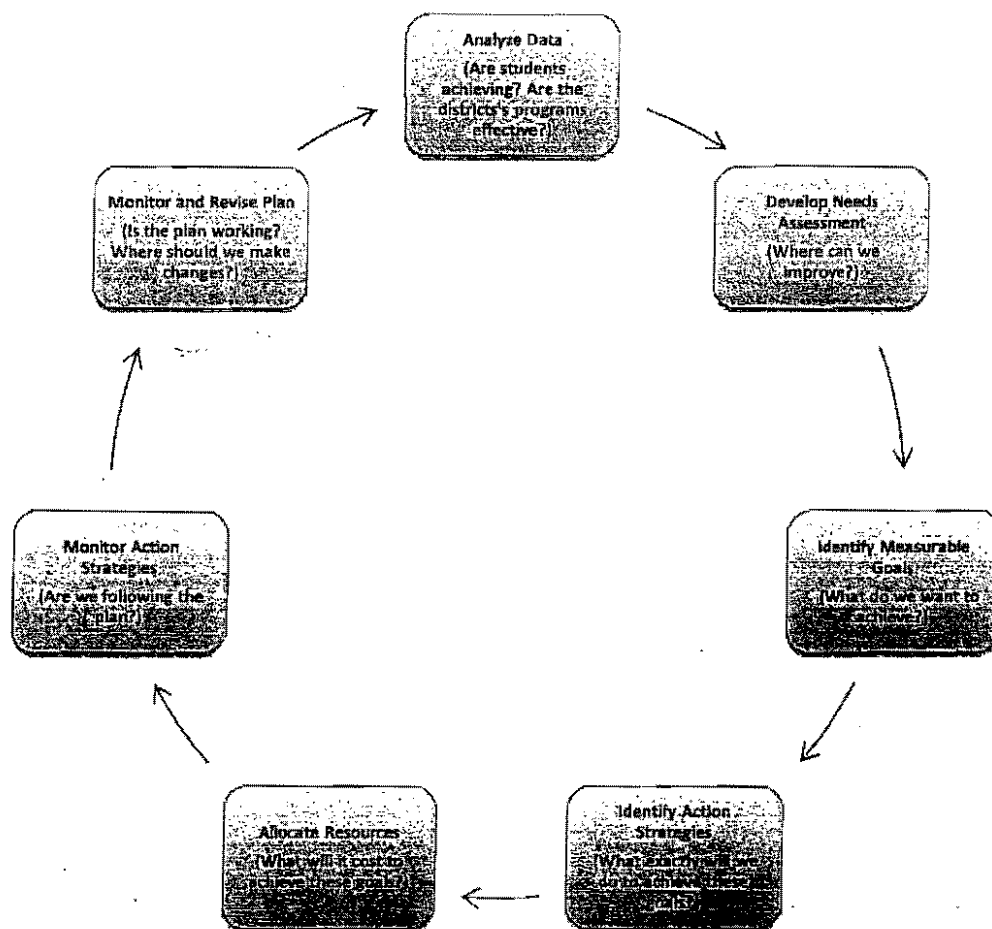
District and School Planning

Each year, district leaders along with individual school sites, the District English Learner Advisory Committee, and school site councils develop and/or revise a series of plans that lead the way toward achieving a set of common goals designed to increase the achievement of all students. These goals, summarized below, guide the district's priorities, actions, and allocation of resources.

1. All students receive a broad, standards aligned instructional program
2. All English learners make progress learning English each year
3. All English learners will become proficient in English
4. All Parents, teachers, principals, and students will be able to follow their students' progress
5. All students have a quality teacher
6. All students attend a well maintained, safe school
7. All Parents and schools have regular, meaningful communication

Planning is a process that continues throughout the school-year, and from one school-year to the next.

The graphic below illustrates the planning process.



The Single Plan for Student Achievement (School Plan)

The School Plan documents the following components of the planning process for individual school sites:

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

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

Summary


Each school has carefully and thoroughly followed the planning process. School Site Councils, with input from English Language Advisory Committees, have approved the School Plans. It is the recommendation of this office that the Board of Trustees approve the School Plans for the 2014-2015 school year.

Copies of the School Plans were delivered electronically to the Board of Trustees in the April 2, 2015 Friday Mail. Hard copies will be available at the April 2, 2015 board meeting and are always available for review at each school site, at the District Office, and online (within the HESD network). [HESD Program Evaluation School Site Libraries](#)

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Joy Gabler 

DATE: 03/27/15

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: 04/08/15

ITEM: Consider approval of a consultant contract with The Leadership and Learning Center – Houghton Mifflin Harcourt.

PURPOSE: The Leadership and Learning Center will provide 4 days of training on June 9 – 12, 2015. Two days will be for sixth grade teachers and two days for seventh grade math teachers. The training will focus on the mathematics Common Core State Standards, instructional strategies for problem solving along with supporting resources to enhance mathematics instruction and unit development for the 2015-2016 school year.

FISCAL IMPACT: \$20,750.00 to be paid from Title II

Account Number: 0100-4035-0-1110-2140-580009-005-0000

RECOMMENDATIONS: Approve

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul J. Terry

FROM: Lindsey Calvillo

DATE: March 27, 2015

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

Date you wish to have your item considered: April 8, 2015

ITEM: Consultant Contract for the Regents of the University of California on behalf of Lawrence Hall of Science to present science workshops for Richmond 4th and 5th Graders on May 12, 2015.

PURPOSE: UC Berkley's Science Department sends professors and science programs based and directly targeted to California Standards. Lawrence Hall of Science brings all of the equipment and sets it up in the classroom. Students get hands-on experience with lab equipment that is used at the University level.

FISCAL IMPACT: \$1,561.00

RECOMMENDATION: Approve consultant contract.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Paul J. Terry, Ed.D.

DATE: March 30, 2015

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: April 8, 2015

ITEM: Consider approval of the following revised Board Policy:
• BP 5131.2 – Bullying

PURPOSE: These revisions reflect changes recommended by CSBA to align the district's practices and procedures with current law.

FISCAL IMPACT: None.

RECOMMENDATION: Approve.

Hanford Elementary SD

Board Policy

Students

BP 5131.2

Bullying

~~The Board of Trustees~~ The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No ~~student~~ individual or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, retaliate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

(cf. 5131 - Conduct)

(cf. 5136 - Gangs)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Cyberbullying includes the creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression)

~~Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.~~

Strategies for addressing bullying in district schools shall be developed with involvement of key stakeholders, including students, parents/guardians, and staff, and may be incorporated into the comprehensive safety plan, the local control and accountability plan, and other applicable district and school plans.

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6020 - Parent Involvement)

As appropriate, the Superintendent or designee may collaborate with law enforcement, courts, social services, mental health services, other agencies, and community organizations in the development and implementation of joint strategies to promote safety in schools and the community and to provide services for alleged victims and perpetrators of bullying.

(cf. 1020 - Youth Services)

Bullying Prevention

To the extent possible, district and school strategies schools shall focus on the prevention of bullying by establishing clear rules for student conduct and implementing strategies to establish promote a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of engaging in bullying.

(cf. 5137 - Positive School Climate)

(cf. 6164.2 - Guidance/Counseling Services)

The As appropriate, the district may shall provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6163.4 - Student Use of Technology)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6142.94 - History-Social Science Instruction)

School staff (cf. 6163.4 - Student Use of Technology)

Staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies response.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. -In addition, the Superintendent or designee shall develop means for

students to report threats or incidents confidentially and anonymously.

School staff who witness an act of bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

~~As~~When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. ~~He/she also and may involve school counselors, mental health counselors, and/or contact law enforcement.~~

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

(cf. 6164.2 - Guidance/Counseling Services)

Complaints and Investigation

~~Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider~~Any complaint of bullying, whether it is discriminatory or nondiscriminatory, shall be investigated and resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures.

~~When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.~~

(cf. 1312.3 - Uniform Complaint Procedures)

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee. Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. Within two business days of receiving a report of bullying, the principal shall notify a district compliance officer identified in AR 1312.3. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report his/her observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

~~If the~~ When a student is using a social networking site or service to bully or harass another student, the Superintendent or designee also may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

Discipline

~~Any~~ When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3. The student who engages in bullying on school premises, or is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Discipline

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

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

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

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

(cf. 4117.3 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

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

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

32283.5 Bullying; online training

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

48900-48925 Suspension or expulsion

48985 Translation of notices

52060-52077 Local control and accountability plan

PENAL CODE

422.55 Definition of hate crime

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

110.25 Notification of nondiscrimination on the basis of age

COURT DECISIONS

Wynar v. Douglas County School District, (2013) 728 F.3d 1062

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

Addressing Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities. Legal Guidance, March 2014

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012

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

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008

Bullying at School, 2003

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

Dear Colleague Letter: Bullying of Students with Disabilities, August 2013

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

California Cybersafety for Children: <http://www.cybersafety.ca.gov>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ss/>

Center for Safe and Responsible Internet Use: <http://cyberbully.org>

National School Boards Association Common Sense Media:

<http://www.nsbacommonsensemedia.org>

National School Safety Center: <http://www.schoolsafety.us>

ON[the]LINE, digital citizenship resources: <http://www.onthelineca.org>

| U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy

adopted: August 22, 2012

revised: June 12, 2013

revised: _____

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Paul J. Terry, Ed. D.

DATE: March 30, 2015

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: April 8, 2015

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

- BP/AR 5145.3 – Nondiscrimination/Harassment

PURPOSE: The revised Board Policy and Administrative Regulation reflects changes (see underlines and strikeouts) updating current district policy and practice to align with recent changes in state and federal law and based upon recommendations from CSBA.

FISCAL IMPACT: None.

RECOMMENDATION: Approve.

Hanford Elementary SD

Board Policy

Students

BP 5145.3

Nondiscrimination/Harassment

~~The Board of Trustees~~ The Governing Board desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying of any student based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability; sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school. (Education Code 234.1)

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

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

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

Prohibited Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, includes physical, verbal, nonverbal, or written conduct based on one or more of the categories listed above that. Unlawful discrimination also shall include the creation of a hostile environment when the prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any student individual who files or otherwise participates in the filing or investigation of a complaint or report regarding an incident of discrimination, harassment, intimidation, or bullying. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. He/she shall provide training and information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the educational program. He/she shall report his/her findings and recommendations to the Board after each review.

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 1330 - Use of Facilities)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6164.2 - Guidance/Counseling Services)

~~Students who engage in discrimination, harassment, intimidation, bullying, or retaliation~~
Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion for behavior that is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, bullying, or retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Suspension/Disciplinary Action)

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

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 5144 - Discipline)

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

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

(cf. 5145.2 - Freedom of Speech/Expression)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48900.3 Suspension or expulsion for act of hate violence

48900.4 Suspension or expulsion for threats or harassment

48904 Liability of parent/guardian for willful student misconduct

48907 Student exercise of free expression

48950 Freedom of speech

48985 Translation of notices

49020-49023 Athletic programs

51500 Prohibited instruction or activity

51501 Prohibited means of instruction

60044 Prohibited instructional materials

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 Student record

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources:

CSBA PUBLICATIONS

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

~~Interim~~Final Guidance Regarding Transgender Students, Privacy, and Facilities, ~~September 27, 2013~~March 2014

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

FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004

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

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, January 1999

WEB SITES

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

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

California Safe Schools Coalition: <http://www.casafeschools.org>

First Amendment Center: <http://www.firstamendmentcenter.org>

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy.

adopted: June 16, 2010

revised: August 22, 2012

revised: June 12, 2013

revised: September 10, 2014

revised: _____

HANFORD ELEMENTARY SCHOOL DISTRICT
Hanford, California

Hanford Elementary SD

Administrative Regulation

Students

AR 5145.3

Nondiscrimination/Harassment

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with state and federal civil rights laws, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints regarding unlawful discrimination, including discriminatory harassment, intimidation, or bullying, based on actual race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or any other legally protected status; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Director of Special Services
714 N. White Street
Hanford, CA 93230
(559) 585-3617

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.3 - Uniform Complaint Procedures)

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, employees, volunteers, and the general public and post them on the district's web site and other locations that are easily accessible to students. (Education Code 234.1)

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)

2. Provide to students a handbook that contains age-appropriate information that clearly

describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior. (Education Code 234.1)

3. Annually notify all students and parents/guardians of the district's nondiscrimination policy. The notice shall inform students and parents/guardians of the possibility that students will participate in a sex-segregated school program or activity together with another student of the opposite biological sex, and that they may inform the compliance officer if they feel such participation would be against the student's religious beliefs and/or practices or a violation of his/her right to privacy. In such a case, the compliance officer shall meet with the student and/or parent/guardian who raises the objection to determine how best to accommodate that student. The notice shall inform students and parents/guardians that the district will not typically notify them of individual instances of transgender students participating in a program or activity.

(cf. 5145.6 - Parental Notifications)

4. The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

5. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include guidelines for addressing issues related to transgender and gender-nonconforming students.

(cf. 1240 - Volunteer Assistance)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

~~2. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior. (**Note: Item #6 below is required pursuant to Education Code 234.1)~~

~~3. Annually notify all students and parents/guardians of the district's nondiscrimination~~

~~policy and of the opportunity to inform the Coordinator whenever recommended as a student's participation in a sex-segregated school program or activity together with another student of the opposite biological sex would be against the student's religious beliefs and/or practices or a violation of his/her right to privacy. In such a case, the Coordinator shall meet with the student and/or parent/guardian to determine how best to accommodate the student.~~practice by OCR. ***

~~(cf. 5145.6 - Parental Notifications)~~

~~4. Publicize the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, employees, volunteers, and the general public and post them on the district's web site and other locations that are easily accessible to students. (Education Code 234.1)~~

~~(cf. 1113 - District and School Web Sites)~~

~~(cf. 1114 - District Sponsored Social Media)~~

~~5. When 15 percent or more of a school's students speak a single primary language other than English, translate the nondiscrimination policy, related complaint procedures, and all forms for use in the complaint process into that other language. (Education Code 234.1, 48985)~~

6. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)

7. At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate accommodation(s) assistance or resources to protect students' privacy rights and ensure their safety from threatened or potentially harassing, ~~intimidating, or~~ discriminatory behavior.

Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti

(cf. 5131.5 - Vandalism and Graffiti)

2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination and how to respond

3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination

4. Consistent with the laws regarding the confidentiality of student and personnel records,

communicating the school's response to students, parents/guardians, and the community

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

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

(cf. 5125 - Student Records)

5. Taking appropriate disciplinary action against perpetrators and anyone determined to have engaged in wrongdoing, including any student who is found to have made a complaint of discrimination that he/she knew was not true

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 5144 - Discipline)

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

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

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

Process for Initiating and Responding to Complaints

Any student who feels that he/she has been subjected to unlawful discrimination, harassment, intimidation, described above or bullying should in district policy is strongly encouraged to immediately contact the Coordinator, the compliance officer, principal, or any other staff member. In addition, any student who observes any such incident should is strongly encouraged to report the incident to the Coordinator, compliance officer or principal, whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall immediately report the incident to the Coordinator, compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When any report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is submitted to or received by the principal or compliance officer, he/she shall inform the student or parent/guardian of the right to file a formal complaint pursuant to the provisions in AR 1312.3 - Uniform Complaint Procedures. Any report of unlawful discrimination involving the principal, compliance officer, or any other person to whom the complaint would ordinarily be reported or filed shall instead be submitted to the Superintendent or designee. Even if the student chooses not to file a formal complaint, the principal or compliance officer shall implement immediate measures necessary to stop the discrimination and to ensure all students have access to the educational program and a safe school environment.

Upon receiving a complaint of discrimination, harassment, intimidation, or bullying, the

~~Coordinator~~the compliance officer shall immediately investigate the complaint in accordance with the district's uniform complaint procedures specified in AR 1312.3—~~Uniform Complaint Procedures.~~

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Transgender and Gender-Nonconforming Students

~~Gender identity means a person's~~Gender identity means a student's gender-related identity, appearance, or behavior, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the ~~person's~~student's physiology or assigned sex at birth.

Gender expression means a ~~person's~~student's gender-related appearance and behavior, whether or not stereotypically associated with the ~~person's~~student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Transgender student means a student whose gender identity or gender expression is different from that traditionally associated with the assigned sex at birth.

Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, regardless of whether they are sexual in nature, where the act has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment are prohibited under state and federal law. Examples of types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with his/her gender identity
2. Disciplining or disparaging a transgender student because his/her mannerisms, hairstyle, or style of dress correspond to his/her gender identity, or a non-transgender student because his/her mannerisms, hairstyle, or style of dress do not conform to stereotypes for his/her gender or are perceived as indicative of the other sex
3. Blocking a student's entry to the bathroom that corresponds to his/her gender identity because the student is transgender or gender-nonconforming
4. Taunting a student because he/she participates in an athletic activity more typically

avored by a student of the other sex

5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information

6. Use of gender-specific slurs

7. Physical assault of a student motivated by hostility toward him/her because of his/her gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students. Examples of bases for complaints include, but are not limited to, the above list as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. Right to privacy: A student's transgender or gender-nonconforming status is his/her private information and the district will only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In the latter instance, the district shall limit disclosure to individuals reasonably believed to be able to protect the student's well-being. Any district employee to whom a student discloses his/her transgender or gender-nonconforming status shall seek the student's permission to notify the Coordinator for Nondiscrimination compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless he/she is required to disclose or report the student's information pursuant to law or district policy this procedure, and shall inform the student that if honoring the student's request may be impossible limit the district's ability to accommodate meet the student's needs related to his/her status as a transgender or gender-nonconforming student. If the student permits the employee to notify the Coordinator compliance officer, the employee shall do so within three school days.

As appropriate, the Coordinator shall discussAs appropriate given the physical, emotional, and other significant risks to the student, the compliance officer may consider discussing with the student any need to disclose the student's transgender or gender-nonconformity status to his/her parents/guardians and/or others, including other students, teacher(s), or other adults on campus. Any decision to disclose the student's status to others shall

be based on the student's best interest. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

2. Determining a Student's Gender Identity: The Coordinator/compliance officer shall accept the student's assertion unless district personnel present a credible basis for believing that the student's assertion is for an improper purpose. In such a case, the Coordinator/compliance officer shall document the improper purpose and, within seven school days of receiving notification of the student's assertion, shall provide a written response to the student and, if appropriate, to his/her parents/guardians.

3. Addressing a Student's Transition Needs: The Coordinator/compliance officer shall arrange a meeting with the student and, if appropriate, his/her parents/guardians to identify potential issues, including transition-related issues, and to develop strategies for addressing them. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the Coordinator/compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to his/her status as a transgender or gender-nonconforming individual, so that prompt action could be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the student's arrangements are meeting his/her educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. Accessibility to Sex-segregated Segregated Facilities, Programs, and Activities: The district may maintain sex-segregated facilities, such as restrooms and locker rooms, and sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs. A student shall be entitled to access facilities and participate in programs and activities consistent with his/her gender identity. If available and requested by any student, regardless of the underlying reason, the district shall offer options to address privacy concerns in sex-segregated facilities, such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, access to a staff member's office, or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because he/she is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with his/her gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. However, a student's right to participate in a sex-segregated activity in accordance with his/her gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

(cf. 7110 - Facilities Master Plan)

5. Student Records: A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed pursuant to a court order.

However, at the written request of a student or, if appropriate, his/her parents/guardians, the district shall use the student's preferred name and pronouns consistent with his/her gender identity on all other district-related documents.

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronouns consistent with his/her gender identity, without the necessity of a court order or a change to his/her official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns shall not constitute a violation of this administrative regulation or the accompanying district policy.

7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with his/her gender identity, subject to any dress code adopted on a school site.

(cf. 5132 - Dress Code)

Regulation

approved: August 13, 2014

revised: _____

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Paul J. Terry, Ed. D.

DATE: March 30, 2015

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: April 8, 2015.

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

- BP/AR 5145.7 – Sexual Harassment

PURPOSE: These revisions reflect changes recommended by CSBA to align the district's practices and procedures with current law.

FISCAL IMPACT: None.

RECOMMENDATION: Approve.

Hanford Elementary SD

Board Policy

Students

BP 5145.7

Sexual Harassment

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits sexual harassment of students at school or at a school-sponsored or school-related activity. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint, or testifies, about, or otherwise participates in the complaint process alleging sexual harassment.

The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer.

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

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

Complaints regarding sexual harassment shall be investigated and resolved in accordance with law and district procedures specified in AR 1312.3 - Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy.

Instruction/Information (cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

Instruction/Information

The Superintendent or designee shall ensure that all district students receive age-appropriate instruction and information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence.
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed ~~instances~~ incidents of sexual harassment, even where the alleged victim of the harassment has not complained.
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
6. Information about the rights of students and parents/guardians to file a civil or criminal complaint, if as applicable

Complaint Process

~~Any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity (e.g. by a visiting athlete or coach) shall immediately contact his/her teacher or any other employee. An employee who receives such a complaint shall report it in accordance with administrative regulation.~~

~~(cf 1312.1 Complaints concerning District Employees)~~

~~(cf 5141.4 Child Abuse Prevention and Reporting)~~

~~The Superintendent or designee shall ensure that any complaints regarding sexual harassment are immediately investigated in accordance with administrative regulation. When the superintendent or designee has determined that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and to address its effects on the victim.~~

Disciplinary Action

Disciplinary Actions

Any student who engages in sexual harassment or sexual violence at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to

disciplinary action. For students in grades 4 through 8-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

(cf. 5144 - Discipline)

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

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

Confidentiality and Record Keeping

~~All complaints and allegations of sexual harassment shall be kept confidential. Except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)~~

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

Any staff member found to have engaged in sexual harassment or sexual violence toward any student shall be subject to discipline up to and including dismissal in accordance with applicable policies, laws, and/or collective bargaining agreements.

(cf. 4117.4 - Dismissal)

(cf. 4117.7 - Employment Status Report)

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in the ~~district~~ schools.

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

12950.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws1232g Family Educational Rights and Privacy Act

1681-1688 Title IX, discrimination

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy106.1-106.71 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources:

CSBA PUBLICATIONS

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

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

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONSQuestions and Answers on Title IX and Sexual Violence, April 2014

Dear Colleague Letter: Sexual Violence, April 4, 2011

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

WEB SITES

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

Policy

adopted: May 16, 2001

revised: August 22, 2012

revised: _____

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

Hanford Elementary SD

Administrative Regulation

Students

AR 5145.7

Sexual Harassment

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 and California Education Code 234.1, as well as to investigate and resolve sexual harassment complaints under AR 1312.3 - Uniform Complaint Procedures. The coordinator/compliance officer(s) may be contacted at:

Assistant Superintendent, Special Services
P.O. Box 1067
714 N. White Street
Hanford, CA 93232
(559) 585-3600

(cf. 1312.3 - Uniform Complaint Procedures)

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, ~~and~~ other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, ~~when made on the basis of sex and~~ under any of the following conditions:- (Education Code 212.5; 5 CCR 4916)

1. Submission to the conduct is explicitly or implicitly made a term or condition of -a student's academic status or progress.
2. Submission to or rejection of the conduct by ~~an individual~~ a student is used as the basis for academic decisions affecting the ~~individual~~ student.
3. The conduct has the purpose or effect of having a negative impact on the -student's academic performance, or of creating an intimidating, hostile, or offensive educational environment.
4. Submission to or rejection of the conduct by the -student is used as the basis for any decision affecting the -student regarding benefits and services, honors, programs, or activities available at or through -any district program or activity.

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Graphic verbal comments about an individual's body, or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects
11. Sexual assault, sexual battery, or sexual coercion

School Level Reporting Process and Complaint Process/grievance Procedures Investigation and Resolution

~~Complaints of sexual harassment, or any behavior prohibited by the district's nondiscrimination/harassment policy BP 5145.3 shall be handled in accordance with the following procedure:~~

1. ~~Notice and Receipt of Complaint:~~ Any student who believes that he/she has been subjected to sexual harassment or who has witnessed sexual harassment ~~may file a complaint with any~~ is strongly encouraged to report the incident to his/her teacher, the principal, or any other available school employee. Within 24 hours one school day of receiving such a complaint report, the school employee shall forward the report it to the District Coordinator/Principal principal or the district's compliance officer identified in AR 1312.3. In addition, any school employee who observes anyan incident of sexual harassment involving a student shall, within 24 hours one school day, report this his/her observation to the Coordinator/Principal principal or a district compliance officer. The employee shall take these

actions, whether or not the alleged victim files a complaint.

~~———In any case of sexual harassment involving the Coordinator/Principal-principal, compliance officer, or any other person to whom the complaintincident would ordinarily be made reported or filed, the employee who receives the student's report or who observes the incident shall may instead report to be submitted the Superintendent or designee.~~

2. ~~—— Initiation of Investigation: The Coordinator/Principal shall initiate an impartial investigation of an allegation of sexual harassment within five school days of receiving notice of the harassing behavior, regardless of whether a formal complaint has been filed. The district shall be considered to have "notice" of the need for an investigation upon receipt of information from a student who believes he/she has been subjected to harassment, the student's parent/guardian, an employee who received a complaint from a student, or any employee or student who witnessed the behavior.~~

~~——— If the Coordinator/Principal receives an anonymous complaint or media report about alleged sexual harassment, he/she shall determine whether it is reasonable to pursue an investigation considering the specificity and reliability of the information, the seriousness of the alleged incident, and whether any individuals can be identified who were subjected to the alleged harassment.~~

3. ~~—— Initial Interview with Student: When a student or parent/guardian has complained or provided information about sexual harassment, the Coordinator/Principal shall describe the district's grievance procedure and discuss what actions are being sought by the student in response to the complaint. The student who is complaining shall have an opportunity to describe the incident, identify witnesses who may have relevant information, provide other evidence of the harassment, and put his/her complaint in writing. If the student requests confidentiality, he/she shall be informed that such a request may limit the district's ability to investigate.~~

4. ~~—— Investigation Process: The Coordinator/Principal shall keep the complaint and allegation confidential, except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)~~

~~——— The Coordinator/Principal shall interview individuals who are relevant to the investigation, including, but not limited to, the student who is complaining, the person accused of harassment, anyone who witnessed the reported harassment, and anyone mentioned as having relevant information. The Coordinator/Principal may take other steps such as reviewing any records, notes, or statements related to the harassment or visiting the location where the harassment is alleged to have taken place.~~

~~——— When necessary to carry out his/her investigation or to protect student safety, the Coordinator/Principal also may discuss the complaint with the Superintendent or designee, the parent/guardian of the student who complained, the parent/guardian of the alleged harasser if the alleged harasser is a student, a teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth, law enforcement and/or child protective services, and district legal counsel or the district's risk manager.~~

(cf. 5141.4 - Child Abuse Prevention and Reporting)

5. ~~Interim Measures:~~ When a report of sexual harassment is submitted, the principal or compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with the district's uniform complaint procedures.

If a complaint of sexual harassment is initially submitted to the principal, he/she shall, within two school days, forward the report to the compliance officer to initiate investigation of the complaint. The compliance officer shall contact the complainant and investigate and resolve the complaint in accordance with law and district procedures specified in AR 1312.3.

Confidentiality

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

However, when a complainant or victim of sexual harassment notifies the district of the harassment but requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the harassment or take other necessary action. When honoring a request for confidentiality, the district will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.

When a complainant or victim of sexual harassment notifies the district of the harassment but requests that the district not pursue an investigation, the district will determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students.

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

Response Pending Investigation

When an incident of sexual harassment is reported, the principal or designee, in consultation with the compliance officer, shall determine whether interim measures are necessary during and pending the results of the investigation, such as: The principal/designee or compliance officer shall take immediate measures necessary to stop the harassment and protect students and/or ensure their access to the educational program. Such measures may include placing students/the individuals involved in separate classes or transferring a student to a class taught by a different teacher, in accordance with law and Board policy. The school should notify the individual who was harassed of his/her options to avoid contact with the alleged harasser and allow the complainant to change academic and extracurricular arrangements as appropriate. The school should also ensure that the complainant is aware of the resources and assistance, such as counseling, that are available to him/her. As appropriate, such actions shall be considered even when a student chooses to not file a formal complaint or the sexual harassment occurs off school grounds or outside school-sponsored or school-related programs or activities.

6. ~~Optional Mediation: In cases of student on student harassment, when the student who complained and the alleged harasser so agree, the Coordinator/Principal may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator, or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided and both parties agree, and he/she shall be advised of the right to end the informal process at any time.~~

~~(cf. 5138 -- Conflict Resolution)~~

7. ~~Factors in Reaching a Determination: In reaching a decision about the complaint, the Coordinator/Principal may take into account:~~

- a. ~~Statements made by the persons identified above~~
- b. ~~The details and consistency of each person's account~~
- e. ~~Evidence of how the complaining student reacted to the incident~~
- d. ~~Evidence of any past instances of harassment by the alleged harasser~~
- e. ~~Evidence of any past harassment complaints that were found to be untrue~~

~~To judge the severity of the harassment, the Coordinator/Principal may take into consideration:~~

- a. ~~How the misconduct affected one or more students' education~~
- b. ~~The type, frequency, and duration of the misconduct~~
- c. ~~The identity, age, and sex of the harasser and the student who complained, and the relationship between them~~
- d. ~~The number of persons engaged in the harassing conduct and at whom the harassment was directed~~
- e. ~~The size of the school, location of the incidents, and context in which they occurred~~
- f. ~~Other incidents at the school involving different students~~

8. ~~Written Report on Findings and Follow-Up: No more than 30 days after receiving the complaint, the Coordinator/Principal shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the Coordinator/Principal shall notify the student who complained and explain the reasons for the extension.~~

~~The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If it is determined that harassment occurred, the report shall also include any corrective actions that have or will be taken to address the harassment and prevent any retaliation or further harassment.~~

~~The Coordinator/Principal shall communicate the findings, investigative steps, and consequences with the student who complained, the person accused, the parents/guardians of the student who complained and the student who was accused, and the Superintendent or designee.~~

~~In addition, the Coordinator/Principal shall ensure that the harassed student and his/her parent/guardian are informed of the procedures for reporting any subsequent problems. The Coordinator/Principal shall make follow-up inquiries to see if there have been any new incidents or retaliation and shall keep a record of this information.~~

Enforcement

~~The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy. As needed, these actions may include any of the following:~~

- ~~1. Removing vulgar or offending graffiti~~
- ~~2. Providing staff in-service and student instruction or counseling~~
- ~~3. Notifying parents/guardians~~
- ~~4. Notifying child protective services~~
- ~~5. Taking appropriate disciplinary action. In addition, the principal or designee may take disciplinary measures against any person who is found to have made a complaint of sexual harassment which he/she knew was not true.~~

Notifications

A copy of the district's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)

(cf. 5145.6 - Parental Notifications)

2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted, including school web sites (Education Code 231.5)

(cf. 1113 - District and School Web Sites)

3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
4. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
5. Be included in the student handbook
6. Be provided to employees and employee organizations

Regulation
approved: May 16, 2001
revised: August 22, 2012
revised: _____

HANFORD ELEMENTARY SCHOOL DISTRICT
Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Liz Simas
DATE: March 12, 2015

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

Date you wish to have your item considered: April 8, 2015

ITEM: Consider for adoption the following revised Board Policy and Administrative Regulation.

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 changes.

- BP/AR 6158 - Independent Study

FISCAL IMPACT (if any): None

RECOMMENDATION (if any): Adopt

Hanford ESD

Board Policy

Independent Study

BP 6158

Instruction

~~The Governing Board~~The Board of Trustees authorizes independent study as an optional alternative instructional strategy for eligible students whose needs may be best met through study outside of the regular classroom setting. Independent study shall offer a means of individualizing the educational plan to serve and enabling students who desire a more challenging educational experience, whose health or other personal circumstances make classroom attendance difficult, who are unable to access course(s) due to scheduling problems, and/or who need to make up credits or fill gaps in their learning to reach curriculum objectives and fulfill graduation requirements. As necessary to meet student needs, independent study may be offered on a full-time basis or on a part-time basis in conjunction with part- or full-time classroom study.

(cf. 5147 - Dropout Prevention~~0420.4 - Charter Schools~~)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6200 - Adult Education)

The Superintendent or designee may provide a variety of independent study opportunities, including, but not limited to, through a program or class within a comprehensive school, an alternative school or program of choice, a charter school, a home-based format, and an online course.

(cf. 0420.4 - Charter School Authorization)

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

(cf. ~~6200 - Adult Education~~)

A student's participation in independent study shall be voluntary. Students participating in independent study shall have the right, at any time, to enter or return to the regular classroom mode of instruction. (Education Code 51747; 5 CCR 11700)

Parents/guardians of students who are interested in independent study shall contact the Superintendent or designee. The Superintendent or designee shall approve independent study for an individual student only upon determining that the student is prepared to meet the district's requirements for independent study and is likely to succeed in independent study as well as or better than he/she would in the regular classroom setting.

***Note: Pursuant to Education Code 46300, the attendance of students participating in independent study for five or more consecutive school days will be included in computing average daily attendance for apportionment purposes. The following optional paragraph is for use by districts that wish to limit independent study to periods of five or more consecutive school days. ***

The minimum period of time for any independent study option shall be five consecutive school days.

Written Agreements

The Superintendent or designee shall ensure that a written master agreement and, as appropriate, a learning agreement for students participating in course-based independent study exist for each participating student as independent study agreement, as prescribed by law, exists for each participating student. (Education Code 51747, 51749.5)

The master~~The written~~ agreement shall specify the length of time in which each independent study assignment must be completed. Because excessive leniency in the duration of independent study assignments may result in a student falling behind his/her peers and increase the risk of dropping out of school, independent study assignments shall be no more than ten school days for all grade levels and types of program. However, when necessary based on the specific circumstances of the student's approved program, the Superintendent or designee may allow for a longer period of time between the date an assignment is made and when it is due, up to the termination date of the agreement.

An evaluation shall be conducted to determine whether it is in a student's best interest to remain in independent study whenever the student misses five assignments, unless the student's written agreement specifies may specify a lower or higher number of missed assignments that will trigger an evaluation when the Superintendent or designee determines it appropriate based on the nature of the assignments, the total number of assignments, and/or other unique circumstances.

Student-Teacher Conferences

Supervising teachers should establish an appropriate schedule for student-teacher conferences in order to help identify students falling behind in their work or in danger of failing or dropping out of school. Teachers are expected to monitor student progress and work closely with each student to determine the amount and type of contact needed for the student to be successful in the program. ~~Except in unusual circumstances, it is expected that the supervising teacher will meet, either in person or by electronic means, with each participating student at least once a week to discuss the student's progress.~~

(cf. 5147—Dropout Prevention)

Missing appointments with the supervising teacher without valid reasons also may trigger an evaluation to determine whether the student should remain in independent study.

Legal Reference:

EDUCATION CODE

17289 Exemption for facilities

41976.2 Independent study programs; adult education funding

42238 Revenue limits

42238.05 Local control funding formula; average daily attendance

44865 Qualifications for home teachers and teachers in special classes and schools

46200-46208 Instructional day and year

46300-46307.1 Methods of computing average daily attendance

47612.5 Independent study in charter schools

~~48204 Residency-based on parent employment~~

48206.3 Home or hospital instruction; students with temporary disabilities

48220 Classes of children exempted

48340 Improvement of pupil attendance

48915 Expulsion; particular circumstances

48916.1 Educational program requirements for expelled students

48917 Suspension of expulsion order

49011 Student fees

51225.3 Requirements for high school graduation

~~51745-51749.63 Independent study programs~~

~~52206 Gifted and talented education; use of independent study to augment program~~

52522 Adult education alternative instructional delivery

52523 Adult education as supplement to high school curriculum; criteria

56026 Individuals with exceptional needs

58500-58512 Alternative schools and programs of choice

FAMILY CODE

6550 Authorization affidavits

CODE OF REGULATIONS, TITLE 5

11700-11703 Independent study

19819 State audit compliance

UNITED STATES CODE, TITLE 20

6301 Highly qualified teachers

COURT DECISIONS

Modesto City Schools v. Education Audits Appeal Panel, (2004) 123 Cal.App.4th 1365

EDUCATION AUDIT APPEALS PANEL DECISIONS

Lucerne Valley Unified School District, Case No. 03-02 (2005)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

~~Independent Study Operations Manual, 2000 Edition~~

Elements of Exemplary Independent Study

Approaches to Satisfying No Child Left Behind Act of 2001 Teacher Requirements for

Independent Study in Secondary Schools, January 28, 2010

WEB SITES

California Consortium for Independent Study: <http://www.ccis.org>

California Department of Education, Independent Study: <http://www.cde.ca.gov/sp/eo/is>

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

(3/05 7/10) 12/14

~~Policy HANFORD ELEMENTARY SCHOOL DISTRICT~~

~~adopted: March 16, 2011 Hanford, California~~

Hanford ESD

Administrative Regulation

Independent Study

AR 6158
Instruction

Educational Opportunities

Educational opportunities offered through independent study may include, but are not limited to:
(Education Code 51745)

When requested, a request by the parent/guardian due to an emergency, vacation, or illness, independent study may be used on a short-term basis to ensure that the student is able to maintain academic progress in his/her regular classes.

(cf. 5113 - Absences and Excuses)

Equivalency

The district's independent study option shall be substantially equivalent in quality and quantity to classroom instruction to enable participating students to complete the district's adopted course of study within the customary ~~timeframe~~ ~~time frame~~. Students in independent study shall have access to the same services and resources that are available to other students in the school and shall have equal rights and privileges. (5 CCR 11700, 11701.5)

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

The district shall not provide independent study students and their parents/guardians with funds or items of value that are not provided for other students and their parents/guardians.
(Education Code 46300.6, 51747.3)

Eligibility for Independent Study

Provided that experienced certificated staff are available to effectively supervise students in independent study, the Superintendent or designee may approve the participation of a student who demonstrates the motivation, commitment, organizational skills, and academic skills necessary to work independently. A student whose academic performance is not at grade level may participate in independent study only if the ~~program~~ ~~school~~ is able to provide appropriate support, such as supplemental instruction, tutoring, counseling, ongoing diagnostic assessments, and/or differentiated materials, to enable the student to be successful. Students must demonstrate good attendance at school. For an elementary student, the Superintendent or designee may

consider the parent/guardian's level of commitment to assist the student. Requests for Independent Study may be approved during the California Assessment of Student Performance and Progress testing only in the case of an emergency as determined by the school Principal.

A student participating in independent study must be a resident of the county or an adjacent county.

Full-time independent study shall not be available to students whose district residency status is based on their parent/guardian's employment within district boundaries pursuant to Education Code 48204. (Education Code 46300.2, 51747.3)

(cf. 5111.12 - Residency Based on Parent/Guardian Employment)

For a student with disabilities, as defined in Education Code 56026, participation in independent study shall be approved only if his/her individualized education program specifically provides for such participation. (Education Code 51745)

(cf. 6159 - Individualized Education Program)

A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 by means of independent study. (Education Code 51745)

(cf. 6183 - Home and Hospital Instruction)

Master Agreement

Written Agreements

A written agreement shall be developed and implemented for each student participating in independent study for five or more consecutive school days. (Education Code 46300, 51747; 5 CCR 11703)

The agreement shall include general student data, including the student's name, address, grade level, birth date, school of enrollment, and program placement.

The independent study agreement for each participating student also shall include, but not be limited to, all of the following: (Education Code 51747; 5 CCR 11700, 11702)

1. The manner, time, frequency, and place for submitting the student's assignments and for reporting his/her progress
2. The objectives and methods of study for the student's work and the methods used to evaluate that work
3. The specific resources, including materials and personnel, that will be made available to the student

4. A statement of the Board's policy detailing the maximum length of time allowed between an assignment and its completion and the number of missed assignments, by grade level and type of program, which will trigger an evaluation of whether the student should be allowed to continue in independent study
5. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement, with a maximum of one school year~~semester or one-half year if the school is on a year-round calendar~~
6. A statement of the number of course credits or, for an elementary student, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion
7. A statement that independent study is an optional educational alternative in which no student may be required to participate
8. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction

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

~~9. Signatures of~~~~shall be signed and dated by~~ the student, the parent/guardian or caregiver of the student if the student is under age 18 years, the certificated employee responsible for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the student. ~~(Education Code 51747; 5 CCR 11702)~~

The parent/guardian's signature on the agreement shall constitute permission for the student to receive instruction through independent study.

The signed, dated agreement may be maintained on file electronically. (Education Code 51747)

Monitoring Student Progress

***Note: The following optional section may be revised to reflect district practice. ***

~~Independent study students who are late, miss scheduled conferences, or do not submit assigned work on time shall not be reported as tardy or truant.~~

~~However,~~ the independent study administrator and/or supervising teacher shall promptly and directly address any failure by the student to meet the terms of his/her written agreement. The following supportive strategies may be used:

1. A letter to the student and/or parent/guardian

2. A meeting between the student and the teacher and/or counselor
3. A meeting between the student and the independent study administrator, including the parent/guardian if appropriate
4. An increase in the amount of time the student works under direct supervision

When the student has missed the number of assignments specified in the written agreement as ~~requiring~~precipitating an evaluation, the Superintendent or designee shall conduct an evaluation to determine whether or not independent study is appropriate for the student. This evaluation may result in termination of the independent study agreement and the student's return to thea regular classroom program or other alternativeschool program.

A written record of the findings of any such evaluation shall be treated as a mandatory interim student record which shall be maintained for three years from the date of the evaluation.
(Education Code 51747)

Independent study students who are late, miss scheduled conferences, or do not submit assigned work on time shall not be reported as tardy or truant.

Responsibilities of Independent Study Administrator

The responsibilities of the independent study administrator include, but are not limited to~~shall be~~ to:

1. Recommending~~Ensure that the district's independent study option is operated in accordance with law, Board policy, and administrative regulation and is substantially equal in quality and quantity to the classroom instruction~~
2. ~~Obtain and maintain current information and skills required for the operation of an independent study program that meets established standards for the district's educational programs~~
3. ~~Develop and manage the budget for independent study~~
4. ~~Authorize the selection of certificated staff to be assigned as independent study teachers and supervising~~
5. ~~Supervise any staff assigned to independent study functions who are not regularly supervised by another administrator~~
2. Approving~~6. Approve or denyingdeny~~ the participation of students requesting independent study
3. Facilitating~~7. Facilitate~~ the completion of written independent study agreements

4. ~~Ensuring~~^{8.} ~~Assure~~ a smooth transition for students into and out of the independent study mode of instruction
5. ~~Approving~~^{9.} ~~Approve~~ all credits earned through independent study and forward the information to the appropriate staff so that the information becomes part of the student's record
6. ~~Completing~~^{10.} ~~Complete~~ or ~~coordinating~~^{coordinate} the preparation of all records and reports required by law, Board policy, or administrative regulation

Assignment and Responsibilities of Independent Study Teachers

Each student's independent study shall be coordinated, evaluated, and carried out under the general supervision of a certificated employee who consents to the assignment. (Education Code 44865, 51747.5; 5 CCR 11700)

The ratio of student average daily attendance for independent study students age 18 years or younger to full-time equivalent certificated employees responsible for independent study shall not exceed the equivalent ratio for all other education programs at the applicable grade span in the district, unless a new higher or lower grade span ratio for all other educational programs offered within the grade span is negotiated in a collective bargaining agreement or the district enters into a memorandum of understanding that indicates an existing collective bargaining agreement contains an alternative grade span ratio in the district. (Education Code 51745.6)

The responsibilities of the supervising teacher shall include, but are not limited to:

1. ~~Completing~~^{Complete} designated portions of the written independent study agreement and ~~add additional information to the written agreement when appropriate~~
2. ~~Supervising~~^{Supervise} and ~~approving~~^{approve} coursework
3. ~~Design lesson plans and make assignments~~
3. ~~Maintaining~~^{4.} ~~Maintain~~ records of student assignments showing the date the assignment is given and the date the assignment is due
4. ~~Maintaining~~^{5.} ~~Provide direct instruction and counsel as necessary for individual student success~~
6. ~~Regularly meet with the student to discuss the student's progress~~
7. ~~Judge the time value of assigned work or work products completed and submitted by the student~~
8. ~~Assess student work and determine and assign grades or other approved measures of achievement~~

9. ~~Select and save representative samples of the student's completed and evaluated assignments for each subject, signed or initialed and dated in accordance with item #3 in the section on "Records" below~~

10. ~~Maintain a daily or hourly attendance register in accordance with item #4 in the section on "Records" below~~

5. Providing direct instruction and counsel as necessary for individual student success

6. Regularly meeting with the student to discuss the student's progress

7. Determining the time value of assigned work or work products completed and submitted by the student

8. Assessing student work and assigning grades or other approved measures of achievement

The Superintendent or designee shall ensure that independent study teachers have access to professional development and support comparable to classroom-based teachers.

(cf. 4131 - Staff Development)

11. ~~Maintain any other required records and files on a current basis~~

Records

The Superintendent or designee shall ensure that records are maintained for audit purposes. These records shall include, but not be limited to: (Education Code 51748; 5 CCR 11703)

1. A copy of the Board policy, administrative regulation, and other procedures related to independent study:

2. ~~A separate listing of the students, by grade level, program, and school, who have participated in independent study, along with the. This listing shall identify units of the curriculum attempted and units of the curriculum completed by students in grades K-8.~~

3. A file of all agreements, with representative samples of each student's work products bearing the supervising teacher's ~~signed or initialed and dated notations~~ indicating that he/she has personally evaluated the work or that he/she has personally reviewed the evaluations made by another certificated teacher:

4. ~~A daily or hourly attendance register, as appropriate to the program in which the students are participating,~~ a daily or hourly attendance register that is separate from classroom attendance records, and maintained on a current basis as time values of student work products judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons:

(cf. 3580 - District Records)

~~The above records shall be maintained for three years, excluding the current fiscal year.~~

The Superintendent or designee also shall maintain a record of grades and other evaluations issued to each student for independent study assignments.

~~(3/05 7/10) 12/14 Each school shall maintain records for the students at that school.~~

~~A written record of the findings of any evaluation conducted after the student has missed the number of assignments specified in Board policy shall be treated as a mandatory interim student record which shall be maintained for three years from the date of the evaluation. (Education Code 51747)~~

(cf. 5125 - Student Records)

Regulation — ~~HANFORD ELEMENTARY SCHOOL DISTRICT~~
approved: ~~March 16, 2011 Hanford, California~~

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Liz Simas
DATE: March 26, 2015

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

Date you wish to have your item considered: April 8, 2015

ITEM: Consider for adoption the following revised Administrative Regulation:

- AR 6173 - Education for Homeless Children

PURPOSE: The revised 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 changes.

FISCAL IMPACT (if any): None

RECOMMENDATION (if any): Adopt

Hanford ESD

Administrative Regulation

Education For Homeless Children

AR 6173
Instruction

Definitions

Homeless students means students who lack a fixed, regular and adequate nighttime residence and includes: (42 USC 11434a)

1. Students ~~Children and youths~~ who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement
2. Students ~~Children and youths~~ who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings
3. Students ~~Children and youths~~ who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
4. Migratory children who qualify as homeless because the children are living in conditions described in (1)-(3) above
5. Unaccompanied youth who are not in the physical custody of a parent or guardian

School of origin means the school that the student attended when permanently housed or the school in which the student was last enrolled. (42 USC 11432)

Best interest means, to the extent feasible, continuing a student's enrollment in the school of origin for the duration of his/her homelessness, except when doing so is contrary to the wishes of his/her parent/guardian. (42 USC 11432)

~~Unaccompanied youth means a youth not in the physical custody of a parent or guardian. (42-
USC 11434(a))~~

District Liaison

The Superintendent or designee designates the following staff person as the district liaison for homeless students (42 USC 11432):

Liz Simas, Coordinator Program Manager
 Child Welfare and Attendance
 P.O. Box 1067
 Hanford, CA 93232
 559-585-3641

The district's liaison for homeless students shall ~~ensure that~~: (42 USC 11432)

1. Ensure that Hhomeless students are identified by school personnel and through coordination activities with other entities and agencies

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

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

(cf. 5141.6 - Student Health and Social Services)

2. Ensure that Hhomeless students enroll in, and have a full and equal opportunity to succeed in, district schools
3. Ensure that Hhomeless families and students receive educational services for which they are eligible

4. Inform Pparents/guardians are informed of the educational and related opportunities available to their children and ensure that they are provided with meaningful opportunities to participate in the education of their children

5. Disseminate Nnotice of the educational rights of homeless students in district schools that provide services to homeless children and at places where children they receive services, such as schools, family shelters, and hunger relief agencies (soup kitchens)

6. Mediate Eenrollment disputes are mediated in accordance with law, Board of Trustees policy, and administrative regulation

7. Fully inform Pparents/guardians are fully informed of all transportation services

(cf. 3250 - Transportation Fees)

(cf. 3541 - Transportation Routes and Services)

8. When notified pursuant to Educiaeton Code 48918.1, assist, facilitate, or represent a homeless student who is undergoing a disciplinary proceeding that could result in his/her expulsion.

9. When notified pursuant to Education Code 48915.5, participate in an individualized education program team meeting to make a manifestation determination regarding the behavior of a student with a disability.

10. Assist a homeless student to obtain records necessary for his/her enrollment into or transfer out of district schools, including immunization, medical, and academic records.

Enrollment

The district shall make placement decisions for homeless students shall be based on the student's best interest. In determining a student's best interest, a homeless student shall, to the extent feasible, be placed in his/her school of origin, unless his/her parent/guardian requests otherwise. (42 USC 11432)

The student may continue attending his/her school of origin for the duration of the homelessness or, if the student moves into permanent housing, until the end of any academic year in which he/she moves into permanent housing. (42 USC 11432)

In the case of an unaccompanied youth, the district's homeless liaison shall assist in placement or enrollment decisions, consider the views of the student, and provide notice of to the student of his/her appeal rights. (42 USC 11432)

When making a placement decision for a homeless student, the Superintendent or designee may consider the age of the student, the distance of the commute and the impact it may have on the student's education, personal safety issues the student's need for special instruction, the length of anticipated stay in the temporary shelter or other temporary location, likely area of future housing, school placement of siblings, and the time remaining in the school year.

However, placement decisions shall not be based on whether a homeless student lives with his/her homeless parent/guardian or has been temporarily placed elsewhere (42 USC 11432)

~~The student may continue attending his/her school of origin for the duration of the homelessness and until the end of any academic year in which the student moves into permanent housing. (42 USC 11432)~~

~~In the case of an unaccompanied youth, the district's homeless liaison shall assist in placement or enrollment decisions, consider the views of the student, and provide notice of the student of his/her appeal rights.~~

Once a placement decision has been made, the principal or designee shall immediately enroll the student in the school of choice, even if the parent/guardian is unable to provide the school with the records normally required for enrollment. (42 USC 11432)

(cf. 5111.1 - District Residency)

(cf. 5125 - Student Records)

(cf. 5141.31 - Immunizations)

The principal or designee shall immediately contact the school last attended by the student to obtain the relevant records. If the student needs to obtain immunizations or does not possess immunization or other medical records, the principal or designee shall refer the parent/guardian

to the district liaison for homeless students liaison. The district liaison shall assist the parent/guardian or the student if he/she is an unaccompanied youth, in obtaining the necessary immunizations or records for the student. (42 USC 11432)

If the student is placed at a school other than his/her school of origin or the school requested by ~~the his/her~~ parent/guardian, the Superintendent or designee shall provide the parent/guardian with a written explanation of the decision along with a statement regarding the parent/guardian's right to appeal the placement decision. (42 USC 11432)

Resolving Enrollment Disputes

If a dispute arises over school selection or enrollment in a particular school, the student shall be immediately admitted to the school in which enrollment is sought pending resolution of the dispute, ~~to the school in which enrollment is sought.~~ (42 USC 11432)

The parent/guardian shall be provided with a written explanation of the placement decision, ~~including an explanation of the parent/guardian's right to appeal the decision. He/she shall also be referred to the district liaison.~~ (42 USC 11432) The written explanation which shall be complete, as brief as possible, simply stated, and provided in language that the parent/guardian or student can understand. The explanation may include contact information for the district liaison, a description of the district's decision notice of the right to enroll in the school of choice pending resolution of the dispute, notice that enrollment includes full participation in all school activities, and notice of the right to appeal the decision to the county office of education, and if the dispute remains unresolved, to the California Department of Education. The written explanation shall include:

1. The district liaison's contact information
2. A description of the district's placement decision
3. Notice of the student's right to enroll in the school of choice pending resolution of the dispute, including the right to fully participate in all school activities.
4. Notice of the parent/guardian's right to appeal the decision to the county office of education and, if the dispute remains unresolved, to the California Department of Education

The district liaison shall work to resolve an enrollment dispute as expeditiously as possible after receiving notice of the dispute (42 USC 11432) ~~carry out the dispute resolution process provided by the state as expeditiously as possible after receiving notice of the dispute.~~ (42 USC 11432)

In working with a student's parents/guardians to resolve an enrollment dispute, the district liaison shall:

1. Inform them that they may provide written and/or oral documentation to support their position

2. Inform them that they may seek assistance of social services, advocates, and/or service providers in having the dispute resolved
3. Provide them a simple form that they may use and turn in to the school to initiate the dispute resolution process.
4. Provide them a copy of the dispute form they submit for their records
5. Provide them the outcome of the dispute for their records

~~The liaison shall provide the parent/guardian a copy of the district's decision, dispute form, and a copy of the outcome of the dispute.~~

If the parent/guardian disagrees with the liaison's enrollment decision, he/she may appeal the decision to the Superintendent. The Superintendent shall make a determination within five working days.

If the parent/guardian ~~wish~~ chooses to appeal the district's placement decision, the district liaison shall forward all written documentation and related paperwork to the homeless liaison at the county office of education.

(cf. 1312.3 - Uniform Complaint Procedures)

Regulation ~~— HANFORD ELEMENTARY SCHOOL DISTRICT~~


Approved: ~~— September 3, 2003 — Hanford, California~~

Revised: ~~— November 5, 2004~~

Revised: ~~— September 2005~~

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department

AGENDA REQUEST FORM

TO: Dr. Paul Terry
FROM: Jaime Martinez 
DATE: March 30, 2015
RE: ☒ Board Meeting
☐ Superintendent's Cabinet
☐ Information
☒ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **April 8, 2015**

ITEM: Consider approval of personnel transactions and related matters.

PURPOSE:

a. Employment

Certificated, effective 8/10/15

- Amanda Avila, Teacher, Probationary 1
- Cassandra Barrett, Probationary 1
- Erin Bush, Probationary 1
- Anastasia Cann, Probationary 1
- Nicole Cartledge, Probationary 1
- Bailey Doyle, Probationary 1
- Julee Evangelo, Intern
- Cristal Flores, Probationary 1
- Jennifer Fossett, Probationary 1
- Jenell Haire, Probationary 1
- Kellie Jones, Probationary 1
- Diana Kelly, Probationary 1
- Lisa McClurg, Probationary 1
- Megan Munro, Intern
- Melissa Nabayan, Probationary 1
- Paul Raymond, Probationary 1
- Brittany Tweedy, Probationary 1

Temporary Employees/Substitutes/Yard Supervisors

- Margaret Blasko, Short-term Yard Supervisor – 3.0 hrs., Simas, effective 4/7/15 to 6/5/15
- Sindal Burkett, Short-term Yard Supervisor – 1.5 hrs., King, effective 4/7/15 to 6/5/15 (rescind)
- Memory Oebel, Short-term Yard Supervisor – 1.5 hrs., King, effective 4/7/15 to 6/5/15
- Derek Silveira, Substitute Custodian I, effective 3/23/15
- Khehmany Tibbets, Short-term Educational Tutor K-6 – 3.5 hrs., Washington, effective 3/25/15 to 5/7/15; Short-term Yard Supervisor – 1.0 hrs. (M,T,Th,F), Washington, effective 3/26/15 to 5/29/15
- Alexis Villa, Short-term Yard Supervisor – 1.5 hrs., Roosevelt, effective 4/7/15 to 6/5/15

b. Resignations

- Robin Dailey, Teacher, Richmond, effective 6/5/15
- Andrea Keel, Yard Supervisor – 3.25 hrs., Kennedy, effective 3/26/15
- Kristina Keen, Substitute Yard Supervisor, effective 3/27/15
- Lori Kuckenbaker, Teacher, Monroe, effective 6/5/15
- June Strong, Yard Supervisor – 3.75, Roosevelt, effective 3/19/15
- Isabel Vega, Teacher, Washington, effective 6/5/15

c. More Hours

- Ashley Candelaria, Yard Supervisor, from 1.0 hr. to 1.25 hrs., Hamilton, effective 4/7/15
- Francisca Estrada de Saldana, Yard Supervisor, from 3.0 hrs. to 3.25 hrs., Hamilton, effective 4/7/15
- Christina Jenkins, Short-term Yard Supervisor, from 2.5 hrs. to 3.0 hrs., Simas, effective 4/7/15 to 6/5/15

d. Decrease in Hours

- Menchu Rosaroso, Short-term Yard Supervisor, from 3.0 hrs (1.5 hrs., Monroe/1.5 hrs., Simas), to 1.5 hrs., Monroe, effective 4/7/15 to 6/5/15

e. Leave of Absence

- Stefanie Umscheid, School Psychologist, Special Services, effective 4/13/15 to 6/12/15 (2 days a week), baby bonding

f. **Volunteers**

<u>Name</u>	<u>School</u>
Iliana Gutierrez	Hamilton
Jessieca Vallin (HESD Employee)	Hamilton
Jennifer Beltran	Jefferson
Maria Canchola-Delgado	Jefferson
Natividad Cisneros	Jefferson
Monica Maldonado-Hubanks	Jefferson
Emmy Reyes	Jefferson
Erika Torres	Jefferson
Alejandra Valdes Lopez	Jefferson
Olivia Mendoza	King
Vanessa Runnion	Monroe
Brad Smith	Monroe
Carlos Sousa	Monroe
Rachel Thompson	Monroe
Amber Miller	Richmond
Sarah Briano	Roosevelt
Jennifer Vryhof	Simas
Danielle Beucher	Washington
Tyler Haener	Washington
Linda Ochoa	Washington
Jackye Smith	Washington

RECOMMENDATION: Approve.

