

Hanford Elementary School District

ANNUAL ORGANIZATIONAL MEETING AGENDA

Wednesday, December 12, 2018

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
- Oath of Office – Todd Barlow, KCOE Superintendent

1. BOARD ORGANIZATION

Election and appointment of officer

- President
- Vice President
- Clerk

Designate trustee participation on district committees

- Budget Committee (2)
- Kings County School Board Association (1)
- HESD Educational Foundation (1)
- Jefferson Charter Academy Governance Council (1)

Adopt Board Meeting Calendar for 2019

2. PRESENTATIONS, REPORTS AND COMMUNICATIONS

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

- a) Public comments
- b) Board and staff comments
- c) Requests to address the Board at future meetings
- d) Review Dates to Remember
- e) Police Activities League (PAL) Boxing Program – Corporal Martinez, HPD/HESD SRO

WINTER RECEPTION

3. 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 November 9, 2018; November 16, 2018; November 26, 2018 and November 30, 2018.

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

- b) Approve minutes of Regular Board Meeting held on November 14, 2018.
- c) Approve interdistrict transfers as recommended.
- d) Approve donation of \$83.00 from Spirit & Pride.
- e) Approve donation of dictionaries from Sunset Rotary.
- f) Approve donation of instructional supplies and school equipment from MLK PTC.
- g) Approve donation of instructional supplies from Walmart.
- h) Approve donation of \$1,542.00 from Hamilton PTC.
- i) Approve donation of dictionaries from Hanford Rotary Club.
- j) Approve donation of \$50.82 from Shoparoo.
- k) Approve donation of \$3,000.00 from HESD Educational Foundation to READY Program.

4. INFORMATION ITEMS

- a) Receive for information the monthly financial reports for the period of 07/01/2018 – 11/30/2018 (Endo)
- b) Receive for information the Budget Calendar for the 2019-2020 budget (Endo)
- c) Receive for information the details of the Classified Employee Summer Assistance Program (Endo)
- d) Receive for information the following revised Board Policy and Administrative Regulation: (Gabler)
 - BP/AR 0420.4 – Charter School Authorization
- e) Receive for information the following revised Board Policy: (Gabler)
 - BP 0500 – Accountability
- f) Receive for information the following revised Board Policy and Administrative Regulation: (Gabler)
 - BP/AR 1113 – District School Websites
- g) Receive for information the following revised Board Policy: (Gabler)
 - BP 1325 – Advertising and Promotion
- h) Receive for information the following revised Board Policy: (Gabler)
 - BP 2140 – Evaluation of the Superintendent
- i) Receive for information the following revised Board Bylaw: (Gabler)
 - BB 9121 – President
- j) Receive for information the following revised Board Bylaw: (Gabler)
 - BB 9220 – Board of Trustees Elections
- k) Receive for information the following revised Board Bylaw: (Gabler)
 - BB 9230 – Orientation
- l) Receive for information the following revised Administrative Regulation: (Strickland)
 - AR 5125.2 – Withholding Grades, Diplomas or Transcripts
- m) Receive for information the following revised Board Policy and Administrative Regulation: (Strickland)
 - BP/AR 5131.6 – Alcohol and Other Drugs
- n) Receive for information the following revised Board Policy: (Strickland)
 - BP 5144 – Discipline
- o) Receive for information the following revised Board Policy and Administrative Regulation: (Strickland)
 - BP/AR 5144.1 – Suspension and Expulsion/Due Process
- p) Receive for information the following new Administrative Regulation: (Martinez)
 - AR 4161.1 – Personal Illness/Injury Leave (Certificated Personnel)

- q) Receive for information the following new Administrative Regulation: (Martinez)
 - AR 4261.1 – Personal Illness/Injury Leave (Classified Personnel)
- r) Receive for information the following new Administrative Regulation: (Martinez)
 - AR 4361.1 – Personal Illness/Injury Leave (Management, Supervisor & Confidential Personnel)

5. BOARD POLICIES AND ADMINISTRATION

- a) Consider adoption of Resolution #8-19: Regarding Absent Board Member Compensation (Gabler)
- b) Consider approval of transitioning Jefferson from a Charter School to a Magnet Program (Gabler)
- c) Consider approval of consultant contract with Rosetta Stone (Gomez)
- d) Consider approval of out of state travel for two School Psychologist (McConnell)
- e) Consider approval of the following new Board Policy and Administrative Regulation: (Strickland)
 - BP/AR 5113.11 – Attendance Supervision
- f) Consider approval of the following new Board Policy and Administrative Regulation: (Strickland)
 - BP/AR 5113.12 – District School Attendance Review Board
- g) Consider approval of the following new Board Policy and Administrative Regulation: (Strickland)
 - BP/AR 6173.2 – Education of Children of Military Families
- h) Consider approval of the following revised Board Policy and Administrative Regulation: (Carlton)
 - BP/AR 6020 – Parent Involvement
- i) Consider approval of the following revised Board Policy: (Rubalcava)
 - BP 6170.1 – Transitional Kindergarten
- j) Consider approval of the following revised Board Policy: (Endo)
 - BP 3100 – Budget
- k) Consider approval of the following revised Board Policy: (Endo)
 - BP 3280 – Sale or Lease of District-Owned Real Property
- l) Consider approval of the following new Board Policy: (Endo)
 - BP 3513.4 – Drug and Alcohol Free Schools
- m) Consider approval of the following revised Administrative Regulation: (Endo)
 - AR 3515.6 – Criminal Background Checks for Contractors
- n) Consider approval of the following revised Administrative Regulation: (Martinez)
 - AR 4161.8, 4261.8, 4361.8 – Family Care and Medical Leave

6. PERSONNEL (Martinez)

- a) Employment
Classified
 - Omar Arellan Gallardo, Groundskeeper II – 8.0 hrs., Grounds/DSF, effective 11/26/18
 - Kyle Griffin, Computer Maintenance Technician – 8.0 hrs., Information Systems, effective 12/10/18
- Temporary Employees/Substitutes/Yard Supervisors
 - Michelle Banuelos, Substitute Bilingual Clerk Typist I, Translator: Oral Interpreter and Written Translation, effective 11/19/18

- Garrett Bazzle, Substitute Custodian I and Yard Supervisor, effective 11/26/18
 - Jesus Ornelas Gutierrez, Substitute Groundskeeper II, effective 11/15/18
 - Raquel Ramirez, Substitute Yard Supervisor and Translator: Oral Interpreter and Written Translation, effective 11/19/18
 - Melonie Thomas, Short-term Special Circumstance Aide – 5.75 hrs., Monroe, effective 11/13/18 to 2/5/19
- b) Employment and Certification of Temporary Athletic Team Coaches Pursuant to Title 5 CCR 5594
- Jose Azua, 7th Grade Boys Soccer Coach, Kennedy, effective 11/13/18 to 2/14/19
 - Jorge Barba, 8th Grade Boys Soccer Coach, Wilson, effective 11/13/18 to 2/14/19
 - Daniel Covarrubias, 7-8 Grade Wrestling Coach, Kennedy, effective 11/13/18 to 2/16/19
 - Santiago Covarrubias Jr., 8th Grade Boys Soccer Coach, Kennedy, effective 11/27/18 to 2/14/19
 - Mario Villa Honorato, 6-8 Grade Girls Soccer Coach, Jefferson, effective 11/16/18 to 12/14/19
 - Veronica Leach, 4-6 Grade Boys Basketball Coach, Hamilton, effective 11/13/18 to 2/5/19
 - Sara Meza, 7th Grade Girls Soccer Coach, Kennedy, effective 11/13/18 to 2/14/19
 - Vanessa Perez, 8th Grade Girls Soccer Coach, Kennedy, effective 11/16/18 to 2/14/19
 - Eugene Reyes, 7-8 Grade Wrestling Coach, Wilson, effective 11/13/18 to 2/16/19
 - Jose Rojas II, 4-6 Grade Girls Basketball Coach, Monroe, effective 11/13/18 to 2/9/19
 - Julius Rojas, 4-6 Grade Girls Basketball Coach, Lincoln, effective 11/13/18 to 2/9/19
 - Jared Souza, 7-8 Grade Wrestling Coach, Kennedy, effective 11/13/18 to 2/16/19
 - Zachary Stewart, 7th Grade Boys Soccer Coach, Wilson, effective 11/14/18 to 2/14/19
- c) Resignations
- Yesenia Zarate Brito, Yard Supervisor – 3.0 hrs., Roosevelt, effective 11/30/18
 - Amalia Cavazos, Yard Supervisor – 3.5 hrs., Simas, effective 12/11/18
 - Evelia Fernandez, Substitute Yard Supervisor, effective 9/12/18
 - Katia Hawkins, Bilingual Student Specialist – 8.0 hrs., Roosevelt, effective 12/21/18
 - Loretta King, Bus Driver – 4.5 hrs., Transportation/DSF, effective 12/21/18
 - Marisol Ayala Navarro, Substitute Translator: Oral Interpreter and Written Translation, effective 5/23/18
 - Coral Self, Substitute Yard Supervisor, effective 8/23/18
- d) Failure to Complete Mandated Reporter and Annual Notification for Substitutes/temporary Employees)
- Chrystina Arms, Substitute Clerk Typist II and Custodian II, effective 8/24/18
 - Leah Blanco, Substitute Clerk Typist II and Food Service Worker I/II, effective 8/15/18
 - Teresita Carreon, Substitute Licensed Vocational Nurse, effective 9/23/17
 - Linda Garcia, Substitute Yard Supervisor, effective 11/9/17
 - Alan Miranda, Substitute Custodian I, effective 4/4/18
 - Betty Oliveira, Substitute Yard Supervisor, effective 9/26/17
 - Reid Robles, Substitute READY Program Tutor, effective 4/12/18
 - Derek Silveira, Substitute Custodian II, effective 12/11/17
 - Zachary Todd, Substitute Custodian II, effective 1/30/18
 - Toulee Xiong, Substitute Custodian I, effective 11/13/17

e) Retirements

- Cynthia Dias, DSF Work Control Technician – 8.0 hrs., District Services Facilities, effective 12/28/18
- Debbie Lupton, Account Clerk I – 3.0 hrs., Simas, effective 12/21/18
- Michael Wilson, Custodian II – 8.0 hrs., Food Services, effective 12/28/18

f) Volunteers

<u>Name</u>	<u>School</u>
Garrett Bazzle (HESD Employee)	Hamilton
Amanda Lopez	Hamilton
Jeff Garner (HESD Board Member)	Jefferson
Rosalinda Gil	Jefferson
Celso Maya-Gaona	Jefferson
Lizeth Rios	Jefferson
Stella Vargas	Jefferson
Mindy Grove	King
Adriana Berrios	Lincoln
Dustin Silva	Monroe
Lisa Bianchi	Richmond
Sarah Evans (HESD Employee)	Richmond
Faviana Berry	Roosevelt
David Gai	Roosevelt
Tania Garcia	Simas
Kellie Rivera	Simas
Nikki Rivera	Simas
Tasha DeRuiter	Washington
Beatrice Ledesma	Washington
Lorna Tamayo	Washington/Monroe

7. FINANCIAL (Endo)

- a) Consider approval of the certification of signatures

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# 19-04 – CDS

OPEN SESSION

- Take action on closed session items

ADJOURN MEETING

Hanford Elementary School District

REGULAR BOARD MEETING SCHEDULE

January 2019 – December 2019

Regular Board Meetings are normally held on the 2nd and 4th Wednesday of the month. (The calendar may be modified for holiday months). Unless otherwise noted, board meetings begin at 5:30 p.m.

January 9, 2019
January 23, 2019

February 13, 2019 – The meeting will be held at the new CDS Campus
February 27, 2019

March 13, 2019
March 27, 2019

April 10, 2019
April 24, 2019

May 8, 2019 – The meeting will be held in the new Jefferson School Library
May 22, 2019

June 12, 2019
June 26, 2019

July 10, 2019 (if needed)

August 14, 2019
August 28, 2019

September 11, 2019
September 25, 2019

October 9, 2019 – The meeting will be held at Washington Elementary
October 23, 2019

November 13, 2019

December 11, 2019

Adopted:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: 12/05/18

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Presentations, Reports and Communications

Date you wish to have your item considered: 12/12/18

ITEM: Corporal Martinez, HPD/HESD School Resource Officer –
Highlight of the Police Activities League (PAL) Boxing Program

PURPOSE: Corporal Martinez would like to provide a highlight of the PAL
Boxing Program along with the introduction of current and past
Hanford Elementary School District students that are involved in the
program.

FISCAL IMPACT:**RECOMMENDATIONS:**

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: David Endo

DATE: 12/03/2018

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: 12/12/2018

ITEM:

Consider approval of warrants.

PURPOSE:

The administration is requesting the approval of the warrants as listed on the registers dated: 11/09/18, 11/16/18, 11/26/18 and 11/30/18.

FISCAL IMPACT:

See attached.

RECOMMENDATIONS:

Approve the warrants.

Warrant Register For Warrants

Dated 11/09/2018

Warrant Number	Vendor Number	Vendor Name	Amount
12593195	6553	ACTION SALES Kitchen Equipment	\$34,350.03
12593196	6240	COREY AKIN Travel & Conf	\$181.00
12593197	59	AMERIPRIDE UNIFORM SERVICES Laundry/Mop/Mat Services	\$554.69
12593198	7230	ARDENT GENERAL INC Buildings & Improvements	\$343,209.85
12593199	4119	KRISTINA BALDWIN Supplies	\$28.96
12593200	1690	BATTERY SYSTEMS Maintenance Supplies	\$94.40
12593201	184	BUREAU OF EDUCATION & RESEARCH Travel & Conf	\$538.00
12593202	1891	DEBRA CAWLEY Mileage	\$128.35
12593203	1667	CDW GOVERNMENT INC. Technology	\$38,414.25
12593204	3068	DEBRA COLVARD Travel & Conf	\$94.00
12593205	405	DASSEL'S PETROLEUM INC. Fuel	\$9,591.08
12593206	405	DASSEL'S PETROLEUM INC. Fuel	\$376.21
12593207	4815	DIGITECH INTEGRATIONS INC Alarm Services	\$432.00
12593208	3904	EDUCATIONAL DATA SYSTEMS Test Scoring	\$203.18
12593209	2155	JAVIER ESPINDOLA Entry Fee	\$150.00
12593210	6453	FLOWERS BAKING COMPANY Food	\$2,470.80
12593211	1769	FRESNO PRODUCE Food	\$14,638.96
12593212	2749	GARDA CL WEST INC. Kitchen Services	\$136.40
12593213	1393	GAS COMPANY Gas	\$203.33
12593214	5323	NATIVIDAD GEORGE Science Matls	\$23.80
12593215	4546	GIGGLETIME TOY CO Instl Matls	\$193.02
12593216	591	GOLD STAR FOODS Food	\$32,112.21
12593217	2544	EVA GONZALEZ Prepaid Meals	\$5.45
12593218	5541	JOANN GRAHAM Mileage	\$118.32
12593219	622	CHERYL GUILBEAU Mileage	\$68.78
12593220	3656	HANFORD AUTO & TRUCK PARTS Maint/Grounds/Trans Supplies	\$692.04
12593221	632	CITY OF HANFORD Water/Sewer	\$25,656.26
12593222	7228	SAMANTHA HERNANDEZ Mileage	\$44.69
12593223	3820	HOLIDAY INN EXPRESS Travel & Conf	\$298.99
12593224	5280	J&E RESTAURANT SUPPLY INC Kitchen Supplies	\$588.40
12593225	779	KEENAN & ASSOC. CPIC Health & Welfare	\$5,407.50
12593226	778	KEENAN & ASSOC. MED. EYE SERV. Health & Welfare	\$10,247.20
12593227	1783	KELLER MOTORS Transportation Supplies	\$247.77
12593228	3760	KINGS COUNTY AIR Repairs	\$9,973.00
12593229	799	KINGS COUNTY EMPLOYER ADVISORY Travel & Conf	\$10.00
12593230	3962	KINGS COUNTY GLASS Repairs	\$2,475.33
12593231	801	KINGS COUNTY MOBILE LOCKSMITH Repairs	\$464.93
12593232	796	KINGS COUNTY OFFICE OF ED Other Services/Travel & Conf	\$2,357.00
12593233	802	KINGS COUNTY PIPE & SUPPLY Maintenance Supplies	\$368.44
12593234	3782	KINGS COUNTY SPORTS OFFICIALS Inst'l Consultant	\$1,725.00
12593235	808	KINGS WASTE & RECYCLING Garbage	\$69.36
12593236	986	LAWNMOWER MAN Grounds	\$193.31
12593237	3048	CYNTHIA LEWIS Mileage	\$56.19
12593238	7275	MCDONALD PUBLISHING Instl Matls	\$28.93
12593239	5111	P & R PAPER SUPPLY COMPANY INC Kitchen Supplies	\$4,213.03
12593240	1168	PRODUCERS DAIRY PRODUCTS Food	\$21,562.16
12593241	7280	PUT-IN-CUPS LLC Instl Matls	\$345.78
12593242	1188	QUILL LLC Warehouse	\$2,669.46

Warrant Register For Warrants

Dated 11/09/2018

Warrant Number	Vendor Number	Vendor Name	Amount
12593243	6808	CARLOS RODRIGUEZ Travel & Conf	\$181.00
12593244	1303	SAVE MART SUPERMARKETS Food	\$262.01
12593245	3168	SCHOOLWORKS INC. Other Services	\$3,000.00
12593246	1685	SHERATON GRAND-SACRAMENTO Travel & Conf	\$633.00
12593247	1356	SILVAS OIL COMPANY INC. Fuel	\$1,367.87
12593248	1367	SISC III Health & Welfare	\$557,644.75
12593249	7295	JARED SOUZA Other Services	\$20.00
12593250	1403	STANISLAUS FOUNDATION – DENTAL Other Services	\$20,724.43
12593251	2188	SUPPLYWORKS Custodial/Warehouse Supplies	\$1,293.62
12593252	1444	SYSCO FOODSERVICES OF MODESTO Food/Kitchen Supplies	\$26,282.80
12593253	7182	TEK VISIONS Kitchen Matls	\$1,490.62
12593254	5946	THE HARTFORD Health & Welfare	\$1,205.05
12593255	7296	BRIANNA THOMAS Prepaid Meals	\$20.10
12593256	6421	TREBRON COMPANY INC Software License	\$24,420.00
12593257	4064	TULARE COUNTY OFFICE OF ED Travel & Conf	\$900.00
12593258	6032	TUMBLEWEED PRESS INC Software License	\$599.00
12593259	1508	U.S. POSTAL SERVICE (CMRS-FP) Postage	\$469.51
12593260	3749	ULINE INC Instl Matls	\$59.86
12593261	1521	UNITED REFRIGERATION INC. Kitchen Supplies	\$359.47
12593262	1612	MICHELLE E. WHITE Instl Matls	\$26.82
12593263	3863	WILLIAM WILKINSON Mileage	\$84.37
12593264	7229	LEANN WILLIAMSON Mileage	\$31.83
12593265	1649	LUPE YADETA Science Matls	\$9.65
Total Amount of All Warrants:			\$1,209,097.60

Credit Card Register For Payments
Dated 11/09/2018

Document Number	Vendor Number	Vendor Name	Amount
14024465	2	A-Z BUS SALES INC Transportation Supplies	\$2,295.02
14024466	415	DELRAY TIRE & RETREADING INC. Repairs	\$816.33
14024467	5690	INDOFF INCORPORATED Facilities Furniture	\$319.61
14024468	1802	MEDALLION SUPPLY Maint/Transportation Supplies	\$581.26
14024469	1071	ORIENTAL TRADING CO. INC. Instl Matls/Allowance	\$356.41
14024470	598	WINGFOOT COMMERCIAL TIRE SYS Repairs	\$2,346.41
Total Amount of All Credit Card Payments:			\$6,715.04

Warrant Register For Warrants

Dated 11/16/2018

Warrant Number	Vendor Number	Vendor Name	Amount
12593757	6431	AMAZON.COM Inst'l Matl's/Office Supplies	\$1,100.01
12593758	59	AMERIPRIDE UNIFORM SERVICES Laundry/Mop/Mat Services	\$3,481.86
12593759	3258	BANK OF AMERICA Travel & Conf/Study Trip	\$2,278.73
12593760	113	BARNES AND NOBLE-5886056 Books	\$141.10
12593761	1833	CASH Travel & Conf	\$140.00
12593762	6552	CHILDREN'S STORYBOOK GARDEN Study Trips	\$750.00
12593763	3682	FASTENAL Maintenance Supplies	\$29.01
12593764	1177	FRED PRYOR SEMINARS Travel & Conf	\$128.00
12593765	2290	ROBERT A. GARCIA Travel & Conf/Mileage	\$465.62
12593766	1393	GAS COMPANY Gas	\$1,084.07
12593767	2427	HOME DEPOT CREDIT SERVICES Inst'l Matl's	\$205.97
12593768	711	THE HORN SHOP Band Supplies	\$548.29
12593769	4597	IVS COMPUTER TECHNOLOGY Technology	\$3,680.49
12593770	5828	KINGS COUNTY DEPT OF PUBLIC WORKS Fuel	\$82.25
12593771	838	LAWRENCE TRACTOR COMPANY Grounds Supplies	\$32.35
12593772	7294	LEARNING AND THE BRAIN Travel & Conf	\$569.00
12593773	4629	LOWE'S OF HANFORD Inst'l Matl's	\$110.00
12593774	7260	LOWE'S PRO SERVICES Maint/Grounds/Custodial Supplies	\$484.64
12593775	912	MANGINI ASSOCIATES INC. Buildings & Improvements	\$48,819.93
12593776	5510	NEWEGG.COM Technology	\$340.99
12593777	4188	CHAD NIELSEN Mileage	\$30.14
12593778	1058	OFFICE DEPOT Office Supplies	\$291.68
12593779	6257	ORCHARD SUPPLY HARDWARE Maint/Grounds/Custodial Supplies	\$332.24
12593780	7288	RANCHO NOTSO GRANDE Field Trip	\$125.00
12593781	2993	TIM REVIOUS Travel & Conf/Mileage	\$465.62
12593782	6122	SHI INTERNATIONAL CORP Software License	\$47,281.60
12593783	1392	SOUTHERN CALIFORNIA EDISON CO. Electricity	\$67,655.72
12593784	1403	STANISLAUS FOUNDATION – DENTAL Other Services	\$13,842.30
12593785	1466	TERMINIX INTERNATIONAL Pest Control	\$472.00
12593786	1503	TULARE-KINGS MUSIC ED. ASSOC. Band Services	\$225.00
12593787	1506	TWB INSPECTIONS Buildings & Improvements	\$7,500.00
12593788	1521	UNITED REFRIGERATION INC. Maintenance Supplies	\$4,249.59
12593789	3154	UPS Postage	\$67.36
12593790	2653	VALLEY OXYGEN Maint/Grounds Supplies	\$124.57
12593791	6943	WEST VALLEY SUPPLY Grounds Supplies	\$256.86

Total Amount of All Warrants:

\$207,391.99

Credit Card Register For Payments
Dated 11/16/2018

Document Number	Vendor Number	Vendor Name	Amount
14024529	179	BUDDY'S TROPHY SUPPLY Inst'l Matl's	\$637.70
14024530	509	EWING IRRIGATION PRODUCTS Grounds Supplies	\$110.31
14024531	1002	MORGAN & SLATES INC. Maint/Grounds Supplies	\$96.36
14024532	3131	SHERWIN-WILLIAMS CO Maintenance Supplies	\$175.47
Total Amount of All Credit Card Payments:			\$1,019.84

Warrant Register For Warrants

Dated 11/26/2018

Warrant Number	Vendor Number	Vendor Name	Amount
12594307	6253	AT&T Telephone	\$2,367.59
12594308	3947	ATKINSON ANDELSON LOYA RUUD & ROMO Legal	\$10,013.07
12594309	7167	AVERIE GRACE DESIGNS READY Supplies	\$111.54
12594310	6119	BLACKBOARD INC Software License	\$5,800.00
12594311	3967	CAHPERD CONFERENCE Travel & Conf	\$1,400.00
12594312	236	STATE OF CALIFORNIA Other Services	\$2,613.00
12594313	4393	CAROLINA BIOLOGICAL SUPPLY CO Inst'l Matl's	\$566.44
12594314	355	CDT INC. Other Services	\$132.00
12594315	304	NICK CHAMPI ENTERPRISES INC. Repairs	\$485.65
12594316	324	CHILDS & COMPANY INC. Maintenance Supplies	\$519.18
12594317	7129	TIMERIE CORREIA Allowance	\$195.40
12594318	5838	CREDENTIAL COUNSELORS & Membership Dues	\$40.00
12594319	3618	CURRICULUM ASSOCIATES INC. Books	\$479.88
12594320	5463	SARA DECUIR Travel & Conf/Mileage	\$43.55
12594321	5786	DOCUMENT TRACKING SERVICES Other Services	\$171.18
12594322	6994	ESP SURVEYING INC. Buildings & Improvements	\$2,640.00
12594323	556	JOY GABLER Travel & Conf	\$228.00
12594324	1393	GAS COMPANY Gas	\$271.33
12594325	2157	YOLANDA GOMES Supplies	\$7.51
12594326	1816	LUCY GOMEZ Supplies/Travel & Conf	\$194.35
12594327	5267	AMY GONSALVES Allowance	\$128.25
12594328	5644	GOTTSCHALK MUSIC CENTER Repairs	\$1,209.78
12594329	620	GRISWOLD LASALLE COBB DOWD Legal	\$1,719.00
12594330	3528	LINDSAY HASTINGS Rewards	\$48.64
12594331	7281	HERBERT L FLAKE CO. Maintenance Supplies	\$645.78
12594332	7104	EDGAR HERNANDEZ Mileage	\$33.35
12594333	5703	TERESA JAQUEZ Inst'l Consultant	\$990.00
12594334	7217	JOHN CORCORAN FOUNDATION PD Matl's	\$350.00
12594335	5290	KEENAN & ASSOCIATES Other Services	\$3,485.00
12594336	796	KINGS COUNTY OFFICE OF ED Other Services	\$588.00
12594337	3782	KINGS COUNTY SPORTS OFFICIALS Inst'l Consultant	\$850.00
12594338	817	KROEGER EQUIPMENT & SUPPLY CO Transportation Supplies	\$427.26
12594339	7239	LIQUID EFX READY Supplies	\$258.00
12594340	2298	MARKERBOARD PEOPLE Inst'l Matl's	\$1,005.00
12594341	4704	KELLEY MAYFIELD Mileage	\$21.36
12594342	2491	MID-COUNTY FIRE EXTINGUISHER Repairs	\$43.99
12594343	1004	MORRISON'S SILKSCREEN Inst'l Matl's	\$528.74
12594344	7041	MUSIC & ARTS Band Supplies	\$771.76
12594345	6965	MYSTERY SCIENCE INC. Allowance	\$99.00
12594346	1021	NASCO Inst'l Matl's	\$572.59
12594347	4188	CHAD NIELSEN Travel & Conf	\$412.06
12594348	6056	KRISTI OCHOA READY Supplies	\$65.45
12594349	1058	OFFICE DEPOT Office Supplies	\$583.93
12594350	6792	PEARSON EDUCATION Textbooks	\$546.01
12594351	7297	VANESSA PEREZ Other Services	\$20.00
12594352	7293	POOR RICHARD'S PRESS Medical Services	\$1,970.88
12594353	1204	SHARON RAMSEIER-WILLIAMS Inst'l Consultant	\$1,042.17
12594354	5456	RICK'S VENDING Repairs	\$43.40

**Warrant Register For Warrants
Dated 11/26/2018**

Warrant Number	Vendor Number	Vendor Name	Amount
12594355	1303	SAVE MART SUPERMARKETS Supplies	\$69.42
12594356	1327	SCHOOL SPECIALTY Inst'l Matl's	\$64.16
12594357	6368	SINCLAIR RESEARCH GROUP Inst'l Consultant	\$3,625.00
12594358	1374	SMART & FINAL STORES (HFD DO) Supplies	\$390.42
12594359	1880	SOUTH COUNTY SUPPORT SERVICES AGENCY Other Services	\$1,219.49
12594360	1403	STANISLAUS FOUNDATION – DENTAL Other Services	\$8,682.90
12594361	2188	SUPPLYWORKS Custodial Supplies	\$369.11
12594362	6823	TCG GROUP HOLDINGS Other Services	\$292.00
12594363	2138	THE TREE HOUSE READY Supplies	\$479.55
12594364	6032	TUMBLEWEED PRESS INC Software License	\$719.10
12594365	4547	U S SCHOOL SUPPLY Inst'l Matl's	\$178.65
Total Amount of All Warrants:			\$62,828.87

Credit Card Register For Payments
Dated 11/26/2018

Document Number	Vendor Number	Vendor Name	Amount
14024581	3599	4IMPRINT INC Inst'l Matl's	\$2,115.29
14024582	599	GOPHER SPORT Athletic Supplies	\$1,192.61
14024583	2321	GRAPHIC ENTERPRISES INC. Inst'l Matl's	\$140.48
14024584	652	HANFORD SENTINEL Other Services	\$528.50
14024585	2584	KIMBALL MIDWEST Transportation Supplies	\$404.29
14024586	1121	PERMA-BOUND Books	\$2,220.82
14024587	1313	SCHOLASTIC TEACHERS STORE Books	\$2,075.57
14024588	1322	SCHOOL HEALTH CORPORATION Medical Supplies	\$265.77

Total Amount of All Credit Card Payments:**\$8,943.33**

Warrant Register For Warrants

Dated 11/30/2018

Warrant Number	Vendor Number	Vendor Name	Amount
12595014	6431	AMAZON.COM Medical/Office/Inst'l Supplies	\$1,178.03
12595015	53	AMERICAN MUSIC COMPANY Equipment	\$3,668.32
12595016	5895	PEGGY BELL Mileage	\$57.77
12595017	7262	ALISIA BYARS Travel/Mileage	\$886.22
12595018	5154	RICK CALVILLO Travel & Conf	\$99.00
12595019	5410	CRUZ CHAVEZ Travel & Conf	\$32.00
12595020	4654	CLASSIC SOCCER Inst'l Matl's	\$214.50
12595021	3068	DEBRA COLVARD Mileage	\$258.88
12595022	6299	JAHNA COSTELLO Allowance	\$53.96
12595023	2123	CRESTLINE COMPANY INC. Inst'l Matl's	\$5,781.05
12595024	4815	DIGITECH INTEGRATIONS INC Leases/Repairs	\$6,647.20
12595025	486	KENNY EGGERT Inst'l Matl's	\$87.47
12595026	7082	DAVID ENDO Travel & Conf/Mileage	\$292.20
12595027	6232	FOLLETT LIBRARY RESOURCES Books	\$5,369.29
12595028	556	JOY GABLER Travel & Conf/Mileage/Flowers	\$533.46
12595029	1393	GAS COMPANY Gas	\$223.37
12595030	3305	GILBERT ELECTRIC COMPANY Repairs	\$1,500.00
12595031	2544	EVA GONZALEZ Allowance	\$160.78
12595032	7012	GREENFIELD LEARNING INC. Software License	\$370.00
12595033	641	HANFORD ELEM. REVOLVING FUND Books/Payroll Refunds	\$569.14
12595034	7300	HANFORD WEST HIGH SCHOOL Field Trip	\$200.00
12595035	3367	HEINEMANN PUBLISHING Books	\$1,992.73
12595036	5052	IMAGINE U CHILDRENS MUSEUM Study Trip	\$420.00
12595037	5052	IMAGINE U CHILDRENS MUSEUM Study Trip	\$300.00
12595038	2528	INDUSTRIAL PLUMBING SUPPLY Maintenance Supplies	\$1,158.13
12595039	7175	iREPAIR Repairs	\$521.32
12595040	4597	IVS COMPUTER TECHNOLOGY IT Matl's	\$202.40
12595041	7217	JOHN CORCORAN FOUNDATION PD Matl's	\$350.00
12595042	759	DARYL L. JOHNSON Allowance	\$17.02
12595043	5937	JESSICA KNODEL Allowance	\$160.74
12595044	6459	MELODY LEE Travel & Conf/Mileage	\$189.63
12595045	7239	LIQUID EFX READY Matl's	\$1,132.50
12595046	5647	DIANA LUGO READY Supplies	\$45.58
12595047	2298	MARKERBOARD PEOPLE Inst'l Matl's	\$1,008.00
12595048	2903	JAIME MARTINEZ Travel & Conf/Mileage	\$292.20
12595049	6739	NEARPOD INC. Software License	\$1,094.50
12595050	3072	JENNIFER PITKIN SOM Supplies	\$81.92
12595051	5456	RICK'S VENDING Inst'l Matl's	\$296.00
12595052	3883	SHEREESE ROSE Inst'l Matl's	\$36.41
12595053	1327	SCHOOL SPECIALTY Warehouse	\$349.63
12595054	3168	SCHOOLWORKS INC. Other Services	\$2,000.00
12595055	7113	AMANDA SEWELL Allowance	\$200.00
12595056	1392	SOUTHERN CALIFORNIA EDISON CO. Electricity	\$4,252.11
12595057	5622	JOANNA STONE Mileage	\$98.37
12595058	6944	TETER LLP Buildings & Improvements	\$10,978.54
12595059	5394	TJM PROMOTIONS INC Inst'l Matl's	\$1,056.00
12595060	4064	TULARE COUNTY OFFICE OF ED Travel & Conf	\$1,210.00
12595061	1558	VERIZON WIRELESS Telephone	\$596.51

**Warrant Register For Warrants
Dated 11/30/2018**

Warrant Number	Vendor Number	Vendor Name	Amount
12595062	1575	WALMART COMMUNITY RFCSLLC Inst'l Matl's	\$2,805.29
12595063	1603	WESTERN BUILDING MATERIALS Maintenance Supplies	\$462.02
12595064	1873	ZEE MEDICAL SERVICE CO. First Aid Supplies	\$695.84
Total Amount of All Warrants:			\$62,186.03

Credit Card Register For Payments
Dated 11/30/2018

Document Number	Vendor Number	Vendor Name	Amount
14024630	599	GOPHER SPORT Athletic Supplies	\$114.00
14024631	5690	INDOFF INCORPORATED Furniture	\$8,044.82
14024632	1111	J W PEPPER & SON INC Band Supplies	\$316.07
14024633	2463	JONES SCHOOL SUPPLY CO. INC. Inst'l Matl's	\$467.25
14024634	806	KINGS COUNTY TROPHY Inst'l Matl's	\$57.92
14024635	831	LAKESHORE LEARNING Inst'l Matl's	\$176.03
14024636	886	LRP PUBLICATIONS Books	\$52.00
14024637	1071	ORIENTAL TRADING CO. INC. Allowance	\$46.26
14024638	1147	POSITIVE PROMOTIONS Inst'l Matl's	\$400.75
14024639	5120	SAFETY DEPOT Office Supplies	\$89.90
Total Amount of All Credit Card Payments:			\$9,765.00

Hanford Elementary School District
Minutes of the Regular Board Meeting
November 14, 2018

Minutes of the Regular Board Meeting of the Hanford Elementary School District Board of Trustees on November 14, 2018 at District Office Board Room, 714 N. White Street, Hanford, CA.

- Call to Order** Vice-President Revious called the meeting to order at 5:30 p.m. Trustee Garcia and Hernandez were present. Trustee Garner and Strickland were absent.
- Closed Session** Trustees immediately adjourned to closed session for the purpose of:
- Student Discipline pursuant to Education Code section 48918
 - Public Employee Discipline/Dismissal/Release (GC 54957) – Case#2019-01
- Open Session** Trustees returned to open session at 5:50 p.m.
- HESD Managers Present** Joy C. Gabler, Superintendent, and the following administrators were present: Kristina Baldwin, Doug Carlton, Kenny Eggert, David Endo, Javier Espindola, Ramiro Flores, Lucy Gomez, Lindsay Hastings, Jaime Martinez, Karen McConnell, Gerry Mulligan, Jennifer Pitkin, Julie Pulis, Jill Rubalcava, Cruz Sanchez-Leal and Jay Strickland.
- Case# 19-03** Trustee Hernandez moved to accept the Findings of Fact and expel Case #19-03 for the remainder of the 2018-2019 school year for violation of Education Code 48900 and/or 48915 as determined by the Administrative Panel at hearings held on November 13, 2018. Parents may apply for Readmission on or after June 7, 2019. Trustee Garcia seconded; motion carried 3-0:
- Garcia – Yes
 - Hernandez – Yes
 - Revious – Yes
- Personnel Items** During closed session, the Board acted to approve Resignation Agreement regarding a permanent classified employee, Case No. 2019-01 effective December 3, 2018 by the following roll call vote:
- Ayes: Garcia, Hernandez, Revious
 - Nays: None
 - Abstentions: None
 - Absences: Garner, Strickland
- Public Comments** None
- Board and Staff Comments** April Silva, HESD teacher and HETA member, stated two teachers will be receiving awards from Kings/Tulare Human Rights on November 29th. Josefa Bustos-Pelayo will receive Ethnicity Minority Award and April Silva will receive Human Rights Equality Award.
- Requests to Address the Board** None

Dates to Remember

Vice-President Revious reviewed dates to remember: Junior High Wrestling Invitation Tourney – November 17th; Parent Teacher Conferences – November 19th and 20th; Thanksgiving Holiday – November 21st to 23rd.

CONSENT ITEMS

Trustee Garcia made a motion to take consent items "a" through "f" together. Trustee Hernandez seconded; motion carried 3-0:

Garcia – Yes
Hernandez – Yes
Revious – Yes

Trustee Garcia then made a motion to approve consent items "a" through "f". Trustee Revious seconded; motion carried 3-0:

Garcia – Yes
Hernandez – Yes
Revious – Yes

The items approved are as follows:

- a) Warrant listings dated October 19, 2018; October 26, 2018; and November 2, 2018.
- b) Minutes of Regular Board Meeting held on October 24, 2018.
- c) Interdistrict transfers as recommended.
- d) Donation of \$180.34 from eScrip C.
- e) Donation of \$1,900.00 from Simas Parent Teacher Club.
- f) Donation of \$48.46 from eScrip.

Trustee Revious thanked donors for all the donation.

INFORMATION ITEMS

2018-19 Annual Williams Report

Joy C. Gabler, Superintendent, presented for information the 2018-2019 Annual Williams Report. The annual report had zero findings. Joy thanked her team for making it a smooth positive visit.

Jefferson Charter School

Joy C. Gabler, Superintendent, presented for information the transition of Jefferson from a Charter School to a Magnet Program. As the renewal date approaches, Joy and the administration team reviewed the benefits of transitioning Jefferson from a Charter to a Magnet Program. The program will remain the same, focusing on dual-immersion and STEM. The enrollment process will also stay the same, the only change is a separate lottery for out of district applicants. This transition will also benefit the LCAP process as we will no longer need a separate LCAP for Jefferson. Additionally, it is estimated there will be a potential increase of \$450,000. The next step is to meet with CSEA and HETA, the information will go out before approval. This item be brought back to December's meeting for approval.

PAC Meeting #4

Doug Carlton, Director of Program Development, presented for information a report from the District Parent Advisory Committee for the meeting held on April 24, 2018 (PAC Meeting #4). The PAC received for information: California Distinguished Schools and California Exemplary School District, History Social Studies Textbook Adoption, draft of Year 2 (2018-2019 to 2019-2020) LCAP, Bright Bytes Survey and Remind 101 software. The PAC made the following recommendations: continue to work hard and set high

expectations for achievement as California Distinguished Schools and as a California Exemplary District, continue to provide students with current instructional materials, the Board of Trustees approve the LCAP and consider purchasing Remind 101.

- DELAC Meeting #5** Lucy Gomez, Director of Curriculum, presented for information a report from the District English Learner Advisory Committee for the meeting held on May 30, 2018 (DELAC Meeting #5). The DELAC received for information: a draft of the 17-18 to 19-20 year 2 LCAP, LCAP approval process, Title I Evaluation, Consolidated Application and LCAP Federal Addendum. The DELAC recommended: the Board approve the 17-18 to 19-20 Year 2 LCAP, the Board approve the Consolidated Application and the district continue to work on the LCAP Federal Addendum with input from the DELAC.
- Monthly Financial Reports** David Endo, Chief Business Official, presented for information the monthly financial reports for the period of 07/01/2018 – 10/31/2018. HESD is still waiting to receive the lunch program reimbursement. It's expected in the near future. The reimbursement percentage did increase from when HESD first applied.
- BP/AR 6020** Doug Carlton, Director of Program Development, presented for information the following revised Board Policy and Administrative Regulation:
- BP/AR 6020 – Parent Involvement
- BP 3100** David Endo, Chief Business Official, presented for information the following revised Board Policy:
- BP 3100 – Budget
- BP 3280** David Endo, Chief Business Official, presented for information the following revised Board Policy:
- BP 3280 – Sale or Lease of District-Owned Real Property
- BP 3513.4** David Endo, Chief Business Official, presented for information the following revised Board Policy:
- BP 3513.4 – Drug and Alcohol Free Schools
- AR 3515.6** David Endo, Chief Business Official, presented for information the following revised Board Policy:
- AR 3515.6 – Criminal Background Checks for Contractors
- AR 5113.11** Jason Strickland, Director of Child Welfare & Attendance, presented for information the following new Administrative Regulation:
- AR 5113.11 – Attendance Supervision
- BP/AR 5113.12** Jason Strickland, Director of Child Welfare & Attendance, presented for information the following new Board Policy and Administrative Regulation:
- BP/AR 5113.12 – District School Attendance Review Board
- BP/AR 6173.2** Jason Strickland, Director of Child Welfare & Attendance, presented for information the following new Board Policy and Administrative Regulation:
- BP/AR 6173.2 – Education of Children of Military Families

- BP 6170.1** Jill Rubalcava, Assistant Superintendent of Curriculum, presented for information the following revised Board Policy:
- BP 6170.1 – Transitional Kindergarten

BOARD POLICIES AND ADMINISTRATION

- Resolution: #8-19** Item was tabled for next meeting when more members are present as there wasn't a quorum for this item. Resolution #8-19: Regarding Absent Board Member Compensation.

- BP 4111, 4211, 4311** Trustee Garcia made a motion to approve the revised Board Policy 4111, 4211, 4311 – Recruitment and Selection. Trustee Hernandez seconded; motion carried 3-0:

Garcia – Yes
Hernandez – Yes
Revious – Yes

- BP/AR 4119.11, 4219.11, 4319.11** Trustee Garcia made a motion to approve the revised Board Policy and Administrative Regulation 4119.11, 4219.11, 4319.11 – Sexual Harassment. Trustee Hernandez seconded; motion carried 3-0:

Garcia – Yes
Hernandez – Yes
Revious – Yes

- AR 4161.8, 4261.8, 4361.8** Item was tabled for next meeting as it should have been an information item. Administrative Regulation 4161.8, 4261.8, 4361.8 – Family Care and Medical Leave.

PERSONNEL

Trustee Garcia made a motion to take Personnel items "a" through "e" together. Trustee Hernandez seconded; motion carried 3-0:

Garcia – Yes
Hernandez – Yes
Revious – Yes

Trustee Garcia then made a motion to approve Personnel items "a" through "e". Trustee Hernandez seconded; the motion carried 3-0:

Garcia – Yes
Hernandez – Yes
Revious – Yes

Item "a" – Employment

The following items were approved:

Certificated

- Lisa Polder, RSP Teacher, various sites, effective 12/3/18

Classified

- Anna Hernandez, Food Service Worker II – 2.5 hrs., Kennedy, effective 11/1/18
- Jacine Reyes, READY Program Tutor – 4.5 hrs., Roosevelt, effective 10/22/18
- Timothy Wedderburn, Groundskeeper II – 8.0 hrs., Grounds/DSF, effective 11/1/18

Yard Supervisors

- Tia Cooper, Yard Supervisor – 3.25 hrs., Wilson, effective 10/31/18
- Angela Corona, Yard Supervisor – 3.0 hrs., Roosevelt, effective 10/23/18
- Jennifer Navarro Rodriguez, Yard Supervisor – 3.0 hrs., Lincoln, effective 10/23/18

Temporary Employees/Substitutes

- Regine Abad, Percussion Coach, Jefferson, effective 10/22/18 to 6/6/19
- Lizeth Barraza Alcala, Short-term Yard Supervisor – 2.0 hrs., Simas, effective 10/23/18 to 12/21/18
- Oscar Barron, Short-term Licensed Vocational Nurse – 4.0 hrs., Kennedy, effective 11/5/18 to 12/21/18
- Tiffany Cantu, Short-term Yard Supervisor – 1.5 hrs., King, effective 10/23/18 to 12/21/18
- Yesenia Caro, Short-term Yard Supervisor – 1.0 hr. Roosevelt, effective 10/23/18 to 12/21/18
- Alix Carranza, Substitute Custodian I, effective 10/22/18
- Marlyn Chang, Short-term Bilingual Licensed Vocational Nurse – 4.0 hrs., Kennedy, effective 11/5/18 to 12/21/18
- Angelica Davila, Substitute Yard Supervisor, effective 10/23/18; Short-term Yard Supervisor – 2.0 hrs., Richmond, effective 10/23/18 to 12/21/18
- Tia Cooper, Short-term Yard Supervisor – .75 hr., Wilson (PE schedule), effective 11/13/18 to 5/17/19
- Maria Villa Fernandez, Substitute Custodian I, effective 10/15/18
- Omar Arellan Gallardo, Substitute Groundskeeper II, effective 11/5/18
- Mayra Garcia, Substitute Bus Driver, Translator: Oral Interpreter and Written Translator, effective 11/2/18
- Anna Hernandez, Substitute Yard Supervisor, effective 11/2/18
- Edgar Hernandez, Short-term Custodian II – 7.0 hrs., Monroe, effective 11/6/18 to 1/11/19
- Blakely Johnson-Lee, Substitute Alternative Education Program Aide, Special Circumstance Aide, and Special Education Aide, effective 10/29/18
- Valerie Esparza-Lopez, Short-term READY Program Tutor – 1.5 hrs., (T, Th), School Climate Activity at King, effective 10/16/18 to 12/20/18
- Amy McClard, Substitute Yard Supervisor, effective 10/26/18
- Reunite Mims, Short-term Yard Supervisor – 1.5 hrs., Hamilton, effective 10/24/18 to 12/21/18
- Arianna Nava, Short-term READY Program Tutor – 4.5 hrs., Hamilton, effective 10/31/18 to 12/21/18
- Ian Parra, Substitute READY Program Tutor, effective 10/17/18
- Nalleli Pelayo, Substitute READY Program Tutor, Translator: Oral Interpreter and Written Translator, effective 10/31/18
- Danira Sandoval, Short-term READY Program Tutor – 4.5 hrs., King, effective 10/23/18 to 12/17/18
- Keshia Spain, Substitute READY Program Tutor, effective 10/17/18; Short-term READY Program Tutor – 4.5 hrs., Hamilton, effective 11/5/18 to 12/21/18
- Melonie Thomas, Substitute READY Program Tutor, Special Circumstance Aide and Special Education Aide, effective 10/15/18
- Colett Vasquez, Substitute Yard Supervisor, effective 10/29/18; Short-term Yard Supervisor – 2.0 hrs., Roosevelt, effective 10/29/18 to 12/21/18

**Item "b" –
Temporary
Athletic Team
Coaches**

Employment and Certification of Temporary Athletic Team Coaches Pursuant to Title 5 CCR 5594

- Mariah Benitez, 4-6 Girls Basketball Coach, Hamilton, effective 11/12/18 to 2/15/19
- Christopher Kuenning, 4-6 Girls Basketball Coach, Washington, effective 11/12/18 to 2/9/19

**Item "c" –
Resignations**

- Kerri Borba, Substitute Educational Interpreter, effective 8/14/18
- Cheyenne Breer, Substitute Yard Supervisor, effective 8/15/18

**Item "d" – More
Hours**

- Esmeralda Ledesma, Yard Supervisor, from 2.5 to 3.0 hrs., Lincoln, effective 10/23/18
- Carlos Perez-Reyna, Yard Supervisor, from 1.5 hrs., to 2.5 hrs., Roosevelt, effective 10/23/18
- Sherri Sumaya, Yard Supervisor, from 3.0 hrs. to 3.5 hrs., Hamilton, effective 10/17/18

**Item "e" –
Volunteers**

<u>Name</u>	<u>School</u>
Melisa Rodriguez	Hamilton
Daisy Garcia	Jefferson
Greg Moreno	Jefferson
Rosa Nieves	Jefferson
Michael Taylor	King
Maria Callente	Lincoln
Esmeralda Ledesma (HESD Employee)	Lincoln
Ashley Borges-Brieno	Monroe
Sam Brieno	Monroe
Keith Hernandez	Monroe
Claudia Magallan	Monroe
Molly Sparks	Monroe
Haley Waddell	Monroe
Rebecca Anderson	Richmond
Elizabeth Garcia	Richmond
Bibiana Ramirez Rodriguez	Richmond
Sandy Renteria	Richmond
Frances Resendez	Roosevelt
Linsey Hughes	Simas
Cecilia Luviano	Simas
Guillermo Luviano Aguirre	Simas
Jessica Maldonado	Simas
Jaime Ortiz	Simas
Juan Santana Lopez	Simas
Jose Zuniga Chinchilla	Simas
Nicholas Almanza	Washington
Kenneth Bailey	Washington
Priscilla Carrasco	Washington
Robert Gonzalez	Washington
Julie Lloyd	Washington
Maribii Pratt	Kennedy
Karina Mascorro	Kennedy/Wilson/Kennedy

FINANCIAL

1st Interim Report

David Endo, Chief Business Official, presented a PowerPoint presentation on the 1st Interim Report for 2018-19. Highlights from his presentation include: general fund ADA tracking chart displaying last years and what is expected this year, which is looking very healthy due to attendance being high at all sites. Local Control Funding Formula's two major components in establishing target funding level: ADA by grade level and additional funding by ADA for free/reduced students, foster students and English learner students. LCFF would increase with Jefferson switching to Magnet Program versus Charter. LCFF funding calculation factors were reviewed with David stating we won't know exact numbers for increase funding until the end of the year, but it's looking good. David also reviewed LCFF target chart and general fund budget comparison showing new grounds and computer positions, bus grant contract with a new bus coming at the end of the month, and funds set aside for teacher lounges and office enhancements at Monroe and Jefferson. Other HESD funds were reviewed with David stating they are very healthy. He also reviewed multiyear projection assumptions, multiyear projection comparisons, multiyear projection general fund balance and what HESD is looking forward to.

Trustee Garcia made a motion to approve the 1st Interim Report presented by David Endo. Trustee Hernandez seconded; motion carried 3-0:

Garcia – Yes
Hernandez – Yes
Revious – Yes

Resolution #9-19

Trustee Garcia made a motion to adopt Resolution #9-19: 2018-19 Budget Revisions – 1st Interim. Trustee Hernandez seconded; motion carried 3-0:

Garcia – Yes
Hernandez – Yes
Revious – Yes

Kings County Treasure's Quarterly

Trustee Garcia made a motion to approve the Kings County Treasure's Quarterly Compliance Report. Trustee Hernandez seconded; motion carried 3-0:

Garcia – Yes
Hernandez – Yes
Revious – Yes

Rejection Claim: Fanny Miranda

Trustee Garcia made a motion to approve the Claim of Damages: Fanny Miranda. Trustee Hernandez seconded; motion carried 3-0:

Garcia – Yes
Hernandez – Yes
Revious – Yes

FUTURE ITEMS

Annual Organizational Meeting

Trustee Garcia made a motion to approve the Annual Organizational Meeting scheduled for December 12, 2018. Trustee Hernandez seconded; motion carried 3-0:

Garcia – Yes
Hernandez – Yes
Revious – Yes

Adjournment There being no further business, Vice-President Revious adjourned the meeting at 6:29 p.m.

Respectfully submitted,

Joy C. Gabler,
Secretary to the Board of Trustees

Approved: _____
Jeff Garner, President

Lupe Hernandez, Clerk

No	A/D	Sch Req'd	Home Sch	Date
I-178	A	Hamilton	Kit Carson	12/03/2018
I-179	A	Hamilton	Kit Carson	12/03/2018
I-180	A	Monroe	Pioneer	12/03/2018
I-181	A	Monroe	Lakeside	12/03/2018
I-181	A	Monroe	Pioneer	12/03/2018
I-182	A	Monroe	Lakeside	12/03/2018
I-183	A	Monroe	Lakeside	12/03/2018

No	A/D	Sch Req'd	Home Sch	Date
O-133	A	Pioneer	Simas	12/03/2018
O-134	A	Kit Carson	Kennedy	12/03/2018
O-135	A	Armona	Wilson	12/03/2018
O-136	A	Kit Carson	Kennedy	12/03/2018
O-137	A	Lemoore	Washington	12/03/2018

HANFORD ELEMENTARY SCHOOL DISTRICTAGENDA REQUEST FORM

TO: Joy Gabler

FROM: Julie Pulis



DATE: November 7, 2018

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

Date you wish to have your item considered: December 12, 2018

ITEM: Donation of \$83.00 from Spirit & PridePURPOSE: Accept donation of \$83.00 from Spirit & PrideMaterials & Supplies \$83.00
0100-1100-0-1110-1000-430000-024-0000FISCAL IMPACT (if any): \$83.00RECOMMENDATION (if any): Action.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler, Superintendent

FROM: Dr. Cruz Sanchez-Leal, Principal

DATE: November 14, 2018



FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: December 12, 2018

ITEM: Consider approval of donation to MLK from Sunset Rotary

PURPOSE: Instructional supply - dictionaries


FISCAL IMPACT: None

RECOMMENDATIONS: Approve

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler, Superintendent

FROM: Dr. Cruz Sanchez-Leal, Principal 

DATE: November 14, 2018

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


Date you wish to have your item considered: December 12, 2018

ITEM: Consider approval of donation to MLK from MLK PTC**PURPOSE:** Instructional supplies and school equipment**FISCAL IMPACT:** \$5750.00**RECOMMENDATIONS:** Approve

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler, Superintendent

FROM: Dr. Cruz Sanchez-Leal, Principal 

DATE: November 14, 2018

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

Date you wish to have your item considered: December 12, 2018

ITEM: Consider approval of donation to MLK from Walmart**PURPOSE: Instructional supplies****FISCAL IMPACT: \$175.00****RECOMMENDATIONS: Approve**

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Joy Gabler
FROM: Ramiro Flores
DATE: 11/26/18
FOR: (X) Board Meeting
() Superintendent's Cabinet
FOR: () Information
(X) Action

Date you wish to have your item considered: December 12, 2018

ITEM: Consider approval of donations to Hamilton School from:
• Hamilton Hornets Parent Teacher Club in amount of 1542.00.

PURPOSE: To use to pay for preorder pride wear order with SunCo designs..

FISCAL IMPACT:

Increase of \$1542.00 to 0100-1100-0-1110-1000-430000-029-0000.

RECOMMENDATION: Approve donation.

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Joy Gabler
FROM: Ramiro Flores
DATE: 11/26/18
FOR: (X) Board Meeting
() Superintendent's Cabinet
FOR: () Information
(X) Action

Date you wish to have your item considered: December 12, 2018

ITEM: Consider approval of donations to Hamilton School from:
• Hanford Rotary Club – 49 student paper back dictionaries.

PURPOSE: For student use.

FISCAL IMPACT:

None.

RECOMMENDATION: Approve donation.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: Javier Espindola

DATE: December 3, 2018

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: December 12, 2018

ITEM: Consider acceptance of donation of \$50.82 from Shoparoo to Jefferson Elementary.

PURPOSE: To be used for the purchase of student incentives.

FISCAL IMPACT: Increase of \$50.82 to Account #0900-1100-0-1110-1000-430000-021-0000

6

RECOMMENDATIONS: Accept donation.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: Karen McConnell

DATE: 11/28/18

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet ,

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: 12/12/18

ITEM: Consider acceptance of donation from the HESD Educational Foundation not to exceed \$3,000.00

PURPOSE: The HESD Educational Foundation has donated \$3,000.00 to the HESD READY Program in order to support the Junior Explorer Police Program

FISCAL IMPACT: None, all funds will be spent

RECOMMENDATIONS: Accept donation

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: David Endo

DATE: 12/03/2018

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: 12/12/2018

ITEM:

Receive for information monthly financial reports for the period of 07/01/2018-11/30/2018.

PURPOSE:

Attached are financial summaries for all of the District's funds for the period of 07/01/2018-11/30/2018.

FISCAL IMPACT:

The financial reports are informational only.

RECOMMENDATIONS:

Receive the monthly financial reports.

13 Hanford Elementary School District
 Fiscal Year: 2019
 Requested by dendo

Fiscal Position Report

November 2018

Page 1 of 11

11/30/2018 4:13:42PM

Fund: 0100 General Fund

		November Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$10,335,562.56	\$10,335,562.56		
REVENUES						
1) LCFF Sources	8010-8099	\$4,522,865.00	\$19,500,107.71	\$56,531,564.00	34.49	65.51
2) Federal Revenues	8100-8299	(\$18,402.43)	\$744,372.79	\$3,643,361.88	20.43	79.57
3) Other State Revenues	8300-8599	(\$68,376.23)	\$786,184.77	\$5,834,094.00	13.48	86.52
4) Other Local Revenues	8600-8799	\$124,251.27	\$659,271.89	\$2,763,658.81	23.86	76.14
5) Total, Revenues		\$4,560,337.61	\$21,689,937.16	\$68,772,678.69	31.54	68.46
EXPENDITURES						
1) Certificated Salaries	1000-1999	\$2,477,153.07	\$10,030,152.46	\$27,733,897.00	36.17	63.83
2) Classified Salaries	2000-2999	\$982,131.42	\$4,368,745.46	\$11,327,363.00	38.57	61.43
3) Employee Benefits	3000-3999	\$1,326,627.03	\$5,224,651.52	\$17,171,209.00	30.43	69.57
4) Books and Supplies	4000-4999	\$182,096.42	\$914,545.74	\$3,992,585.80	22.91	77.09
5) Services, Oth Oper Exp	5000-5999	\$423,513.22	\$2,058,613.32	\$3,753,807.29	54.84	45.16
6) Capital Outlay	6000-6999	(\$1,270.00)	\$103,267.94	\$1,587,130.44	6.51	93.49
7) Other Outgo(excl. 7300`s)	7100-7499	\$15,694.00	\$263,572.00	\$1,498,030.00	17.59	82.41
8) Direct/Indirect Support	7300-7399	\$0.00	\$0.00	(\$347,000.00)	0.00	100.00
9) Total Expenditures		\$5,405,945.16	\$22,963,548.44	\$66,717,022.53	34.42	65.58
OTHER FINANCING SOURCES/USES						
1) Transfers						
B) Transfers Out	7610-7629	\$0.00	\$100,000.00	\$1,451,093.00	6.89	93.11
3) Contributions	8980-8999	\$0.00	\$0.00	\$0.00	0.00	100.00
4) Total, Other Financing Sources/Uses		\$0.00	(\$100,000.00)	(\$1,451,093.00)	6.89	93.11
NET INCREASE (DECREASE) IN FUND BALANCE		(\$845,607.55)	(\$1,373,611.28)	\$604,563.16		
ENDING FUND BALANCE			\$8,961,951.28	\$10,940,125.72		

13 Hanford Elementary School District
 Fiscal Year: 2019
 Requested by dendo

Fiscal Position Report

November 2018

11/30/2018 4:13:42PM

Fund: 0900 Charter Schools Fund

		November Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$433,160.97	\$433,160.97		
REVENUES						
1) LCFF Sources	8010-8099	\$347,841.00	\$1,388,642.00	\$4,155,448.00	33.42	66.58
3) Other State Revenues	8300-8599	\$1,275.54	\$13,989.24	\$318,207.00	4.40	95.60
4) Other Local Revenues	8600-8799	\$196.93	\$2,523.62	\$16,851.00	14.98	85.02
5) Total, Revenues		\$349,313.47	\$1,405,154.86	\$4,490,506.00	31.29	68.71
EXPENDITURES						
1) Certificated Salaries	1000-1999	\$157,109.99	\$625,254.96	\$1,736,369.00	36.01	63.99
2) Classified Salaries	2000-2999	\$0.00	\$0.00	\$0.00	0.00	100.00
3) Employee Benefits	3000-3999	\$59,834.38	\$209,676.32	\$756,392.00	27.72	72.28
4) Books and Supplies	4000-4999	\$3,990.75	\$41,918.26	\$95,151.00	44.05	55.95
5) Services, Oth Oper Exp	5000-5999	\$7,564.24	\$55,297.09	\$1,453,090.77	3.81	96.19
6) Capital Outlay	6000-6999	\$0.00	\$0.00	\$104,010.00	0.00	100.00
8) Direct/Indirect Support	7300-7399	\$0.00	\$0.00	\$190,000.00	0.00	100.00
9) Total Expenditures		\$228,499.36	\$932,146.63	\$4,335,012.77	21.50	78.50
OTHER FINANCING SOURCES/USES						
1) Transfers						
B) Transfers Out	7610-7629	\$0.00	\$0.00	\$190,764.00	0.00	100.00
3) Contributions	8980-8999	\$0.00	\$0.00	\$0.00	0.00	100.00
4) Total, Other Financing Sources/Uses		\$0.00	\$0.00	(\$190,764.00)	0.00	100.00
NET INCREASE (DECREASE) IN FUND BALANCE		\$120,814.11	\$473,008.23	(\$35,270.77)		
ENDING FUND BALANCE			\$906,169.20	\$397,890.20		

13 Hanford Elementary School District
 Fiscal Year: 2019
 Requested by dendo

Fiscal Position Report

November 2018

11/30/2018 4:13:42PM

Fund: 1300 Cafeteria Fund

		November Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$1,446,470.57	\$1,446,470.57		
REVENUES						
2) Federal Revenues	8100-8299	\$236,206.85	\$240,732.50	\$3,237,659.00	7.44	92.56
3) Other State Revenues	8300-8599	\$17,709.81	\$18,025.94	\$226,156.00	7.97	92.03
4) Other Local Revenues	8600-8799	\$14,407.34	\$40,210.44	\$144,872.00	27.76	72.24
5) Total, Revenues		\$268,324.00	\$298,968.88	\$3,608,687.00	8.28	91.72
EXPENDITURES						
2) Classified Salaries	2000-2999	\$97,451.03	\$427,571.89	\$1,130,467.00	37.82	62.18
3) Employee Benefits	3000-3999	\$36,903.00	\$146,723.95	\$423,183.00	34.67	65.33
4) Books and Supplies	4000-4999	\$114,669.75	\$546,323.34	\$1,798,154.00	30.38	69.62
5) Services, Oth Oper Exp	5000-5999	\$1,251.15	(\$2,406.35)	(\$19,756.00)	12.18	87.82
6) Capital Outlay	6000-6999	\$25,045.02	\$25,045.02	\$156,000.00	16.05	83.95
8) Direct/Indirect Support	7300-7399	\$0.00	\$0.00	\$157,000.00	0.00	100.00
9) Total Expenditures		\$275,319.95	\$1,143,257.85	\$3,645,048.00	31.36	68.64
NET INCREASE (DECREASE) IN FUND BALANCE		(\$6,995.95)	(\$844,288.97)	(\$36,361.00)		
ENDING FUND BALANCE			\$602,181.60	\$1,410,109.57		

13 Hanford Elementary School District
 Fiscal Year: 2019
 Requested by dendo

Fiscal Position Report

November 2018

11/30/2018 4:13:42PM

Fund: 1400 Deferred Maintenance Fund

		November Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$3,296.98	\$3,296.98		
REVENUES						
1) LCFF Sources	8010-8099	\$0.00	\$300,000.00	\$300,000.00	100.00	0.00
4) Other Local Revenues	8600-8799	\$0.00	\$536.46	\$2,000.00	26.82	73.18
5) Total, Revenues		\$0.00	\$300,536.46	\$302,000.00	99.52	0.48
EXPENDITURES						
5) Services, Oth Oper Exp	5000-5999	\$0.00	\$0.00	\$0.00	0.00	100.00
6) Capital Outlay	6000-6999	\$121.25	\$129,039.17	\$305,296.98	42.27	57.73
9) Total Expenditures		\$121.25	\$129,039.17	\$305,296.98	42.27	57.73
NET INCREASE (DECREASE) IN FUND BALANCE		(\$121.25)	\$171,497.29	(\$3,296.98)		
ENDING FUND BALANCE			\$174,794.27	\$0.00		

13 Hanford Elementary School District
 Fiscal Year: 2019
 Requested by dendo

Fiscal Position Report

November 2018

11/30/2018 4:13:42PM

Fund: 1500 Pupil Transportation Equip

		November Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$148,916.49	\$148,916.49		
REVENUES						
4) Other Local Revenues	8600-8799	\$0.00	\$836.97	\$2,500.00	33.48	66.52
5) Total, Revenues		\$0.00	\$836.97	\$2,500.00	33.48	66.52
OTHER FINANCING SOURCES/USES						
1) Transfers						
A) Transfers In	8910-8929	\$0.00	\$100,000.00	\$100,000.00	100.00	0.00
4) Total, Other Financing Sources/Uses		\$0.00	\$100,000.00	\$100,000.00	100.00	0.00
NET INCREASE (DECREASE) IN FUND BALANCE		\$0.00	\$100,836.97	\$102,500.00		
ENDING FUND BALANCE			\$249,753.46	\$251,416.49		

13 Hanford Elementary School District
 Fiscal Year: 2019
 Requested by dendo

Fiscal Position Report

November 2018

11/30/2018 4:13:42PM

Fund: 2000 SPECIAL RESERVE FUND FOR OTHER POSTE

		November Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$3,446,033.37	\$3,446,033.37		
REVENUES						
4) Other Local Revenues	8600-8799	\$0.00	\$14,265.83	\$45,000.00	31.70	68.30
5) Total, Revenues		\$0.00	\$14,265.83	\$45,000.00	31.70	68.30
OTHER FINANCING SOURCES/USES						
1) Transfers						
A) Transfers In	8910-8929	\$0.00	\$0.00	\$1,241,857.00	0.00	100.00
4) Total, Other Financing Sources/Uses		\$0.00	\$0.00	\$1,241,857.00	0.00	100.00
NET INCREASE (DECREASE) IN FUND BALANCE		\$0.00	\$14,265.83	\$1,286,857.00		
ENDING FUND BALANCE			\$3,460,299.20	\$4,732,890.37		

13 Hanford Elementary School District
 Fiscal Year: 2019
 Requested by dendo

Fiscal Position Report

November 2018

11/30/2018 4:13:42PM

Fund: 2100 Building Fund-Local

		November Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$2,792,280.19	\$2,792,280.19		
REVENUES						
4) Other Local Revenues	8600-8799	\$0.00	\$11,475.73	\$49,187.61	23.33	76.67
5) Total, Revenues		\$0.00	\$11,475.73	\$49,187.61	23.33	76.67
EXPENDITURES						
6) Capital Outlay	6000-6999	\$346,065.53	\$816,690.53	\$2,713,278.80	30.10	69.90
9) Total Expenditures		\$346,065.53	\$816,690.53	\$2,713,278.80	30.10	69.90
OTHER FINANCING SOURCES/USES						
1) Transfers						
B) Transfers Out	7610-7629	\$0.00	\$0.00	\$128,189.00	0.00	100.00
4) Total, Other Financing Sources/Uses		\$0.00	\$0.00	(\$128,189.00)	0.00	100.00
NET INCREASE (DECREASE) IN FUND BALANCE						
		<u>(\$346,065.53)</u>	<u>(\$805,214.80)</u>	<u>(\$2,792,280.19)</u>		
ENDING FUND BALANCE						
			<u>\$1,987,065.39</u>	<u>\$0.00</u>		

13 Hanford Elementary School District
 Fiscal Year: 2019
 Requested by dendo

Fiscal Position Report

November 2018

11/30/2018 4:13:42PM

Fund: 2500 CapitalFacilities Fund

		November Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$198,667.72	\$198,667.72		
REVENUES						
4) Other Local Revenues	8600-8799	\$80,410.06	\$246,300.69	\$265,000.00	92.94	7.06
5) Total, Revenues		\$80,410.06	\$246,300.69	\$265,000.00	92.94	7.06
EXPENDITURES						
5) Services, Oth Oper Exp	5000-5999	\$6,001.39	\$147,862.39	\$165,000.00	89.61	10.39
6) Capital Outlay	6000-6999	\$0.00	\$0.00	\$0.00	0.00	100.00
9) Total Expenditures		\$6,001.39	\$147,862.39	\$165,000.00	89.61	10.39
OTHER FINANCING SOURCES/USES						
1) Transfers						
B) Transfers Out	7610-7629	\$0.00	\$0.00	\$0.00	0.00	100.00
3) Contributions	8980-8999	\$0.00	\$0.00	\$0.00	0.00	100.00
4) Total, Other Financing Sources/Uses		\$0.00	\$0.00	\$0.00	0.00	100.00
NET INCREASE (DECREASE) IN FUND BALANCE		\$74,408.67	\$98,438.30	\$100,000.00		
ENDING FUND BALANCE			\$297,106.02	\$298,667.72		

13 Hanford Elementary School District
 Fiscal Year: 2019
 Requested by dendo

Fiscal Position Report

November 2018

11/30/2018 4:13:42PM

Fund: 3500 SCHOOL FACILITY PROGRAM

		November Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$610,882.83	\$610,882.83		
REVENUES						
3) Other State Revenues	8300-8599	\$0.00	\$0.00	\$0.00	0.00	100.00
4) Other Local Revenues	8600-8799	\$0.00	\$2,303.15	\$0.00	0.00	100.00
5) Total, Revenues		\$0.00	\$2,303.15	\$0.00	0.00	100.00
EXPENDITURES						
6) Capital Outlay	6000-6999	\$56,961.54	\$598,003.41	\$4,463,571.83	13.40	86.60
9) Total Expenditures		\$56,961.54	\$598,003.41	\$4,463,571.83	13.40	86.60
OTHER FINANCING SOURCES/USES						
1) Transfers						
A) Transfers In	8910-8929	\$0.00	\$689,500.00	\$3,852,689.00	17.90	82.10
3) Contributions	8980-8999	\$0.00	\$0.00	\$0.00	0.00	100.00
4) Total, Other Financing Sources/Uses		\$0.00	\$689,500.00	\$3,852,689.00	17.90	82.10
NET INCREASE (DECREASE) IN FUND BALANCE		(\$56,961.54)	\$93,799.74	(\$610,882.83)		
ENDING FUND BALANCE			\$704,682.57	\$0.00		

13 Hanford Elementary School District
 Fiscal Year: 2019
 Requested by dendo

Fiscal Position Report

November 2018

11/30/2018 4:13:42PM

Fund: 4000 Special Reserve - Capital Outlay

		November Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$4,008,824.84	\$4,008,824.84		
REVENUES						
4) Other Local Revenues	8600-8799	\$0.00	\$16,031.41	\$40,000.00	40.08	59.92
5) Total, Revenues		\$0.00	\$16,031.41	\$40,000.00	40.08	59.92
EXPENDITURES						
5) Services, Oth Oper Exp	5000-5999	\$0.00	\$416.25	\$0.00	0.00	100.00
6) Capital Outlay	6000-6999	\$0.00	\$0.00	\$54,000.00	0.00	100.00
9) Total Expenditures		\$0.00	\$416.25	\$54,000.00	0.77	99.23
OTHER FINANCING SOURCES/USES						
1) Transfers						
A) Transfers In	8910-8929	\$0.00	\$0.00	\$300,000.00	0.00	100.00
B) Transfers Out	7610-7629	\$0.00	\$689,500.00	\$3,724,500.00	18.51	81.49
4) Total, Other Financing Sources/Uses		\$0.00	(\$689,500.00)	(\$3,424,500.00)	17.13	82.87
NET INCREASE (DECREASE) IN FUND BALANCE		\$0.00	(\$673,884.84)	(\$3,438,500.00)		
ENDING FUND BALANCE			\$3,334,940.00	\$570,324.84		

13 Hanford Elementary School District
 Fiscal Year: 2019
 Requested by dendo

Fiscal Position Report

November 2018

11/30/2018 4:13:42PM

Fund: 6720 Self-Insurance/Other

		November Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$483,868.56	\$483,868.56		
REVENUES						
4) Other Local Revenues	8600-8799	\$3,709.84	\$154,566.83	\$690,000.00	22.40	77.60
5) Total, Revenues		\$3,709.84	\$154,566.83	\$690,000.00	22.40	77.60
EXPENDITURES						
5) Services, Oth Oper Exp	5000-5999	(\$4,053.87)	\$215,588.91	\$658,500.00	32.74	67.26
9) Total Expenditures		(\$4,053.87)	\$215,588.91	\$658,500.00	32.74	67.26
NET INCREASE (DECREASE) IN FUND BALANCE		\$7,763.71	(\$61,022.08)	\$31,500.00		
ENDING FUND BALANCE			\$422,846.48	\$515,368.56		

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: David Endo

DATE: 12/03/2018

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: 12/12/2018

ITEM:

Receive the Budget Calendar for the 2019-2020 budget.

PURPOSE:

Attached is the timeline the District will follow for the preparation of the 2019-2020 school district budget.

FISCAL IMPACT:

None.

RECOMMENDATIONS:

Receive the Budget Calendar.

2018		
November	6	Parent Advisory Committee Meeting (including LCAP consultation)
	7	DELAC Committee Meeting (including LCAP consultation)
December	12	Budget and Local Control Accountability Plan (LCAP) calendar presented to Board of Trustees (Endo)
2019		
January	22	Site Allocation Planning. Determine School/Department planning figures for 2019-20 Personnel and Supply allocations (Gabler/Endo)
	29	Parent Advisory Committee Meeting (including LCAP consultation)
	30	DELAC Committee Meeting (including LCAP consultation)
February	4	LCAP Consultation at HETA Meet & Consult (Gabler)
	8	Parent Surveys
	8	Send 2019-20 Staff Classified Allocation to S.O.O./Managers/HR
	22	Annual Staff Planning – Meeting #1
	25	LCAP consultation at CSEA Meet & Consult (Gabler)
	28	Distribute budget materials to Schools and Departments (Pupil Allocation). Potential budget memos for next year
March	1-30	Superintendent to review Department budgets with managers at briefings. Review budget memos with managers
	1-30	Principals/Department Heads develop budgets
	1	Annual Staff Planning – Meeting #2
	4	LCAP consultation at HETA Meet & Consult (Gabler)
	8	Annual Staff Planning – Meeting #3

	11	Annual Staff Planning – ADA/enrollment projections for calculation of income (Exec. Council)
	11	Review Personnel (Exec. Council)
	13	LCAP Student Focus Group (5th- 8th grade students) to be held at JFK Jr. High School.
	18	LCAP consultation at CSEA Meet & Consult (Gabler)
	19	Parent Advisory Committee Meeting (including LCAP Consultation)
	19	2019-20 Certificated Pre-Staffing
	20	DELAC meeting (including LCAP consultation)
	26	2019-20 Certificated Staffing
	29	Student surveys to be completed
	29	2019-20 General Purpose, Categorical, Food Services and Special Ed budgets due to Fiscal Services
April	1	LCAP consultation at HETA Meet & Consult (Gabler)
	8	LCAP consultation at CSEA Meet & Consult (Gabler)
	10	Establish Budget Committee
	24	Review 2019-20 proposed income and expenditures. Make any necessary adjustments to balance (Gabler/Endo)
	24	HESD sets dates for Public hearings for proposed 2019-20 LCAP and Budget. Superintendent notifies members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP (Gabler/Endo)
	30	2019-20 Annual Staff Planning – Classified
May	6	LCAP consultation at HETA Meet & Consult including preview of Draft 2019-20 LCAP (Gabler)
	20	LCAP consultation at CSEA Meet & Consult including review of the Draft 2019-20 LCAP (Gabler)

	20	Superintendent review of school plans (EC 64001) to ensure that the specific actions included in the LCAP are consistent with strategies included in the school plans
	21	Tentative Budget Committee meeting
	28	Public Notice re: 2019-20 LCAP and Budget (at least 14 days prior to hearing)
	28	Parent Advisory Committee Meeting including presentations of Draft LCAP for review and comment. The Superintendent will respond in writing to any comments received
	29	DELAC meeting including presentation of Draft LCAP for review and comment. The Superintendent will respond in writing to any comments received.
	29	Release Draft of LCAP for public review and comment
	29	Submit Draft LCAP to KCOE for review
June	12	Board Meeting Public Hearings to solicit recommendations and comments of members of the public regarding 2019-20 LCAP and Budget
	26	Board Meeting – ADOPT 2019-20 LCAP and Budget
	27	Post LCAP on District's website
August	12 <i>(deadline dependent on budget signing)</i>	Adopt, within 45 days after the Governor signs the budget, revisions to reflect changes in income or expenditures stemming from the State budget legislation

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: David Endo

DATE: 12/03/2018

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: 12/12/2018

ITEM:

Receive for information the details of the Classified Employee Summer Assistance Program.

PURPOSE:

The Classified School Employee Summer Assistance Program (Program) was created in the 2018-19 State Budget to provide ONE-TIME wages to certain classified employees during the summer months. The state has budgeted \$50 million statewide to provide matching funds (up to 10% but prorated based on statewide participation) to employees that meet the following characteristics:

- Have been employed with the District for at least one year at the time the classified employee elects to participate (deadline March 1, 2019).
- Be employed by the District for fewer than 12 months per fiscal year.
- Annual pay received directly from the LEA that is less than two times the full-time pay of a classified employee, paid at the state minimum wage for an entire school year.

The timeline for the program is as follows:

- By January 1, 2019— The District needs to irrevocably notify classified employees whether the LEA plans to participate in the Program for the 2019-20 school year.
- By March 1, 2019—a classified employee shall notify the LEA, on a form provided by the California Department of Education (CDE), that he or she wishes to participate in the Program for the 2019–20 school year and how much to withhold from his or her monthly paycheck.
- By April 1, 2019—a participating LEA must notify the CDE that it has elected to participate in the Program, to specify the number of classified employees that have elected to participate, and to report the total estimated amount to be withheld from participating employee paychecks.

- By May 1, 2019—the CDE shall notify participating LEAs of the estimated amount of state match funding that a participating classified employee can expect to receive (if there is more interest than resources, the match may be less than \$1 for \$1).
- By June 1, 2019—LEAs shall notify participating classified employees the amount of estimated state match funds that a participating classified employee can expect to receive.
- July 1, 2019- June 30, 2020—LEAs withhold employee's pay as elected.
- July 31, 2020—LEAs request payment from CDE.
- Summer 2020—LEAs pay employees withheld wages and available state match.
- August 30, 2020—CDE apportions funds to LEAs.

Employees then have an opportunity to withdraw from the program or reduce their withholdings by notifying their employer no later than 30 days after the beginning of the school year.

FISCAL IMPACT:

The District would be responsible for the administration and any payroll taxes (9.58% for 18-19 but rates would be based on 20-21 rates) on the state matching funds based on employee participation.

RECOMMENDATIONS:

Receive the details of the Classified Employee Summer Assistance Program.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: 11/27/18

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: 12/12/18

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

- BP & AR 0420.4 – Charter School Authorization

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

The Board Policy is updated to add the requirement that accountability measures in an approved charter include student outcomes aligned with state priorities in the local control and accountability plan. The Administrative Regulation is updated to reflect **NEW LAW (AB 1360)** which provides that a charter petition may include admission preferences, including, but not limited to, priority for siblings of admitted or enrolled students and children of the school's staff and founders, provided that the admission preferences are approved by the district board, are nondiscriminatory, and do not require parent/guardian volunteer hours. Regulation also reflects requirement of AB 1360 that suspension/expulsion procedures included in the charter petition specify how the school will comply with due process requirements.

FISCAL IMPACT:

None

RECOMMENDATIONS: Consider for adoption at the next public Board Meeting.

Hanford ESD

Board Policy

Charter School Authorization

BP 0420.4

Philosophy, Goals, Objectives and Comprehensive Plans

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

One or more persons may submit a petition for a start-up charter school to be established within the district. In addition, an existing district school may be converted to a charter school when deemed beneficial by the district and community. (Education Code 47605, 47606, 53300) ~~or when state or federal law requires restructuring of the school because of low performance.~~

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

~~(cf. 0520.2 – Title I Program Improvement Schools)~~

Any petition for a start-up charter school or conversion charter school shall include all components and signatures required by law and shall be submitted to the Board. The Superintendent or designee shall consult with legal counsel, as appropriate, regarding compliance of the charter proposals with legal requirements.

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

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

(cf. 9320 - Meetings and Notices)

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

The approval or denial of a charter petition shall not be controlled by collective bargaining

agreements nor subject to review or regulation by the Public Employment Relations Board. _
(Education Code 47611.5)

Approval of Petition

The Board shall approve the charter petition if doing so is consistent with sound educational practice. In granting charters, the Board shall give preference to schools best able to provide comprehensive learning experiences for academically low-achieving students according to standards established by the California Department of Education (CDE) under Education Code 54032. (Education Code 47605)

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

(cf. 0420.42 - Charter School Renewal)

(cf. 0420.43 - Charter School Revocation)

The Board shall ensure that any approved charter contains adequate processes and measures for holding the school accountable for fulfilling the terms of its charter. ~~These shall include, but~~ are not ~~be~~ limited to, fiscal accountability systems, multiple measures for evaluating the educational program, including student outcomes aligned with state priorities as described in Education Code 52060, and regular reports to the Board.

(cf. 0420.41 - Charter School Oversight)

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

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

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

Denial of Petition

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

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

Code 47605)

1. The charter school presents an unsound educational program for the students to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the number of signatures required.
4. The petition does not contain an affirmation of each of the conditions described in Education Code 47605(d).
5. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(b).

6. The petition does not contain a declaration as to whether or not the charter school shall be deemed the exclusive public school employer of the school's employees for purposes of collective bargaining pursuant to Government Code 3540-3549.3.

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

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

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

Legal Reference:

EDUCATION CODE

200 Equal rights and opportunities in state educational institutions

220 Nondiscrimination

17078.52-17078.66 Charter schools facility funding; state bond proceeds

17280-17317 Field Act

17365-17374 Field Act, fitness for occupancy

33126 School Accountability Report Card

41365 Charter school revolving loan fund

42238.51-42238.253 Funding for charter districts

44237 Criminal record summary

44830.1 Certificated employees, conviction of a violent or serious felony

45122.1 Classified employees, conviction of a violent or serious felony

46201 Instructional minutes
 47600-47616.7 Charter Schools Act of 1992
 47640-47647 Special education funding for charter schools
 47650-47652 Funding of charter schools
[49011 Student fees](#)
 51745-51749.6.3 Independent study
 52052 ~~Accountability; numerically~~~~Numerically~~ significant student ~~subgroup~~~~subgroup,~~
~~definition~~
[52060-52077 Local control and accountability plan](#)
~~53300-53303—Parent Empowerment Act~~
 56026 Special education
 56145-56146 Special education services in charter schools
 CORPORATIONS CODE
 5110-6910 Nonprofit public benefit corporations
 GOVERNMENT CODE
 3540-3549.3 Educational Employment Relations Act
 CODE OF REGULATIONS, TITLE 5
~~4800-4808—Parent Empowerment Act~~
 11700.1-11705 Independent study
 11960-~~11968.5.5~~~~11969~~ Charter schools
 CODE OF REGULATIONS, TITLE 24
~~Part 2401 et seq.~~ California Building Standards Code
 UNITED STATES CODE, TITLE 20
~~6316—Program improvement~~
 7223-7225 Charter schools
 COURT DECISIONS
 Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986
 ATTORNEY GENERAL OPINIONS
 89 Ops.Cal.Atty.Gen. 166 (2006)
 80 Ops.Cal.Atty.Gen. 52 (1997)
 78 Ops.Cal.Atty.Gen. 297 (1995)

Management Resources:

CSBA PUBLICATIONS

[Charter Schools in Focus, Issue 2: Ensuring Effective Oversight, Governance Brief, October 2017](#)
[Charter Schools in Focus, Issue 1: Managing the Petition Review Process, Governance Brief, November 2016](#)
[Charter Schools and Board Member Responsibilities, Education Insights Legal Update Webcast, March 2016](#)
~~The Role of the Charter School Authorizer, Online Course~~
 Charter Schools: A ~~Guide~~~~Manual~~ for Governance Teams, rev. ~~February 2016~~~~2009~~
 Charter School Facilities and Proposition 39: Legal Implications for School Districts, 2005
 CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
 Sample Copy of a Memorandum of Understanding
[Charter School Authorization: Guidance and Technical Assistance for Prospective Charter](#)

School Authorizers, Webinar 2014

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

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Dear Colleague Letter: Guidance Regarding the Oversight of Charter Schools Program and Regulatory, July 2004

The Impact of the New Title I Requirements, including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, August 2016
~~on Charter Schools Program, January 2014, July 2004~~

Guidance on the Voluntary Use of Race to Achieve Diversity and Avoid Racial Isolation in Elementary and Secondary Schools, December 2011

Applying Federal Civil Rights Laws to Public Charter Schools: Questions and Answers, May 2000

WEB SITES

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

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

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

National Association of Charter School Authorizers:

<http://www.qualitychartersecharterauthorizers.org>

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

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: April 9, 2014 Hanford, California

revised:

Hanford ESD

Administrative Regulation

Charter School Authorization

AR 0420.4

Philosophy, Goals, Objectives and Comprehensive Plans

Petition Signatures

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

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

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

(cf. 4116 - ~~Permanent~~/Probationary/Permanent Status)

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

Advisory Committee

At his/her discretion, the Superintendent or designee may establish a staff advisory committee to evaluate the completeness of a charter petition based on ~~the~~ requirements in Education Code 47605 ~~merits of a proposed educational program~~ and to identify any concerns that should be addressed by the petitioners. ~~The Superintendent or designee shall also consult with legal counsel, as appropriate, regarding compliance of the charter proposals with legal requirements.~~

(cf. 2230 - Representative and Deliberative Groups)

Components of Charter Petition

The charter petition shall include affirmations ~~that~~ the charter school will be nonsectarian in its programs, admission policies, employment practices, and operations; not charge tuition; and not

~~discriminate against a student on the basis of characteristics listed~~~~conditions described~~ in Education Code 220. It shall also contain~~47605(d) as well as~~ reasonably comprehensive descriptions of: (Education Code 47605, 47611.5)

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

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

(cf. 0420.41 - Charter School Oversight)
(cf. 0460 - Local Control and Accountability Plan)

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

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

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

(cf. 0510 - School Accountability Report Card)

4. The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parent/guardian involvement.
5. The qualifications to be met by individuals to be employed by the school.
6. The procedures that the school will follow to ensure the health and safety of students and staff, including the requirement that each school employee furnish the school with a criminal record summary as described in Education Code 44237.
7. The means by which the school will achieve a racial and ethnic balance among its students that is reflective of the general population residing within the district's territorial jurisdiction.
- ~~8. Admission requirements, if applicable.~~
9. The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the ~~Governing~~ Board's satisfaction.
- ~~10. The procedures by which students can be suspended or expelled for disciplinary reasons or otherwise involuntarily removed for any reason, including an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements as specified in Education Code 47605(b). Such procedures shall also include processes by which the charter school will notify the superintendent of a district and request to be notified by a district about a student when the circumstances specified in Education Code 47605(d) exist.~~
- ~~10. The procedures by which students can be suspended or expelled.~~
11. The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.
12. The public school attendance alternatives for students residing within the district who choose to not attend the charter school.
13. A description of the rights of any district employee upon leaving district employment to work in the charter school and of any rights of return to the district after employment at the charter school.
14. The procedures to be followed by the charter school and the Board to resolve disputes relating to charter provisions.
15. A declaration as to whether or not the charter school shall be deemed the exclusive public school employer of the school's employees for purposes of collective bargaining under

Government Code 3540-3549.3.

16. The procedures to be used if the charter school closes, including, but not limited to: (5 CCR 11962)

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

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

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

Location of Charter School

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

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

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

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

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

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT

approved: April 9, 2014 Hanford, California

revised: May 10, 2017

revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: 11/27/18

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: 12/12/18

ITEM: Receive the following revised Board Policy for information:

- BP 0500 - Accountability

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

This Board Policy is updated to reflect the new state accountability system (the California School Dashboard), which consists of both state and local indicators to assist districts in identifying strengths and areas in need of improvement in each priority area addressed by the LCAP.

FISCAL IMPACT: None

RECOMMENDATIONS: Consider for adoption at the next public Board Meeting.

Hanford ESD

Board Policy

Accountability

BP 0500

Philosophy, Goals, Objectives and Comprehensive Plans

The ~~Governing~~ Board of Trustees recognizes its responsibility to ensure accountability to the public for the performance of the district and each district school.~~schools.~~ The Board shall regularly review the effectiveness of ~~district~~~~the district's~~ programs, personnel, and fiscal operations, with a focus on the ~~capacity to improve~~~~district's effectiveness in improving~~ student achievement. The Board shall establish appropriate processes and measures to monitor results and to evaluate progress toward accomplishing the district's vision and goals set forth in the local control and accountability plan (LCAP).

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 2140 - Evaluation of the Superintendent)

(cf. 3460 - Financial Reports and Accountability~~and Reports~~)

(cf. 4115 - Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6190 - Evaluation of the Instructional Program)

(cf. 9400 - Board Self-Evaluation)

District and school performance shall be annually evaluated based on multiple measures specified in the California Accountability and Continuous Improvement System as reported on the California School Dashboard.

~~Indicators of district progress in improving student achievement shall include, but are not limited to, the state Academic Performance Index (API) and the measures of "adequate yearly progress" (AYP) required under the federal accountability system.~~

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

~~(cf.~~

The district's alternative~~6162.52 – High School Exit Examination)~~

Alternative schools serving high-risk student populations, including continuation high schools, opportunity schools, ~~and~~ community day schools, and nonpublic, nonsectarian schools pursuant

to Education Code 56366, shall be subject to an alternative accountability system established by the Superintendent of Public Instruction. (Education Code 52052, 56366)

(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)

The district and each district school shall demonstrate comparable improvement in academic achievement, ~~as measured by the API~~, for all numerically significant student subgroups. Numerically significant subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when the subgroup consists of at least 30 students with a valid test score or 15 foster youth or homeless students. (Education Code 52052)

The Superintendent shall report to the Board and the public regarding district and school performance. Opportunities for feedback from students, parents/guardians, staff, and community members shall be made available as part of any review and evaluation of district programs and operations and as part of the development or annual update of the LCAP, ~~local control and accountability plan (LCAP)~~.

~~(cf. 0460 - Local Control and Accountability Plan)~~
 (cf. 0510 - School Accountability Report Card)
 (cf. 1100 - Communication with the Public)
 (cf. 1112 - Media Relations)
 (cf. 1113 - District and School Web Sites)
 (cf. 1220 - Citizen Advisory Committees)
 (cf. 6020 - Parent Involvement)

Evaluation results may be used as a basis for revising district or school goals, updating the LCAP or other comprehensive plans, identifying and developing strategies to address disparities in achievement among student subgroups, implementing programmatic changes, determining the need for additional support and assistance, awarding incentives or rewards, and establishing other performance-based consequences.

(cf. 0400 - Comprehensive Plans)
 (cf. 0420 - School Plans/Site Councils)
 (cf. ~~0520.2 - Title I Program Improvement Schools~~)
 (cf. ~~0520.3 - Title I Program Improvement Districts~~)
 (cf. ~~4141/4241 - Collective Bargaining Agreement~~)

Legal Reference:

EDUCATION CODE

33127-33129 Standards and criteria for fiscal accountability

33400-33407 California Department of Education evaluation of district programs
 44660-44665 Evaluation of certificated employees
 51041 Evaluation of the educational program
 52052-52052.1 Public school performance accountability program~~Academic Performance Index~~
~~52055.57-52055.59 Districts identified or at risk of identification for program improvement~~
 52060-52077 Local control and accountability plan
56366 Nonpublic, nonsectarian schools
60640-60649 California Assessment of Student Performance and Progress
 CODE OF REGULATIONS, TITLE 5
 1068-1074 Alternative schools accountability model, assessments
 15440-~~15464~~15463 Standards and criteria for fiscal accountability
 UNITED STATES CODE, TITLE 20
 6311 Accountability, state plan~~adequate yearly progress~~
 6312 Local educational agency plan
~~6316 School and district improvement~~
 CODE OF FEDERAL REGULATIONS, TITLE 34
 200.~~12~~13-200.24 State accountability system~~20 Adequate yearly progress~~
 200.30-200.48 State and LEA report cards and plans~~53 Program improvement~~

Management Resources:

WEB SITES

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

California Department of Education, Accountability: <http://www.cde.ca.gov/ta/ac>

California School Dashboard: <http://www.caschooldashboard.org>

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

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: April 27, 2016 Hanford, California

revised: May 11, 2016

revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: 11/27/18

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: 12/12/18

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

- BP & AR 1113 – District and School Websites

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

The Board Policy is updated to (1) clarify the district's responsibility to make district and school web sites accessible to individuals with disabilities; (2) reflect laws prohibiting web site operators from using web site information to amass a profile about a student, engage in targeted advertising to students, or sell or disclose a student's information, including **NEW LAW (AB 2799, 2016)** which prohibits such activities for web sites used primarily for preschool and prekindergarten purposes; and (3) clarify options related to posting student photographs on district and school web sites together with their names. The Administrative Regulation updated to (1) add section on "Design Standards," including standards for web site accessibility to individuals with disabilities; (2) reflect **NEW LAW (AB 2257, 2016)** which requires posting a prominent, direct link to the current board meeting agenda or to an integrated agenda management platform, effective January 1, 2019; and (3) clarify requirements related to posting copyrighted material.

FISCAL IMPACT: None

RECOMMENDATIONS: Consider for adoption at the next public Board Meeting.

Hanford ESD

Board Policy

District And School Web Sites

BP 1113

Community Relations

To enhance communication with students, parents/guardians, staff, and community members, the Board of Trustees encourages the Superintendent or designee to develop and maintain district and school web sites. The use of district and school web sites shall support the district's vision and goals and shall be coordinated with other district communications strategies.

(cf. 0000 - Vision)

(cf. 0440 - District Technology Plan)

(cf. 1100 - Communication with the Public)

(cf. 1112 - Media Relations)

(cf. 1114 - District-Sponsored Social Media)

(cf. 6020 - Parent Involvement)

Design Standards

The Superintendent or designee shall establish design standards for district and school web sites in order to maintain a consistent identity, professional appearance, and ease of use.

The district's design standards shall address the accessibility of district and school-sponsored web sites to individuals with disabilities, including compatibility with commonly used assistive technologies.

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

Web Site~~Guidelines for~~ Content

The Superintendent or designee shall develop content guidelines for district and school web sites and ~~shall~~ assign staff to review and approve content prior to posting.

Board policy pertaining to advertising in district and school publications, as specified in BP 1325 - Advertising and Promotion, shall also apply to advertising on district and school web sites.

(cf. 1325 - Advertising and Promotion)

Privacy Rights

The Superintendent or designee shall ensure that the privacy rights of students, parents/guardians, staff, Board members, and other individuals are protected on district and

school web sites.

(cf. 1340 - Access to District Records)

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

(cf. 5022 - Student and Family Privacy Rights)

(cf. 5125 - Student Records)

Telephone numbers and home and email addresses of students and/or their parents/guardians shall not be published on district or school web sites.

(cf. 5125.1 - Release of Directory Information)

Photographs of individual students shall not be published on district or school web sites accompanied by the student's name~~Because of the wide accessibility of the Internet and potential risk to students, photographs of individual students shall not be published with their names~~ or other personally identifiable information without the prior written consent of the student's parent/guardian.

If students' names are not included, photographs of individual students or~~Photographs of~~ groups of students, such as at a school event, may be published on school or district web sites~~provided that students' names are not included.~~

Employees'~~Staff members'~~ home addresses, personal or telephone numbers, and personal email addresses shall not be posted on district or school web sites.

The home address or telephone number of any elected or appointed official including, but not limited to, a Board member or public safety official, shall not be posted on district or school web sites without the prior written permission of that individual. (Government Code 3307.5, 6254.21, 6254.24)

No public safety official shall be required to consent to the posting on the Internet of his/her photograph or identity as a public safety officer for any purpose if that officer reasonably believes that the disclosure may result in a threat, harassment, intimidation, or harm to the officer or his/her family. (Government Code 3307.5)

(cf. 3515.3 - District Police/Security Department)

Legal Reference:

EDUCATION CODE

35182.5 Contracts for advertising

35258 Internet access to school accountability report cards

48907 Exercise of free expression; rules and regulations

48950 Speech and other communication

49061 Definitions, directory information

49073 Release of directory information

60048 Commercial brand names, contracts or logos

BUSINESS AND PROFESSIONS CODE

22580-22582 Digital privacy

22584-22585 Student Online Personal Information Protection Act

22586 Preschool and prekindergarten privacy

GOVERNMENT CODE

3307.5 Publishing identity of public safety officers

6254.21 Publishing addresses and telephone numbers of officials

6254.24 Definition of public safety official

11135 Nondiscrimination; accessibility to state web sites

PENAL CODE

14029.5 Prohibition against publishing personal information of person in witness protection program

UNITED STATES CODE, TITLE 17

101-~~122~~ **Subject matter and scope of**~~101-Federal~~ copyright ~~law~~

504 Penalties for copyright infringement

UNITED STATES CODE, TITLE 20

1232g Federal Family Educational Rights and Privacy Act

UNITED STATES CODE, TITLE 29

705 Definitions; Vocational Rehabilitation Act

794 Section 503 of the Rehabilitation Act of 1973; accessibility to federal web sites

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.12 Children's Online Privacy

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

104.1-104.61 Nondiscrimination on the basis of disability

COURT DECISIONS

City of San Jose v. Superior Court, (2017) 2 Cal.5th 608

Aaris v. Las Virgenes Unified School District, (1998) 64 Cal.App.4th 1112

Management Resources:

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

Dear Colleague Letter, May 26, 2011

Joint Dear Colleague Letter: Electronic Book Readers, June 2010

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Accessibility of State and Local Government Websites to People with Disabilities, June 2003

WORLD WIDE WEB CONSORTIUM PUBLICATIONS

Web Content Accessibility Guidelines, December 2008

WEB SITES

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

California Department of Education, Web Accessibility Standards: <http://www.cde.ca.gov/re/di/ws/webaccessstds.asp>

<http://www.cde.ca.gov/re/di/ws/webaccessstds.asp>

California School Public Relations Association: <http://www.calspra.org>

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

<http://www2.ed.gov/about/offices/list/ocr>

U.S. Department of Justice, Americans with Disabilities Act: <http://www.ada.gov>

World Wide Web Consortium, Web Accessibility Initiative: <http://www.w3.org/wai>

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: May 16, 2001 Hanford, California

revised: October 9, 2013

revised:

Hanford ESD

Administrative Regulation

District And School Web Sites

AR 1113
Community Relations

Design Standards

The Superintendent or designee shall develop design standards for district and school web sites that include, but are not limited to, guidelines to ensure the clear organization of the material, readability of the font type and size, and simplicity of the navigation structure linking the content on the web site. Such standards shall take into consideration the ease of use on a wide range of devices.

In accordance with the requirements of the Americans with Disabilities Act and Section 504 of the federal Rehabilitation Act of 1973, district and school web sites shall contain features that ensure accessibility for individuals with disabilities, which may include, but are not limited to, captions for videos and multimedia presentations, text alternatives to images, provision of sufficient time to use the content, avoidance of flashing images, adequate contrast in visual presentations, and/or other features that meet applicable standards for web site accessibility. The Superintendent or designee shall regularly review district and school web sites and modify them as needed to ensure legal compliance with accessibility standards.

Guidelines for Content

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

Web Site Content

As applicable, district and school web sites shall provide current information regarding the district's mission and goals, district/school programs, activities, and operations, district/. Such information shall be appropriate for both internal and external audiences and may include district mission and goals, district or school news, agendas and minutes of Governing Board of Trustees meetings, School Accountability Report Cards, school calendars, and links to educational resources.

(cf. 0440 - District Technology Plan)

(cf. 0510 - School Accountability Report Card)

(cf. 1100 - Communication with the Public)

(cf. 9322 - Agenda/Meeting Materials ~~1112 - Media Relations~~)

~~(cf. 6020 - Parent Involvement)~~

With approval of the principal, individual teachers may create web pages linked to the district or

school web site to provide information pertaining to class assignments, expectations, and activities.

Student work may be published on district or school web sites provided that both the student and his/her parent/guardian provide written permission or the work is part of an existing publication such as a school newspaper.

Any copyrighted material to be posted on a district or school web site shall be submitted to the Superintendent or designee together with the permission of the copyright owner to reprint the material. Any copyrighted material submitted without the copyright owner's permission shall only be posted on a district or school web site if the Superintendent or designee determines that the material is in the public domain or that the intended use meets the criteria for fair use or another exception pursuant to 17 USC 107-122. When materials are posted on district and school web sites, the web site shall include a notice crediting the copyright owner and, as necessary, shall note that original producer of the material and noting how and when permission to reprint the material was granted.

(cf. 4132/4232/4332 - Publication or Creation of Materials)
(cf. 6162.6 - Use of Copyrighted Materials)

Whenever a district or school web site includes links to external web sites, it shall include a disclaimer that the district is not responsible for the content of external web sites.

Roles and Responsibilities

Any employee assigned as a district or school webmaster shall be responsible for the uploading of material to the web site(s) upon approval of the Superintendent or designee. He/she shall review district and school web sites to ensure consistency of the material with district standards, regularly check links for accuracy and appropriateness, keep the web server free of outdated or unused files, and provide technical assistance as needed.

The Superintendent or designee may assign additional staff members to conduct an editorial review of all materials submitted for publication on district or school web sites and to make corrections as needed in spelling, grammar, or accuracy of content.

The Superintendent or designee shall provide staff development opportunities related to district content guidelines, design standards, and accessibility laws and standards to district communications and technology staff, district and school webmasters, and/or other appropriate staff.

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

Security

The Superintendent or designee shall establish security procedures for the district's computer network to prevent unauthorized access and changes to district and school web sites. To the extent possible, the host computer(s) shall be in a lockable room with restricted access.

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT

approved: May 16, 2001 Hanford, California

revised: October 9, 2013

revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: 11/27/18

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: 12/12/18

ITEM: Receive the following revised Board Policy for information:

- BP 1325 – Advertising and Promotion

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

The Board Policy is updated to reflect **NEW LAW (AB 841)** which prohibits advertising of foods or beverages during the school day, including participation in a corporate incentive program that rewards students with free or discounted foods or beverages, unless the food or beverage complies with nutritional standards. Policy also clarifies court decisions regarding advertisements containing religious viewpoints.

FISCAL IMPACT: None

RECOMMENDATIONS: Consider for adoption at the next public Board Meeting.

Hanford ESD

Board Policy

Advertising And Promotion

BP 1325

Community Relations

The ~~Governing~~ Board of Trustees establishes this policy to ensure effective and consistent standards for advertisements and promotions by nonschool groups in school-sponsored publications, on district and school web sites and social media, and on school facilities and grounds. Student speech shall be regulated in accordance with BP/AR 5145.2 - Freedom of Speech/Expression.

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 1330 - Use of School Facilities)

Distribution of Noncommercial Materials

~~The Board of Trustees~~(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 6145.5 - Student Organizations and Equal Access)

Limited Public Forum

The Board desires to promote positive relationships between ~~district~~the schools and ~~the~~ community ~~in order to enhance organizations. Just as community partnerships, organizations can build support, and involvement in for the schools,~~ the schools. ~~The Superintendent or designee may, consistent with the criteria established in this policy, approve:~~

1. ~~Distribution of noncommercial materials that publicize can cooperate with these groups under certain circumstances by publicizing~~ services, special events, ~~and~~ public meetings, ~~or other gatherings~~ of interest to students ~~or~~and parents/guardians.

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

(cf. 6162.8 - Research)

2. ~~Distribution of promotional materials of a commercial nature to students or parents/guardians~~

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

3. ~~Products and The Superintendent or designee may approve the distribution to students of materials prepared by organizations which are school sponsored or school related. Materials~~

~~approved for distribution shall further the district's intended purpose, directly benefit the students, support the basic educational mission of the district or be of intrinsic value to the students. Materials shall not promote any particular religious or political interest except as specified below.~~

~~The Superintendent or designee may selectively approve or disapprove distribution of materials donated by commercial enterprises for educational use, including those that bear the name and/or logo of the donor, as long as they do not unduly promote the donor or any commercial activity or product~~

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

~~(cf. 6161.11 - Supplementary Instructional Materials)~~

~~Prior to the distribution, posting, or publishing of any nonschool group's promotional materials or advertisement, the Superintendent, principal, or designee shall review the copy based on developed criteria, but may not disapprove materials or advertisement based on the criteria listed below. He/she may not disapprove materials or advertisement in an arbitrary or capricious manner or in a way that discriminates against a particular viewpoint on a subject that is would otherwise be allowed by Board policy.~~

All materials to be distributed shall bear the name and contact information of the sponsoring entity.

~~As necessary, the Superintendent, principal, or designee shall require a disclaimer on any nonschool group's The use of promotional materials to be distributed, posted, or published, stating that the distribution, posting, or publishing of the materials or advertisements does not imply district endorsement of the group's activities, any identified products, or services. District- and school-sponsored publications shall Schools are encouraged to include a disclaimer in school publications and yearbooks stating that the district or school does not endorse any advertised products or services.~~

Criteria for Approval

The Superintendent, principal, or designee Distribution of Political Materials

~~The schools shall not accept for distribution, or allow on school property, any materials or advertisements that:~~

- ~~1. Are lewd, obscene, libelous, or slanderous~~
- ~~2. Incite students distribute campaign materials pertaining to commit unlawful acts, violate school rules, or disrupt the orderly operation of the schools~~
- ~~3. Promote any particular political interest, a candidate, party, or ballot measure, unless the. Campaign materials shall not be distributed on district property at any time other than at a forum in which candidates or advocates from all sides are provided the opportunity to present presenting~~

their views to the students during school hours; or during events scheduled pursuant to the Civic Center Act-

(cf. 1160 - Political Processes)

~~(cf. 1330 - Use of School Facilities)~~

(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)

~~Distribution of Commercial Materials/Advertising~~

~~School-sponsored publications, announcements and other school communications may accept paid advertising except for that prohibited by law and administrative regulation. The Superintendent or designee may prohibit advertisements which are inconsistent with school objectives and do not reasonably relate to the educational purpose of school-sponsored publications. In addition, the Superintendent or designee may allow the distribution of promotional material of a commercial nature within the parameters of law and administrative regulation but also may prohibit the distribution of materials which lack educational value or are not related directly to the school program.~~

~~Advertising copy may be solicited and prepared only to the extent that this process furthers the educational well-being of the students involved. Excessive solicitation of the same sources shall be avoided.~~

~~Distribution of advertisements for products to be sold to staff members/students/parents/guardians for personal monetary gain either by an agent or a commercial company is prohibited.~~

~~Students shall not be exploited to raise money, and time spent securing ads shall not infringe upon the school program.~~

~~(cf. 5145.2 - Freedom of Speech/Expression: Publications Code)~~

~~(cf. 6145.3 - Publications)~~

~~Students shall not be required to view commercials during instructional time. Advertisements may be studied, however, as part of the consumer education curriculum.~~

~~Products and materials donated by commercial enterprises may be used in the classroom as long as they serve an educational purpose and do not unduly promote any commercial activity or products. Such materials may bear the name or logo of the donor. The use of such materials does not imply district endorsement of any identified commercial products or services.~~

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

~~(cf. =~~

4. Contain prayer or proselytizing language

5. Position the district on any side of a controversial issue

(cf. 6144 - Controversial Issues)

6. Discriminate against, attack, or denigrate any group on account of any unlawful consideration

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

7. Promote the use or sale of materials or services that are illegal or inconsistent with school objectives, including, but not limited to, materials or advertisements for tobacco, intoxicants, and movies or products unsuitable for children

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

8. Promote during the school day any food or beverage that does not comply with state nutritional standards pursuant to Education Code 49430-49434, including a corporate incentive program that offers free or discounted foods or beverages that do not meet nutritional standards as rewards for students who reach certain academic goals. This prohibition does not include advertising on clothing with brand images worn on school grounds, advertising contained in product packaging, or advertising of infrequent school fundraising events involving food or beverages that do not meet the nutritional standards. (Education Code 49431.9)

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

(cf. 5030 - Student Wellness)

9. Solicit funds or services for an organization, with the exception of solicitations authorized in Board policy

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

10. Distribute unsolicited merchandise for which an ensuing payment is requested

The Superintendent or designee may also consider the educational value of the materials or advertisements, the age or maturity of the students in the intended audience, and whether the materials or advertisements support the basic educational mission of the district, directly benefit the students, or are of intrinsic value to the students or their parents/guardians.

(cf. 0000 - Vision)

Schools may establish additional criteria pertaining to the content of advertisements in school publications and yearbooks, as deemed appropriate by the Superintendent or designee in accordance with law and Board policy.

~~3290 - Gifts, Grants and Bequests)~~

~~(cf. 6161.11 - Supplementary Instructional Materials)~~

Legal Reference:

EDUCATION CODE

7050-7058 Political activities of school officers and employees

35160 Authority of governing boards

35160.1 Broad authority of school districts

35172 Promotional activities

38130-~~38139~~~~38138~~ Civic Center Act

~~49430-49434~~ [The Pupil Nutrition, Health, and Achievement Act of 2001, especially:](#)

~~49431.9~~ [Advertisement of non-nutritious foods](#)

~~48907—~~ [Student exercise of free expression](#)

BUSINESS AND PROFESSIONS CODE

25664 Advertisements encouraging minors to drink

[CALIFORNIA CONSTITUTION](#)

[Article 1, Section 2](#) [Free speech rights](#)

U.S. CONSTITUTION

Amendment 1, -Freedom of speech and expression

[UNITED STATES CODE, TITLE 42](#)

[1751-1769j](#) [School Lunch Program](#)

[1773](#) [School Breakfast Program](#)

COURT CASES

[Hills v. Scottsdale Unified School District, \(2003\) 329 F.3d 1044](#)

DiLoreto v. Downey Unified School District, (1999) 196 F.3d 958

Yeo v. Town of Lexington, (1997) [131 F.3d 241](#)~~U.S. First Circuit Court of Appeals, No. 96-1623~~

Henry v. School Board of Colorado Springs, (D.Col. 1991) 760 F.Supp. 856

Bright v. Los Angeles Unified School District, (1976) ~~134 Cal. Rptr. 639, 556 P.2d 1090~~, 18 Cal. 3d ~~450~~~~350~~

Lehman v. Shaker Heights, (1974) 418 U.S. 298

[Management Resources:](#)

[WEB SITES](#)

[CSBA: http://www.csba.org](#)

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: February 3, 1999 Hanford, California

revised: May 16, 2001

revised: October 19, 2011

[revised:](#)

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: 11/21/18

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: 12/12/18

ITEM: Receive the following revised Board Policy for information:

- BP 2140 – Evaluation of the Superintendent

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

The Board Policy is updated to provide that the responsibility for determining the criteria, schedule, method(s), and instrument(s) for superintendent evaluation rests with the board, although input may be sought from the superintendent. Updated policy clarifies that, although the evaluation may be discussed in closed session, the law does not permit action on any proposed change in compensation during closed session, with limited exceptions. Policy also reflects court decision holding that personal performance goals are not subject to disclosure to the public unless they are specifically stated in the employment contract.

FISCAL IMPACT: None

RECOMMENDATIONS: Consider for adoption at the next public Board Meeting.

Hanford ESD

Board Policy

Evaluation Of The Superintendent

BP 2140

Administration

The Governing Board recognizes its responsibility to establish an evaluation system that enables a fair assessment of the Superintendent's effectiveness in leading the district toward established goals, serves to support his/her continued growth in leadership and management skills, and provides a basis for Board decisions regarding contract extension and compensation. The Board Trustees shall annually conduct a formal evaluation of the Superintendent's performance and may provide additional opportunities throughout in order to assess his/her effectiveness in leading the year to review the Superintendent's progress district toward meeting established goals. The Board and Superintendent shall establish an appropriate schedule for the annual evaluation process.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0500 - Accountability)

(cf. 2121 - Superintendent's Contract)

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

The Board shall determine, with the Superintendent's input, the criteria, schedule, method(s), and instrument(s) to be used for the Superintendent's evaluation. Evaluation criteria shall include, but are not limited to, be based on district goals and success indicators; educational, management-agreed upon by the Board and Superintendent prior to the evaluation. The evaluation shall provide commendations in areas of strength, provide recommendations for improving effectiveness, and community leadership skills; and the Superintendent's professional relationship with the Board serve as a basis for making decisions about salary increases and/or contract extension.

~~(cf. 2110)~~ (cf. 2122 - Superintendent Responsibilities and Duties)

~~The Board~~ (cf. 2111 - Superintendent Governance Standards)

~~and Superintendent shall annually consider what evaluation method(s) will best serve the district and agree on the specific written instrument to be used.~~

Prior to the evaluation, the Superintendent shall ~~provide~~ be responsible for preparing and distributing to the Board for its review a report of progress toward district goals, the Superintendent's self-appraisal of accomplishments and performance, and a ~~statement~~ review of

~~actions~~action taken to address any Board recommendations from the previous evaluation. ~~The Board shall also review the Superintendent's current contract for any relevant Board policies.~~

Each Board ~~member~~Member shall independently evaluate the Superintendent's performance based upon the evaluation criteria, after which the. ~~The Board shall produce a single document that integrates~~President shall determine who will summarize and combine the individual evaluations and represents the ~~to create a consensus~~ of the Board.

(cf. 9121 - President)

~~document and how that consensus document will be formatted.~~ The evaluation shall provide commendations in areas of strength and achievement and recommendations~~be a composite of individual Board members' opinions, but there shall be only one final evaluation representing the Board's collective judgment.~~ This final evaluation shall be provided to the Superintendent for improving effectiveness in any areas of need, concern, or unsatisfactory performance~~his/her response.~~

The Board shall meet in closed session with the Superintendent to discuss the evaluation.
(Government Code 54957)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

At this meeting, the

~~The~~ Superintendent shall have an opportunity to ask questions, respond verbally and in writing to the evaluation, and present additional information regarding~~evidence of~~ his/her performance or district progress.

The discussion shall include the establishment of performance goals for the next year and may identify professional development opportunities for the Superintendent and/or the entire governance team to address areas of concern, strengthen the relationship between the Superintendent and Board, or enhance the Superintendent's knowledge of current educational issues and leadership and management skills.

(cf. 9240 - Board Training)

~~(-President~~cf. 9400 - Board Self-Evaluation)

After the Board and Superintendent have discussed the evaluation, the Board president and Superintendent shall sign the ~~evaluation as evidence that the evaluation~~ and it has been discussed. ~~The Superintendent shall be placed~~place the evaluation in the Superintendent's~~his/her~~ personnel file. The evaluation, including personal performance goals, shall be confidential to the extent permitted by law.

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

~~After each evaluation has been completed, the Board shall meet in open session to give the Board and Superintendent an opportunity to jointly identify performance goals for the next year.(cf. 9400 – Board Self Evaluation)~~

Legal Reference:

GOVERNMENT CODE

6254.8 Public Records Act; employment contracts

54957 Closed session, personnel matters

COURT DECISIONS

Versaci v. Superior Court, (2005) 127 Cal.App.4th 805

Duval v. Board of Trustees, (2001) 93 Cal.App.4th 902

Management Resources:

~~CSBA PUBLICATIONS~~

~~Maximizing School Board Governance: Superintendent Evaluation, 2004~~

WEB SITES

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

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

CSBA, Single District Governance Services: <http://www.csba.org/sds>

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: February 17, 1999 Hanford, California

revised: September 19, 2001

revised: February 9, 2005

revised: _____

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: 11/21/18

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: 12/12/18

ITEM: Receive the following revised Board Bylaw for information:

- BB 9121 - President

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

The Board Bylaw updated to reorganize and revise the duties of the board president for consistency and to add an optional component on providing training for the president to enhance his/her leadership skills.

FISCAL IMPACT: None

RECOMMENDATIONS: Consider for adoption at the next public Board Meeting.

Hanford ESD

Board Bylaw

President

BB 9121

Board Bylaws

The Governing Board ~~of Trustees~~ shall elect a president from among its members to provide leadership on behalf of the governance team ~~Board~~ and the educational community it serves.—

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

(cf. 9100 - Organization)—

To ensure that Board meetings are conducted in an efficient, transparent, and orderly manner,
~~the~~The president shall preside at all Board meetings.

He/she shall:

(cf. 9320 - Meetings and Notices)

(cf. 9321 - Closed Session Purposes and Agendas)

1. Call the meeting to order at the appointed time and preside over the meeting
2. Announce the business to come before the Board in its proper order
3. Enforce the Board's bylaws related ~~policies relating~~ to the conduct of meetings and help ensure compliance with applicable requirements of the Brown Act
4. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference
5. Facilitate the Board's effective deliberation, ensuring that each Board member has an opportunity to participate in the deliberation and that the discussion remains focused
6. Explain what the effect of a motion would be if it is not clear to every member
7. Restrict discussion to the question when a motion is before the Board
8. Rule on issues of parliamentary procedure
9. Put motions to a vote, and ~~state~~ clearly state the results of the vote
10. Be responsible for the orderly conduct of all Board meetings

(cf. 9323 - Meeting Conduct)

The president shall have ~~all the same~~ rights ~~as other members of any member~~ of the Board, including the right to ~~move, second, discuss, and~~ vote on all ~~matters~~questions before the Board.

The ~~president~~Board President shall ~~also~~ perform other duties in accordance with law and Board policy including, but not limited to:-

1. Signing—~~Sign~~ all instruments, acts, ~~and orders, and resolutions~~ necessary to comply with legal~~carry out state~~ requirements and carry out the will of the Board
2. Working—~~Consult~~ with the Superintendent or designee on the preparation of the Board's agendas
3. Work with the Superintendent to ensure that Board members have necessary materials and information
4. Subject to Board approval, appointing~~4. Appoint and dissolving~~disband all committees,—~~subject to Board approval~~

(cf. 9130 - Board Committees)

5. Call such meetings of the Board as he/she may deem necessary, giving notice as prescribed by law

6. Represent the district as governance spokesperson, in conjunction with the Superintendent

(cf. 1112 - Media Relations)

7. Leading the Board's advocacy efforts to build support within the local community and at the state and national levels

The president may participate in the California School Boards Association's Board President's Workshop and other professional development opportunities to enhance his/her leadership skills.

(cf. 9240 - Board Training)

When the president resigns or is absent~~disabled~~, the vice president shall perform the president's duties. —When both the president and vice president are absent—~~or disabled~~, the clerk shall perform the president's duties.

(cf. 9123 - Clerk)

Legal Reference:

EDUCATION CODE

35022 President of the board

35143 Annual organizational meetings; dates and notice

GOVERNMENT CODE

54950-54963 Ralph M. Brown Act

Management Resources:

CSBA PUBLICATIONS

Call to Order: A Blueprint for Great Board Meetings, 2015

Board Presidents' Handbook, revised 2002

CSBA Professional Governance Standards, 2000

~~Maximizing School Board Leadership: Boardsmanship, 1996~~

WEB SITES

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

Bylaw HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: December 15, 1993 Hanford, California

revised: September 19, 2001

revised: October 15, 2003

revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: 11/21/18

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: 12/12/18

ITEM: Receive the following revised Board Bylaw for information:

- BB 9220 – Board of Trustees Elections

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

The Board Bylaw is updated to reflect NEW LAW (SB 415, 2015) which, effective January 1, 2018, requires a district to move the date of its board election to be concurrent with a statewide elections. The Board Bylaw also reflects NEW LAWS which require public hearings before and after drawing maps of proposed trustee areas (AB 350, 2016).

FISCAL IMPACT: None**RECOMMENDATIONS:** Consider for adoption at the next public Board Meeting.

Hanford ESD

Board Bylaw

Board Of Trustees Elections

BB 9220

Board Bylaws

Board Member Qualifications

Any person is eligible to be a member of the Board of Trustees without further qualifications, if he/she is 18 years of age or older, a citizen of California, a resident of the school district, a registered voter, and not legally disqualified from holding civil office. Any person who has been convicted of a felony involving the giving, accepting, or offering of a bribe, embezzlement or theft of public funds, extortion, perjury, or conspiracy to commit any such crime, under California law or the law of another state, the United States of America, or another country, is not eligible to be a candidate for office or ~~elected as~~ be a Board member except when he/she has been granted a pardon in accordance with law. (Education Code 35107; Elections Code 20)

A district employee elected to the Board shall resign his/her employment before being sworn in or shall have his/her employment automatically terminated upon being sworn into office. (Education Code 35107)

(cf. 9224 - Oath of Affirmation)

(cf. 9270 - Conflict of Interest)

The Board encourages all candidates to become knowledgeable about the role of board members. The Superintendent or designee shall provide all candidates with information that will enable them to understand the responsibilities and expectations of being a Board member. The Superintendent or designee shall provide all candidates with the county election official's contact information and general information about school programs, district operations, and Board responsibilities.

(cf. 9230 - Orientation)

(cf. 9240 - Board Training)

Consolidation of Elections

To reduce costs associated with conducting elections, the Board may consolidate Board elections with the local municipal or statewide primary or general election. ~~Board election procedures shall be conducted~~ in accordance with Elections Code 1302 ~~state and federal law~~.

(cf. 9110 - Terms of Office)

Elections Process and Procedures

Election by trustee area Electing Board Members

The district is divided into trustee areas and each trustee area shall be represented by a Board member who resides in and is elected by voters residing within that trustee area. Trustee areas shall be balanced by population as required by state and federal law.

Prior to March 1 following the year in which the results of each decennial federal census are released, the Board shall adjust the boundaries of the district's trustee areas based on population figures as validated by the Population Research Unit of the Department of Finance. (Education Code 5019.5)

Campaign Conduct

All candidates, including current Board members running as incumbents, shall abide by local, county, state, and federal requirements regarding campaign donations, funding, and expenditures.

In order to help protect the public's trust in the electoral process as well as the public's confidence in the Board and district, the Board encourages all candidates to sign and adhere to the principles in the Code of Fair Campaign Practices pursuant to Elections Code 20440.

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

(cf. 9005 - Governance Standards)

Statement of Qualifications

On the 125th day prior to the day fixed for the general district election, the Board secretary or his/her designee shall deliver a notice, bearing the secretary's signature and district seal, to the county elections official describing both of the following: (Elections Code 10509)

1. The elective offices of the district to be filled at the general election and which offices, if any, are for the balance of an unexpired term
2. Whether the district or the candidate is to pay for the publication of a statement of qualifications pursuant to Elections Code 13307

(cf. 9223 - Filling Vacancies)

Candidates for the Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet. Candidate statements shall be limited to no more than 200 words. (Elections Code 13307)

The district shall assume no part of the cost of printing, handling, translating, mailing, or electronically distributing candidate statements filed pursuant to Elections Code 13307. As a

condition of having candidate statements included in the hard copy and/or electronic voter's pamphlet, the district may require candidates to pay their estimated pro rata share of these costs to the district in advance pursuant to Elections Code 13307.

Tie Votes in Board Member Elections

~~Whenever~~~~Before each election, the Board shall establish whether a potential tie makes it impossible to be resolved by lot or with a runoff election. (Education Code 5016)~~
determine~~After an election for which of two or more candidates the Board has been~~
~~elect~~~~decided to the Board resolve a tie by lot,~~ the Board shall immediately notify the candidates who received the tie votes of the time and place where the candidates or their representatives should appear before the Board. The Board at that time shall determine the winner by lot. (Education Code 5016)

If the Board has decided to resolve a tie with a runoff election, the Board shall schedule the runoff election in accordance with law. ~~-(Education Code 5016)~~

Legal Reference:

EDUCATION CODE

~~1000—Composition, and trustee area, county board of education~~

1006 Qualifications for holding office, county board of education

5000-5033 Elections

5220-5231 Elections

5300-5304 General provisions (conduct of elections)

5320-5329 Order and call of elections

5340-5345 Consolidation of elections

5360-5363 Election notice

5380 Compensation (of election officer)

5390 Qualifications of voters

5420-5426 Cost of elections

5440-5442 Miscellaneous provisions

7054 Use of district property

35107 Eligibility; school district employees

35177 Campaign expenditures or contributions

35239 Compensation of governing board member of districts with less than 70 ADA

ELECTIONS CODE

20 Public office eligibility

1302 Local elections, school district election

2201 Grounds for cancellation

4000-~~4008~~~~4004~~ Elections conducted wholly by mail

10010 District boundaries

10400-10418 Consolidation of elections

10509 Notice of election by secretary

10600-10604 School district elections

13307 Candidate's statement

13308 Candidate's statement contents

13309 Candidate's statement, indigence

14025-14032 California Voting Rights Act

14050-14057 California Voter Participation Rights Act

20440 Code of Fair Campaign Practices

GOVERNMENT CODE

1021 Conviction of crime

1097 Illegal participation in public contract

12940 Nondiscrimination, Fair Employment and Housing Act

81000-91014 Political Reform Act

PENAL CODE

68 Bribes

74 Acceptance of gratuity

424 Embezzlement and falsification of accounts by public officers

661 Removal for neglect or violation of official duty

CALIFORNIA CONSTITUTION

Article 2, Section 2 Voters, qualifications

Article 7, Section 7 Conflicting offices

Article 7, Section 8 Disqualification from office

UNITED STATES CODE, TITLE 5242

10301-10508~~1973-1973aa-6~~ Voting Rights Act

COURT DECISIONS

Rey v. Madera Unified School District, (2012) 203~~138~~ Cal. App. 4th 1223~~Rptr. 3d 192~~

Randall v. Sorrell, (2006) 126 S.Ct. 2479

Sanchez v. City of Modesto, (2006) 145~~51~~ Cal. App. 4th 660~~Rptr. 3d 821~~

Dusch v. Davis, (1967) 387 U.S. 112

ATTORNEY GENERAL OPINIONS

85 Ops.Cal.Atty.Gen. 49 (2002)

83 Ops.Cal.Atty.Gen. 181 (2000)

81 Ops.Cal.Atty.Gen. 94~~98~~ (1998)

69 Ops.Cal.Atty.Gen. 290 (1986)

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Legal Alert on the Impact of Senate Bill No. 415 on School Board Elections, January 2017

WEB SITES

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

California Secretary of State's Office: <http://www.sos.ca.gov>

Fair Political Practices Commission: <http://www.fppc.ca.gov>

Institute for Local Self Government: <http://www.ca-ilg.org>

Bylaw HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: September 19, 2001 Hanford, California

revised: October 9, 2013

revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: 11/21/18

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: 12/12/18

ITEM: Receive the following revised Board Bylaw for information:

- BB 9230 - Orientation

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

The Board Bylaw is updated to delete section on "Board Candidate Orientation" and move that material to BB 9220 - Governing Board Elections. Bylaw also clarifies orientation for new and first-term board members.

FISCAL IMPACT: None**RECOMMENDATIONS:** Consider for adoption at the next public Board Meeting.

Hanford ESD

Board Bylaw

Orientation

BB 9230

Board Bylaws

The Governing Board recognizes the importance of providing all newly elected or appointed Board members with support and information to assist them in becoming effective members of the Board. Incoming Board members shall be provided an orientation designed to build their knowledge of the district and an understanding of the responsibilities of their position. Such orientation may include the provision of information, support, and/or training related to Board functions, policies, protocols, and standards of conduct.

(cf. 9000 - Role of the Board)~~Board Candidate Orientation~~

~~The Board of Trustees desires to provide Board candidates with orientation that will enable them to understand the responsibilities of Board membership. The Superintendent or designee shall provide all candidates with general information about school programs, district operations, and Board responsibilities.~~

~~(cf. 9200 - Members)~~

(cf. 9220 - Governing Board Elections)

(cf. 9223 - Filling Vacancies)

(cf. 9121 - President)

Upon their election or appointment, incoming Board members shall be provided a copy of the Brown Act and informed that, pursuant to Government Code 54952.1, they must conform to the Act's requirements as if they had already assumed office. Additional information for incoming Board members may include, but is not limited to, Board bylaws related to the limits of individual Board member authority, the conduct of Board meetings, and other Board operations; governance standards for ethical conduct; legal requirements related to conflict of interest and prohibited political activity; protocols for speaking with district staff, members of the public, and the media; and publications on effective governance practices.

(cf. 1112 - Media Relations)

(cf. 1160 - Political Processes)

(cf. 9005 - Governance Standards)

(cf. 9010 - Public Statements)

~~(cf. 9270 - Conflict of Interest)~~

The Board encourages all candidates to attend public Board meetings during the period of their

candidacy. Candidates have the same access as members of the public to district staff and information:

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

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

~~(cf. 9012 -~~

~~New Board Member~~ Electronic Communications)~~Orientation~~

~~The~~ ~~(cf. 9200 - Limits of Board~~ Member Authority)

~~(cf. 9270 - Conflict of Interest)~~

~~(cf. 9323 - Meeting Conduct)~~

~~In addition, and the Superintendent or designee shall provide incoming Board members with specific background information regarding the help each new member elect to understand district, including, but not limited to, operations and the Board's functions, policies and procedures as soon after election as possible. Incoming members shall be given a copy of the Brown Act and informed that they must conform to its requirements as if they had already assumed office. Incoming members shall also receive the district's vision and goals statements, local control and accountability plan and other comprehensive plans, student demographic data, student achievement data, district policy manual and other materials related to the school system and Board member responsibilities.~~

~~Incoming members are encouraged, district budget, and minutes of recent open~~ to attend ~~Board meetings.~~

~~(cf. 0000 - Vision)~~

~~(cf. 0200 - Goals for the School District)~~

~~(cf. 0400 - Comprehensive Plans)~~

~~(cf. 0460 - Local Control and Accountability Plan)~~

~~and meet with the Superintendent or designee may offer incoming Board members a tour of district schools and facilities, and may introduce them to district and school site administrators and Board president regarding their role and other staff.~~

~~responsibilities. They also may~~

Incoming members are encouraged, at district expense and with approval of the Board, to attend the California School Boards Association's Orientation for New Trustees, Institute for New and First-Term Board Members, and, attend workshops and conferences relevant to the needs of the individual member, the Board as a whole, or the district for newly elected members.

~~(cf. 9240 - Board~~ Training~~Development)~~

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

Legal Reference:
EDUCATION CODE

33360 Department of Education and statewide association of school district boards; annual workshops

33362-~~33363~~ Reimbursement of expenses; board member ~~or member-elect of school district board~~

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act, especially:

54952.1 Member of a legislative body

54952.2 Open meeting laws; posting agenda; board actions

54952.7 Copies of Brown Act to board~~Board~~ members

Management Resources:

CSBA PUBLICATIONS

Professional Governance Standards for School Boards

The Brown Act: School Boards and Open Meeting Laws, rev. 2009

WEB SITES

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

Bylaw HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: September 19, 2001 Hanford, California

revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy Gabler
FROM: Jason Strickland
DATE: Novembr 15, 2018

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

Date you wish to have your item considered: 12/12/18

ITEM: Receive the following revised Administrative Regulation for information:

AR 5125.2 - Withholding grades, diplomas or transcripts

PURPOSE: Regulation updated to clarify the circumstances under which the district may withhold a student's grades, diploma, and/or transcripts until the student's parents/guardians have paid for the damages to or loss of district property willfully caused by the student. Regulation also clarifies the student's due process rights, as well as the requirement to continue to withhold the grades, diploma, and/or transcripts when such a student transfers from one district to another.

FISCAL IMPACT (if any): None

RECOMMENDATION (if any): Review for Information and consider for adoption at the next regular Board meeting.

Hanford ESD

Administrative Regulation

Withholding Grades, Diploma Or Transcripts

AR 5125.2
Students

When ~~a minor student willfully cuts, defaces, or otherwise injures real or personal school~~ property of the district or does not return district property that has been loaned to him/her~~willfully damaged or not returned~~ upon demand of a district employee, the student's parents/guardians may be required to pay the costs of all damages within the limits established pursuant to Education Code 48904. Until the student's parents/guardians have paid for the damages, the Superintendent, the principal or designee shall inform the parent/guardian in writing of the responsible student's alleged misconduct and the reparation that may be due.

~~This notice shall include a statement that the district may withhold the student's grades, diploma, and/or transcripts. (Education Code 48904) from the student and parent/guardian until reparation is made.~~

(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 5125 - Student Records)
(cf. 5131.5 - Vandalism, Theft and Graffiti)
(cf. 6161.2 - Damaged or Lost Instructional Materials)

~~Before withholding the student's grades, diploma, and/or transcripts, the Superintendent or designee~~If reparation is not made, the district shall inform the student's parents/guardians in writing of the student's alleged misconduct. (Education Code 48904)

(cf. 5145.6 - Parental Notifications)

~~afford the~~
The student shall be afforded his/her due process consistent rights in conformance with Education Code expulsion procedures established for the expulsion of students. (Education Code 48904) and may withhold the student's grades, diploma or transcripts.

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

If the student and ~~parents/guardians~~parent/guardian are unable to pay for the damages or return the property, the ~~Superintendent~~principal or designee shall provide a program of voluntary work for the student in lieu of monetary damages. Upon completion of the to do.~~When this~~ voluntary work ~~is completed~~, the student's grades, diploma, and/or transcripts shall be released.
(Education Code 48904)

When a student who is transferring into~~from whom~~ the district has had his/heris withholding grades, diploma, and/-or transcripts withheld by the previous district, the Superintendent or designee shall continue to withhold the student's grades, diploma, and/or transcripts until notified by the previous district that the decision to withhold has been rescinded. (Education Code 48904.3)

Upon receiving notice that a student whose grades, diploma, and/or transcripts have been withheld by this district has transferred~~transfers~~ to another district in California, the Superintendent or designee shall provide, this information shall be sent to the new district with the student's records to the new district and notify the ~~and a request that these items continue to be withheld until the~~ new district that the student's grades, diploma, and/or transcripts are being withheld from the student and parents/guardians pursuant to Education Code 48904,~~receives notification that the debt has been cleared.~~

The Superintendent or designee shall also notify the student's parents/guardians~~parent/guardian~~ in writing that ~~the this district's~~ decision to withhold the student's grades, diploma, and/-or transcript~~transcript~~ will be enforced by the new district. ~~(Education Code 48904.3)~~

~~The district shall withhold grades, diploma or transcripts from any student transferring into the district whose misconduct caused a previous district to withhold them. When informed by the previous district that its decision has been rescinded, the district shall release these documents.~~
(Education Code 48904.3)

~~(cf. 5125—Student Records)~~

Legal Reference:

EDUCATION CODE

48904 Liability of parent

48904.3 Withholding grades, diplomas, or transcripts of pupils causing property damage or injury; transfer of pupils to new school districts; notice to rescind decision to withhold

48911 Suspension by principal, designee or superintendent

49069 Absolute right to access

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT

approved: May 19, 1998 Hanford, California

revised: May 16, 2001

revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy Gabler
FROM: Jason Strickland
DATE: Novembr 15, 2018

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

Date you wish to have your item considered: 12/12/18

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

BP 5131.6 - Alcohol and Other Drugs

PURPOSE: Policy updated to reflect the goals and purposes of the federal Student Support and Academic Enrichment Grants program, as established by the Every Student Succeeds Act. Policy also deletes material on drug and alcohol master plans and county primary prevention programs, since the related laws repealed on their own terms.

FISCAL IMPACT (if any): None

RECOMMENDATION (if any): Review for Information and consider for adoption at the next regular Board meeting.

Hanford ESD

Board Policy

Alcohol And Other Drugs

BP 5131.6

Students

The ~~Governing~~ Board ~~of Trustees~~ believes that the use of alcohol or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. The Superintendent or designee shall develop comprehensive programs and activities to foster safe, healthy, and drug-free environments that support academic achievement ~~The Board desires to keep district schools free of alcohol and other drugs in order to help prevent violence, promote school safety and create a well-disciplined environment conducive to learning.~~

(cf. 0450 - Comprehensive Safety Plan)

(cf. 4020 - Drug and Alcohol-Free Workplace)

(cf. 5137 - Positive School Climate)

The district's alcohol and drug prevention and intervention programs shall be coordinated with other school and community-based services and programs and shall promote the involvement of parents/guardians. The Superintendent or designee may collaborate with the county office of education, community-based organizations, health providers, law enforcement agencies, local child welfare agencies, postsecondary institutions, businesses, and other public and private entities in program planning, implementation, and evaluation.

(cf. 1020 - Youth Services)

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

Prevention and intervention programs and activities may include, but are not limited to: (20 USC 7118)

1. Evidence-based drug and violence prevention activities and programs that educate students against the use of alcohol, tobacco, cannabis, smokeless tobacco products, and electronic cigarettes

(cf. 5131.62 - Tobacco)

2. Professional development and training for school staff, specialized instructional support personnel, and interested community members on drug prevention, education, early identification, intervention mentoring, recovery support services, and, where appropriate,

rehabilitation referral

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

3. School-based mental health services, including early identification of drug use and referrals to counseling services, and/or partnerships with public or private health care entities that have qualified mental and behavioral health professionals

(cf. 5141.6 - School Health Services)

4. Programs and activities that provide mentoring and school counseling to all students, including students who are at risk of drug use and abuse

~~The Superintendent or designee shall clearly communicate to all students, staff and parents/guardians the district's policies, regulations and school rules related to the use of alcohol and other drugs on school campuses or at school activities. Information about program needs and goals shall be widely distributed in the community.~~

~~Staff should encourage students to participate as responsible partners in efforts to maintain a safe, constructive school climate.~~

Instruction

The district shall provide science-based preventative instruction which has been proven effective in helping students avoid the use of alcohol and other drugs.

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

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

All instruction and related materials shall consistently state that unlawful use of alcohol or other drugs is prohibited, wrong and harmful. Instruction shall not include any message on the concept of responsible use of drugs or alcohol when such use is illegal. ~~((20 USC 7114, 7162; Health and Safety Code 11999.2))~~

The district shall offer staff development activities for staff who implement the comprehensive drug and alcohol prevention and intervention program.

Intervention, Referral, and Student Assistance Programs

The Superintendent or designee shall inform school~~School~~ staff, students, and parents/guardians~~shall be informed~~ about early warning signs which may indicate alcohol and other drug use and about appropriate agencies offering intervention programs, counseling, referral, and other student assistance programs.

The Board strongly encourages any student who is using alcohol or drugs to discuss the matter with his/her parent/guardian or with any staff member. ~~Students who disclose their use of alcohol or other drugs when seeking help from an intervention or recovery program shall not be disciplined for such use.~~

(cf. 5141.52 - Suicide Prevention)

Enforcement/Discipline

~~Students shall not possess~~The Superintendent or designee shall take appropriate action to eliminate possession, use, or sell alcohol or sale of alcohol and other drugs and related paraphernalia on school grounds or at school-sponsored activities.

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 3513.4 - Drug and Alcohol Free Schools)

(cf. 5131 - Conduct)

(cf. 5131.61 - Drug Testing)

(cf. 5131.63 - Steroids)

(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)

(cf. 5145.12 - Search and Seizure)

~~The Superintendent~~Students possessing, using or designee shall clearly communicate to all students, staff, and parents/guardians the district's policies, regulations, and school rules related to the use of selling alcohol and/or other drugs.

Any student found by the Board to be selling a controlled substance listed in Health and Safety Code 11053-11058 shall be expelled or related paraphernalia shall be subject to disciplinary procedures including suspension or expulsion and/or referral to law enforcement in accordance with BP/AR 5144.1 - Suspension and Expulsion/Due Process. A student found to have committed another drug or alcohol offense, including possession or intoxication, shall be law, Board policy and administrative regulation. In addition, such students may be referred to an appropriate behavioral interventions or student assistance programs, and may be subject to discipline on a case-by-case basis.

(cf. 5144 - Discipline)

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

(cf. 6145 - Extracurricular and Cocurricular Activities)

Legal Reference:

EDUCATION CODE

44049 Known or suspected alcohol or drug abuse by student

44645 In-service training anabolic steroids
 48900 Suspension or expulsion (grounds)
 48900.5 Suspension, limitation on imposition; exception
 48901 Smoking or use of tobacco prohibited
 48901.5 Prohibition of electronic signaling devices
 48902 Notification of law enforcement authorities; civil or criminal immunity
 48909 Narcotics or other hallucinogenic drugs
 48915 Expulsion; particular circumstances
 49602 Confidentiality of pupil information
 51202 Instruction in personal and public health and safety
 51203 Instruction on alcohol, narcotics and restricted dangerous drugs
 51210 Areas of study
 51220 Areas of study, grades 7 to 12
 51260-51269 Drug education
 60041 Instructional materials
 60110-60115 Instructional materials on alcohol and drug education
BUSINESS AND PROFESSIONS CODE
 25608 Alcohol on school property; use in connection with instruction
HEALTH AND SAFETY CODE
 11032 Narcotics, restricted dangerous drugs and marijuana
 11053-11058 Standards and schedules
 11353.6 Juvenile Drug Trafficking and Schoolyard Act
 11357 Unauthorized possession of marijuana; possession in school or on school grounds
 11361.5 Destruction of arrest or conviction records
 11372.7 Drug program fund; uses
 11802 Joint school-community alcohol abuse primary education and prevention program
~~11965-11969 The School Community Primary Prevention Program~~
~~11998-11998.3 Drug and Alcohol Abuse Master Plans~~
 11999-11999.3 Alcohol and drug program funding; no unlawful use
 124175-124200 Adolescent family life program
PENAL CODE
 13860-13864 Suppression of drug abuse in schools
VEHICLE CODE
 13202.5 Drug and alcohol related offenses by person under age of 21, but aged 13 or over;
WELFARE AND INSTITUTIONS CODE
 828 Disclosure of information re minors
 828.1 Disclosure of criminal records; protection of vulnerable staff & students
UNITED STATES CODE, TITLE 20
 5812 National education goals
~~7101-7122 Student Support~~~~7184 Safe and Academic Enrichment Grants~~~~Drug Free Schools and Communities Act~~

Management Resources:

WEB SITES

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

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

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

~~U.S. Department of Education~~, Office of Safe and Healthy Students: [https://www2Drug-Free-](https://www2Drug-Free-Schools-)
~~Schools:~~ <http://www.ed.gov/about/offices/list/oese/oshsoedfs/index.html>

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: December 15, 1999 Hanford, California

revised: May 16, 2001

revised: November 8, 2017

revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy Gabler
FROM: Jason Strickland
DATE: Novembr 15, 2018

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

Date you wish to have your item considered: 12/12/18

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

BP 5144 - Discipline

PURPOSE: Policy updated to reflect NEW LAW (SB 250) which requires districts to ensure that any discipline imposed on a student does not result in the denial or delay of a nutritionally adequate meal to the student.

FISCAL IMPACT (if any): None

RECOMMENDATION (if any): Review for Information and consider for adoption at the next regular Board meeting.

Hanford ESD

Board Policy

Discipline

BP 5144

Students

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

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall ~~develop~~design a complement of effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior at district schools. The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

In addition, the Superintendent or designee's strategies for correcting student misconduct shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures ~~as a means for correcting student misbehavior~~.

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

(cf. 5020 - Parent Rights and Responsibilities)
 (cf. 5144.1 - Suspension and Expulsion/Due Process)
 (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
 (cf. 6159.4 - Behavioral Interventions for Special Education Students)
 (cf. 6164.5 - Student Success Teams)

School personnel and volunteers shall not allow any disciplinary action taken against a student to result in the denial or delay of a school meal. (Education Code 49557.5)

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 3553 - Free and Reduced Price Meals)

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

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

(cf. 0450 - Comprehensive Safety Plan)
 (cf. 9320 - Meetings and Notices)

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

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

(cf. 0410 - Nondiscrimination in District Programs and Activities)
 (cf. 5145.3 - Nondiscrimination/Harassment)
 (cf. 5145.7 - Sexual Harassment)

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

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

Legal Reference:

EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Notification of parent/guardian

49330-49335 Injurious objects

[49550-49562 Meals for needy students](#)

52060-52077 Local control and accountability plan

CIVIL CODE

1714.1 Parental liability for child's misconduct

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

[UNITED STATES CODE, TITLE 42](#)

[1751-1769j School Lunch Program](#)

[1773 School Breakfast Program](#)

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

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

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

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

STATE BOARD OF EDUCATION POLICIES

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

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

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

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

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

Public Counsel: <http://www.fixschooldiscipline.org>

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

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: April 24, 2013 Hanford, California

revised: October 8, 2014

revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy Gabler
 FROM: Jason Strickland
 DATE: Novembr 15, 2018

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

Date you wish to have your item considered: 12/12/18

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

AR/BP 5144.1 - Suspension and Expulsion/Due Process

PURPOSE: Policy updated to add homeless students as one of the numerically significant student subgroups for whom the district must monitor suspension/expulsion data, and to add board review of disaggregated suspension/expulsion data for the purpose of identifying any disparities in the imposition of discipline. Updated regulation revises the grounds for suspension and expulsion to more directly reflect law which separates out aiding or abetting a crime of physical violence from causing, attempting to cause, or threatening physical violence. Regulation also adds definition of cyber sexual bullying as a ground for suspension/expulsion and reflects NEW LAW (AB 667) which requires a student to be informed, during the informal conference required prior to suspension, of the other means of correction that were attempted before suspension.

FISCAL IMPACT (if any): None

RECOMMENDATION (if any): Review for Information and consider for adoption at the next regular Board meeting.

Hanford ESD

Board Policy

Suspension And Expulsion/Due Process

BP 5144.1

Students

The Board of Trustees desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Except when otherwise permitted by law, a student may be suspended or expelled only when his/her behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus

(cf. 5112.5 - Open/Closed Campus)

4. During, going to, or coming from a school-sponsored activity

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

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

Appropriate Use of Suspension Authority

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-~~12~~8" of the accompanying administrative regulation, or when his/her presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

~~(cf. -~~

~~1020—Youth Services)~~

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

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

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to on-campus or off-campus suspension.

OPTION 1: No student in grades K-3 may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

Students shall not be suspended or expelled for truancy, tardiness, or absenteeism from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code 48915)

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence

(cf. 5131.7 - Weapons and Dangerous Instruments)

2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation under "Grounds for Suspension and Expulsion: Grades K-128" and "Additional Grounds for Suspension and Expulsion: Grades 4-128," the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

A vote to expel a student shall be taken in an opena-public session of a Board meeting.

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code 48917)

No student shall be expelled for disruption or willful defiance. (Education Code 48900)

Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording them their due process rights under the law. The _

Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

(cf. 5119 - Students Expelled from Other Districts)

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

Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall ~~maintain~~annually present to the Board a report of the outcome data related to student suspensions and expulsions in accordance with which the district is required to collect pursuant to Education Code 48900.8 and 48916.1, including, but not limited to, the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period. For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board annually and to the California Department of Education when so required.

In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions~~The report shall be disaggregated~~ by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, ~~foster youth, and~~ students with disabilities, foster youth, and homeless students. Based on the data, the Board. The report also shall address any identified disparities in the imposition of student discipline and shall determine~~include information about~~ whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

(cf. 0460 - Local Control and Accountability Plan)

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981-1981.5 Enrollment of students in community school

8239.1 Prohibition against expulsion of preschool student

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35145 Open board meetings

35146 Closed sessions (regarding suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48645.5 Readmission; contact with juvenile justice system

48660-48666 Community day schools

48853.5 Foster youth

48900-48927 Suspension and expulsion

48950 Speech and other communication

48980 Parental notifications

49073-49079 Privacy of student records

52052 Numerically significant student subgroups

52060-52077 Local control and accountability plan

64000-64001 Consolidated application

CIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

LABOR CODE

230.7 ~~Employee~~ ~~Discharge or discrimination against employee for taking~~ time off to appear in school on behalf of a child

PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines

242 Battery defined

243.2 Battery on school property

243.4 Sexual battery

245 Assault with deadly weapon

245.6 Hazing

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14

288a Oral copulation

289 Penetration of genital or anal openings

417.27 Laser pointers

422.55 Hate crime defined

422.6 Interference with exercise of civil rights

422.7 Aggravating factors for punishment

422.75 Enhanced penalties for hate crimes

626.2 Entry upon campus after written notice of suspension or dismissal without permission

626.9 Gun-Free School Zone Act of 1995

626.10 Dirks, daggers, knives, razors, or stun guns

868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling

UNITED STATES CODE, TITLE 18

921 Definitions, firearm

UNITED STATES CODE, TITLE 20

1415(K) Placement in alternative educational setting

~~79617454~~ Gun-free schools

UNITED STATES CODE, TITLE 42

11432-11435 Education of homeless children and youths

COURT DECISIONS

T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267

Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 118

Garcia v. Los Angeles Board of Education (1991) 123 Cal. App. 3d 807

~~Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182~~

John A. v. San Bernardino School District (1982) 33 Cal. 3d 301

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 146 (2001)

80 Ops.Cal.Atty.Gen. 348 (1997)

80 Ops.Cal.Atty.Gen. 91 (1997)

80 Ops.Cal.Atty.Gen. 85 (1997)

Management Resources:

~~CSBA PUBLICATIONS~~~~Safe Schools:—Strategies for Governing Boards to Ensure Student Success, 2011~~

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

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

CSBA: <http://www.csba.org>California Attorney General's Office: <http://www.oag.ca.gov>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/docs/crdc-2012-data-summary.pdf>U.S. Department of Education, Office of Safe and ~~Healthy Students~~~~Drug-Free Schools~~:<http://www2www.ed.gov/about/offices/list/oese/oshseeds>

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: March 25, 2015 Hanford, California

revised:

Hanford ESD

Administrative Regulation

Suspension And Expulsion/Due Process

AR 5144.1
Students

Definitions

Suspension means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board of Trustees for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910

Expulsion means removal of a student from the immediate supervision and control or the general supervision of school personnel. (Education Code 48925)

Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. (Education Code 35291, 48900.1, 48980)

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion: Grades K-128

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows:

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim

suffered great or serious bodily injury (Education Code 48900(a) and (t))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b))

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))

(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))

7. Stole or attempted to steal school property or private property (Education Code 48900(g))

8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

(cf. 5131.62 - Tobacco)

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))

10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))

11. Knowingly received stolen school property or private property (Education Code 48900(l))

12. Possessed an imitation firearm (Education Code 48900(m))

Imitation firearm means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))

14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness. (Education Code 48900(o))

15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))

16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))

Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events. (Education Code 48900(q))

17. Engaged in an act of bullying. (Education Code 48900(r))

—Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to himself/herself or his/her property; cause the student to experience a substantially detrimental effect on his/her physical or mental health; or cause the student to experience substantial interferences with his/her academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code 48900(r))

—Bullying shall include any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in items #1-3 of "Additional Grounds for Suspension and Expulsion: Grades 4-128," that has any of the effects described above on a reasonable student.

—Electronic act means the creation or transmission of a communication originated on or off school site, including, but not limited to, a message, text, sound, image, or post on a social network Internet web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. A post on a social network Internet web site shall include, but is not limited to, the posting or creation of a burn page or the creation of a credible impersonation or false profile for the purpose

of causing a reasonable student any of the effects of bullying described above. (Education Code 48900(r))

~~Reasonable student~~ means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of his/her age, or for a person of his/her age with his/her disability. (Education Code 48900(r))

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 6163.4 - Student Use of Technology)

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

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

18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31 (Education Code 48900(t))

19. Made terrorist threats against school officials and/or school property (Education Code 48900.7)

~~A terrorist threat~~ includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. (Education Code 48900.7)

Additional Grounds for Suspension and Expulsion: Grades 4-128

Any student in grades 4-128 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

(cf. 5131.4 - Student Disturbances)

A student in grades 4-12 shall be8 subject to suspension or recommendation for expulsion when it is determined that he/she:

1. Committed sexual harassment as defined in Education Code 212.5 (Education Code 48900.2)

~~Sexual harassment~~ means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2)

(cf. 5145.7 - Sexual Harassment)

2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233 (Education Code 48900.3)

—Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

(cf. 5145.9 - Hate-Motivated Behavior)

3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

Suspension from Class by a Teacher

A teacher may suspend a student, including a grade K-3 student, from class for the remainder of the day and the following day for disruption, willful defiance, or any of the other acts specified in Education Code 48900 and listed as items #1-18 under "Grounds for Suspension and Expulsion: Grades K-~~12~~8" above. (Education Code 48910)

When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, he/she shall be appropriately supervised during the class periods from which he/she has been suspended. (Education Code 48910)

As soon as possible after the teacher decides to suspend the student, he/she shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. —A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

A student suspended from class shall not be returned to class during the period of the suspension without the approval of the teacher of the class and the principal or designee. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of

suspension. -However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which he/she was suspended. (Education Code 48910)

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Suspension by Superintendent, Principal or Principal's Designee

To implement disciplinary procedures at a school site, the principal may, in writing, designate as the principal's designee another administrator or, if the principal is the only administrator at the school site, a certificated employee. As necessary, the principal may, in writing, also designate another administrator or certificated employee as the secondary designee to assist with disciplinary procedures when the principal and the principal's primary designee are absent from the school site.

The Superintendent, principal, ~~Principal~~ or designee shall immediately suspend any student found at school or at a school activity to have committed any of the acts listed in the Board policy under "Authority to Expel" and for which he/she is required to recommend expulsion. (Education Code 48915(c))

The Superintendent, principal, ~~Principal~~ or designee may impose a suspension for a first offense if he/she determines that the student violated any of items #1-5 listed under "Grounds for Suspension and Expulsion: Grades K-12~~8~~" above or if the student's presence causes a danger to persons. (Education Code 48900.5)

For all other offenses, a student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct in the student. (Education Code 48900.5)

When other means of correction are implemented prior to imposing suspension or supervised suspension upon a student, the Superintendent, principal, ~~Principal~~ or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

(cf. 5125 - Student Records)

Length of Suspension

The Superintendent, principal, ~~Principal~~ or designee may suspend a student from school for not more than five consecutive school days. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school,

or continuation school or class for the purpose of adjustment, he/she may be suspended for not more than 30 school days in a school year. ~~The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year.~~ (Education Code 48903, 48911, 48912)

(cf. 6184 - Continuation Education)

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion. (Education Code 48911)

Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the Superintendent, ~~principal~~, ~~Principal~~ or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, presented with the available evidence against him/her, and given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911)

—This conference may be omitted if the Superintendent, ~~principal~~, ~~Principal~~ or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference and the conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911)

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)

3. Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall also be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

In addition, the notice may state the date and time when the student may return to school.

4. **Parent/Guardian Conference:** Whenever a student is suspended, school officials may request a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914)

If school officials request to meet with the parent/guardian, the notice may state that the law requires the parent/guardian to respond to such requests without delay. However, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied reinstatement solely because the parent/guardian failed to attend the conference. (Education Code 48911)

5. **Extension of Suspension:** If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed: (Education Code 48911)

a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.

b. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

c. If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

(cf. 6173.1 - Education for Foster Youth)

d. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students. (Education Code 48918.1)

(cf. 6173 - Education for Homeless Children)

In lieu of or in addition to suspending a student, the Superintendent, principal, ~~Principal~~ or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct his/her behavior and keep him/her in school.

Suspension by the Board

The Board may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-

128" above and within the limits specified under "Suspension by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information ~~that would violate~~ violating a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

On-Campus Suspension

Superintendent or Principal's Authority to Recommend Expulsion

Unless the Superintendent or principal determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, he/she shall recommend a student's expulsion for any of the following acts: (Education Code 48915)

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

In determining whether or not to recommend the expulsion of a student, the Superintendent, principal, ~~Principal~~ or designee shall act as quickly as possible to ensure that the student does not

lose instructional time. (Education Code 48915)

Student's Right to Expulsion Hearing

Any student recommended for expulsion shall be entitled to a hearing to determine whether he/she should be expelled. The hearing shall be held within 30 school days after the Superintendent, ~~principal~~, ~~Principal~~ or designee determines that the student has committed the act(s) that form the basis for the expulsion recommendation. (Education Code 48918(a))

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion. (Education Code 48918(a))

If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

Stipulated Expulsion

After a determination that a student has committed an expellable offense, the Superintendent, ~~principal~~, ~~Principal~~ or designee shall offer the student and his/her parent/guardian the option to waive a hearing and stipulate to the expulsion or to a suspension of the expulsion under certain conditions. The offer shall be made only after the student or his/her parent/guardian has been given written notice of the expulsion hearing pursuant to Education Code 48918.

The stipulation agreement shall be in writing and shall be signed by the student and his/her parent/guardian. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of his/her right to have a full hearing, to appeal the expulsion to the County Board of Education, and to consult legal counsel.

A stipulated expulsion agreed to by the student and his/her parent/guardian shall be effective upon approval by the Board.

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing

Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918(b))

1. The date and place of the hearing
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based
3. A copy of district disciplinary rules which relate to the alleged violation
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment

This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

(cf. 5119 - Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a nonattorney adviser

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Nonattorney adviser means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

6. The right to inspect and obtain copies of all documents to be used at the hearing
7. The opportunity to confront and question all witnesses who testify at the hearing
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students

If the student facing expulsion is a foster student, the Superintendent or designee shall also send notice of the hearing to the student's attorney and a representative of an appropriate child welfare agency at least 10 days prior to the hearing. (Education Code 48918.1)

If the student facing expulsion is a homeless student, the Superintendent or designee shall also send notice of the hearing to the district liaison for homeless students at least 10 days prior to the hearing. (Education Code 48918.1)

Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public to the extent that privacy rights of other students are not violated. (Education Code 48918)

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and

when there are no alternative procedures to avoid the threatened harm, including, but not limited to, videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. **Record of Hearing:** A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))

3. **Subpoenas:** Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. **Presentation of Evidence:** Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion: Grades K-128" and "Additional Grounds for Suspension and Expulsion: Grades 4-128" above. (Education Code 48918(h))

Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. **Testimony by Complaining Witnesses:** The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code

48918, 48918.5)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
 - (c) Permit one of the support persons to accompany the complaining witness to the witness stand

6. Decision: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. The Board may also appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918)

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue a decision within 40 school days of the student's removal from school, unless the student requests that the decision be postponed. (Education Code 48918(a) and (d))

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated and permitted to return to the classroom instructional program from which the referral was made, unless another placement is requested in writing by the student's parent/guardian. - Before the student's placement decision is made by his/her parent/guardian, the Superintendent or designee shall consult with the parent/guardian and district staff, including the student's teachers, regarding other placement options for the student in addition to the option to return to the classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order. (Education Code 48918(f))

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion. If the hearing officer or administrative panel recommends that the Board expel a student but suspend the enforcement of the expulsion, the student shall not be reinstated and permitted to return to the classroom instructional program from which the referral was made until the Board has ruled on the recommendation. (Education Code 48917, 48918)

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel or is waived through the signing of a stipulated expulsion agreement, the final action to expel shall be taken by the Board in public. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

The Board's decision is final. If the decision is to not expel, the student shall be reinstated immediately. If the decision is to suspend the enforcement of the expulsion, the student shall be reinstated under the conditions of the suspended expulsion.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any "mandatory recommendation and mandatory expulsion" act listed in the section "Authority to Expel" in the accompanying Board policy~~act listed under "Mandatory Recommendation and Mandatory Expulsion" above~~, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include: (Education Code 48916)

1. Periodic review, as well as assessment at the time of review, for readmission
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (Education Code 48916.5)

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-128" or "Additional Grounds for Suspension and Expulsion: Grades 4-128" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the

student and his/her parent/guardian (Education Code 48916)

3. Notice of the right to appeal the expulsion to the County Board (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision to Suspend Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

1. The student's pattern of behavior
2. The seriousness of the misconduct
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-128" or "Additional Grounds for Suspension and Expulsion: Grades 4-128" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)

6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of his/~~her status~~ with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))

7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion order is suspended and the student is placed on probation. (Education Code 48919)

If the student submits a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board, the district shall provide the student with these documents within 10 school days following the student's written request. (Education Code 48919)

Notification to Law Enforcement Authorities

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

The principal or designee ~~also~~ shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance, ~~or of any student acts involving. In addition, law enforcement authorities shall be notified regarding any acts by students regarding~~ the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate ~~city or county~~ or district law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Placement During Expulsion

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

1. Appropriately prepared to accommodate students who exhibit discipline problems
2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at any of these
3. Not housed at the school site attended by the student at the time of suspension

(cf. 6158 - Independent Study)

(cf. 6185 - Community Day School)

When the placement described above is not available and when the County Superintendent so certifies, students expelled for only acts described in items #6-12 under "Grounds for Suspension and Expulsion: Grades K-128" and items #1-3 under "Additional Grounds for Suspension and Expulsion: Grades 4-128" above may be referred to a program of study that is provided at another comprehensive middle, junior, or senior high school or at an elementary school. (Education Code 48915)

The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12. (Education Code 48916.1)

Readmission After Expulsion

Prior to the date set by the Board for the student's readmission:

1. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
2. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.
3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)

5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.

6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system. (Education Code 48645.5)

Maintenance of Records

The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code 48900.8)

Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon written request by that school. (Education Code 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)


Regulation HANFORD ELEMENTARY SCHOOL DISTRICT

approved: March 25, 2015 Hanford, California

revised:

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Joy Gabler

FROM: Jaime Martinez 

DATE: December 3, 2018

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☒ Information
☐ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **December 12, 2018**

ITEM: Receive the following new Administrative Regulation for information.

PURPOSE: The following Regulation has been updated to reflect NEW LAW (SB 63) which extends the requirement to grant parental leave to an eligible employee for the purpose of bonding with a child after the birth, adoption, or foster care placement of the child to any district that employs 20-49 employees within 75 miles of the worksite where the employee requesting the leave is employed. Regulation also updated to reflect NEW LAW (SB 731) which entitles an employee who is a military veteran or current member of the California National Guard or federal reserve component to 10 days of additional sick leave for the purpose of undergoing medical treatment for a qualifying military service-connected disability, effective on either the date the U.S. Department of Veterans Affairs rates the employee's disability or on the first day the employee begins or returns to employment after active duty, whichever is later.

- AR 4161.1 – Personal Illness/Injury Leave (revised)

FISCAL IMPACT: None.

RECOMMENDATION: Consider for adoption at next regular board meeting.

Certificated Personnel**AR 4161.1(a)****PERSONAL ILLNESS/INJURY LEAVE****A. Sick Leave Entitlement**

1. Certificated employees employed full-time are entitled to 10 days' leave of absence with full pay for personal illness or injury (sick leave) per school year of service. Employees who work less than five school days per week (part-time employees) shall be granted sick leave in proportion to the time they work. However, any part-time employee who is entitled to less than three days of paid sick leave per year due to the amount of time worked shall be granted sick leave pursuant to Labor Code 246, if he/she is eligible. (Education Code 44978; Labor Code 245-249)

(cf. 4161/4261/4361 – Leaves)

(cf. 4161.9/4261.9/4361.9 – Catastrophic Leave Program)

B. Use of Sick Leave**Notification of Absence**

An employee shall notify the district of his/her need to be absent as soon as such need is known, so that substitute services may be secured. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district.

Certificated employees may use sick leave for absences due to:

1. Accident or illness, whether or not the absence arises out of or in the course of employment; quarantine which results from contact with other persons having a contagious disease during the employee's performance of his/her duties; or temporary inability to perform assigned duties because of illness, accident, or quarantine (Education Code 44964)

(cf. 4157.1/4257.1/4357.1 – Work-Related Injuries)

2. Pregnancy, miscarriage, childbirth, and related recovery (Education Code 44965, 44978)

(cf. 4161.8/4261.8/4361.8 – Family Care and Medical Leave)

3. Personal necessity (Education Code 44981)

(cf. 4161.2/4261.2/4361.2 – Personal Leaves)

4. Medical and dental appointments

AR 4161.1(b)

PERSONAL ILLNESS/INJURY LEAVE (continued)

5. Industrial accidents or illnesses when leave granted specifically for that purpose has been exhausted (Education Code 44984)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

6. Need of the employee to bond with a child within one year of the child's birth, adoption, or foster care placement (parental leave) (Education Code 44977.5; Government Code 12945.2, 12945.6; 29 USC 2612; 29 CFR 825.112)

- ~~6~~7. Need of the employee or his/her family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care (Labor Code 233, 246.5)

- ~~7~~8. Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and/or 230.1(a) for the health, safety, or welfare of the employee or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking (Labor Code 233, 246.5)

- ~~8~~9. For the purposes specified in items ~~#6-7~~ #7-8, an employee may use, in any calendar year, the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement. (Labor Code 233)

- ~~9~~10. An employee may take sick leave at any time during the school year, even if credit for sick leave has not yet been accrued. (Education Code 44978)

- ~~10~~11. For bargaining unit members, any other reason specified in the collective bargaining agreement.

(cf. 4161.9/4261.9/4361.9 - Catastrophic Sick Leave)

- ~~12~~12. An employee shall reimburse the district for any unearned sick leave used as of the date of his/her termination.

- ~~13~~13. Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 44978)

- ~~14~~14. At the beginning of each school year, employees shall be notified of the amount of sick leave they have accumulated.

C. Transfer of Sick Leave

The Superintendent or designee shall notify any certificated employee who leaves the district after at least one school year of employment that if the employee accepts a certificated position in another district, county office of education, or community college district within one year, he/she may request that the district transfer his/her accumulated sick leave to the new employer. (Education Code 44979, 44980)

AR 4161.1(c)

PERSONAL ILLNESS/INJURY LEAVE (continued)**D. Additional Leave for Disabled Military Veterans**

1. In addition to any other entitlement for sick leave with pay, a ~~newly hired~~ certificated employee who is a ~~military veteran with~~ former active duty member of the U.S. Armed Forces or a former or current member of the California National Guard or a federal reserve component shall be entitled to sick leave with pay of up to 10 days for the purpose of undergoing medical treatment, including mental health treatment, for a military service-connected disability rated at 30 percent or more by the U.S. Department of Veterans Affairs shall be entitled to sick leave with pay of up to 10 days for the purpose of undergoing medical treatment for his/her military service-connected disability. An eligible employee employed who works less than five days per week shall be entitled to such leave in proportion to the time he/she works. (Education Code 44978.2)
2. The amount of leave shall be credited to the employee either on the first day of employment and shall remain available for the following 12 months of employment date the employee receives confirmation of the submission of his/her disability application to the U.S. Department of Veterans Affairs or on the first day the employee begins or returns to employment after active duty, whichever is later. When the employee receives his/her disability rating decision, he/she shall report that information to the Superintendent or designee. Leave not used during the 12 month period shall not be carried over and shall be forfeited. If the disability rating decision makes the employee eligible for the leave, the time used before the decision shall be counted toward the 10-day maximum leave. If the disability rating decision makes the employee ineligible for the leave, the district may change the sick leave time used before the disability rating decision to an alternative leave balance. (Education Code 44978.2)
23. The Superintendent or designee may require verification, in accordance with the section "Verification Requirements" below, that the employee used the leave to obtain treatment of a military service-connected disability.

Leave for military-service connected disability shall be available for 12 months following the first date that the leave was credited. Leave not used during the 12-month period shall not be carried over and shall be forfeited. (Education Code 44978.2)

E. Differential Pay Leave-Continued Absence After Available Sick Leave Is Exhausted/Differential Pay

AR 4161.1(d)

PERSONAL ILLNESS/INJURY LEAVE (continued)

1. During each school year, when a certificated employee has exhausted all available sick leave, including all accumulated sick leave, and, due to illness or accident, continues to be absent from his/her duties for an additional period of up to five school months, the employee shall receive his/her regular salary minus the actual cost of a substitute to fill the position. If the district has made every reasonable effort to secure the services of a substitute and has been unable to do so, the amount that would have been paid to a substitute shall be deducted from the employee's salary. (Education Code 44977)
2. An employee shall not be provided more than one five-month period per illness or accident. However, if the school year ends before the five-month period is exhausted, the employee may take the balance of the five-month AR

F. Absence Beyond Five-Month Period/Reemployment List

If a certificated employee is not medically able to resume his/her duties after the five-month period provided pursuant to Education Code 44977, the employee shall be placed either in another position or on a reemployment list. Placement on the reemployment list shall be for 24 months for probationary employees or 39 months for permanent employees and shall begin at the expiration of the five-month period. If

during this time the employee becomes medically able, he/she shall be returned to employment in a position for which he/she is credentialed and qualified. (Education Code 44978.1)

(cf. 4116 - Probationary/Permanent Status)

FG. Differential Pay for Parental Leave

- ~~1. During each school year, any certificated employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of parental leave (baby bonding) pursuant to Government Code 12945.2 shall receive differential pay for up to 12 work weeks. The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such parental leave. Such parental leave shall run concurrently with the parental leave taken pursuant to Government Code 12945.2 and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. Eligibility for parental leave pursuant to Education Code 44977.5 shall not require 1,250 hours of service with the district during the previous 12 months. (Education Code 44977.5)~~

During each school year, a certificated employee may use all available sick leave, including accumulated sick leave, for the purpose of parental leave for a period up to 12 work weeks. The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such parental leave. (Education Code 44977.5)

4161.1(e)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Eligibility for such leave shall not require 1,250 hours of service with the district during the previous 12 months. (Education Code 44977.5)

An employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of parental leave shall receive differential pay for the remainder of the 12 work weeks. (Education Code 44977.5)

Parental leave taken pursuant to Education Code 44977.5 shall run concurrently with the parental leave taken pursuant to Government Code 12945.2 or 12945.6, and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. (Education Code 44977.5; Government Code 12945.2, 12945.6)

G. Verification Requirements

1. After any absence due to illness or injury, the employee shall verify the absence by submitting a completed and signed district absence form to his/her immediate supervisor.

(cf. 4161/4261/4361 – Absence Reporting/Verification)

2. The district may require written verification by the employee's physician for any absence due to illness or injury in excess of five consecutive work days.
3. The Superintendent or designee may require verification whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an absence is not related to illness or injury.
4. In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for further leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny further leave.
45. Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information.

AR 4161.1(f)

PERSONAL ILLNESS/INJURY LEAVE (continued)

- ~~56.~~ Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and shall not be disclosed except in accordance with 29 CFR 1635.9.
- ~~67.~~ Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return to duty and stipulating any necessary restrictions or limitations. ~~A determination whether work restrictions can be accommodated shall be made by the district in accordance with Board policy and administrative regulations.~~

(cf. 4032 - Reasonable Accommodation)

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

H. Short-Term and Substitute Employees

Except for a retired annuitant who is not reinstated to the retirement system, any short-term or substitute employee upon commencement of employment shall be entitled to one hour of paid sick leave for every 30 hours worked. Accrued paid sick days shall carry over to the following year of employment. (Labor Code 246)

A short-term or substitute employee may use accrued sick leave for absences due to: (Labor Code 246.5)

1. His/her own need or the need of a family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care
2. Need of the employee to obtain or seek any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking

(cf. BP 4221 Temporary, Short-Term, Substitute, and Non-Represented Part-Time Employees)

III. Healthy Workplaces, Healthy Families Act Requirements

No employee, ~~including a short-term or substitute employee,~~ shall be denied the right to use accrued sick days, and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

PERSONAL ILLNESS/INJURY LEAVE (continued)

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:
 - a. That an employee is entitled to accrue, request, and use paid sick days
 - b. The amount of sick days provided by Labor Code 245-249
 - c. The terms of use of paid sick days
 - d. That discrimination or retaliation against an employee for requesting and/or using sick leave is prohibited by law and that an employee has the right to file a complaint with the Labor Commissioner if the district discriminates or retaliates against him/her
 2. Provide at least 24 hours or three days of paid sick leave (accrued based on time worked) to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request
 3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available
- (cf. 4112.9/4212.9/4312.9 - Employee Notifications)*
4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

Legal Reference (See next page)

AR 4161.1(h)

PERSONAL ILLNESS/INJURY LEAVE (continued)*Legal Reference*EDUCATION CODE

44964 Power to grant leave of absence in case of illness, accident or quarantine
 44965 Granting of leaves of absence for pregnancy and childbirth
 44976 Transfer of leave rights when school is transferred to another district
 44977 Salary deduction during absence from duties up to five months after sick leave is exhausted
 44977.5 Differential pay during parental leave up to 12 weeks after sick leave is exhausted
 44978 Provisions for sick leave of certificated employees
 44978.1 Inability to return to duty; placement in another position or on reemployment list
 44978.2 Leave for military service connected disability
 44979 Transfer of accumulated sick leave to another district
 44980 Transfer of accumulated sick leave to a county office of education
 44981 Leave of absence for personal necessity
 44983 Exception to sick leave when district adopts specific rule
 44984 Industrial accident or illness
 44986 Leave of absence for disability allowance applicant

GOVERNMENT CODE

12945.1-12945.2 California Family Rights Act

12945.6 Parental leave

LABOR CODE

220 Sections inapplicable to public employees
 230 Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off
 230.1 Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off
 233 Illness of child, parent or spouse
 234 Absence control policy

245-249 Healthy Workplaces, Healthy Families Act of 2014

CODE OF REGULATIONS, TITLE 5

5601 Transfer of accumulated sick leave

UNITED STATES CODE, TITLE 42

2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008

CODE OF FEDERAL REGULATIONS, TITLE 29

825.100-825.702 Family and Medical Leave Act of 1993

1635.1-1635.12 Genetic Information Nondiscrimination Act of 2008

COURT DECISIONS

Veguez v. Governing Board of Long Beach Unified School District, (2005) 127 Cal.App. 4th 406

HESD/HETA COLLECTIVE BARGAINING AGREEMENT:

Article 16, Leaves

Regulation

approved: November 7, 2001

revised: December 15, 2010

revised: October 25, 2017


revised: _____, 2018

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Joy Gabler

FROM: Jaime Martinez 

DATE: December 3, 2018

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☒ Information
☐ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **December 12, 2018**

ITEM: Receive the following new Administrative Regulation for information.

PURPOSE: The following Regulation has been updated to reflect NEW LAW (SB 63) which extends the requirement to grant parental leave to any district that employs 20-49 employees within 75 miles of the worksite where the employee requesting the leave is employed. Regulation also updated to reflect NEW LAW (SB 731) which entitles an employee who is a military veteran or current member of the California National Guard or federal reserve component to 12 days of additional sick leave for the purpose of undergoing medical treatment for a qualifying military service-connected disability, effective on either the date the U.S. Department of Veterans Affairs rates the employee's disability or on the first day the employee begins or returns to employment after active duty, whichever is later.

- AR 4261.1 – Personal Illness/Injury Leave (revised)

FISCAL IMPACT: None.

RECOMMENDATION: Consider for adoption at next regular board meeting.

Classified Personnel

AR 4261.1(a)

PERSONAL ILLNESS/INJURY LEAVE

Classified employees employed five days a week are entitled to 12 days leave of absence with full pay per fiscal year for personal illness or injury (sick leave). Employees who work less than a full fiscal year or fewer than five days a week (part-time employees) shall be granted sick leave in proportion to the time they work. However, any part-time employee whose work hours are so few to entitle him/her to less than 24 hours of paid sick leave per fiscal year shall be granted sick leave pursuant to Labor Code 246, if he/she is eligible. (Education Code 45191; Labor Code 245-249)

(cf. 4161/4261/4361 – Leaves)

Use of Sick Leave

A classified employee may use sick leave for absences due to:

1. Accident or illness, whether or not the absence arises out of or in the course of employment, or by quarantine which results from contact with other persons having a contagious disease during the employee's performance of his/her duties. (Education Code 45199)

(cf. 4161.8/4261.8/4361.8 – Family Care and Medical Leave)

2. Pregnancy, childbirth, and recovery (Education Code 45193)

(cf. 4161.8/4261.8/4361.8 – Family Care and Medical Leave)

3. Personal necessity (Education Code 45207)

(cf. 4161.2/4261.2/4361.2 – Personal Leaves)

4. Medical or dental appointments, in increments of not less than .25 of one hour
5. Industrial accident or illness when leave granted specifically for that purpose has been exhausted or is not available (Education Code 45192)

(cf. 4261.11 – Industrial Accident/Illness Leave)

6. Need of an employee to bond with a child within one year of the child's birth, adoption, or foster care placement (parental leave) (Education Code 45196.1; Government Code 12945.2, 12945.6; 29 USC 2612; 29 CFR 825.112)

7. Need of the employee or his/her family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care (Labor Code 246.5)

AR 4261.1(b)

PERSONAL ILLNESS/INJURY LEAVE (continued)

- ~~7~~8. Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking (Labor Code 246.5)

For the purposes specified in items ~~#6-7~~ #7-8, an employee may use, in any year, the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement. (Labor Code 233)

An employee may take leave for personal illness or injury at any time during the year, even if credit for such leave has not yet been accrued. However, a new classified employee shall not be entitled to more than six days of sick leave until he/she has completed six months of active service with the district. (Education Code 45191)

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 45191)

An employee shall reimburse the district for any unearned sick leave used as of the date of his/her termination.

The district shall not require newly employed classified employees to waive leave accumulated in a previous district. However, if the employee's previous employment was terminated for cause, the transfer of the accumulated leave shall be made only if approved by the Governing Board. (Education Code 45202)

The Superintendent or designee shall notify any classified employee whose employment with the district is terminated after at least one calendar year for reasons other than for cause that, if he/she accepts employment in another district, county office of education, or community college district within one year of the termination of employment, he/she shall be entitled to request that the district transfer his/her accumulated sick leave to his/her new employer. (Education Code 45202)

Additional Leave for Disabled Military Veterans

In addition to any other entitlement for sick leave with pay, a ~~newly hired~~ classified employee who is a ~~military veteran with~~ former active duty member of the U.S. Armed Forces or a former or current member of the California National Guard or a federal reserve component shall be entitled to sick leave with pay of up to 12 days for the purpose of undergoing medical treatment, including mental health treatment, for a military service-connected disability rated at 30 percent or higher by the U.S. Department of Veterans Affairs ~~shall be entitled to sick leave with pay of up to 12 days for the purpose of undergoing medical treatment for his/her military service-connected disability~~. An eligible employee employed less than five days per week shall be entitled to such leave in proportion to the time he/she works. (Education Code 45191.5)

PERSONAL ILLNESS/INJURY LEAVE (continued)

~~The amount of leave shall be credited to the employee on the first day of employment and shall remain available for the following 12 months of employment. Leave not used during the 12-month period shall not be carried over and shall be forfeited.~~ The amount of leave shall be credited to the employee either on the date the employee receives confirmation of the submission of his/her disability application to the U.S. Department of Veterans Affairs or on the first day the employee begins or returns to employment after active duty, whichever is later. When the employee receives his/her disability rating decision, he/she shall report that information to the Superintendent or designee. If the disability rating decision makes the employee eligible for the leave, the time used before the decision shall be counted toward the 12-day maximum leave. If the disability rating decision makes the employee ineligible for the leave, the district may change the sick leave time used before the disability rating decision to an alternative leave balance. (Education Code 45191.5)

The Superintendent or designee may require verification, in accordance with the section "Verification Requirements" below, that the employee used the leave to obtain treatment of a military service-connected disability.

Leave for military-service connected disability shall be available for 12 months following the first date that the leave was credited. Leave not used during the 12-month period shall not be carried over and shall be forfeited. (Education Code 45191.5)

Notification of Absence

An employee shall notify the Superintendent or the designated manager or supervisor of his/her need to be absent as soon as such need is known so that the services of a substitute may be secured as necessary. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than three o'clock in the afternoon of the day preceding the day on which he/she intends to return to work. If the employee fails to notify the district and the failure results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

Continued Absence after Available Sick Leave Is Exhausted/Differential Pay

Each year, each regular classified employee shall be credited with no fewer than 100 working days of paid leave for personal illness or injury, including current year and accumulated days of leave. When the current year and accumulated days at full pay are exhausted, the number of days of absence that represent the difference between 100 days and the employees' current year Sick Leave allowance, subject to the limitation of the collective bargaining agreement, shall be compensated at 50 percent of the employee's regular salary. Any of the 100 days of leave not used during the year in which they are credited shall be forfeited and shall not accumulate from year to year. This paid leave shall be exclusive of any other paid leave, holidays, vacation, or compensatory time to which the employee may be entitled. (Education Code 45196)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Parental Leave

During each school year, a classified employee may use all available sick leave, including accumulated sick leave, for the purpose of parental leave for a period up to 12 work weeks. The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such parental leave. (Education Code 45196.1)

Eligibility for such leave shall not require 1,250 hours of service with the district during the previous 12 months. (Education Code 45196.1)

An employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of parental leave shall receive differential pay for the remainder of the 12 work weeks compensated at 50% of the employee's regular salary. (Education Code 45196.1)

Parental leave taken pursuant to Education Code 45196.1 shall run concurrently with the parental leave taken pursuant to Government Code 12945.2 or 12945.6, and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. (Education Code 45196.1; Government Code 12945.2, 12945.6)

Extension of Leave

A permanent employee who is absent because of a personal illness or injury and who has exhausted all available sick leave, vacation, compensatory overtime, and any other paid leave shall be so notified, in writing, and offered an opportunity to request additional ~~unpaid~~ leave. The Board may grant the employee additional leave, paid or unpaid leave, for a period not to exceed six months and may renew this leave for two additional six-month periods or for lesser periods. The total additional leave granted shall not exceed 18 months. (Education Code 45195)

(cf. 4216 – Probationary/Permanent Status)

If the employee is still unable to resume his/her duties all available paid and unpaid leaves have been exhausted, the employee shall be placed on a reemployment list for a period of 39 months. If during this time the employee becomes able to resume the duties of his/her position, he/she shall be offered reemployment in the first vacancy in the classification of his/her previous assignment. During the 39 months, the employee's reemployment shall take preference over all other applicants except those laid off for lack of work or lack of funds, in which case the employee shall be ranked according to his/her seniority. (Education Code 45195)

Verification Requirements

PERSONAL ILLNESS/INJURY LEAVE (continued)

After any absence due to illness or injury, the employee shall submit a completed and signed district absence form to his/her immediate supervisor.

The Superintendent or designee may, at any time, require additional written verification by the employee's physician or medical practitioner. Such verification shall be required whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an absence is not related to illness or injury or when an employee is absent five consecutive work days or more.

In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for additional leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny the request for additional leave.

Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information

Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and shall not be disclosed except in accordance with 29 CFR 1635.9.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return to work and stipulating any recommended restrictions or limitations. A determination as to whether work restrictions can be reasonably accommodated shall be made by the district in accordance with Board policy and administrative regulations.

(cf. 4032 - Reasonable Accommodation)

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

Short-Term and Substitute Employees

Except for a retired annuitant who is not reinstated to the retirement system, any short-term or substitute employee upon commencement of employment shall be entitled to one hour of paid sick leave for every 30 hours worked. Accrued paid sick days shall carry over to the following year of employment. (Labor Code 246)

A short-term or substitute employee may use accrued sick leave for absences due to: (Labor Code 246.5)

PERSONAL ILLNESS/INJURY LEAVE (continued)

1. His/her own need or the need of a family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care
2. Need of the employee to obtain or seek any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking

(cf. BP 4221 Temporary, Short-Term, Substitute, and Non-Represented Part-Time Employees)

Healthy Workplaces, Healthy Families Act Requirements

No employee, including a short-term or substitute employee, shall be denied the right to use accrued sick days and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:
 - a. That an employee is entitled to accrue, request, and use paid sick days
 - b. The amount of sick days provided by Labor Code 245-249
 - c. The terms of use of paid sick days
 - d. That discrimination or retaliation against an employee for requesting and/or using sick leave is prohibited by law and that an employee has the right to file a complaint with the Labor Commissioner if the district discriminates or retaliates against him/her
 2. Provide at least 24 hours or three days of paid sick leave (accrued based on time worked) to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request
 3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available
- (cf. 4112.9/4212.9/4312.9 - Employee Notifications)*
4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

AR 4261.1(g)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Legal Reference:

EDUCATION CODE

45103 Substitute employees

45190 Leaves and vacations

45191 Leaves of absence for illness and injury

[45191.5 Leave for military service connected disability](#)

45193 Leave of absence for pregnancy (re use of sick leave under certain circumstances)

45195 Additional leave for nonindustrial accident or illness; reemployment preference

45196 Salary; deductions during sick leave

[45196.1 Differential pay during parental leave up to 12 weeks after sick leave is exhausted](#)

45202 Transfer of accumulated sick leave and other benefits

[GOVERNMENT CODE](#)[12945.1-12945.2 California Family Rights Act](#)[12945.6 Parental leave](#)

LABOR CODE

230 Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off

230.1 Employers with 25 or more employees' domestic violence, sexual assault and stalking victims, right to time off

233 Illness of child, parent, spouse or domestic partner

245-249 Healthy Workplaces, Healthy Families Act of 2014

[UNITED STATES CODE, TITLE 29](#)[2601-2654 Family and Medical Leave Act of 1993, as amended](#)[UNITED STATES CODE, TITLE 42](#)[2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008](#)[CODE OF FEDERAL REGULATIONS, TITLE 29](#)[825.100-825.702 Family and Medical Leave Act of 1993](#)[1635.1-1635.12 Genetic Information Nondiscrimination Act of 2008](#)

COURT DECISIONS

California School Employees Association v. Colton Joint Unified School District, (2009) 170 Cal.App.4th 957

California School Employees Association v. Tustin Unified School District, (2007) 148 Cal.App.4th 510

ATTORNEY GENERAL OPINIONS

53 Ops.Cal.Atty.Gen. 111 (1970)

Regulation

approved: November 7, 2001

revised: December 15, 2010

revised: August 24, 2016


revised: October 25, 2017

[revised: 2018](#)**HANFORD ELEMENTARY SCHOOL DISTRICT**

Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Joy Gabler

FROM: Jaime Martinez 

DATE: December 3, 2018

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☒ Information
☐ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **December 12, 2018**

ITEM: Receive the following new Administrative Regulation for information.

PURPOSE: The following Regulation for management supervisory and confidential personnel is being updated to align with recent changes in law for certificated and classified employees as outlined in revisions made to AR 4161.1 (certificated personnel) and 4261.1 (classified personnel).

- AR 4361.1 – Personal Illness/Injury Leave (revised)

FISCAL IMPACT: None.

RECOMMENDATION: Consider for adoption at next regular board meeting.

Management, Supervisory and Confidential Personnel

AR 4361.1 (a)

PERSONAL ILLNESS/INJURY LEAVE**A. Sick Leave Entitlement**

1. Twelve-month management, supervisory, and confidential employees are entitled to 12 days of paid leave per year for personal illness or injury (Sick Leave). Employees working fewer than 12 months or fewer than five days per week shall be granted comparable sick leave in proportion to the time they work.
2. Management and supervisory employees and permanent classified management, supervisory, and confidential personnel may take sick leave at any time during the school year, even if credit for sick leave has not yet been accrued. Probationary classified management and confidential personnel are limited to six days of sick leave use until the completion of six months of service.

B. Notification of Absence

An employee shall notify the district of his/her need to be absent as soon as such need is known, so that substitute services may be secured. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district.

B.C. Use of Sick Leave

~~Sick Leave may be used for absences from work due to:~~

- ~~1. Temporary inability to work because of illness, accident, pregnancy, miscarriage, childbirth and recover, or quarantine~~
- ~~2. Work-related injury or illness when leave granted specifically for that purpose has been exhausted~~

Certificated and Classified employees may use sick leave for absences due to:

1. Accident or illness, whether or not the absence arises out of or in the course of employment; quarantine which results from contact with other persons having a contagious disease during the employee's performance of his/her duties; or temporary inability to perform assigned duties because of illness, accident, or quarantine. (Education Code 44964, 45199)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

2. Pregnancy, miscarriage, childbirth, and related recovery. (Education Code 44965, 44978, 45193)

(cf. 4161.11 - Industrial Accident/Illness Leave)

PERSONAL ILLNESS/INJURY LEAVE (continued)

3. Personal necessity. (Education Code 45207)

(cf. 4361.2 - Personal Necessity Leaves)

4. Medical and Dental appointments for confidentialia classified staff in not less than increments of .25% of one hour.
5. Industrial accidents or illnesses when leave granted specifically for that purpose has been exhausted or not available. (Education Code 44984, 45192)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

6. Need of the employee to bond with a child within one year of the child's birth, adoption, or foster care placement (parental leave). (Education Code 44977.5, 45196.1; Government Code 12945.2, 12945.6; 29 USC 2612; 29 CFR 825.112)
- ~~57.~~ ~~Serious illness of the employee's child, parent, or spouse, registered domestic partner or domestic partner's child in an amount not less than the sick leave that would be accrued by the employee during six months at his/her then current rate of entitlement when Family Illness Leave has been exhausted. (Labor Code 233)~~ Need of the employee or his/her family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care. (Labor Code 233, 246.5)
- ~~68.~~ Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and/or 230.1(a) for the health, safety, or welfare of the employee or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking. (Labor Code 233, 246.5)

(cf. 4361.25 - Family Illness Leave)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

- ~~79.~~ Accumulated sick leave may also be used, within the limits established by Board of Trustees policy and administrative regulations, for donations to a catastrophic sick leave bank.
10. For the purposes specified in items #7-8, an employee may use, in any calendar year, the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement. (Labor Code 233).
- ~~811.~~ ~~An~~ A certificated or classified employee may take sick leave at any time during the school year, even if credit for sick leave has not yet been accrued. (Education Code 44978). However, a new classified employee shall not be entitled to more than six days of sick leave until he/she has completed six months of active service with the district. (Education Code 45191)

AR 4361.1 (c)

PERSONAL ILLNESS/INJURY LEAVE (continued)

~~9~~12. An employee shall reimburse the district for any unearned sick leave used as of the date of his/her termination.

~~10~~13. Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 44978)

~~11~~. At the beginning of each school year, employees shall be notified of the amount of sick leave they have accumulated.

(cf. 4161.9/4261.9/4361.9 - Catastrophic Sick Leave)

C. Transfer of Sick Leave

1. New employees may transfer in the amount of unused Sick Leave sick leave earned at another California school district, county office of education, or community college district, if the employee left that employment within a year prior to employment by the district.

2. The district shall not require newly classified employees to waive leave accumulated in a previous district. However, if the employee's previous employment was terminated for cause, the transfer of the accumulated leave shall be made only if approved by the Governing Board. (Education Code 45202)

~~23~~. An A certificated employee who leaves the district after at least one year of employment and accepts an employment in another district, county office of education, or community college district may request that the district transfer his/her accumulated sick leave to the new employer. ~~within one year shall have transferred with him/her the total amount of earned and unused Sick Leave.~~

4. The Superintendent or designee shall notify any classified employee whose employment with the district is terminated after at least one calendar year for reasons other than cause that, if he/she accepts employment in another district, county office of education or community college district within one year of the termination of employment, he/she shall be entitled to request that the district within one year of the termination of employment, transfer his/her accumulated sick leave to his/her new employer. (Education Code 45202)

D. Additional Leave for Disabled Military Veterans

1. In addition to any other entitlement for sick leave with pay, ~~a newly hired certificated~~ an employee who is a ~~military veteran with~~ former active duty member of the U.S. Armed Forces or a former or current member of the California National Guard or a federal reserve component shall be entitled to sick leave with pay of up to 10 days for certificated employees and 12 days for classified employees for the purpose of undergoing medical treatment, including mental health treatment, for a military service-connected disability rated at 30 percent or more (higher) by the U.S. Department of Veterans Affairs shall be entitled to sick leave with pay of up to 10

AR 4361.1 (d)

PERSONAL ILLNESS/INJURY LEAVE (continued)

~~days for the purpose of undergoing medical treatment for his/her military service-connected disability.~~ An eligible employee ~~employed~~ who works or is employed less than five days per week shall be entitled to such leave in proportion to the time he/she works. (Education Code 44978.2, 45191.5)

2. The amount of leave shall be credited to the employee either ~~on the first day of employment and shall remain available for the following 12 months of employment date the employee receives confirmation of the submission of his/her disability application to the U.S. Department of Veterans Affairs or on the first day the employee begins or returns to employment after active duty, whichever is later.~~ When the employee receives his/her disability rating decision, he/she shall report that information to the Superintendent or designee. ~~Leave not used during the 12-month period shall not be carried over and shall be forfeited.~~ If the disability rating decision makes the employee eligible for the leave, the time used before the decision shall be counted toward the 10-day maximum leave for certificated employees and 12-day for classified employees. If the disability rating decision makes the employee ineligible for the leave, the district may change the sick leave time used before the disability rating decision to an alternative leave balance. (Education Code 44978.2, 45191.5)
3. The Superintendent or designee may require verification, in accordance with the section "Verification Requirements" below, that the employee used the leave to obtain treatment of a military service-connected disability.
4. Leave for military-service connected disability shall be available for 12 months following the first date that the leave was credited. Leave not used during the 12-month period shall not be carried over and shall be forfeited. (Education Code 44978.2, 45191.5)

E. **Differential Pay—LeaveContinued Absence After Available Sick Leave Is Exhausted/Differential Pay**

1. ~~When an employee has exhausted all current year and accumulated sick leave and continues to be absent from his/her duties due to illness or accident, the employee shall receive 50% of his/her regular salary for an additional period of up to five calendar months.~~
2. ~~An employee is entitled to only one five-month period per illness or accident. If the school/fiscal year ends before the five-month period is exhausted, the employee may take only the unused balance of the five-month period in the subsequent school/fiscal year.~~
1. During each school year, when a certificated employee has exhausted all available sick leave, including all accumulated sick leave, and, due to illness or accident, continues to be absent from his/her duties for an additional period of up to five

AR 4361.1 (e)

PERSONAL ILLNESS/INJURY LEAVE (continued)

school months, the employee shall receive his/her regular salary minus the actual cost of a substitute to fill the position. If the district has made every reasonable effort to secure the services of a substitute and has been unable to do so, the amount that would have been paid to a substitute shall be deducted from the employee's salary. (Education Code 44977)

2. A certificated employee shall not be provided more than one five-month period per illness or accident. However, if the school year ends before the five-month period is exhausted, the employee may take only the unused balance of the five-month period in the subsequent school/fiscal year.
3. Each year, each regular classified employee shall be credited with no fewer than 100 working days of paid leave for personal illness or injury, including current year and accumulated days of leave. When the current year and accumulated days at full pay are exhausted, the number of days of absence that represent the difference between 100 days and the employees' current year Sick Leave allowance, shall be compensated at 50 percent of the employee's regular salary. Any of the 100 days of leave not used during the year in which they are credited shall be forfeited and shall not accumulate from year to year. This paid leave shall be exclusive of any other paid leave, holidays, vacation, or compensatory time to which the employee may be entitled. (Education Code 45196)

F. Differential Pay for Parental Leave

~~During each school year, any certificated employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of parental leave (baby bonding) pursuant to Government Code 12945.2 shall receive 50% pay for up to 12 work weeks. The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such parental leave. Such~~

~~parental leave shall run concurrently with the parental leave taken pursuant to Government Code 12945.2 and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. Eligibility for parental leave pursuant to Education Code 44977.5 shall not require 1,250 hours of service with the district during the previous 12 months. (Education Code 44977.5)~~

During each school year, a certificated employee may use all available sick leave, including accumulated sick leave, for the purpose of parental leave for a period up to 12 work weeks. The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such parental leave. (Education Code 44977.5, 45196.1)

Eligibility for such leave shall not require 1,250 hours of service with the district during the previous 12 months. (Education Code 44977.5)

AR 4361.1 (f)

PERSONAL ILLNESS/INJURY LEAVE (continued)

An employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of parental leave shall receive differential pay for the remainder of the 12 work weeks. (Education Code 44977.5)

Parental leave taken pursuant to Education Code 44977.5 shall run concurrently with the parental leave taken pursuant to Government Code 12945.2 or 12945.6, and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. (Education Code 44977.5; Government Code 12945.2, 12945.6)

During each school year, a classified employee may use all available sick leave, including accumulated sick leave, for the purpose of parental leave for a period up to 12 work weeks. The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such parental leave. (Education Code 45196.1)

Eligibility for such leave shall not require 1,250 hours of service with the district during the previous 12 months. (Education Code 45196.1)

An employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of parental leave shall receive differential pay for the remainder of the 12 work weeks compensated at 50% of the employee's regular salary. (Education Code 45196.1)

Parental leave taken pursuant to Education Code 45196.1 shall run concurrently with the parental leave taken pursuant to Government Code 12945.2 or 12945.6, and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. (Education Code 45196.1; Government Code 12945.2, 12945.6)

G. Absence Beyond Five-Month Period or 100 Day Extended Sick Leave/Reemployment List

1. When a management, supervisory, or confidential employee has exhausted all paid leaves, vacation, and compensatory time credits and is still unable to return to work, he/she may request additional, unpaid leave. Additional leave is subject to consideration of the needs of the district and requires approval by the Superintendent or designee and the Board.
2. After an employee has exhausted all available paid and unpaid leave and is not medically able to resume his/her duties and cannot be placed in another position, he/she shall be placed on a reemployment list.
 - a. If the employee is a certificated employee in probationary status, he/she shall be placed on the reemployment list for 24 months beginning at the expiration of the five-month period;

AR 4361.1 (g)

PERSONAL ILLNESS/INJURY LEAVE (continued)

- b. If the employee is a permanent certificated employee or a probationary or permanent classified employee, the employee shall be placed on the reemployment list for 39 months.
- c. If during this time the employee becomes medically able to resume work, he/she shall be re-employed in a vacant position in the classification of his/her previous employment. The employee's reemployment shall take preference over any other person except former employees who were laid off for lack of work or funds, if any, in which case the employee shall be offered reemployment in accordance with his/her seniority ranking.

H. Verification Requirements

- 1. After any absence due to illness or injury, the employee shall verify the absence by submitting a completed and signed district absence report form to his/her immediate supervisor.

(cf. 4161/4261/4361 - Absence Reporting and Verification)

- 2. The district may require written verification by the employee's physician or practitioner for any absence due to illness or injury of five consecutive work days or more.
- 3. Before returning to work, an employee who has been absent for surgery, hospitalization or extended medical treatment shall submit a letter from his/her physician stating that he/she is able to return to work and stipulating any work restrictions or limitations. The determination whether work restrictions or limitations can be accommodated shall be made by the district in accordance with Board policy and administrative regulations.
- 4. Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information.
- 5. Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and shall not be disclosed except in accordance with 29 CFR 1635.9.

(cf. 4032 - Reasonable Accommodation)

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

AR 4361.1 (h)

PERSONAL ILLNESS/INJURY LEAVE (continued)**I. Healthy Workplaces, Healthy Families Act Requirements**

No employee, ~~including a short term or substitute employee~~, shall be denied the right to use accrued sick days, and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:
 - a. That an employee is entitled to accrue, request, and use paid sick days
 - b. The amount of sick days provided by Labor Code 245-249
 - c. The terms of use of paid sick days
 - d. That discrimination or retaliation against an employee for requesting and/or using sick leave is prohibited by law and that an employee has the right to file a complaint with the Labor Commissioner if the district discriminates or retaliates against him/her
2. Provide at least 24 hours or three days of paid sick leave (accrued based on time worked) to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request
3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

Legal Reference: (see next page)

PERSONAL ILLNESS/INJURY LEAVE (continued)*Legal Reference:***EDUCATION CODE**

44964 *Power to grant leave of absence in case of illness, accident or quarantine*
 44965 *Granting of leaves of absence for pregnancy and childbirth*
 44976 *Transfer of leave rights when school is transferred to another district*
 44977 *Salary deduction during absence from duties*
 44977.5 *Differential pay during parental leave up to 12 weeks after sick leave is exhausted*
 44978 *Provisions for sick leave of certificated employees*
 44978.2 *Leave for military service connected disability*
 44979 *Transfer of accumulated sick leave to another district*
 44980 *Transfer of accumulated sick leave to a county office of education*
 44981 *Leave of absence for personal necessity*
 44983 *Exception to sick leave when district adopts specific rule*
 44986 *Leave of absence for disability allowance applicant*

LABOR CODE

220 *Sections inapplicable to public employees*
 230 *Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off*
 230.1 *Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off*
 233 *Illness of child, parent, spouse or domestic partner*
 234 *Absence control policy*
 245-249 *Healthy Workplaces, Healthy Families Act of 2014*

CODE OF REGULATIONS, TITLE 5

5601 *Transfer of accumulated sick leave*

UNITED STATES CODE, TITLE 42

2000ff-2000ff-11 *Genetic Information Nondiscrimination Act of 2008*

CODE OF FEDERAL REGULATIONS, TITLE 29

1635.1-1635.12 *Genetic Information Nondiscrimination Act of 2008*

COURT DECISIONS

Veguez v. Governing Board of Long Beach Unified School District, (2005) 127 Cal.App.4th 406

Regulation

approved: March 4, 1992

revised: November 7, 2001

revised: November 30, 2004

revised: August 19, 2009

revised: December 15, 2010

revised: October 25, 2017

revised: _____, 2018

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: November 29, 2018

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: December 12, 2018

ITEM: Consider adopting Resolution #8-19: Regarding Absent Board Member Compensation.

PURPOSE: Education Code section 35120(c) provides that a board member may be paid for any meeting when absent if the board by resolution duly adopted and included in its minutes finds that at the time of the meeting: 1) he or she is performing services outside the meeting for the school district or districts, (2) he or she was ill or on jury duty, (3) or the absence was due to a hardship deemed acceptable by the board. Trustee Lupe Hernandez was unable to attend the October 10, 2018 meeting due to illness.

FISCAL IMPACT: Not to exceed \$250.

RECOMMENDATIONS: Adopt Resolution #8-19.

**HANFORD ELEMENTARY SCHOOL DISTRICT
RESOLUTION # 8-19
Board of Trustees
Hanford Elementary School District**

**RESOLUTION REGARDING ABSENT BOARD MEMBER COMPENSATION
(Education Code § 35120(c))**

WHEREAS, Education Code section 35120(c) provides that a board member may be paid for any meeting when absent if the board by resolution duly adopted and included in its minutes finds that at the time of the meeting: 1) he or she is performing services outside the meeting for the school district or districts, (2) he or she was ill or on jury duty, (3) or the absence was due to a hardship deemed acceptable by the board.

NOW, THEREFORE BE IT RESOLVED that the Hanford Elementary School District Board of Trustees determines as follows:

1. Board Member Lupe Hernandez was absent from the Hanford Elementary School District's regular board meeting held October 10, 2018 due to:
 - ☐ performing services outside the meeting for the school district
 - ☒ illness
 - ☐ jury duty
 - ☐ hardship deemed acceptable by the board
2. Said Board Members shall be paid for the meeting.

PASSED AND ADOPTED THIS 12th day of December, 2018 at a regular meeting, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Jeff Garner, President

Tim Revious, Vice President

HANFORD ELEMENTARY SCHOOL DISTRICT

Board Member Absence Verification

In accordance with Board Bylaw 9250, if a member of the Board of Trustees does not attend all Board meetings during the month, he/she is eligible to receive a percentage of the monthly compensation equal to the percentage of meetings attended unless otherwise authorized by the Board in accordance with law. Board members may be paid for meetings they missed when the Board of Trustees finds that they were performing designated services for the district at the time of the meeting or that they were absent because of illness, jury duty, or a hardship deemed acceptable by the Board. (Education Code 35120)

I was absent from the Board meeting conducted on Oct. 10, 2018.

☐ I am not requesting compensation for the meeting.

☐ I am requesting compensation for the meeting since I was absent from the meeting for the following reason (*check one*):

☐ Performing designated service for the district.

☒ Illness.

☐ Jury Duty.

☐ Hardship (please specify) _____

Board Member Name: Lupe Hernandez

Board Member Signature: Lupe Hernandez Date: Oct 10-2018

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: 12/05/18

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: 12/12/18

ITEM: Consider for approval transitioning Jefferson from a Charter School to a Magnet Program.

PURPOSE: In August 2014, Jefferson School opened as a District dependent charter school. As the charter renewal date approaches, it is recommended that Jefferson be transitioned from a charter school to a magnet program. This is merely a change in terminology and will in no way impact the educational program. The school will remain a K – 8 dual immersion program with a focus on science. In terms of the enrollment process, there will be a slight modification to how students from outside the District are selected. This only refers to students that are not siblings of a current students or children of employees. Jefferson will be included in the Hanford Elementary School District Local Control Accountability Plan (LCAP) and district budget. The District will no longer be required to submit a LCAP and budget specifically for Jefferson. Furthermore, moving the school to a magnet program also offers a minimal funding incentive as well as a much more efficient model for administrative oversight.

FISCAL IMPACT: Potentially an increase of \$450k

RECOMMENDATIONS: Approve

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: Lucy Gomez

DATE: November 15, 2018

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: December 12, 2018

ITEM: Request approval of consultant contract with Rosetta Stone.

PURPOSE: Approval of this consultant contract would allow us to purchase 40 licenses to access the Rosetta Stone ESL on-line program. The forty participating parents of English Learners in our district would have on-line access during ESL parent sessions at our Parent Outreach Center, as well as having on-line access at home.

FISCAL IMPACT: Title III Funds would be used to cover the cost of licenses (\$6,200)

RECOMMENDATIONS: Approve



SERVICE ORDER FORM

November 15, 2018

Rosetta Stone Ltd.
135 West Market Street
Harrisonburg, Virginia 22801
(P) 800-788-0822
(F) 540-437-2843
www.rosstattastone.com

Rosetta Stone Contact:
Liz Peatman
AE III
Phone:
Email: lpeatman@rosstattastone.com

Customer Shipping Address:

Lucy Gomez
Director of Curriculum and Instruction
Hanford Elementary School District
Po Box 1067
Hanford, CA 93232-1067
US

Contact Phone: (559) 585-3638
Contact Email: lgomez@hesd.k12.ca.us

Customer Billing Address:

Lucy Gomez
Director of Curriculum and Instruction
Hanford Elementary School District
Po Box 1067
Hanford, CA 93232-1067
US

Billing Contact: _____
Billing Contact Phone: _____
Billing Contact Email: _____

We are excited to present this quotation for products and services in the Rosetta Stone® Language Learning Suite. Rosetta Stone Ltd. provides language learning software and services under its Rosetta Stone® brand. Rosetta Stone language products and any related online services, training and user documentation are referred to collectively herein as "Rosetta Stone Product."

PRODUCT DESCRIPTION	QTY	UNIT PRICE	TOTAL
Rosetta Stone Foundations for K-12 (Silver) is a fixed term license for online access to language lessons and solo activities and stories in one of all commercially available languages and all available levels for use on Windows and Mac computers and includes administrator tools and access to all product specific mobile applications for iOS or select Android devices (the "License"). The License includes a digital download of Supplementary Materials for the following languages: English US, Spanish (Latin America), French, and German. Licenses are for named users for a subscription period specified below where all licenses start and end on the same date. Licenses may be transferred to other Authorized End Users during the subscription period.	40	USD 155.00	USD 6,200.00
Sub Total			USD 6,200.00
Total Sales Tax			USD 0.00
Total Shipping Charges			USD 0.00
Grand Total			USD 6,200.00
Notes			
<ul style="list-style-type: none"> Any applicable sales, use, excise, property or other federal, state, county, municipal, local or foreign taxes, levies, VAT, GTS, or other indirect taxes, customs duties, tariffs, or other imposts are the responsibility of the purchaser; any such amounts included in this quote are estimates for informational purposes only. 			

Pricing is valid for 30 days.

TERM AND TERMINATION

This Agreement becomes effective upon its execution by both parties and continues in effect for a period of 12 months following the service activation date of January 23, 2019 (the "Term"). The Term of this Agreement is renewable upon mutual agreement of the parties.

Rosetta Stone, without prejudice to its other rights hereunder, may immediately and without notice, suspend the delivery of the Rosetta Stone Product and/or terminate this Agreement in the event that Customer: (i) fails to make any payment when due or (ii) becomes insolvent or bankrupt or ceases paying its debts generally as they mature. Without derogation of Rosetta Stone's rights under the preceding sentence, either party may, without prejudice to its other rights,

terminate this Agreement forthwith on duly providing written notice to the other party to that effect in the event that the other party neglects or fails to perform or observe any of the material covenants, conditions or agreements contained in this Agreement, and such default is continued for thirty (30) days after the date of the non-defaulting party's notice to the other party. In the event of the expiration or termination of this Agreement for any reason, all rights granted to you hereunder shall terminate, and you shall immediately discontinue, and cause your authorized users to immediately discontinue, all use of Rosetta Stone Product. In the event of the expiration or termination of this Agreement, Rosetta Stone shall have the right to notify all authorized users that their rights to access the Rosetta Stone Product have been terminated.

INVOICING AND PAYMENT TERMS

Rosetta Stone will invoice Customer for the total purchase price stated above [plus all applicable taxes] upon execution of this Order Form by both parties. Invoices are payable on Net 30 day terms, F.O.B. Origin.

ACCEPTANCE

This quote also serves as an order form (the "Order Form"). To place this order, please sign this Order Form below and fax it along with any applicable purchase order to 540-437-2843. Alternatively, this order may also be placed by inserting the serial number appearing on the bottom right of this quote on the applicable purchase order, attaching this quote to the purchase order and faxing the purchase order and this quote to the above fax number.

In placing this order, Customer accepts the terms and conditions described in the Rosetta Stone Enterprise License Agreement ("ELA"), available at www.rosettastone.com/legal. The ELA, together with this Order Form, constitutes the entire agreement (the "Agreement") between Rosetta Stone and Customer. CUSTOMER AND ROSETTA STONE AGREE THAT THE TERMS AND CONDITIONS OF THIS AGREEMENT SUPERSEDE ANY PROVISIONS OF ANY CUSTOMER DRAFTED PURCHASE ORDER AND SUPERSEDE ALL PROPOSALS, WRITTEN OR ORAL, AS WELL AS OTHER COMMUNICATIONS BETWEEN CUSTOMER AND ROSETTA STONE RELATING TO THE SUBJECT MATTER HEREOF. ANY ADDITIONAL OR CONFLICTING PROVISIONS ON ANY PURCHASE ORDER ARE EXPRESSLY EXCLUDED FROM THE AGREEMENT. IN THE EVENT OF ANY CONFLICT BETWEEN THE TERMS OF THIS ORDER FORM AND THE ENTERPRISE LICENSE AGREEMENT, THE ORDER FORM SHALL GOVERN.

ROSETTA STONE LTD.

By: _____

Authorized Signing Authority

Printed Name/Title

Date

HANFORD ELEMENTARY SCHOOL DISTRICT

By: _____

Authorized Signing Authority

Printed Name/Title

Date

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: Karen McConnell

DATE: 11/29/18

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: 12/12/18

ITEM: Out of state travel for two (2) HESD School Psychologists to conduct assessments on resident student currently placed in a Non Public School.

PURPOSE: Hanford Elementary School District ("District") has a resident student, who has been placed in a Non Public School ("NPS") by an Individual Education Plan ("IEP") team, as it was determined that the education for this student, due to severe issues could be met only in a restricted placement, such as a NPS.

As a resident of the District, the District continues to be responsible for this student and this student's educational oversight. This includes regular communication with staff at the NPS, conducting assessments, participation in the development of an IEP, tracking student progress toward goal attainment, etc.

A team of two (2) HESD School Psychologist need to conduct an assessment, including all parts of the assessment to develop a report and activity participation in the development of an IEP for this student to insure compliance with Individual with Disabilities in Education Act and to serve this child to the best of our ability.

FISCAL IMPACT: \$2,500.00 (however, this money would be billed back to the SELPA NPS account for reimbursement to the District)

RECOMMENDATIONS: Approve

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy Gabler
FROM: Jason Strickland
DATE: November 15, 2018

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

Date you wish to have your item considered: 12/12/18

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

AR/BP 5113.11 - Attendance Supervision (New)

PURPOSE: New regulation addresses the appointment of a district attendance supervisor and reflects NEW LAW (AB 2815, 2016) which expresses the Legislature's intent that the attendance supervisor fulfill specified duties.

FISCAL IMPACT (if any): None

RECOMMENDATION (if any): to approve

Hanford ESD

Administrative Regulation

Attendance Supervision

AR 5113.11
Students

The Superintendent or designee shall appoint an attendance supervisor and any assistant attendance supervisor(s) as may be necessary to supervise the attendance of district students. (Education Code 48240)

The Superintendent or designee shall ensure that any person appointed as an attendance supervisor has been certificated for the work by the County Board of Education. (Education Code 48241, 48245)

Such supervisors shall perform duties related to compulsory full-time education, truancy, compulsory continuation education, work permits, and any additional duties prescribed by the Superintendent or designee. (Education Code 48240)

(cf. 5112.1 - Exemptions from Attendance)
(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5113.2 - Work Permits)
(cf. 6184 - Continuation Education)

The attendance supervisor shall promote a culture of attendance and establish a system to accurately track student attendance in order to achieve all of the following: (Education Code 48240)

1. Raise the awareness of school personnel, parents/guardians, caregivers, community partners, and local businesses of the effects of chronic absenteeism and truancy and other challenges associated with poor attendance
2. Identify and respond to grade level or student subgroup patterns of chronic absenteeism or truancy

(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6175 - Migrant Education Program)

3. Identify and address factors contributing to chronic absenteeism and habitual truancy, including suspension and expulsion

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

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

4. Ensure that students with attendance problems are identified as early as possible to provide applicable support services and interventions

5. Evaluate the effectiveness of strategies implemented to reduce chronic absenteeism rates and truancy rates

(cf. 0500 - Accountability)

The attendance supervisor may provide support services and interventions, including, but not limited to, the following: (Education Code 48240)

1. A conference between school personnel, the student's parent/guardian, and the student
2. Promotion of cocurricular and extracurricular activities that increase student connectedness to school, such as tutoring, mentoring, the arts, service learning, or athletics

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

(cf. 6142.6 - Visual and Performing Arts)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

3. Recognition of students who achieve excellent attendance or demonstrate significant improvement in attendance

(cf. 5126 - Awards for Achievement)

4. Referral of the student to a school nurse, school counselor, school psychologist, school social worker, and other student support personnel for case management and counseling

(cf. 5141.6 - School Health Services)

(cf. 6164.2 - Guidance/Counseling Services)

5. Collaboration with child welfare services, law enforcement, courts, public health care agencies, government agencies, or medical, mental health, and oral health care providers to receive necessary services

(cf. 1020 - Youth Services)

6. Collaboration with school study teams, guidance teams, school attendance review teams, or other intervention-related teams to assess the attendance or behavior problem in partnership

with the student and his/her parents/guardians or caregivers

(cf. 6164.5 - Student Success Teams)

7. Referral of the student to a school attendance review board established pursuant to Education Code 48321 or to the probation department pursuant to Education Code 48263

(cf. 5113.12 - District School Attendance Review Board)

8. Referral of the student to a truancy mediation program operated by the county's district attorney or probation officer pursuant to Education Code 48260.6

The attendance supervisor shall annually report student attendance data to the Superintendent or designee and the Governing Board. Such data shall include, by school, grade level, and each numerically significant student subgroup as defined in Education Code 52052, rates of school attendance, chronic absence in which students are absent on 10 percent or more of the school days in the school year, and dropout.

(cf. 5147 - Dropout Prevention)

Legal Reference:

EDUCATION CODE

1740 Employment of personnel to supervise attendance (county superintendent)

37223 Weekend classes

46000 Records (attendance)

46010-46014 Absences

46110-46119 Attendance in kindergarten and elementary schools

46140-46147 Attendance in junior high and high schools

48200-48208 Children ages 6-18 (compulsory full-time attendance)

48240-48246 Supervisors of attendance

48260-48273 Truants

48290-48297 Failure to comply; complaints against parents

48320-48325 School attendance review boards

48340-48341 Improvement of student attendance

48400-48403 Compulsory continuation education

52060-52077 Local control and accountability plan

60901 Chronic absence

PENAL CODE

270.1 Chronic truancy; parent/guardian misdemeanor

WELFARE AND INSTITUTIONS CODE

601-601.4 Habitually truant minors

11253.5 Compulsory school attendance

CODE OF REGULATIONS, TITLE 5

306 Explanation of absence

420-421 Record of verification of absence due to illness and other causes

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

School Attendance Review Board Handbook, 2015

School Attendance Improvement Handbook, 2000

WEB SITES

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

Attendance Works: <http://www.attendanceworks.org>

California Association of Supervisors of Child Welfare and Attendance: <http://www.cascwa.org>

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

Regulation approved: _____ HANFORD ELEMENTARY SCHOOL DISTRICT
Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy Gabler
FROM: Jason Strickland
DATE: November 15, 2018

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

Date you wish to have your item considered: 12/12/18

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

AR/BP 5113.12 - District School Attendance Review Board (New)

PURPOSE: New policy and regulation are for use by districts that have established their own local school attendance review board (SARB), and reflect the basic purposes, functions, and operations of the SARB.

FISCAL IMPACT (if any): None

RECOMMENDATION (if any): to approve

Hanford ESD

Board Policy

District School Attendance Review Board

BP 5113.12

Students

The Governing Board recognizes that poor school attendance and behavior problems negatively impact student achievement and put students at greater risk of dropping out of school. The Superintendent or designee shall establish a comprehensive and integrated system for the early identification of attendance problems and shall implement strategies to encourage students' attendance. After other interventions have been exhausted, students with a pattern of unexcused absences may be referred to a school attendance review board (SARB), in accordance with applicable law, in order to receive intensive guidance and assistance.

(cf. 5113 - Absences and Excuses)
 (cf. 5113.1 - Chronic Absence and Truancy)
 (cf. 5113.11 - Attendance Supervision)
 (cf. 5147 - Dropout Prevention)

The SARB shall maintain a continuing inventory of community resources, including alternative educational programs.

The Superintendent or designee shall collaborate with the SARB and appropriate community agencies, including, but not limited to, law enforcement agencies, child welfare agencies, and health services, to provide school-based and/or community-based interventions tailored to the specific needs of the student.

(cf. 1020 - Youth Services)
 (cf. 5030 - Student Wellness)
 (cf. 5126 - Awards for Achievement)
 (cf. 5131 - Conduct)
 (cf. 5131.2 - Bullying)
 (cf. 5137 - Positive School Climate)
 (cf. 5141.6 - School Health Services)
 (cf. 5145.3 - Nondiscrimination/Harassment)
 (cf. 5146 - Married/Pregnant/Parenting Students)
 (cf. 6158 - Independent Study)
 (cf. 6164.2 - Guidance/Counseling Services)
 (cf. 6164.5 - Student Success Teams)
 (cf. 6173 - Education for Homeless Children)
 (cf. 6173.1 - Education for Foster Youth)
 (cf. 6173.2 - Education of Children of Military Families)
 (cf. 6175 - Migrant Education Program)

(cf. 6179 - Supplemental Instruction)
 (cf. 6181 - Alternative Schools/Programs of Choice)
 (cf. 6183 - Home and Hospital Instruction)
 (cf. 6184 - Continuation Education)
 (cf. 6185 - Community Day School)

The Board shall appoint members to the district's SARB, who may include a parent/guardian as well as representatives of various agencies including, but not limited to, school districts; the county probation department; the county welfare department; the County Superintendent of Schools; law enforcement agencies; community-based youth service centers; school guidance personnel; child welfare and attendance personnel; school or county health care personnel; school, county, or community mental health personnel; the county district attorney's office; and the county public defender's office. (Education Code 48321)

The district's SARB shall provide support to improve student attendance and behavior through proactive efforts focused on building positive school environments and improved school connectedness, early identification and immediate intervention to re-engage students with poor attendance or behavior, and intensive intervention with students and families to address severe or persistent attendance or behavior issues.

The district's SARB shall operate in accordance with Education Code 48320-48325, the Brown Act (Government Code 54950-54963), and the bylaws of the SARB.

The SARB shall collect data and annually report outcomes on SARB referrals to the Governing Board, Superintendent or designee, and County Superintendent of Schools. (Education Code 48273)

Legal Reference:

EDUCATION CODE

1740 Employment of personnel to supervise attendance (county superintendent)

1980-1986 County community school

46010-46014 Absences

48200-48208 Children ages 6-18 (compulsory full-time attendance)

48240-48246 Supervisors of attendance

48260-48273 Truants

48290-48297 Failure to comply; complaints against parents

48320-48325 School attendance review boards

48340-48341 Improvement of student attendance

48400-48403 Compulsory continuation education

48660-48666 Community day school

49067 Unexcused absences as cause of failing grade

CODE OF CIVIL PROCEDURE

1985-1997 Production of evidence; means of production

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act

PENAL CODE

270.1 Chronic truancy; parent/guardian misdemeanor

272 Parent/guardian duty to supervise and control minor child; criminal liability for truancy

830.1 Peace officers

VEHICLE CODE

13202.7 Driving privileges; minors; suspension or delay for habitual truancy

WELFARE AND INSTITUTIONS CODE

256-258 Juvenile hearing officer

601-601.4 Habitually truant minors

11253.5 Compulsory school attendance

CODE OF REGULATIONS, TITLE 5

306 Explanation of absence

420-421 Record of verification of absence due to illness and other causes

COURT DECISIONS

L.A. v. Superior Court of San Diego County, (2012) 209 Cal.App.4th 976

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

School Attendance Review Board Handbook: A Road Map for Improved School Attendance and Behavior, 2015

School Attendance Improvement Handbook, 2000

WEB SITES

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

Attendance Works: <http://www.attendanceworks.org>

California Association of Supervisors of Child Welfare and Attendance: <http://www.cascwa.org>

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

Regulation approved: HANFORD ELEMENTARY SCHOOL DISTRICT
Hanford, California

Hanford ESD

Administrative Regulation

District School Attendance Review Board

AR 5113.12

Students

Upon receiving a referral of a student with attendance and/or behavior problems, a designated member of the school attendance review board (SARB) shall review the case and may meet with school personnel to determine whether the school has provided sufficient information about the student's attendance record or behavior. If the referral is complete and is an appropriate matter for the SARB to consider, the SARB chairperson shall provide written notification to the student's parents/guardians stating the reasons a referral has been made, explaining the SARB process, advising whether additional information is needed, and describing school-level interventions that have previously been attempted.

The SARB shall meet with the student and his/her parents/guardians, give them an opportunity to present their understanding of the problem, and discuss the school and/or community resources appropriate for the student's circumstances.

Any SARB meeting to consider matters related to an individual student shall be held in closed session unless the parent/guardian requests, in writing, that the meeting be held in open session.

(cf. 9321 - Closed Session Purposes and Agendas)

The SARB shall have access to relevant student records, but shall not provide access to others without written consent of the student's parent/guardian. (Education Code 49076)

(cf. 5125 - Student Records)

For the limited purpose of making a proper disposition of the referral of a student, the SARB may issue subpoenas pursuant to Code of Civil Procedure 1985-1997 or may request the juvenile court to issue subpoenas to require the attendance of the student, parents/guardians or other person having control of the student, the school authority referring the student, or any other person who has pertinent or material information concerning the matter. The SARB shall not issue any subpoena that includes a request for production of written materials, but may request a juvenile court to issue such subpoena for the production of written materials. (Education Code 48263, 48321.5)

The SARB shall issue written directives stating the responsibilities of all persons involved, detailed resource referrals, and follow-up dates for the school's reports on the student's progress. The written directives shall include an agreement that the student will attend school or improve classroom behavior as applicable, and shall be signed by the student, his/her parents/guardians,

the SARB chairperson, and the Superintendent or designee.

When referred by the SARB, a student may be assigned to a community day school or a county community school. (Education Code 1981, 48662)

(cf. 6185 - Community Day School)

At any time it deems proper, the SARB may require the student or his/her parents/guardians to furnish satisfactory evidence of participation in any available community services that the student or parents/guardians have been directed to use. (Education Code 48263)

Based on progress reports submitted by the school, the SARB may terminate the agreement upon the successful completion of the terms of the agreement, extend the time for completion of the agreement, or schedule another meeting with the student and his/her parents/guardians.

If the student's attendance or behavior problems cannot be resolved by the SARB, or if the student and/or the student's parents/guardians continually and willfully fail to respond to SARB directives or the services provided, the student or parents/guardians shall be referred to the appropriate agency, including law enforcement agencies when necessary. (Education Code 48263, 48290-48291)

Regulation approved: _____ HANFORD ELEMENTARY SCHOOL DISTRICT
Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy Gabler
 FROM: Jason Strickland
 DATE: November 15, 2018

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

Date you wish to have your item considered: 12/12/18

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

AR/BP 6173.2 - Education of Children of Military Families (New)

PURPOSE: Policy updated to reflect the Every Student Succeeds Act, which provides that military-connected students will be assigned a national identification number to facilitate monitoring of their academic progress and requires districts to issue an annual report card that includes state achievement results for such students. Policy also adds optional language on collaborating with the military's school liaison officers and providing staff development related to the educational rights of military-connected students. Regulation updated to add material regarding the transfer of course credits, exemption from local graduation requirements when a student transfers after the completion of the second year of high school, and use of the uniform complaint procedures for allegations of noncompliance by the district, pursuant to NEW LAW (AB 365, 2017). Regulation also reflects NEW LAW (SB 455, 2017) which provides that a student will be deemed to meet district residency requirements if his/her parent/guardian is transferred or is pending transfer to a military installation within the state, and NEW LAW (AB 2659, 2016) which provides that districts must not prohibit the transfer of a military-connected student out of the district regardless of whether the district has an interdistrict transfer agreement with another district.

FISCAL IMPACT (if any): None

RECOMMENDATION (if any): to approve.

Hanford ESD

Board Policy

Education Of Children Of Military Families

BP 6173.2

Instruction

The Governing Board recognizes that children of military families face challenges to their academic success caused by the frequent moves or deployments of their parents/guardians in fulfillment of military service. The district shall provide such students with academic resources, services, and opportunities for extracurricular and enrichment activities that are available to all district students.

(cf. 5125 - Student Records)
 (cf. 6011 - Academic Standards)
 (cf. 6145 - Extracurricular and Cocurricular Activities)
 (cf. 6145.2 - Athletic Competition)
 (cf. 6179 - Supplemental Instruction)

The Superintendent or designee may waive district policies or rules when necessary to facilitate the enrollment, placement, advancement, eligibility for extracurricular activities, or on-time graduation of children of military families, in accordance with the Interstate Compact on Educational Opportunity for Military Children as ratified in Education Code 49700-49704.

(cf. 5117 - Interdistrict Attendance)
 (cf. 6146.1 - High School Graduation Requirements)
 (cf. 6146.3 - Reciprocity of Academic Credit)

The Superintendent or designee shall provide information and/or training to administrators, other appropriate district staff, and military families regarding the provisions of the Interstate Compact and the educational rights of children of military families.

(cf. 4131 - Staff Development)
 (cf. 4231 - Staff Development)
 (cf. 4331 - Staff Development)
 (cf. 5020 - Parent Rights and Responsibilities)

The Superintendent or designee shall collaborate with parents/guardians, school liaison officers from military installations, and/or other agencies within and outside the state to facilitate the transition of children of military families into and out of the district.

(cf. 1020 - Youth Services)
 (cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall annually report to the Board on the educational outcomes of children of military families. Such reports may include, but are not limited to, school attendance, student achievement test results, promotion and retention rates by grade levels, and graduation rates.

(cf. 0500 - Accountability)

(cf. 5123 - Promotion/Acceleration/Retention)

(cf. 6162.51 - State Academic Achievement Tests)

Legal Reference:

EDUCATION CODE

35160.5 District policy rules and regulations; requirements; matters subject to regulation

35179 Interscholastic athletics; associations or consortia

35181 Students' responsibilities

35351 Assignment of students to particular schools

46600-46611 Interdistrict attendance agreements

48050-48054 Nonresidents

48200-48208 Persons included (compulsory education law)

48300-48316 Student attendance alternatives, school district of choice program

49700-49704 Education of children of military families

51225.3 Requirements for graduation

51240-51246 Exemptions from requirements

51250-51251 School-age military dependents

66204 Certification of high school courses as meeting university admissions criteria

UNITED STATES CODE, TITLE 10

101 Definitions

1209 Transfer to inactive status list instead of separation

1211 Members on temporary disability retired list: return to active duty; promotion

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

6311 State plan

UNITED STATES CODE, TITLE 29

794 Section 504 of the federal Rehabilitation Act

Management Resources:

CALIFORNIA CHILD WELFARE COUNCIL

Partial Credit Model Policy and Practice Recommendations

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Final Report to the Legislature on the Interstate Compact on Educational Opportunity for Military Children, April 2014

WEB SITES

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

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

California Department of Education, Educational Options Office:

<http://www.cde.ca.gov/ls/pf/mc>

Military Interstate Children's Compact Commission: <http://www.mic3.net>

Policy HANFORD ELEMENTARY SCHOOL DISTRICT
adopted: _____ Hanford, California

NEW

Hanford ESD

Administrative Regulation

Education Of Children Of Military Families

AR 6173.2
Instruction

Definitions

Children of military families are school-aged children in the household of: (Education Code 49701)

1. Members who are in full-time duty status in the active uniformed service of the United States, including any member of the National Guard and Reserve on active duty order pursuant to 10 USC 1209 or 1211

Enrollment

The Superintendent or designee shall facilitate the enrollment of children of military families and ensure that they are not placed at a disadvantage due to difficulty in the transfer of their records from previous school districts and/or variations in entrance or age requirements. (Education Code 49701)

A child of a military family shall be deemed to meet district residency requirements if his/her parent/guardian, while on active military duty pursuant to an official military order, is transferred or is pending transfer to a military installation within the state. The Superintendent or designee shall accept electronic submission of such a student's application for enrollment, including enrollment in a specific school or program within the district, and for course registration. (Education Code 48204.3)

(cf. 5111.1 - District Residency)

When a child of a military family is transferring into the district, the Superintendent or designee may enroll the child based on the child's placement in the previous district, pending receipt of the child's records. Upon enrollment, the Superintendent or designee shall immediately request the student's records from the student's previous district. The Superintendent or designee shall allow the student 30 days from the date of enrollment to obtain all required immunizations. (Education Code 49701)

(cf. 5111 - Admission)
(cf. 5125 - Student Records)
(cf. 5141- Health Care and Emergencies)
(cf. 5141.31- Immunizations)

A child of an active military duty parent/guardian shall not be prohibited from transferring out of the district, if the school district of proposed enrollment approves the application for transfer. (Education Code 46600, 48307)

(cf. 5117 - Interdistrict Attendance)

When a child of a military family is transferring out of the district, the Superintendent or designee shall provide the student's parents/guardians with a complete set of the student's records or, if the official student record cannot be released, an unofficial or "hand-carried" record. Upon request from the new district, the Superintendent or designee shall provide a copy of the student's record to the new district within 10 days. (Education Code 49701)

Placement

Whenever a student's parent/guardian is serving on active duty or has been discharged from military service within the last year and the student transfers to a new school as the direct result of the military transfer or discharge, the Superintendent or designee may, prior to the receipt of official transcript(s) or the arrival of the student, review the student's coursework to date, including any unofficial transcript(s), to determine the appropriate placement of the student in classes. The evaluation shall also include communication with school counselors and teachers at the former school by videoconferencing, email, and/or telephone calls. (Education Code 51251)

The Superintendent or designee shall initially honor the placement of any child of a military family in educational courses and programs based on the child's enrollment and/or assessment in his/her previous school. The Superintendent or designee may, to the extent permitted by Board policy, waive course or program prerequisites, preconditions, and/or application deadlines when making decisions regarding placement of children of military families and their eligibility for extracurricular academic, athletic, and social activities. (Education Code 49701)

(cf. 6141.5 - Advanced Placement)
 (cf. 6145 - Extracurricular and Cocurricular Activities)
 (cf. 6145.2 - Athletic Competition)
 (cf. 6172 - Gifted and Talented Student Program)
 (cf. 6174 - Education for English Learners)

When a child of a military family transferring into the district has been identified as an individual with a disability pursuant to 20 USC 1400-1482, the Superintendent or designee shall provide comparable services to the student based on his/her current individualized education program. In addition, when the child of a military family transferring into the district is eligible for services under Section 504 of the federal Rehabilitation Act, the Superintendent or designee shall make reasonable accommodations and modifications to address the needs of the student subject to the student's existing Section 504 plan. The district may authorize subsequent evaluations of the student to ensure appropriate placement. (Education Code 49701)

(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)

Absences

When a student's parent/guardian is an active duty member and is called to duty for, is on leave from, or is immediately returned from deployment to a combat zone or to combat support posting, the Superintendent or designee may grant additional excused absences to the student to visit with his/her parent/guardian. (Education Code 49701)

(cf. 5113 - Absences and Excuses)

Notification and Complaints

Information regarding the educational rights of children of military families, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

Any complaint alleging that the district has not complied with requirements regarding the education of children of military families, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Policy HANFORD ELEMENTARY SCHOOL DISTRICT
adopted: _____ Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy Gabler

FROM: Doug Carlton

DATE: November 26, 2018

For: ☒ Board Meeting
☐ Superintendent's Cabinet

For: ☐ Information
☒ Action

Date you wish to have your item considered: December 12, 2018

ITEM: Hear for Action: Revisions to BP/AR 6020 Parent Involvement

PURPOSE: Policy and regulation updated to reflect requirements for parent involvement in schools receiving federal Title I, Part A funding, as amended by Every Student Succeeds Act, including expanding activities to include engagement of family members. Policy also reflects parent involvement as a state priority that must be addressed in the district's LCAP.

This policy has been developed with, and agreed upon by, the district's stakeholder groups which are comprised of school and district officials along with parents and family members of participating children. The school site council at each school site, the District English Learner Advisory Committee, and the district Parent Advisory Committee have participated in the development of this policy. All are recommending its approval. This policy was also presented for review and input from parents of participating children at each school site's Annual Title I meeting. A copy of this policy was distributed to each family on the first day of school. This policy is posted on each school's and on the district's website.

Fiscal Impact:

A parent involvement policy is a requirement for receiving various state and federal funds.

RECOMMENDATION: Approve BP/AR 6020

Hanford ESD

Board Policy

Parent/~~Guardian~~ Involvement

BP 6020

Instruction

The Board of Trustees recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent/guardian~~parental~~ involvement in the education of their children contributes greatly to student achievement and a positive school environment. – The Superintendent or designee shall ~~consult~~work with ~~staff and~~ parents/guardians and family members in the development of~~to develop~~ meaningful opportunities at all grade levels for ~~the~~parents/guardians to be involved in district and school activities at all grade levels; advisory, decision-making, and advocacy roles; and activities to support learning at home.

(cf. 0420 - School Plans/Site Councils)

(cf. ~~0420.1 – School Based Program Coordination~~)

~~(cf. 0420.5 – School Based Decision Making~~

~~(cf. 0520.1 – High Priority Schools Grant Program)~~

~~(cf. 0520.2 – Title I Program Improvement Schools)~~

~~(cf. 1220 - Citizen Advisory Committees)~~

(cf. 1230 - School-Connected Organizations)

(cf. 1240 - Volunteer Assistance)

(cf. 1250 - Visitors/Outsiders)

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.—

(cf. 5020 - Parent Rights and Responsibilities)

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

The district's local control and accountability plan shall include goals and strategies for parent/guardian involvement, including district efforts to seek parent/guardian input in district and school site decision making and to promote parent/guardian participation in programs for English learners, foster youth, students eligible for free and reduced-price meals, and students with disabilities. (Education Code 42238.02, 52060)

(cf. 0460 - Local Control and Accountability Plan)

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the district's parent/guardian and family engagement ~~involvement~~ efforts, including, but not limited to, input from parents/guardians, family members, and school staff on the adequacy of ~~parent~~ involvement opportunities and on barriers that may inhibit ~~parent/guardian~~ participation.–

(cf. 0500 - Accountability)

Title I Schools

~~The~~Each year the Superintendent or designee shall involve parents/guardians and family members in establishing district expectations and identify specific objectives for meaningful of the district's parent/guardian and family engagement in involvement program for schools supported by that receive Title I funding. ~~He/she shall ensure that parents/guardians are consulted and participate in the planning, design, implementation, and evaluation of the parent involvement program.~~ (Education Code 11503)

~~(cf. 6171 - Title I Programs)~~

~~The~~ developing strategies that Superintendent or designee shall ensure that the district's parent involvement strategies are jointly developed with and agreed upon by parents/guardians of students participating in Title I programs. ~~Those strategies shall establish expectations for parent involvement and~~ describe how the district will carry out each activity listed in 20 USC 6318, as contained in the accompanying administrative regulation, and implementing and evaluating such programs, activities, and procedures. As appropriate, the Superintendent or designee shall conduct outreach to all parents/guardians and family members. (Education Code 11503; ~~20 USC 6318~~)

(cf. 6171 - Title I Programs)

Note: The following paragraph is for use by districts that receive more than \$500,000 in Title I, Part A funding. Pursuant to 20 USC 6318, the Governing Board must reserve at least one percent of the district's Title I funding to carry out parent/guardian and family engagement activities, provided that one percent of the allocation received by the district totals more than \$5,000. As amended by P.L. 114-95, 20 USC 6318 requires that at least 90 percent of the reserved funds must be distributed to eligible schools, with priority given to "high-need schools" as defined in 20 USC 6631.

When the district's Title I, Part A allocation exceeds the amount specified in 20 USC 6318, the Board shall reserve at least one percent of the funding to implement parent/guardian and family engagement activities. The Superintendent or designee shall involve~~consult with~~ parents/guardians and family members of participating students in the planning and implementation of parent involvement programs, activities, and regulations. ~~He/she also shall involve parents/guardians of participating students in decisions regarding how the district's Title I funds will be allotted for parent/guardian and family engagement involvement activities and shall ensure that priority is given to schools in high poverty areas in accordance with law.~~ (20 USC 6318, 6631)

(cf. 3100 - Budget)

Expenditures of such funds shall be consistent with the activities specified in this policy and

shall include at least one of the following: (20 USC 6318)

1. Support for schools and nonprofit organizations in providing professional development for district and school staff regarding parent/guardian and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents/guardians and family members
2. Support for programs that reach parents/guardians and family members at home, in the community, and at school
3. Dissemination of information on best practices focused on parent/guardian and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents/guardians and family members
4. Collaboration with community-based or other organizations or employers with a record of success in improving and increasing parent and family engagement
5. Any other activities and strategies that the district determines are appropriate and consistent with this policy

The Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent/guardian and family engagement~~involvement~~ policy in accordance with 20 USC 6318.

Legal Reference:

EDUCATION CODE

11500-11506 Programs to encourage parent involvement

48985 Notices in languages other than English

51101 Parent rights and responsibilities

52060-52077 Local control and accountability plan

54444.1-54444.2 Parent advisory councils, services to migrant children

56190-56194 Community advisory committee, special education

64001 Single plan for student achievement

LABOR CODE

230.8 Time off to visit child's school

CODE OF REGULATIONS, TITLE 5

18275 Child care and development programs, parent involvement and education

UNITED STATES CODE, TITLE 20

6311 State plan

~~6311 Parental notice of teacher qualifications and student achievement~~

6312 Local educational agency plan

6314 Schoolwide programs

~~6316 School improvement~~

6318 Parent and family engagement~~involvement~~

6631 Teacher and school leader incentive program, purposes and definitions

CODE OF FEDERAL REGULATIONS, TITLE 28

35.104 Definitions, auxiliary aids and services

35.160 Communications

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION ~~CSBA~~-PUBLICATIONSTitle I School-Level Parental Involvement PolicyFamily Engagement Framework: A Tool for California School Districts, 2014~~Parent Involvement: Development of Effective and Legally Compliant Policies, Governance and Policy Services Policy Briefs, August 2006~~~~STATE BOARD OF EDUCATION POLICIES~~~~89-01 Parent Involvement in the Education of Their Children, rev. 1994~~U.S. DEPARTMENT OF EDUCATION PUBLICATIONS~~NON-REGULATORY GUIDANCE~~Parental Involvement: Title I, Part A, Non-Regulatory Guidance, April 23, 2004

WEB SITES

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

California Department of Education, Family, School, Community Partnerships:

<http://www.cde.ca.gov/ls/pf>California Parent Center: <http://parent.sdsu.edu>California State PTA: <http://www.capta.org>National Coalition for Parent Involvement in Education: <http://www.ncpie.org>National PTA: <http://www.pta.org>~~No Child Left Behind: <http://www.ed.gov/nclb>~~Parent Information and Resource Centers: <http://www.pirc-info.net>Parents as Teachers National Center: <http://www.parentsasteachers.org>U.S. Department of Education: <http://www.ed.gov>

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: June 16, 1996 Hanford, California

revised: May 16, 2001

revised: February 21, 2007

revised: December 12, 2018

Hanford ESD

Administrative Regulation

Parent/~~Guardian~~ Involvement

AR 6020
Instruction

District Strategies for Title I Schools

To ensure that parents/guardians and family members of students participating in Title I programs are provided with opportunities to be involved in their children's education, the ~~district Superintendent or designee~~ shall:

1. Involve parents/guardians and family members~~of participating students~~ in the joint development of a district~~the Title I local educational agency (LEA)~~ plan that meets the requirements of~~pursuant to~~ 20 USC 6312 and in the development~~process~~ of school support~~review~~ and improvement plans pursuant to 20 USC 6311~~6316~~ (20 USC 6318)

(cf. 0460 - Local Control and Accountability Plan)
(cf. 6171 - Title I Programs)

The Superintendent or designee may:

a. In accordance with Education Code 52063, establish~~Establish~~ a district-level parent advisory committee and, as applicable, an English learner parent advisory committee ~~including parent/guardian representatives from each school site~~ to review and comment on the ~~LEA~~ plan in accordance with the review schedule established by the Governing Board ~~of Trustees~~

b. Invite input on the ~~LEA~~ plan from other district committees such as the District Migrant Advisory Committee, the District English Learner Advisory Committee, and school site councils

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)

c. Communicate with parents/guardians through the district newsletter, ~~school newsletters,~~ web site, or other methods regarding the ~~LEA~~ plan and the opportunity to provide input

d. Provide copies of working drafts of the plan to parents/guardians in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand

e. Ensure that

~~d. Ensure that~~ there is an opportunity at a public Board meeting for public comment on the

~~LEA~~ plan prior to the Board's approval of the plan or revisions to the plan

~~fe.~~ Ensure that school-level policies on parent/guardian and family engagement~~involvement~~ address the role of school site councils and other parents/guardians as appropriate in the development and review of school plans

2. Provide coordination, technical assistance, and other support necessary to assist and build the capacity of Title I schools in planning and implementing effective parent/guardian and family engagement~~involvement~~ activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations or individuals with expertise in effectively engaging parents/guardians and family members in education— (20 USC 6318)

~~The Superintendent or designee may:~~

~~a. Assign person(s) in the district office to serve as a liaison to the schools regarding Title I parent involvement issues~~

~~b. Provide training for the principal or designee of each participating school regarding Title I requirements for parent involvement, leadership strategies, and communication skills to assist him/her in facilitating the planning and implementation of parent involvement activities~~

~~c. Provide information annually to schools about the indicators and assessment tools that will be used to monitor progress~~

~~3. Build the capacity of schools and parents/guardians for strong parent involvement (20 USC 6318)~~

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

The Superintendent or designee shall: (20 USC 6318)

a. Assist parents/guardians in understanding such topics as the challenging state~~state's~~ academic content standards and academic achievement standards, state and local academic assessments, the requirements of Title I, and how to monitor a child's progress and work with educators to improve the achievement of their children

(cf. 6011 - Academic Standards)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests~~Standardized Testing and Reporting Program~~)

~~(cf. 6162.52 - High School Exit Examination)~~

b. Provide parents/guardians with materials and training, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to ~~to help them~~ parents/guardians work with their children to improve their children's achievement, ~~such as~~

~~literacy training and using technology, as appropriate, to foster parent involvement~~

c. ~~With the assistance of parents/guardians, educate~~ Educate teachers, specialized instructional support ~~student services~~ personnel, principals and other school leaders, and other staff, ~~with the assistance of parents/guardians~~, in the value and utility of parent/guardian contributions and in how to reach out to, communicate with, and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the schools

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

d. To the extent feasible and appropriate, coordinate and integrate parent/guardian involvement programs and activities with other federal, state, and local programs, including public preschool programs, preschools and conduct other activities, such as parent resource centers, that encourage and support parents/guardians in ~~more~~ fully participating in their children's education

e. Ensure that information related to school and parent/guardian programs, meetings, and other activities is sent to the parents/guardians of participating students in a format and, to the extent practicable, in a language the parents/guardians can understand

f. Provide other such reasonable support for parent/guardian involvement activities as parents/guardians may request

g. Inform parents/guardians and parent organizations of the existence and purpose of parent information and resource centers in the state that provide training, information, and support to parents/guardians of participating students

In addition, the Superintendent or designee may:

a. Involve parents/guardians in the development of training for teachers, principals, and other educators to improve the effectiveness of such training

b. Provide necessary literacy training, using Title I funds if the district has exhausted all other reasonably available sources of funding for such training

ca. Pay reasonable and necessary expenses associated with parent/guardian involvement activities, including transportation and child care costs, to enable parents/guardians to participate in school-related meetings and training sessions

d. Train parents/guardians to enhance the involvement of other parents/guardians

eb. Arrange school meetings at a variety of times or, when parents/guardians are unable to

attend such conferences, conduct in-home conferences between parents/guardians and teachers or other educators who work directly with participating students, in order to maximize parent/guardian involvement and participation–

f. Adopt and implement model approaches to improving parent/guardian involvement

g. Establish a districtwide parent advisory council to provide advice on all matters related to parent/guardian involvement in Title I programs

h. Develop appropriate roles for community-based organizations and businesses in parent/guardian involvement activities

i. Make referrals to community agencies and organizations that offer literacy training, parent/guardian education programs, and/or other services that help to improve the conditions of parents/guardians and families–

(cf. 1020 - Youth Services)

j. Provide a master calendar of district activities and district meetings

k. Provide information about opportunities for parent/guardian and family engagement–involvement through the district newsletter, web site, or other written or electronic means

l. Engage parent-teacher organizations to actively seek out and involve parents/guardians through regular communication updates and information sessions

(cf. 1230 - School-Connected Organizations)

m. To the extent practicable, provide translation services at school sites and at meetings involving parents/guardians and family members as needed

n. Provide training and information to members of district and school site councils and advisory committees to help them fulfill their functions

o. Provide ongoing district-level workshops to assist school site staff, parents/guardians, and family members in planning and implementing improvement strategies, and seek their input in developing the workshops

p. Provide training for the principal or designee of each participating school regarding Title I requirements for parent/guardian and family engagement, leadership strategies, and communication skills to assist him/her in facilitating the planning and implementation of related activities

q. Regularly evaluate the effectiveness of staff development activities related to parent/guardian and family engagement

ri. Include expectations for parent/guardian outreach and involvement in staff job descriptions and evaluations

(cf. 4115 - Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

s. Assign district personnel to serve as a liaison to the schools regarding Title I parent/guardian and family engagement issues

t. Provide information to schools about the indicators and assessment tools that will be used to monitor progress

3. To the extent feasible and appropriate, coordinate~~4. Coordinate~~ and integrate Title I parent/guardian and family engagement~~involvement~~ strategies with parent/guardian and family engagement strategies of other relevant federal, state, and local~~public preschool~~ programs and ensure consistency with federal, state, and local laws (20 USC 6318)

~~(cf. 6300 - Preschool/Early Childhood Education)~~

The Superintendent or designee may:

a. Identify overlapping or similar program requirements-

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

(cf. 2230 - Representative and Deliberative Groups)

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

(cf. 5030 - Student Wellness)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6174 - Education for English Learners)

(cf. 6175 - Migrant Education Program)

(cf. 6178 - Career Technical Education)

b. Involve district and school site representatives from other programs to assist in identifying specific population needs

c. Schedule joint meetings with representatives from related programs and share data and information across programs

d. Develop a cohesive, coordinated plan focused on student needs and shared goals

45. Conduct, with meaningful involvement of parents/guardians and family members, an annual evaluation of the content and effectiveness of the parent/guardian and family engagement~~involvement~~ policy in improving the academic quality of the schools served by Title I, including identification of: (20 USC 6318)

~~The Superintendent or designee shall:—~~

a. ~~Barriers~~ Ensure that the evaluation include the identification of barriers to greater participation in parent/guardian and family engagement involvement activities, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background (20 USC 6318)

b. _____

b. The needs of parents/guardians and family members, so they can better assist with their children's learning and engage with school personnel and teachers

c. Strategies to support successful school and family interactions

(cf. 0500 - Accountability)

~~The Superintendent or designee shall Use the evaluation results to design strategies for more effective parent involvement and, if necessary, to recommend changes in the parent involvement policy (20 USC 6318)~~

e. ~~Assess the district's progress in meeting annual objectives for the parent involvement program;~~ notify parents/guardians of this review and assessment through regular school communications mechanisms; and shall provide a copy of the assessment to parents/guardians upon their request. (Education Code 11503)

The Superintendent or designee may:

a. Use a variety of methods, such as focus groups, surveys, and workshops, to evaluate the satisfaction of parents/guardians and staff with the quality and frequency of district communications—

b. Gather and monitor data regarding the number of parents/guardians and family members participating in district activities and the types of activities in which they are engaged

c. Recommend to the Board measures to evaluate the impact of the district's parent/guardian and family engagement involvement efforts on student achievement

5. Use the findings of the evaluation conducted pursuant to item #4 above to design evidence-based strategies for more effective parent/guardian and family involvement and, if necessary, to revise the parent/guardian and family engagement policy (20 USC 6318)

6. Involve parents/guardians in the activities of schools served by Title I, which may include establishing a parent advisory board comprised of a sufficient number and representative group of parents/guardians or family members served by the district to adequately represent the needs of the population served by the district for the purposes of developing, revising, and reviewing

the parent/guardian and family engagement policy (20 USC 6318)

The Superintendent or designee may:

- a. Include information about school activities in district communications to parents/guardians and family members
- b. To the extent practicable, assist schools with translation services or other accommodations needed to encourage participation of parents/guardians and family members ~~with special needs~~
- c. Establish processes to encourage parent/guardian input regarding their expectations and concerns for their children

The district's Board policy and administrative regulation containing parent/guardian and family engagement ~~involvement~~ strategies shall be incorporated into the district's local control and accountability ~~LEA~~ plan in accordance with 20 USC 6312 and shall be ~~and~~ distributed to parents/guardians of students participating in Title I programs. (20 USC 6318)

(cf. 5145.6 - Parental Notifications)

School-Level Policies for Title I Schools

At each school receiving Title I funds, a written policy on parent/guardian and family engagement ~~involvement~~ shall be developed jointly with the ~~and agreed upon by~~ parents/guardians and family members of participating students. Such policy shall describe the means by which the school will: (20 USC 6318)-

- 1.- Convene an annual meeting, at a convenient time, to which all parents/guardians of participating students shall be invited and encouraged to attend, in order to inform parents/guardians of their school's participation in Title I and to explain Title I requirements and the right of parents/guardians to be involved-
- 2.- Offer a flexible number of meetings, such as meetings in the morning or evening, for which related transportation, child care, and/or home visits may be provided as such services relate to parent/guardian involvement
3. Involve parents/guardians in an organized, ongoing, and timely way in the planning, review, and improvement of Title I programs, including the planning, review, and improvement of the school's parent/guardian and family engagement ~~involvement~~ policy and, if applicable, the joint development of the plan for schoolwide programs pursuant to 20 USC 6314

The school may use an existing process for involving parents/guardians in the joint planning and design of the school's programs provided that the process includes adequate representation of parents/guardians of participating students.-

4.- Provide the parents/guardians of participating students all of the following:-

a.- Timely information about Title I programs-

b.- A description and explanation of the school's curriculum, forms of academic assessment used to measure student progress, and the achievement levels of the challenging state academic standards~~proficiency levels students are expected to meet~~

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

(cf. 5123 - Promotion/Acceleration/Retention)

c.- If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions related to their children's education, and, as soon as practicably possible, responses to the suggestions of parents/guardians-

5.- If the schoolwide program plan is not satisfactory to the parents/guardians of participating students, submit any parent/guardian comments when the school makes the plan available to the district

6.- Jointly develop with the parents/guardians of participating students a school-parent compact that outlines how parents/guardians, the entire school staff, and students will share responsibility for improved student academic achievement and the means by which the school and parents/guardians will build a partnership to help students achieve state standards

~~(cf. 0520.1 - High Priority Schools Grant Program)~~

This compact shall address:-

a.- The school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables participating students to achieve the state's challenging student academic achievement standards

b.- Ways in which parents/guardians will be responsible for supporting their children's learning, ~~such as monitoring attendance, homework completion, and television viewing;~~ volunteering in the classroom; and participating, as appropriate, in decisions related to their children's education and the positive use of extracurricular time-

(cf. 1240 - Volunteer Assistance)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5113 - Absences and Excuses)

(cf. 6145 - Extracurricular/Cocurricular Activities)

(cf. 6154 - Homework/Makeup Work)

c. The importance of communication between teachers and parents/guardians on an ongoing basis through, at a minimum:

(1) Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as it relates to the student's achievement

(2) Frequent reports to parents/guardians on their children's progress

(3) Reasonable access to staff, opportunities to volunteer and participate in their child's classroom, and observation of classroom activities--

(4) Regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand

7. Build the capacity of the school and parents/guardians for strong parent involvement by implementing the required activities described in item #2~~items #3a-f~~ in the section "District Strategies for Title I Schools" above

8. To the extent practicable, provide ~~full~~ opportunities for the informed participation of parents/guardians and family members (including parents/guardians and family members with limited English proficiency, parents/guardians and family members with disabilities, and parents/guardians and family members of migrant children),~~;~~ including providing information and school reports required under 20 USC 6311(h) in a format and language such parents/guardians can understand

If the school has a parent involvement policy that applies to all parents/guardians, it may amend that policy to meet the above requirements. (20 USC 6318)

Each school's parent/~~guardian and family engagement-involvement~~ policy shall be made available to the local community. ~~Parents-and distributed to parents/~~guardians shall be notified of ~~the policy~~~~participating students~~ in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand. (20 USC 6318)

Each school receiving Title I funds shall annually evaluate the effectiveness of its parent/~~guardian and family engagement-involvement~~ policy. Such evaluation may be conducted during the process of reviewing the school's single plan for student achievement in accordance with Education Code 64001.

The ~~principal or designee, jointly with parents/guardians of participating students, shall- periodically update the~~ school's policy shall be periodically updated to meet the changing needs of parents/guardians and the school. (20 USC 6318)

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT
approved: February 21, 2007 Hanford, California
revised: December 12, 2018

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: **Joy C. Gabler**
FROM: **Jill Rubalcava**
DATE: **November 30, 2018**

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

Date you wish to have your item considered: **December 12, 2018**

ITEM:

PURPOSE: Receive information and approve CSBA recommended revisions to **BP 6170.1 - Transitional Kindergarten:**

Policy updated to reflect **NEW LAW (AB 99, 2017)** which permits districts to maintain transitional kindergarten classes for different lengths of time during the school day, either at the same or different school sites, provided that the length of the school day complies with legal requirements related to the minimum and maximum length of the school day. No change in practice for HESD. HESD Instructional Minutes for Transitional Kindergarten classes and Kindergarten classes are the same, and they exceed the requirement of 180 minutes.

FISCAL IMPACT: None at this time

RECOMMENDATIONS: Approval

Hanford ESD

Board Policy

Transitional Kindergarten

BP 6170.1

Instruction

~~***Note: The following policy is for use by districts that maintain kindergarten and may be revised to reflect district practice.~~ Education Code 48000 provides that children are eligible for kindergarten enrollment if they have their fifth birthday on or before September 1 in that school year; see AR 5111 - Admission. Pursuant to Education Code 48000, any child whose fifth birthday is between September 2 and December 2 must be offered a transitional kindergarten (TK) program.***

~~***Note: Education Code 48000 defines TK as the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate. Many of the requirements applicable to kindergarten (e.g., class size, minimum school day, facilities) are also applicable to TK. The district will receive funding based on average daily attendance (ADA) for students in a TK program that meets the requirements specified in Education Code 48000.~~***

~~***Note: For guidance on implementing TK programs, see the Transitional Kindergarten Implementation Guide: A Resource for California Public School District Administrators and Teachers, published by the California Department of Education (CDE).~~***

The ~~Governing~~ Board of Trustees desires to offer a high-quality transitional kindergarten (TK) program for eligible children who do not yet meet the minimum age criterion for kindergarten. The TK program shall assist ~~studentsTK-children~~ in developing the academic, social, and emotional skills they need to succeed in kindergarten and beyond.

The district's TK program shall be the first year of a two-year kindergarten program. (Education Code 48000)

The Board encourages ongoing collaboration among district preschool staff, other preschool providers, elementary teachers, administrators, and parents/guardians in ~~the program~~ development, implementation, and evaluation of the district's TK program.

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

Eligibility

The district's TK program shall admit children whose fifth birthday is from September 2 through December 2. (Education Code 48000)

~~***Note: The CDE's "Transitional Kindergarten FAQs" clarify that children are required to have documentation of required immunizations or a valid exemption prior to admission to TK. For information about required immunizations and exemptions, see BP/AR 5141.31—Immunizations.***~~

Parents/guardians of eligible children shall be notified of the availability of the TK program and the age, residency, immunization, and any other enrollment requirements. Enrollment in the TK program shall be voluntary.

(cf. 5111 - Admission)

(cf. 5111.1 - District Residency)

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

~~(cf. 5141.22 - Infectious Diseases)~~

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

~~***Note: The following paragraph is optional. If the district chooses to allow kindergarten-eligible children to enroll in the TK program, CDE recommends that the district establish criteria to determine selection requirements. The parent/guardian of a kindergarten-eligible child who is enrolled in TK must, at the end of the year, sign a Kindergarten Continuance Form verifying that he/she agrees to have the child enroll in kindergarten the following year; see section "Continuation in Kindergarten" below.***~~

~~Upon request of a child's parents/guardians, the district may, on a case-by-case basis after the Superintendent or designee determines that it is in the child's best interest, admit into the district's TK program a child whose fifth birthday is on or before September 1 and who is therefore eligible for kindergarten.~~

~~***Note: The following paragraph is optional. Pursuant to Education Code 48000, the district may, at its discretion, determine whether to allow admittance of children whose fifth birthday is after December 2. Such students may be admitted at any time during the school year, including at the beginning of the year. Education Code 48000 provides that districts will not receive ADA apportionment for a child whose birthday is after December 2 until the child reaches his/her fifth birthday.***~~

~~At any time during the school year, the district may admit into the TK program a child whose fifth birthday is after December 2 of that same school year, provided that the Superintendent or designee recommends that enrollment in a TK program is in the child's best interest and the child's parents/guardians approve. Prior to such enrollment, the child's parents/guardians shall be provided information regarding the advantages and disadvantages and any other explanatory information about the effect of early admittance. (Education Code 48000)~~

Curriculum and Instruction

The district's TK program shall be based on a modified kindergarten curriculum that is age and developmentally appropriate. (Education Code 48000)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

~~***Note: Education Code 48000 states the Legislature's intent that the TK curriculum be aligned to the California Preschool Learning Foundations developed by CDE. These standards address essential skills in the subject areas listed below. The standards and companion preschool curriculum frameworks are available on CDE's web site.***~~

The program shall be aligned with the preschool learning foundations and preschool curriculum frameworks developed by the California Department of Education. It shall be designed to facilitate students' development in essential skills related to language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6011 - Academic Standards)

(cf. 6174 - Education for English [Language](#) Learners)

~~***Note: The following optional paragraph may be revised to reflect district practice. Education Code 37202 permits districts to maintain TK and kindergarten classes for different lengths of time during the school day, either at the same or a different school site. Districts offering TK classes for different lengths of time are still required to meet the minimum and maximum length of school day provided in law. Pursuant to Education Code 46111, 46115, and 46117, at the kindergarten and TK level the minimum school day is three hours (180 minutes), including recess but excluding noon intermission, and the maximum school day is four hours (240 minutes), excluding recess, unless the district has adopted an extended day kindergarten pursuant to Education Code 8973. However, pursuant to Education Code 46119, if the district has fewer than 40 kindergarten students, the Governing Board may apply to the Superintendent of Public Instruction to maintain two kindergarten classes of 150 minutes each, including recesses, taught on the same day by the same teacher. Also see AR 6112 - School Day.***~~

~~***Note: Pursuant to Education Code 48003, districts are required to provide an annual report to CDE regarding the type of kindergarten program offered by the district, including part day, full day, or both. The School Information Form 2017, located on the CDE web site, requires a report on the type of TK program offered.***~~

The Board shall establish the length(s) of the school day in the district's TK program. TK programs may be maintained for different lengths of time either at the same or different school sites, as long as the school day is at least three hours but no more than four hours. The Superintendent or designee shall annually report to the California Department of Education as to whether the district's TK programs are offered full day, part day, or both. (Education Code 37202, 46111, 46117, 48003)

[\(cf. 6111 - School Calendar\)](#)

[\(cf. 6112 - School Day\)](#)

~~***Note: The following optional paragraph may be revised to reflect district practice. According to CDE's "Transitional Kindergarten FAQs," it is the intent of the law to provide separate and unique experiences for TK and kindergarten students. However, districts have flexibility to determine how best to meet the curricular needs of each child and whether TK and kindergarten students may be enrolled in the same classrooms.***~~

TK students may be placed in the same classrooms as kindergarten students when necessary, provided that the instructional program is differentiated to meet student needs.

~~***Note: AB 1808 (Ch. 32, Statutes of 2018) amended Education Code 8235 and 48000 to allow districts to place 4-year-old children enrolled in a California State Preschool Program into a TK program and to commingle children from both programs in the same classroom as long as all of the requirements of each program are met and the district adheres to specified requirements, including that the classroom does not contain children enrolled in TK for a second year or children enrolled in a regular kindergarten. Also see BP/AR 5148.3—Preschool/Early Childhood Education.***~~

~~TK students may be placed in a classroom commingled with 4-year-old students from a California State Preschool Program as long as the classroom does not include students enrolled in TK for a second year or students enrolled in a regular kindergarten. (Education Code 8235, 48000)~~

Staffing

~~***Note: To be qualified to teach a TK class, the teacher must possess an appropriate multiple subjects or early childhood education credential issued by the Commission on Teacher Credentialing authorizing instruction in TK. Education Code 48000 establishes additional requirements for credentialed teachers who are first assigned to a TK class after July 1, 2015, as provided below.***~~

~~***Note: TK assignments are subject to assignment monitoring and reporting by the County Superintendent of Schools in accordance with Education Code 44258.9.***~~

~~TK assignments are subject to assignment monitoring and reporting by the County Superintendent of Schools in accordance with Education Code 44258.9.~~

The Superintendent or designee shall ensure that teachers assigned to teach in TK classes possess a teaching credential or permit from the Commission on Teacher Credentialing (CTC) that authorizes such instruction.

(cf. 4112.2 - Certification)

A credentialed teacher who is first assigned to a TK class after July 1, 2015, shall, by August 1,

2020, have at least 24 units in early childhood education and/or child development, comparable experience in a preschool setting, and/or a child development teacher permit issued by the CTC. (Education Code 48000)

The Superintendent or designee may provide professional development as needed to ensure that TK teachers are knowledgeable about the standards and effective instructional methods for teaching young children.

(cf. 4131 - Staff Development)

Continuation to Kindergarten

~~***Note: The following section is consistent with guidance in CDE's "Transitional Kindergarten FAQs."***~~

Students who complete the TK program shall be eligible to continue in kindergarten the following school year. Parents/guardians of such students shall not be required to submit a signed Kindergarten Continuance Form for kindergarten attendance.

~~***Note: The following optional paragraph is for use by districts that allow kindergarten-eligible children to enroll in TK; see "Eligibility" section above. When such students are subsequently enrolled in kindergarten, the district is required to obtain a signed Kindergarten Continuance Form in order to receive kindergarten ADA for those children since they would otherwise be age-eligible for first grade. CDE recommends that approval for a student to continue in kindergarten not be sought until near the end of the year of TK, since permission obtained unreasonably far in advance could be found invalid.***~~

~~However, whenever children who would otherwise be age-eligible for kindergarten are enrolled in TK, the Superintendent or designee shall obtain a Kindergarten Continuance Form signed by the parent/guardian near the end of the TK year consenting to the child's enrollment in kindergarten the following year.~~

~~***Note: Pursuant to Education Code 46300, the district may not include for ADA purposes the attendance of any student for more than two years in a combination of TK and kindergarten.***~~

A student shall not attend more than two years in a combination of TK and kindergarten. (Education Code 46300)

(cf. 5123 - Promotion/Acceleration/Retention)

Assessment

~~***Note: The following section may be revised to reflect district practice. One assessment resource for TK students is CDE's Desired Results Developmental Profile, which is designed to assess the developmental progression of all children from early infancy to kindergarten entry.***~~

The Superintendent or designee may develop or identify appropriate formal and/or informal assessments of TK students' development and progress. ~~He/she shall monitor and regularly report to the Board regarding program implementation and the progress of students in meeting related academic standards.~~

(cf. 0500 - Accountability)
(cf. 6162.5 - Student Assessment)

Legal Reference:

EDUCATION CODE

8973 Extended-day kindergarten
37202 School calendar; equivalency of instructional minutes
44258.9 Assignment monitoring by county superintendent of schools
46111 Kindergarten, hours of attendance
46114-46119 Minimum school day, kindergarten
46300 Computation of ADA, inclusion of kindergarten and transitional kindergarten
48000 Age of admission, kindergarten and transitional kindergarten
48002 Evidence of minimum age required to enter kindergarten or first grade
[48003 Kindergarten annual report](#)
48200 Compulsory education, starting at age six

Management Resources:

[CSBA PUBLICATIONS](#)

[What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016](#)

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Transitional Kindergarten FAQs

Desired Results Developmental Profile, 2015

Transitional Kindergarten Implementation Guide: A Resource for California Public School District Administrators and Teachers, 2013

California Preschool Curriculum Framework, Vol. 1, 2010

California Preschool Learning Foundations, Vol. 1, 2008

WEB SITES

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

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

California Kindergarten Association: <http://www.ckanet.org>

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

Transitional Kindergarten California: <http://www.tkcalifornia.org>

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT

approved: September 23, 2015 Hanford, California

[revised:](#)

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: David Endo

DATE: 12/03/2018

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: 12/12/2018

ITEM:

Consider adoption of the following revised Board Policy:
BP 3100 – Budget

PURPOSE:

Policy updated to reflect **NEW LAW (SB 751)** which provides that, if the amount of monies in the state Public School System Stabilization Account is three percent or more of the combined total of general fund revenues appropriated for school districts and allocated local proceeds of taxes, the district's combined assigned or unassigned ending general fund balance must not exceed 10 percent of those funds in the immediately following fiscal year, unless the district is a basic aid district, is a district with average daily attendance of 2,500 or less, or is exempted by the county superintendent of schools under extraordinary fiscal circumstances.

FISCAL IMPACT:

None.

RECOMMENDATIONS:

Adopt the following revised Board Policy:
BP 3100 – Budget

Hanford ESD

Board Policy

Budget

BP 3100

Business and Noninstructional Operations

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

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0400 - Comprehensive Plans)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3300 - Expenditures and Purchases)

(cf. 3460 - Financial Reports and Accountability)

(cf. 9000 - Role of the Board)

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

Budget Development and Adoption Process

In order to provide guidance in the development of the budget, the Board shall annually establish budget priorities based on identified district needs and goals and on realistic projections of available funds.

The Superintendent or designee shall oversee the preparation of a proposed district budget for approval by the Board and shall involve appropriate staff in the development of budget projections.

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

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

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

At a public meeting ~~scheduled~~~~held~~ on a date after the public hearing on the budget, the Board shall ~~adopt the budget~~ following its adoption of the LCAP or an annual update to the LCAP. ~~adopt at the budget same meeting.~~ The budget shall include the expenditures necessary to implement the LCAP or the annual update to the LCAP. (Education Code 42127, 52062)

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

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

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

(cf. 1340 - Access to District Records)

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

Budget Advisory Committee

OPTION 1: The Superintendent or designee may appoint a budget advisory committee composed of staff, Board representatives, and/or members of the community.

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

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

Budget Criteria and Standards

The Superintendent or designee shall develop a district budget in accordance with state criteria

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

The district budget shall provide for increasing or improving services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students in accordance with 5 CCR 15496. Unduplicated students are students who are eligible for free or reduced-price meals, English learners, and/or foster youth. (Education Code 42238.07; 5 CCR 15496)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6174 - Education for English ~~Language~~ Learners)

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

(cf. 2210 - Administrative Discretion Regarding Board Policy)

(cf. 3110 - Transfer of Funds)

Fund Balance

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

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

For this purpose, all commitments of funds shall be approved by a majority vote of the Board. The constraints shall be imposed no later than the end of the reporting period (June 30),

although the actual amounts may be determined subsequent to that date but prior to the issuance of the financial statements.

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

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

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

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

The Board intends to maintain a minimum assigned and unassigned fund balance in an amount the Board deems sufficient to maintain fiscal solvency and stability and to protect the district against unforeseen circumstances.

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

Reserve Balance

The district budget shall include a minimum reserve balance for economic uncertainties that is consistent with the percentage or amount specified in 5 CCR 15450.

In any year that the district is notified by the Superintendent of Public Instruction that the amount of monies in the state Public School System Stabilization Account equals or exceeds three percent of the combined total of general fund revenues appropriated for school districts and allocated local proceeds of taxes, the district budget shall not contain a combined assigned or unassigned ending general fund balance that is in excess of 10 percent of these funds. (Education Code 41202, 42127.01)

Long-Term Financial Obligations

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

(cf. 4141/4241 - Collective Bargaining Agreement)

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

(cf. 7210 - Facilities Financing)

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

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

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

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

Budget Amendments

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

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

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

Legal Reference:

EDUCATION CODE

1240 Duties of county superintendent of schools

33127-33131 Standards and criteria for local budgets and expenditures

41202 Determination of minimum level of education funding

42103 Public hearing on proposed budget; requirements for content of proposed budget

42122-42129 Budget requirements

42130-42134 Financial certifications

42140-42141 Disclosure of fiscal obligations

42238-42251 Apportionments to districts, especially:

42238.01-42238.07 Local control funding formula

42602 Use of unbudgeted funds

42610 Appropriation of excess funds and limitation thereon

45253 Annual budget of personnel commission

45254 First year budget of personnel commission

52060-52077 Local control and accountability plan

GOVERNMENT CODE

7900-7914 Appropriations limit

CODE OF REGULATIONS, TITLE 5

15060 Standardized account code structure

15440-15451 Criteria and standards for school district budgets

15494-15496 Local control funding formula, expenditures

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

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

FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS

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

GOVERNMENT FINANCE OFFICERS ASSOCIATION

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

GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS

~~Statement 75, Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, March 2009~~~~Statement 45, Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pensions, June 2015~~~~2004~~~~Statement 34, Basic Financial Statements and Management's Discussion and Analysis—For State and Local Governments, June 1999~~Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, March 2009

WEB SITES

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

California Department of Education, Finance and Grants: <http://www.cde.ca.gov/fg>
California Department of Finance: <http://www.dof.ca.gov>
Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>
Government Finance Officers Association: <http://www.gfoa.org>
Governmental Accounting Standards Board: <http://www.gasb.org>
School Services of California, Inc.: <http://www.sscal.com>

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: May 16, 2001 Hanford, California

revised: June 15, 2011

revised: September 10, 2014

revised: November 18, 2015

revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: David Endo

DATE: 12/03/2018

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: 12/12/2018

ITEM:

Consider adoption of the following revised Board Policy:
 BP 3280 – Sale or Lease of District-Owned Real Property

PURPOSE:

Policy updated to delete the requirement to first offer surplus property to a charter school with at least 80 students. Material regarding the appointment of the district advisory committee expanded to specify the circumstances under which the district is not required to appoint a committee, including the exception for the sale, lease, or rental of excess property to be used for teacher or other employee housing pursuant to **NEW LAW (AB 1157, 2017)**. Policy expands section on "Use of Proceeds" to reflect additional legal requirements, and deletes the authority (repealed) to use the proceeds from the sale of surplus property for any one-time general fund purpose provided that the district adopted a plan and made certain certifications to the State Allocation Board.

FISCAL IMPACT:

None.

RECOMMENDATIONS:

Adopt the following revised Board Policy:
 BP 3280 – Sale or Lease of District-Owned Real Property

Hanford ESD

Board Policy

Sale ~~Or~~, Lease, ~~Rental~~ Of District-Owned Real Property

BP 3280

Business and Noninstructional Operations

The Board of Trustees believes that ~~the district should utilize its~~ facilities and resources should be utilized in ~~an~~~~the most~~ economical and practical manner. – The Superintendent or designee shall periodically study the current and projected use of all district facilities to ensure the efficient utilization of space for the effective delivery of instruction.

(cf. 1330 - Use of School Facilities)

(cf. 7110 - Facilities Master Plan)

(cf. 7111 - Evaluating Existing Buildings)

(cf. 7160 - Charter School Facilities)

~~The Prior to the sale or lease of any surplus real property, the~~ Board shall appoint a district advisory committee prior to the sale or lease of any surplus real property to advise the Board regarding the use or disposition of schools or school building space which is not needed for school purposes. Rentals of surplus property not exceeding 30 days are exempted from this requirement. When the sale, lease, or rental of surplus property is for the purpose of teacher or other employee housing or for the offering of summer school by a private educational institution, the Board may elect not to appoint a district advisory committee. (Education Code 17387-17391 (Education Code 17388-17389))

(cf. 1220 - Citizen Advisory Committees)

~~If the local planning agency has adopted a general plan Upon determination that affects or includes the area where the surplus district property is located no longer needed, or may not be needed until some future time,~~ the Board shall ~~first~~ submit a report to the local planning agency describing the location of the surplus property and the purpose and extent of the proposed sale or lease of the property the district intends to offer for sale or lease. (Government Code 65402)

~~The Board shall determine whether the~~ Not less than 40 days after issuance of the report to the local planning agency, and prior to entering into any agreement for sale or lease of the surplus property is subject to review under the California Environmental Quality Act. (Public Resources Code 21000-21177; 14 CCR 15061-15062)

~~When selling district real property, the Board shall offer to sell or leasing lease district-owned real property, the Board shall comply in accordance with the~~ priorities and procedures specified in applicable law. (Education Code 17230, 17387-17391, 17457.5, 17464, 17485-17499-17500; Government Code 54222, 65402)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)
 (cf. 5148.3 - Preschool/Early Childhood Education)

In addition, when selling real property purchased, constructed, or modernized with funds received within the past 10 years from a state school facilities funding program, the Board shall consider whether any of the proceeds from the sale will need to be returned to the State Allocation Board (SAB) pursuant to Education Code 17462.3.

Resolution of Intention to Sell or Lease

Before ordering the sale or lease of any real property, the Board shall adopt a resolution by a two-thirds vote of all of its members at a regularly scheduled open meeting. ~~The resolution shall describe the property proposed to be sold or leased in such a manner as to identify it, specify the minimum price or rent, describe the terms upon which it will be sold or leased, and specify the commission or rate, if any, which the Board will pay to a licensed real estate broker out of the minimum price or rent. The resolution shall fix a time, not less than three weeks thereafter, for a public meeting, held at the Board's regular meeting place, at which sealed proposals to purchase or lease will be received and considered.~~ (Education Code 17466)

(cf. 9320 - Meetings and Notices)
 (cf. 9323.2 - Actions by the Board)

The Superintendent or designee shall provide notice of the adoption of the resolution and of the time and place of the meeting that will be held to consider bids by posting copies of the resolution, signed by the Board, in three public places not less than 15 days before the date of the meeting. In addition, the notice shall be published at least once a week for three successive weeks before the meeting, in a newspaper of general circulation published in the county in which the district is located, if such a newspaper exists. ~~-(Education Code 17469)~~

In accordance with Education Code 17470, the Superintendent or designee shall take reasonable steps to provide notification to the former owners of the property of the district's intent to sell it.

Acceptance/Rejection of Bids

At the public meeting specified in the resolution of intention to sell or lease property, the Board shall open, examine, and declare all sealed bids. Before accepting a written proposal, the Board shall call for oral bids in accordance with law. (Education Code 17472, 17473)

The Board may reject any and all bids, either written or oral, and withdraw the properties from sale when the Board determines that rejection is in the best public interest. If no proposals are submitted or the submitted proposals do not conform to all the terms and conditions specified in the resolution of intention to lease, the Board may lease the property in accordance with Education Code 17477. ~~-(Education Code 17476, 17477)~~

Of the proposals submitted by responsible bidders which conform to all terms and conditions specified in the resolution of intention to sell or lease, the Board shall finally accept the highest

bid after deducting the commission, if any, to be paid to a licensed real estate broker, unless the Board accepts a higher oral bid or rejects all bids. (Education Code 17472)

The final acceptance of the bid may be made either at the same meeting specified in the resolution or at any adjourned/continued meeting held within 10 days. Upon acceptance of the bid, the Board may adopt a resolution of acceptance that directs the Board president, or any other Board member, to execute the deed or lease and to deliver the document upon performance and compliance by the successful bidder of all of the terms and conditions of the contract. (Education Code 17475-17478)

(cf. 1431 - Waivers)

Use of Proceeds

The Superintendent or designee shall ensure that the proceeds from the sale, or lease with an option to purchase, of surplus district ~~surplus~~ property are used for one-time expenditures and not for ongoing expenditures such as salaries and general operating expenses, in accordance with law. (Education Code 17462)

Proceeds from a sale of surplus district property shall be used for capital outlay or maintenance costs that the Board determines will not recur within a five-year period. (Education Code 17462)

Proceeds from a lease of district property with an option to purchase may be deposited into a restricted fund for the routine repair of district facilities, as defined by the SAB, for up to a five-year period. (Education Code 17462)

If the Board and SAB determine that the district has no anticipated need for additional sites or building construction for the next 10 years and no major deferred maintenance requirements, the proceeds from the sale or lease with an option to purchase may be deposited in a special reserve fund for the future maintenance and renovation of school sites or in the district's general fund. Proceeds from the sale or lease with option to purchase of district property may also be deposited in a special reserve fund for capital outlay or maintenance costs of district property that the Board determines will not recur within a five-year period. (Education Code 17462; 2 CCR 1700)

(cf. 3100 - Budget)

(cf. 3460 - Financial Reports and Accountability)

~~Pursuant to the authorization in Education Code 17463.7, the district may expend proceeds from the sale of surplus real property, along with the proceeds from any personal property located on that real property, for any one-time general fund purpose(s). Before the district exercises this authority: (Education Code 17463.7)~~

~~1. The Board shall submit documents to the SAB certifying that:~~

a. ~~—The district has no major deferred maintenance requirements not covered by existing capital outlay resources.~~

b. ~~—The sale of real property pursuant to Education Code 17463.7 does not violate the provisions of a local bond act.~~

~~(cf. 7214—General Obligation Bonds)~~

c. ~~—The real property is not suitable to meet projected school construction needs for the next 10 years.~~

2. ~~—The Superintendent or designee shall present to the Board, at a regularly scheduled meeting, a plan for expending these one-time resources. The plan shall identify the source and use of the funds and shall describe the reasons that the expenditure shall not result in ongoing fiscal obligations for the district.~~

Legal Reference:

EDUCATION CODE

17219-17224 Acquisition of property not utilized as school site; nonuse payments; exemptions

17230-17234 Surplus property

17385 Conveyances to and from school districts

17387-17391 Advisory committees for use of excess school facilities

17400-17429 Leasing property

17430-17447 Leasing facilities

17453 Lease of surplus district property

17455-17484 Sale or lease of real property, especially:

~~17457.5 Offer to charter school~~

17462.3 State Allocation Board program to reclaim funds

~~17463.7 Proceeds for general fund purposes~~

17485-17500 Surplus school playground (Naylor Act)

17515-17526 Joint occupancy

17527-17535 Joint use of district facilities

33050 ~~Request for waiver~~

38130-38139 Civic Center Act

GOVERNMENT CODE

50001-50002 Definitions

54220-54232 Surplus land, especially:

54222 Offer to sell or lease property

54950-54963 Brown Act, especially:

54952 Legislative body, definition

PUBLIC RESOURCES CODE

21000-21177 California Environmental Quality Act

CODE OF REGULATIONS, TITLE 2

1700 Definitions related to surplus property

COURT DECISIONS

San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District, (2006) 139 Cal.App.~~4~~th 1356

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Closing a School Best Practices Guide

OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS

Unused Site Program Handbook, ~~December 2015~~~~May 2008~~

WEB SITES

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

California Department of Education, School Facilities Planning Division:

<http://www.cde.ca.gov/ls/fa>

Coalition for Adequate School Housing: <http://www.cashnet.org>

Office of Public School Construction: <http://www.dgs.ca.gov/opsc>

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: May 16, 2001 Hanford, California

revised: October 14, 2015

~~revised:~~

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: David Endo

DATE: 12/03/2018

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: 12/12/2018

ITEM:

Consider adoption of the following Board Policy:
BP 3513.4 – Drug and Alcohol Free Schools

PURPOSE:

New policy prohibits the possession, use, or sale of drugs or alcohol by any person on district property and addresses enforcement and discipline for violations of this policy. Policy also reflects **NEW LAW (Proposition 64, 2016)** which prohibits any person from possessing, smoking, or ingesting cannabis on school grounds while children are present.

FISCAL IMPACT:

None.

RECOMMENDATIONS:

Adopt the following Board Policy:
BP 3513.4 – Drug and Alcohol Free Schools

Hanford ESD

Board Policy

Drug And Alcohol Free Schools

BP 3513.4

Business and Noninstructional Operations

The Governing Board recognizes the need to keep district schools free of drugs and alcohol in order to create a safe and healthy environment conducive to learning and promote student health and well-being. The Board prohibits the possession, use, or sale of drugs and alcohol at any time in district-owned or leased buildings, on district property, and in district vehicles, unless otherwise permitted by law.

(cf. 1325 - Advertising and Promotion)
 (cf. 3513.3 - Tobacco-Free Schools)
 (cf. 4020 - Drug and Alcohol-Free Workplace)
 (cf. 4159/4259/4359 - Employee Assistance Programs)
 (cf. 5030 - Student Wellness)
 (cf. 5131.6 - Alcohol and Other Drugs)
 (cf. 5131.62 - Tobacco)
 (cf. 6142.8 - Comprehensive Health Education)

The following substances are prohibited on all district property:

1. Any substance which may not lawfully be possessed, used, or sold in California
2. Cannabis or cannabis products (Health and Safety Code 11362.3; 21 USC 812, 844)
3. Alcoholic beverages, unless approved by the Superintendent or designee for limited purposes specified in Business and Professions Code 25608

(cf. 1330 - Use of School Facilities)
 (cf. 1330.1 - Joint Use Agreements)

Prescription medication, except for prescribed cannabis, may be administered at school in accordance with law, district policy and regulations, and written statements by the parent/guardian and the student's authorized health care provider as applicable.

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

Information about the district's drug- and alcohol-free schools policy and the consequences for violations shall be communicated clearly to employees, parents/guardians, students, and the community.

Enforcement/Discipline

The Superintendent or designee shall take appropriate action to eliminate the possession, use, or sale of alcohol and other drugs and related paraphernalia in district facilities, on district property, in district vehicles, or at school-sponsored activities. As appropriate, he/she may direct anyone violating this policy to leave school property and/or refer the matter to law enforcement.

(cf. 1250 - Visitors/Outsiders)

(cf. 3515.2 - Disruptions)

(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)

(cf. 5145.12 - Search and Seizure)

Students and employees who violate the terms of this policy may be subject to discipline and/or referred to assistance programs in accordance with law and Board policy.

(cf. 4112.41/4212.41/4312.41 - Employee Drug Testing)

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

(cf. 4117.7/4217.7/4317.7 - Employment Status Reports)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

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

(cf. 5131 - Conduct)

(cf. 5144 - Discipline)

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

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

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

Legal Reference:

EDUCATION CODE

44940 Compulsory leave of absence for certificated persons

44940.5 Procedures when employees are placed on compulsory leave of absence

45123 Employment after conviction of controlled substance offense

45304 Compulsory leave of absence for classified persons

48900 Suspension or expulsion (grounds)

48900.5 Suspension, limitation on imposition; exception

48901 Smoking or use of tobacco prohibited

48901.5 Prohibition of electronic signaling devices

48902 Notification of law enforcement authorities; civil or criminal immunity

48909 Narcotics or other hallucinogenic drugs

48915 Expulsion; particular circumstances

BUSINESS AND PROFESSIONS CODE

25608 Alcohol on school property; use in connection with instruction

GOVERNMENT CODE

8350-8357 Drug-free workplace

HEALTH AND SAFETY CODE

11053-11058 Standards and schedules

11353.6 Juvenile Drug Trafficking and Schoolyard Act

11362.1 Possession and use of cannabis, persons age 21 and over

11362.3 Limitations on possession and use of cannabis

11362.79 Limitations on medical use of cannabis

104559 Tobacco use prohibition

PENAL CODE

13860-13864 Suppression of drug abuse in schools

VEHICLE CODE

13202.5 Drug and alcohol related offenses by person under age of 21, but aged 13 or over;

UNITED STATES CODE, TITLE 20

7101-7122 Student Support and Academic Enrichment Grants

UNITED STATES CODE, TITLE 21

812 Schedules of controlled substances

844 Penalties for possession of controlled substance

UNITED STATES CODE, TITLE 41

8101-8106 Drug-Free Workplace Act

COURT DECISIONS

Ross v. RagingWire Telecommunications, Inc., 42 Cal. 4th 920 (2008)

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: _____ Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: David Endo

DATE: 12/03/2018

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: 12/12/2018

ITEM:

Consider adoption of the following Administrative Regulation:
 AR 3515.6 – Criminal Background Checks for Contractors

PURPOSE:

Regulation updated to reflect **NEW LAW (AB 949, 2017)** which requires criminal background checks for sole proprietors who contract with the district to provide specified services, if they will have contact with children, and provides that it is the responsibility of the district to prepare and submit the fingerprints of the sole proprietor to the Department of Justice. Regulation also reorganized to clarify criminal background check requirements applicable to entities contracting for construction, reconstruction, rehabilitation, or repair of a school facility.

FISCAL IMPACT:

None.

RECOMMENDATIONS:

Adopt the following Administrative Regulation:
 AR 3515.6 – Criminal Background Checks for Contractors

Hanford ESD

Administrative Regulation

Criminal Background Checks For Contractors

AR 3515.6

Business and Noninstructional Operations

Whenever

When the employees of any entity contracting with the district to provide specified services will have contracts for school and classroom janitorial, school site administrative, school site grounds and landscape maintenance, student transportation, and school site food-related services, the Superintendent or designee shall ensure that the contracting entity certifies in writing that any employees who may come into contact with students, the entity shall certify in writing to the Superintendent or designee that none of those employees has ~~have not~~ been convicted of a violent or serious felony as defined in Education Code 45122.1. In the case of a sole proprietor, the Superintendent or designee shall prepare and submit the employee's fingerprints to the Department of Justice. If any contracting, unless the employee who may have contact with students has been convicted of a violent or serious felony as defined, has received a certificate of rehabilitation and a pardon as required pursuant to, (Education Code 45125.1 shall be submitted to the Superintendent or designee before the contracting employee is authorized to perform the work for the district. (Education Code 45125.1))

These requirements shall apply to a sole proprietor or entity contracting with the district to provide any of the following services: (Education Code 45125.1, 45125.2)

1. School and classroom janitorial services
2. School site administrative services
3. School site grounds and landscape maintenance services
4. Student transportation services
5. School site food-related services
6. Construction, reconstruction, rehabilitation, or repair of a school facility

(cf. 3540 - Transportation)

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

(cf. 3600 - Consultants)

(cf. 7140 - Architectural and Engineering Services)

On a case-by-case basis, the Superintendent or designee may ~~also~~ require a contracting entity providing school site services, other than those listed above, to comply with these requirements.

(Education Code 45125.1)

~~The~~These requirements shall not apply if the Superintendent or designee may determine~~determines~~ that criminal background checks will not be required if:

1. ~~The~~the contracting entity is providing services in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed to make school facilities safe and habitable. (Education Code 45125.1)

2. ~~The~~In addition, these requirements shall not apply if the Superintendent or designee ~~determines that the~~ employees of the contracting entity will have limited contact with students. In determining whether a contract employee has limited contact with students, the Superintendent or designee shall consider the totality of the circumstances, including factors such as the length of time the contractors will be on school grounds, whether students will be in proximity with the site where the contractors will be working, and whether the contractors will be working by themselves or with others.~~the following factors:~~ (Education Code 45125.1)

1. ~~The length of time the contractors will be on school grounds~~

2. ~~Whether students will be in proximity with the site where the contractors will be working~~

3. ~~Whether the contractors will be working by themselves or with others~~

Upon a determination that an employee will~~shall~~ have limited contact with students, the Superintendent or designee shall take appropriate steps to protect the safety of any students~~student~~ who may come in contact with this employee. (Education Code 45125.1)

Note: The following paragraph may be revised to reflect district practice.

These steps may include, but are ~~be~~ limited to, ensuring that the employee is working during nonschool hours, providing for regular patrols or supervision of the site from district security or personnel, ensuring that the employee is not working alone when students are present, limiting the employee's access to school grounds, and/or providing the employee with a visible means of identification.

(cf. 3515.3 - District Police/Security Department)

Other Facility Contractors

~~When the~~3. ~~The contract is~~district contracts for the construction, reconstruction, rehabilitation, or repair of a school facility and either item #1 where the employees of the entity will have contact, other than limited contact with students, the Superintendent or #2 above applies or the district uses~~designee shall ensure the safety of students by utilizing~~ one or more of the following methods to ensure student safety: (Education Code 45125.2)

- ~~a1.~~ The installation of a physical barrier at the worksite to limit contact with students.
- ~~b2.~~ Continual supervision and monitoring of all employees of the entity by an employee of the entity whom the Department of Justice has ascertained has not been convicted of a violent or serious felony.
- ~~c~~~~The supervising employee may submit his/her fingerprints to the Department of Justice pursuant to Education Code 45125.1.~~
- 3. Surveillance of employees of the entity by school personnel.

~~These requirements shall not apply if the Superintendent or designee determines that the contracting entity is providing construction, reconstruction, rehabilitation or repair services in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed to make school facilities safe and habitable. (Education Code 45125.2)~~

Legal Reference:

EDUCATION CODE

41302.5 _School districts, definition

45122.1 _Classified employees, conviction of a violent or serious felony

45125.1 _Criminal background checks for contractors

45125.2 _Criminal background checks for construction

PENAL CODE

667.5 _Prior prison terms, enhancement of prison terms

1192.7 _Plea bargaining limitation

Management Resources:

WEB SITES

Department of Justice: <https://oag.ca.gov/fingerprints>


Regulation HANFORD ELEMENTARY SCHOOL DISTRICT

approved: May 16, 2001 Hanford, California

revised:

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Joy Gabler

FROM: Jaime Martinez 

DATE: December 5, 2018

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☐ Information
☒ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **December 12, 2018**

ITEM: Consider adoption of the following revised Administrative Regulation.

PURPOSE: The following Administrative Regulation is being revised to reflect NEW LAW (AB 1556) which deletes gender-specific references with regard to pregnancy disability leave and clarifies that all employees are protected against pregnancy discrimination regardless of their gender identity. The Regulation also reflects NEW LAW (SB 63) which extends the requirement to grant parental leave to any district that employs 20-49 employees within 75 miles of the worksite where the employee requesting the leave is employed.

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

FISCAL IMPACT: None.

RECOMMENDATION: Adopt.

All Personnel

AR 4161.8(a)

4261.8

FAMILY CARE AND MEDICAL LEAVE

4361.8

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

(cf. 4030 – Nondiscrimination in Employment)

(cf. 4032 – Reasonable Accommodation)

(cf. 4033 – Lactation Accommodation)

A.——Definitions

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

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

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

Employee disabled by pregnancy means an employee whose~~a woman who, in the opinion of her health care provider,~~ states that the employee is: (2 CCR ~~11035~~11035)

1. Unable because of pregnancy to perform any one or more of the essential functions of ~~her~~the job or to perform any of them without undue risk to the employee or other persons or to the~~herself, her pregnancy's successful completion, or to other persons~~
2. Suffering from severe “morning sickness” or needs to take time off for prenatal or postnatal care, bed rest, gestational diabetes, pregnancy-induced hypertension, preeclampsia, postpartum depression, childbirth, loss or end of pregnancy, recovery from childbirth or loss or end of pregnancy, or any other pregnancy-related condition

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

AR 4161.8(b)
4261.8
4361.8

FAMILY CARE AND MEDICAL LEAVE

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

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

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

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

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

Spouse means a partner in marriage as defined in Family Code 300, including same sex partners in marriage, or a registered domestic partner within the meaning of Family Code 297-297.5; (Family Code 297, 297.5, 300; 2 CCR 11087; 29 CFR 825.122)

B.——Eligibility

The district shall grant FMLA or CFRA leave to eligible employees for any of the following reasons: (Government Code 12945.2, 12945.6; 29 USC 2612; 29 CFR 825.112)

AR 4161.8(c)
4261.8
4361.8

FAMILY CARE AND MEDICAL LEAVE

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

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

~~C.~~—Terms of Leave

An eligible employee shall be entitled to a total of 12 work weeks of FMLA or CFRA leave during any 12-month period, except in the case of leave to care for a covered servicemember as provided under "Military Caregiver Leave" below. To the extent allowed by law, CFRA and FMLA leaves shall run concurrently. (Government Code 12945.2; 29 USC 2612) This 12-month period shall be a rolling period measured backward from the date an employee uses any family care and medical leave, as defined in 29 CFR 825.200. (29 CFR 825.200)

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

PDL shall run concurrently with FMLA leave for disability caused by an employee's pregnancy. At the end of the employee's FMLA leave for disability caused by pregnancy, or at the end of four months of PDL, whichever occurs first, a CFRA-eligible employee may request to take CFRA leave of up to 12 work weeks for the reason of the birth of a~~her~~ child or to bond with or care for the child. (Government Code 12945, 12945.2; 2 CCR 11046, 11093)

AR 4161.8(d)
4261.8
4361.8

FAMILY CARE AND MEDICAL LEAVE

Leave taken for the birth or placement of a child must be concluded within the 12-month period beginning on the date of the birth or placement of the child. Such leave does not need to be taken in one continuous period of time. (2 CCR 11090; 29 USC 2612)

If both parents of a child work for the district, their family care and medical leave related to the birth or placement of the child shall be limited to a combined total of 12 work weeks. This restriction shall apply regardless of the legal status of both parents' relationship. (Government Code 12945.2, 12945.6; 2 CCR 11088; 29 USC 2612)

~~D.~~—Use/Substitution of Paid Leaves

During the period of PDL or any FMLA or CFRA leave, the employee may elect to use his/her accrued vacation leave, accrued leave, or any other paid time off negotiated with the district. For PDL, CFRA, or FMLA leave due to an employee's own serious health condition, the employee shall use accrued sick leave and may use accrued vacation leave and other paid time off at his/her option. (Government Code 12945, 12945.2; 2 CCR 11044; 2 CCR 11092; 29 USC 2612)

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

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4161/4261/4361 - Leaves)

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

(cf. 4261.1 – Personal Illness/Injury Leave)

~~E.~~—Intermittent Leave/Reduced Work or Leave Schedule

~~1.—PDL and family care and medical leave for the serious health condition of an employee or his/her child, parent, or spouse may be taken intermittently or on a reduced work or leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition. However, the district shall limit leave increments to the shortest period of time that the district's payroll system uses to account for absences or use of leave provided it is not to be greater than one hour. (2 CCR 11042, 11090; 29 USC 2612)~~

The basic minimum duration of leave for the birth, adoption, or foster care placement of a child shall be two weeks. However, the district shall grant a request for such leave of less than two weeks on any two occasions. (2 CCR 11090; 29 USC 2612)

The district may require an employee to transfer temporarily to an available alternative position under any of the following circumstances: (2 CCR 11041, 11090; 29 USC 2612)

AR 4161.8(e)
4261.8
4361.8

FAMILY CARE AND MEDICAL LEAVE

1. ~~The~~if the employee ~~needs~~is pregnant and provides medical certification from her health care provider of a medical need for intermittent leave or leave on a reduced work or leave schedule ~~that~~or if the employee's need for the intermittent leave or leave on a reduced work or leave schedule is foreseeable based on ~~a~~his/her planned medical treatment for the employee or that of a family member. This alternative position must have equivalent pay and benefits and must better accommodate recurring periods of leave than the employee's regular job, and the employee must be qualified for the position. Transfer to an alternative position may include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced work or leave schedule. (2 CCR 11041, 11090; 29 USC 2612)
2. A medical certification is provided by the employee's health care provider that, because of pregnancy, the employee has a medical need to take intermittent leave or leave on a reduced work schedule.
3. The district agrees to permit intermittent leave or leave on a reduced work schedule due to the birth, adoption, or foster care placement of the employee's child.

~~The~~This alternative position must have equivalent pay and benefits and must better accommodate recurring periods of leave than the employee's regular job, and the employee must be qualified for the position. Transfer to an alternative position may include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced work or leave schedule. (2 CCR 11041, 11090; 29 USC 2612)

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

F. —Request for Leave

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

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

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

AR 4161.8(f)
4261.8
4361.8

FAMILY CARE AND MEDICAL LEAVE

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

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

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

G. — Certification of Health Condition

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

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

1. The date on which the serious health condition began
2. The probable duration of the condition
3. If the employee is requesting leave to care for a child, parent, or spouse, with a serious health condition, both of the following:
 - a. Statement that the serious health condition warrants the participation of the employee to provide care, such as by providing psychological comfort, arranging for third party care, or directly providing or participating in the

AR 4161.8(g)
4261.8
4361.8

FAMILY CARE AND MEDICAL LEAVE

medical care of the child, parent, or spouse during a period of the treatment or supervision

- b. Estimated amount of time the health care provider believes the employee needs to care for the child, parent, or spouse
4. If the employee is requesting leave because of his/her own serious health condition, a statement that due to the serious health condition, ~~he/she~~individual is unable to work at all or is unable to perform one or more essential functions of his/her job
5. If the employee is requesting leave for intermittent treatment or on a reduced work or leave schedule for planned medical treatment, a statement of the medical necessity for the leave, the dates on which treatment is expected to be given, the duration of such treatment, and the expected duration of the leave

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

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

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

For PDL that is foreseeable and for which at least 30 days notice has been given, the employee shall provide the medical certification before the leave begins. When this is not practicable, the employee shall provide the certification within the time frame specified by the Superintendent or designee which must be at least 15 days after the request, unless it is

AR 4161.8(h)
4261.8
4361.8

FAMILY CARE AND MEDICAL LEAVE

not practicable under the particular circumstances despite the employee's diligent, good faith efforts. (2 CCR 11050)

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

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

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

H. — Release to Return to Workwork

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

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

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

I. Rights to Reinstatement

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

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

1. The employee is a salaried "key employee" who is among the highest paid 10 percent of district employees who are employed within 75 miles of the employee's worksite.

AR 4161.8(i)
4261.8
4361.8

FAMILY CARE AND MEDICAL LEAVE

2. The refusal is necessary to prevent substantial and grievous economic injury to district operations.
3. The district informs the employee of its intent to refuse reinstatement at the time it determines that the refusal is necessary, and the employee fails to immediately return to service.

(cf. 4117.3 – *Personnel Reduction*)

(cf. 4217.3 ■ *Layoff/Rehire*)

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

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

J. — Maintenance of Benefits/Failure to Return from Leave

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

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

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

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

AR 4161.8(j)

4261.8

4361.8

FAMILY CARE AND MEDICAL LEAVE

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

K.——Military Family Leave Resulting from Qualifying Exigencies

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

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

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

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

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7. Attend to certain post-deployment activities, such as arrival ceremonies or reintegration briefings
8. Care for a military member's parent who is incapable of self-care when the care is necessitated by the military member's covered active duty
9. Address any other event that the employee and district agree is a qualifying exigency

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

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

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

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

~~L.~~—Military Caregiver Leave

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

Covered servicemember may be: (29 CFR 825.127)

1. A current member, of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness

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2. A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran

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

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

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

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

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

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

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- d. An injury, including a psychological injury, on the basis of which the veteran has been enrolled in the VA's Program of Comprehensive Assistance for Family Caregivers

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

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

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

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

~~M.~~—Notifications

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

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

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

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

2. **Eligibility Notice:** When an employee requests leave, including PDL, or when the Superintendent or designee acquires knowledge that an employee's leave may be for an FMLA/CFRA qualifying reason, the Superintendent or designee shall, within five

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business days, provide notification to the employee of his/her eligibility to take such leave. (2 CCR 11049, 11091; 29 CFR 825.300)

3. **Rights and Responsibilities Notice:** Each time the eligibility notice is provided to an employee, the Superintendent or designee shall provide written notification explaining the specific expectations and obligations of the employee, including any consequences for a failure to meet those obligations. Such notice shall include, as applicable: (29 CFR 825.300)
 - a. A statement that the leave may be designated and counted against the employee's annual FMLA/CFRA leave entitlement and the appropriate 12-month entitlement period, if qualifying
 - b. Any requirements for the employee to furnish medical certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status and the consequences of failing to provide the certification
 - c. The employee's right to use paid leave, whether the district will require use of paid leave, conditions related to any use of paid leave, and the employee's entitlement to take unpaid leave if the employee does not meet the conditions for paid leave
 - d. Any requirements for the employee to make premium payments necessary to maintain health benefits, the arrangement for making such payments, and the possible consequences of failure to make payments on a timely basis
 - e. The employee's status as a "key employee;" if applicable, potential consequence that restoration may be denied following the FMLA leave, and explanation of the conditions required for such denial
 - f. The employee's right to maintenance of benefits during the leave and restoration to the same or an equivalent job upon return from leave
 - g. The employee's potential liability for health insurance premiums paid by the district during the employee's unpaid FMLA leave should the employee not return to service after the leave

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

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

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

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

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

N.——Records

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

Legal Reference

EDUCATION CODE

44965 *Granting of leaves of absence for pregnancy and childbirth*

FAMILY CODE

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

300 *Validity of marriage*

GOVERNMENT CODE

12926 *Fair ~~employment~~ **employment** and housing act, definitions*

12940 *Unlawful employment practices*

12945 *Pregnancy; childbirth or related medical condition; unlawful practice*

12945.1-12945.2 *California Family Rights Act*

12945.6 *Parental leave*

12946 *Fair Employment and Housing Act: discrimination prohibited*

CODE OF REGULATIONS, TITLE 2

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FAMILY CARE AND MEDICAL LEAVE

11035-11051 Sex discrimination: pregnancy, childbirth and related medical conditions

11087-11098 California Family Rights Act

UNITED STATES CODE, TITLE 1

7 Definition of marriage, ~~spouse~~

UNITED STATES CODE, TITLE 29

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

UNITED STATES CODE, TITLE 42

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

CODE OF FEDERAL REGULATIONS, TITLE 29

~~*825.100-825.800 Family and Medical Leave Act of 1993*~~

UNITED STATES CODE, TITLE 42

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

CODE OF FEDERAL REGULATIONS, TITLE 29

825.100-825.702 ~~800~~ Family and Medical Leave Act of 1993

COURT DECISIONS

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

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

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

Management Resources:

~~FEDERAL REGISTER~~

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

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

U.S. DEPARTMENT OF LABOR PUBLICATIONS

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

WEB SITES

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

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

Regulation

approved: January 5, 1999

revised: November 7, 2001

revised: December 13, 2006

revised: September 2, 200

revised: November 19, 2010

revised: February 12, 2014

revised: October 28, 2015


revised: _____, 2018

HANFORD ELEMENTARY SCHOOL DISTRICT

Hanford, California

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department

AGENDA REQUEST FORM

TO: Joy Gabler
FROM: Jaime Martinez 
DATE: December 3, 2018
RE: (X) Board Meeting
() Superintendent's Cabinet
() Information
(X) Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **December 12, 2018**

ITEM: Consider approval of personnel transactions and related matters.

PURPOSE:

a. Employment

Classified

- Omar Arellan Gallardo, Groundskeeper II – 8.0 hrs., Grounds/DSF, effective 11/26/18
- Kyle Griffin, Computer Maintenance Technician – 8.0 hrs., Information Systems, effective 12/10/18

Temporary Employees/Substitutes

- Michelle Banuelos, Substitute Bilingual Clerk Typist I, Translator: Oral Interpreter and Written Translation, effective 11/19/18
- Garrett Bazzle, Substitute Custodian I and Yard Supervisor, effective 11/26/18
- Jesus Ornelas Gutierrez, Substitute Groundskeeper II, effective 11/15/18
- Raquel Ramirez, Substitute Yard Supervisor and Translator: Oral Interpreter and Written Translation, effective 11/19/18
- Melonie Thomas, Short-term Special Circumstance Aide – 5.75 hrs., Monroe, effective 11/13/18 to 2/5/19

b. Employment and Certification of Temporary Athletic Team Coaches Pursuant to Title 5 CCR 5594

- Jose Azua, 7th Grade Boys Soccer Coach, Kennedy, effective 11/13/18 to 2/14/19
- Jorge Barba, 8th Grade Boys Soccer Coach, Wilson, effective 11/13/18 to 2/14/19
- Daniel Covarrubias , 7-8 Grade Wrestling Coach, Kennedy, effective 11/13/18 to 2/16/19
- Santiago Covarrubias Jr., 8th Grade Boys Soccer Coach, Kennedy, effective 11/27/18 to 2/14/19
- Mario Villa Honorato, 6-8 Grade Girls Soccer Coach, Jefferson, effective 11/16/18 to 12/14/19
- Veronica Leach, 4-6 Grade Boys Basketball Coach, Hamilton, effective 11/13/18 to 2/5/19
- Sara Meza, 7th Grade Girls Soccer Coach, Kennedy, effective 11/13/18 to 2/14/19
- Vanessa Perez, 8th Grade Girls Soccer Coach, Kennedy, effective 11/16/18 to 2/14/19
- Eugene Reyes, 7-8 Grade Wrestling Coach, Wilson, effective 11/13/18 to 2/16/19
- Jose Rojas II, 4-6 Grade Girls Basketball Coach, Monroe, effective 11/13/18 to 2/9/19
- Julius Rojas, 4-6 Grade Girls Basketball Coach, Lincoln, effective 11/13/18 to 2/9/19
- Jared Souza, 7-8 Grade Wrestling Coach, Kennedy, effective 11/13/18 to 2/16/19
- Zachary Stewart, 7th Grade Boys Soccer Coach, Wilson, effective 11/14/18 to 2/14/19

c. Resignations

- Yesenia Zarate Brito, Yard Supervisor – 3.0 hrs., Roosevelt, effective 11/30/18
- Amalia Cavazos, Yard Supervisor – 3.5 hrs., Simas, effective 12/11/18
- Evelia Fernandez, Substitute Yard Supervisor, effective 9/12/18
- Katia Hawkins, Bilingual Student Specialist – 8.0 hrs., Roosevelt, effective 12/21/18
- Loretta King, Bus Driver – 4.5 hrs., Transportation/DSF, effective 12/21/18
- Marisol Ayala Navarro, Substitute Translator: Oral Interpreter and Written Translation, effective 5/23/18
- Coral Self, Substitute Yard Supervisor, effective 8/23/18

d. Failure to Complete Mandated Reporter and Annual Notification for Substitutes/temporary Employees)

- Chrystina Arms, Substitute Clerk Typist II and Custodian II, effective 8/24/18
- Leah Blanco, Substitute Clerk Typist II and Food Service Worker I/II, effective 8/15/18
- Teresita Carreon, Substitute Licensed Vocational Nurse, effective 9/23/17
- Linda Garcia, Substitute Yard Supervisor, effective 11/9/17
- Alan Miranda, Substitute Custodian I, effective 4/4/18
- Betty Oliveira, Substitute Yard Supervisor, effective 9/26/17
- Reid Robles, Substitute READY Program Tutor, effective 4/12/18
- Derek Silveira, Substitute Custodian II, effective 12/11/17
- Zachary Todd, Substitute Custodian II, effective 1/30/18
- Toulee Xiong, Substitute Custodian I, effective 11/13/17

e. Retirements

- Cynthia Dias, DSF Work Control Technician – 8.0 hrs., District Services Facilities, effective 12/28/18
- Debbie Lupton, Account Clerk I – 3.0 hrs., Simas, effective 12/21/18
- Michael Wilson, Custodian II – 8.0 hrs., Food Services, effective 12/28/18

f. Volunteers

<u>Name</u>	<u>School</u>
Garrett Bazzle (HESD Employee)	Hamilton
Amanda Lopez	Hamilton
Jeff Garner (HESD Board Member)	Jefferson
Rosalinda Gil	Jefferson
Celso Maya-Gaona	Jefferson
Lizeth Rios	Jefferson
Stella Vargas	Jefferson
Mindy Grove	King
Adriana Berrios	Lincoln
Dustin Silva	Monroe
Lisa Bianchi	Richmond
Sarah Evans (HESD Employee)	Richmond
Faviana Berry	Roosevelt
David Gai	Roosevelt
Tania Garcia	Simas
Kellie Rivera	Simas
Nikki Rivera	Simas
Tasha DeRuiter	Washington
Beatrice Ledesma	Washington
Lorna Tamayo	Washington/Monroe

RECOMMENDATION: Approve.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: David Endo

DATE: 12/03/2018

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: 12/12/2018

ITEM:

Consider the certification of signatures.

PURPOSE:

The certification of signatures authorizes the listed individuals to sign on the District's behalf.

FISCAL IMPACT:

None.

RECOMMENDATIONS:

Certify the signatures for the Hanford Elementary School District.

HANFORD ELEMENTARY SCHOOL DISTRICT CERTIFICATION OF SIGNATURES

As Secretary to the governing board of the above named school district, I certify that the signatures shown below in Column 1 are the verified signatures of the members of the governing board. I certify that the signatures as shown in Column 2 are the verified signatures of the person or persons authorized to sign Notices of Employment, Contracts, and Orders drawn on the funds of the school district. These certifications are made in accordance with the provisions of Education Code Sections 42632, 42633 and 44843. If persons authorized to sign orders as shown in Column 2 are unable to do so, the law requires the signatures of the majority of the governing board.

These approved signatures are valid for the period of: D e c e m b e r 12, 2018 to the annual reorganization meeting in December 2019 in accordance with governing board approval dated December 12, 2018.

Signature: _____
Secretary of the Board

Column 1

Signatures of Members of Governing Board:

Signature _____
Type Name _____
President of the Board of Trustees

Signature _____
Type Name _____
Vice President of the Board of Trustees

Signature _____
Type Name _____
Clerk of the Board of Trustees

Signature _____
Type Name _____
Member of the Board of Trustees

Signature _____
Type Name _____
Member of the Board of Trustees

Column 2

Signatures of Personnel authorized to sign Warrants, Orders for Payment, Notices of Employment and Contracts:

Signature _____
Type Name _____
Title Joy Gabler
Superintendent

Signature _____
Type Name _____
Title David Endo
Chief Business Official

Signature _____
Type Name _____
Title Jaime Martinez
Asst. Supt., Human Resources

Signature _____
Type Name _____
Title Jill Rubalcava
Asst. Supt., Curriculum, Instruction &
Professional Development

*Signature _____
Type Name _____
Title Anneliese Roa
Program Manager, Food Services

**Signature _____
Type Name _____
Title David Goldsmith
Chief Technology Officer

***Signature _____
Type Name _____
Title Gerry Mulligan
Director of Facilities and Operation

Number of Signatures Required (*Ed Code Sections 42632; 42633; 44843*)

On Orders of Payment	1
On Notice of Employment	1
On Contracts	1

* The signature of the Program Manager, Food Services is restricted to the following areas: Food Service checks and all reports applicable to the daily Food Service operation including, but not limited to, the Commodity Processing Agreements.

** The signature of the Chief Technology Officer is restricted to the following areas: Technology related agreements.

***The signature of the Director of Facilities is restricted to the following areas: Construction change orders and Department of State Architect (DSA) forms

HANFORD ELEMENTARY SCHOOL DISTRICT
AGENDA REQUEST FORM

TO: Joy Gabler
FROM: Jay Strickland
DATE: November 16, 2018

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

Date you wish to have your item considered: December 12, 2018

ITEM: Administrative Panel Recommendations

PURPOSE:
Case# 19-04 - CDS