

# Hanford Elementary School District

## REGULAR BOARD MEETING AGENDA

*Wednesday, September 11, 2019*

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

5:30 P.M. **PUBLIC HEARING: Instructional Material Funding Realignment Program**  
(Rubalcava)

### 1. PRESENTATIONS, REPORTS AND COMMUNICATIONS

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

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

### 2. CONSENT ITEMS

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

- a) Accept warrant listings dated August 23, 2019 and August 30, 2019.
- b) Approve minutes of Regular Board Meeting held on August 28, 2019.
- c) Approve interdistrict transfers as recommended.

### 3. INFORMATION ITEMS

- a) Receive for information the Maintenance, Grounds and Operations departments annual summer projects (Mulligan)
- b) Receive for information the monthly financial reports from the period of 07/01/2019 – 08/31/2019 (Endo)
- c) Receive for information the following revised Board Policy and Exhibit: (Rubalcava)
  - BP/E 5145.6 – Parental Notifications
- d) Receive for information the following revised Board Policy: (Rubalcava)
  - BP 6162.5 – Student Assessment
- e) Receive for information the following revised Board Policy: (Rubalcava)
  - BP 6170.1 – Transitional Kindergarten

- *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.*

- f) Receive for information the following revised Board Policy: (Rubalcava)
  - BP 6190 – Evaluation of the Instructional Program
- g) Receive for information the following revised Board Policy: (Strickland)
  - BP 5112.5 – Open/Closed Campus
- h) Receive for information the following revised Board Policy and Administrative Regulation: (Strickland)
  - BP/AR 5144.1 – Suspension and Expulsion/Due Process
- i) Receive for information the following revised Board Policy: (McConnell)
  - BP 6145 – Extracurricular and Cocurricular Activities

#### **4. BOARD POLICIES AND ADMINISTRATION**

- a) Consider adoption of Resolution #03-20 Pertaining to the Sufficiency of Instructional Materials (Rubalcava)
- b) Consider approval of the Consultant Contract with Sharon Ramseier-Williams (Gomez)
- c) Consider approval of the Consultant Contract with Dr. Adams Saenz of Saenz Culture Architects (Rubalcava)
- d) Consider approval of the Inspection Services Agreement with TWB Inspections to oversee the Lincoln solar project (Mulligan)
- e) Consider approval of the Memorandum of Understanding with Kings View Counseling Services (McConnell)
- f) Consider approval of the following revised Administrative Regulation: (Carlton)
  - AR 1312.3 – Uniform Complaint Procedures
- g) Consider approval of the following new Board Policy: (Gabler)
  - BP 0415 – Equity
- h) Consider approval of the following deleted Board Policy: (Gabler)
  - BP 1020 – Youth Services
- i) Consider approval of the following revised Board Policy: (Gabler)
  - BP 1400 –Relations Between Other Governmental Agencies and the Schools
- j) Consider approval of the following revised Board Policy: (Gabler)
  - BP 2210 – Administrative Discretion Regarding Board Policy
- k) Consider approval of the following revised Board Bylaw: (Gabler)
  - BB 9310 – Board Policies

#### **5. PERSONNEL (Martinez)**

##### **a) Employment**

##### Classified

- Matthew Knevelbaard, Custodian II – 8.0 hrs., Monroe/King, effective 9/12/19

##### Temporary Employees/Substitutes

- Yusra Almarush, Substitute Yard Supervisor, effective 8/20/19; Short-term Yard Supervisor – 3.5 hrs., Simas, effective 8/21/19 to 10/25/19
- Svannah Blum, Substitute Yard Supervisor, effective 8/23/19
- Elizabeth Bolanos, Substitute Yard Supervisor, effective 8/27/19; Short-term Yard Supervisor – 2.5 hrs., Simas, effective 8/29/19 to 10/25/19
- Patricia Diaz, Folkloric Dance Coach, Jefferson, effective 9/16/19 to 11/8/19
- Silvia Foreman, Substitute Alternative Education Program Aide, Special Education Aide and Translator: Oral Interpreter, effective 8/22/19
- Ana Gomez, Substitute READY Program Tutor, effective 8/20/19

- Joseph Hernandez, Percussion Coach, Kennedy/Wilson, effective 8/13/19 to 6/5/20
  - Julie Kos, Jefferson Sign Language, effective 9/16/19 to 11/8/19
  - Ana Torres Limon, Substitute READY Program Tutor, effective 8/26/19; Short-term READY Program Tutor – 4.5 hrs., Monroe, effective 8/26/19 to 11/15/19
  - Paola Mora Morales, Substitute READY Program Tutor, effective 9/16/19
  - Keshia Spain, Substitute READY Program Tutor, effective 8/19/19
  - Earlisha White, Short-term Yard Supervisor – 3.0 hrs., Roosevelt, effective 8/26/19 to 11/1/19
- b) Employment and Certification of Temporary Athletic Team Coaches Pursuant to Title 5 CCR 5594
- Erin Aguilar, 7th Grade Girls Volleyball Coach, Kennedy, effective 8/26/19 to 10/30/19
  - Mariah Benitez, 4-6 Girls Softball Coach, Hamilton, effective 8/27/19 to 10/17/19; 4-6 Girls Basketball Coach, Hamilton, effective 11/18/19 to 2/27/20; 4-6 Girls Track Coach, Hamilton, effective 3/2/20 to 4/27/20
  - Rachel Castellanos, 4-6 Girls Softball Coach, Roosevelt, effective 8/27/19 to 10/17/19
  - Paul Meza, 7-8 Boys Flag Football Coach, Kennedy, effective 8/26/19 to 10/30/19
  - Sara Meza, 8th Grade Girls Volleyball Coach, Kennedy, effective 8/26/19 to 10/30/19
  - Savino Perico, 4-6 Boys Flag Football Coach, King, effective 8/28/19 to 10/17/19
  - Michael Quiñones, 4-6 Boys Flag Football Coach, Washington, effective 8/27/19 to 10/18/19
- c) Resignation
- Marissa Gonzales, Substitute Yard Supervisor, effective 8/26/19
  - Joseline Martinez, Substitute READY Program Tutor, Translator: Oral Interpreter and Written Translator, effective 5/22/19
  - Paola Mora Morales, READY Program Tutor – 4.5 hrs., Simas, effective 9/13/19
  - John "Juan" Paz, Substitute READY Program Tutor and Yard Supervisor, effective 5/28/19
  - Laura Sandoval, Food Service Worker I – 3.25 hrs., Jefferson, effective 9/3/19
  - Sandra Tafolla, Educational Tutor K-6 – 3.5 hrs., Hamilton, effective 5/13/19
- d) Temporary Out of Class Assignment/More Hours
- Kimberly Carrera, from READY Program Tutor – 4.5 hrs. to READY Site Lead – 5.0 hrs., Richmond, effective 8/26/19 to 11/5/19
- e) Leave of Absence
- Molly Retzlöff, Special Education Aide – 5.0 hrs., Monroe, effective 9/19/19 to 9/27/19, personal
- f) Job Descriptions
- Student Specialist (revised)
  - Student Specialist – Bilingual (revised)
- g) Consider approval of a Teacher Internship Agreement with CalState TEACH Program
- Authorize agreement to enter into a Teacher Internship Agreement between Hanford Elementary School District and CalState Teach to be effective on 8/1/2019 through 7/31/2022 (3-year maximum).

- h) Consider approval of Student Teaching Agreement with CalState TEACH Program
- Approve agreement between Hanford Elementary School District and CalState TEACH to provide placement and support for the preparation of CalState TEACH to student teachers to be effective on 8/1/2019 through 7/31/2022 (3-year maximum).

i) Volunteers

| <u>Name</u>                     | <u>School</u> |
|---------------------------------|---------------|
| Briana Koerner                  | Hamilton      |
| Cassandra Arceo (HESD Employee) | Jefferson     |
| Joseline Martinez               | Jefferson     |
| Gloria Ochoa                    | King          |
| Mirsha Gonzalez                 | Monroe        |
| Bertha Guerrero Solano          | Richmond      |
| Robert Hayden                   | Richmond      |
| Debra Dartez                    | Simas         |
| Loren Stoner                    | Simas         |
| Julio Lopez                     | Washington    |

**6. FINANCIAL (Endo)**

- a) Consider approval of the Memorandum of Understanding with Hanford Joint Union High School District regarding transportation services

**ADJOURN MEETING**

## **PUBLIC NOTICE HEARING**

### **Instructional Materials Funding Realignment Program**

In accordance with Education Code Section 60119, the Hanford Elementary School District will hold a public hearing to determine whether each pupil in each school in the district has or will have, prior to the eighth week of school, sufficient instructional materials. The date, time and place are as follows:

Place: Hanford Elementary School  
District Office Board Room  
714 N White Street  
Hanford, California 93230

Date: September 11, 2019

Time: 5:30 p.m.

At the public hearing, the Board of Trustees of the Hanford Elementary School District will determine through a resolution as to whether each pupil in each school in the district has or will have sufficient textbooks and instructional materials. Any inquiries regarding this matter should be directed to:

Jill Rubalcava  
Assistant Superintendent of Curriculum, Instruction and Professional Development  
Hanford Elementary School District  
714 N. White Street  
P.O. Box 1067  
Hanford, CA 93232  
(559) 585-3672

Posted: Wednesday, August 28, 2019

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy C. Gabler

FROM: David Endo

DATE: 08/30/2019

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: 09/11/2019

**ITEM:**

Consider approval of warrants.

**PURPOSE:**

The administration is requesting the approval of the warrants as listed on the registers dated: 08/23/19 and 08/30/19.

**FISCAL IMPACT:**

See attached.

**RECOMMENDATIONS:**

Approve the warrants.

# Warrant Register For Warrants

## Dated 08/23/2019

| Warrant Number | Vendor Number | Vendor Name  | Amount       |
|----------------|---------------|--|--------------|
| 12616263       | 7379          | ACCELERATE LEARNING INC. Inst'l Consultant               | \$9,600.00   |
| 12616264       | 7255          | ACER SERVICE CORPORATION Warehouse                       | \$799.87     |
| 12616265       | 2778          | AHA PROCESS INC. Inst'l Consultant                       | \$5,500.00   |
| 12616266       | 7420          | WAED ALABOUD Other Services                              | \$20.00      |
| 12616267       | 6431          | AMAZON.COM Books/Office Supplies/Allowance/Instl Matls   | \$4,770.74   |
| 12616268       | 59            | AMERIPRIDE UNIFORM SERVICES Laundry Services             | \$4,080.06   |
| 12616269       | 59            | AMERIPRIDE UNIFORM SERVICES Kitchen Laundry Services     | \$171.43     |
| 12616270       | 7230          | ARDENT GENERAL INC Buildings & Improvements              | \$294,501.62 |
| 12616271       | 6253          | AT&T Telephone   | \$2,129.14   |
| 12616272       | 3947          | ATKINSON ANDELSON LOYA RUUD & ROMO Legal                 | \$514.50     |
| 12616273       | 4119          | KRISTINA BALDWIN Luncheon                                | \$63.98      |
| 12616274       | 7399          | BIMBO BAKERIES USA Food                                  | \$1,247.79   |
| 12616275       | 7421          | SAVANNAH BLUM Other Services                             | \$20.00      |
| 12616276       | 162           | ANGEL BRAVO Payroll Liability Holding                    | \$117.20     |
| 12616277       | 1833          | C.A.S.H Membership Dues                                  | \$873.00     |
| 12616278       | 236           | STATE OF CALIFORNIA Other Services                       | \$910.00     |
| 12616279       | 7236          | GINA CARINALLI-BARNES Allowance                          | \$200.00     |
| 12616280       | 373           | CPM EDUCATIONAL PROGRAM Books                            | \$880.11     |
| 12616281       | 7416          | Christine Daugherty Prepaid Meals                        | \$51.25      |
| 12616282       | 3237          | CLAUDIA DAVIS Payroll Liability Holding                  | \$300.00     |
| 12616283       | 4486          | GABRIEL DE LEON Allowance                                | \$126.70     |
| 12616284       | 4512          | DIV. OF STATE ARCHITECT Buildings & Improvements         | \$14,163.00  |
| 12616285       | 5169          | DIVISADERO MIDDLE SCHOOL Entry Fees                      | \$300.00     |
| 12616286       | 5894          | CHRISTOPHER FANNIN Allowance                             | \$96.08      |
| 12616287       | 3127          | RAMIRO FLORES Luncheon                                   | \$244.48     |
| 12616288       | 1769          | FRESNO PRODUCE Food                                      | \$7,132.85   |
| 12616289       | 4161          | MATT GAMBLE Luncheon                                     | \$250.00     |
| 12616290       | 1393          | GAS COMPANY Gas  | \$127.55     |
| 12616291       | 591           | GOLD STAR FOODS Food                                     | \$28,046.96  |
| 12616292       | 2157          | YOLANDA GOMES Luncheon                                   | \$33.28      |
| 12616293       | 1816          | LUCY GOMEZ Parent Outreach                               | \$181.10     |
| 12616294       | 5216          | HANFORD ELEMENTARY SCHOOL DISTRICT Insurance             | \$914.34     |
| 12616295       | 5140          | HANFORD HIGH CROSS COUNTRY Entry Fees                    | \$360.00     |
| 12616296       | 6397          | KATIE HEUGLY Allowance                                   | \$98.90      |
| 12616297       | 7419          | HILTON GARDEN INN Travel & Conf                          | \$661.16     |
| 12616298       | 7217          | JOHN CORCORAN FOUNDATION Travel & Conf/Inst'l Consultant | \$4,180.00   |
| 12616299       | 796           | KINGS COUNTY OFFICE OF ED Other Services                 | \$60.20      |
| 12616300       | 5808          | SONYA LOWTHER Allowance                                  | \$164.52     |
| 12616301       | 6655          | MELISSA NABAYAN Allowance                                | \$47.90      |
| 12616302       | 7424          | ODELL PLANNING & RESEARCH INC Other Services             | \$2,480.00   |
| 12616303       | 1058          | OFFICE DEPOT Office Supplies                             | \$277.58     |
| 12616304       | 7016          | CAROLINA ORTEGA DE GARCIA Luncheon                       | \$26.59      |
| 12616305       | 5111          | P & R PAPER SUPPLY COMPANY INC Kitchen Supplies          | \$4,763.64   |
| 12616306       | 7203          | PARADIGM HEALTHCARE SERVICES LLC. Other Services         | \$967.00     |
| 12616307       | 6732          | JULEE PIRES Allowance                                    | \$167.39     |
| 12616308       | 1144          | PORT OF SUBS Luncheon                                    | \$255.00     |
| 12616309       | 1168          | PRODUCERS DAIRY PRODUCTS Food                            | \$12,921.41  |
| 12616310       | 1901          | PYRAMID CABINET SYSTEMS INC. Repairs                     | \$3,732.30   |

# Warrant Register For Warrants

## Dated 08/23/2019

| Warrant Number | Vendor Number | Vendor Name  | Amount       |
|----------------|---------------|--|--------------|
| 12616311       | 7307          | KELLIE RIVERA Other Services                       | \$20.00      |
| 12616312       | 7401          | RIVERSIDE INSIGHTS Special Ed Matls                | \$2,864.78   |
| 12616313       | 5898          | ANNELIESE ROA Food                                 | \$69.92      |
| 12616314       | 7425          | JACQUELINE RODRIGUEZ Other Services                | \$20.00      |
| 12616315       | 5067          | RUSSELL SIGLER INC Maintenance Supplies            | \$509.44     |
| 12616316       | 7415          | SAN MATEO-FOSTER CITY Food                         | \$740.40     |
| 12616317       | 2985          | ELIZABETH SASSELLI Allowance                       | \$200.00     |
| 12616318       | 1303          | SAVE MART SUPERMARKETS Food                        | \$209.50     |
| 12616319       | 4330          | SIERRA SCHOOL EQUIPMENT CO Facilities Furniture    | \$46,179.71  |
| 12616320       | 1356          | SILVAS OIL COMPANY INC. Fuel                       | \$953.04     |
| 12616321       | 1374          | SMART & FINAL STORES (HFD DO) Supplies             | \$521.52     |
| 12616322       | 1801          | SMART & FINAL STORES (HFD KIT) Food                | \$285.76     |
| 12616323       | 1392          | SOUTHERN CALIFORNIA EDISON CO. Electricity         | \$8,992.91   |
| 12616324       | 1403          | STANISLAUS FOUNDATION – DENTAL Other Services      | \$15,836.96  |
| 12616325       | 1444          | SYSCO FOODSERVICES OF MODESTO Food                 | \$18,021.51  |
| 12616326       | 6823          | TCG GROUP HOLDINGS Other Services                  | \$256.00     |
| 12616327       | 7422          | JACQUELINE TELLEZ Other Services                   | \$20.00      |
| 12616328       | 6944          | TETER LLP Buildings & Improvements                 | \$11,626.26  |
| 12616329       | 2138          | THE TREE HOUSE Warehouse                           | \$15,974.24  |
| 12616330       | 1506          | TWB INSPECTIONS Land Improvements                  | \$1,500.00   |
| 12616331       | 7380          | TWIG EDUCATION INC. Textbooks/eBooks               | \$166,371.66 |
| 12616332       | 6644          | TYLER TECHNOLOGIES Other Services                  | \$8,447.25   |
| 12616333       | 1508          | U.S. POSTAL SERVICE (CMRS-POP) Postage             | \$4,000.00   |
| 12616334       | 1647          | VERITIV OPERATING COMPANY Fiscal Services Supplies | \$576.74     |

**Total Amount of All Warrants:**

**\$713,728.22**



**Credit Card Register For Payments**  
**Dated 08/23/2019**

| Document Number | Vendor Number | Vendor Name                                       | Amount      |
|-----------------|---------------|---|-------------|
| 14026785        | 5690          | INDOFF INCORPORATED Facilities Furniture          | \$12,389.93 |
| 14026786        | 3354          | KAGAN Travel & Conf                               | \$718.00    |
| 14026787        | 806           | KINGS COUNTY TROPHY Athletic Matls                | \$849.42    |
| 14026788        | 5934          | PEARSON - CLINICAL ASSESSMENT Software License    | \$1,962.54  |
| 14026789        | 1466          | TERMINIX INTERNATIONAL Pest Control               | \$472.00    |
| 14026790        | 1466          | TERMINIX INTERNATIONAL Kitchen Pest Control       | \$25.00     |
| 14026791        | 1702          | TRIPLE J CONCRETE Repairs                         | \$422.29    |
| 14026792        | 598           | WINGFOOT COMMERCIAL TIRE SYS Transportation Matls | \$2,441.76  |

**Total Amount of All Credit Card Payments:****\$19,280.94**



# Warrant Register For Warrants

## Dated 08/30/2019

| Warrant Number | Vendor Number | Vendor Name                                       | Amount      |
|----------------|---------------|---|-------------|
| 12617001       | 4566          | ALLIED STORAGE CONTAINERS Equipment               | \$5,225.22  |
| 12617002       | 6934          | BLANCA ALVARADO-CABRERA Instl Matls               | \$64.20     |
| 12617003       | 4670          | ALICIA ARTHUR Allowance                           | \$200.00    |
| 12617004       | 6253          | AT&T Telephone                                    | \$124.56    |
| 12617005       | 7366          | BRECK'S ELECTRIC MOTORS INC. Maintenance Supplies | \$639.35    |
| 12617006       | 4918          | CALIFORNIA COMMISSION ON TEACHER Other Services   | \$1,600.00  |
| 12617007       | 6131          | CALIFORNIA SPORT DESIGN Instl Matls               | \$6,362.61  |
| 12617008       | 6468          | NICOLE CARTLEDGE Allowance                        | \$83.91     |
| 12617009       | 4545          | CCSNA Travel & Conf                               | \$120.00    |
| 12617010       | 5936          | CHARLES COLE Allowance                            | \$200.00    |
| 12617011       | 3068          | DEBRA COLVARD Travel & Conf                       | \$110.00    |
| 12617012       | 4178          | COOK'S COMMUNICATION Radios                       | \$779.33    |
| 12617013       | 6999          | KATHRYN COZ Allowance                             | \$167.68    |
| 12617014       | 6957          | SARA CRISP Allowance                              | \$111.89    |
| 12617015       | 4815          | DIGITECH INTEGRATIONS INC Leases                  | \$197.18    |
| 12617016       | 2213          | NORBERTO ESPINDOLA Allowance                      | \$100.01    |
| 12617017       | 2829          | FASHION CLEANERS Other Services                   | \$15.25     |
| 12617018       | 2141          | FRESNO COUNTY OFFICE OF ED Travel & Conf          | \$150.00    |
| 12617019       | 3956          | FUN WORKS Inst'l Consultant                       | \$400.00    |
| 12617020       | 1393          | GAS COMPANY Gas                                   | \$124.16    |
| 12617021       | 571           | GEARY PACIFIC SUPPLY Maintenance Supplies         | \$250.79    |
| 12617022       | 3305          | GILBERT ELECTRIC COMPANY Repairs                  | \$1,400.00  |
| 12617023       | 4300          | LESLIE GRIFFITH Allowance                         | \$200.00    |
| 12617024       | 4532          | HENRY SCHEIN INC Warehouse                        | \$2,347.57  |
| 12617025       | 7228          | SAMANTHA HERNANDEZ Homeless Needs                 | \$5.00      |
| 12617026       | 711           | THE HORN SHOP Repairs                             | \$358.28    |
| 12617027       | 5264          | HOUGHTON MIFFLIN HARCOURT Books                   | \$4,992.77  |
| 12617028       | 7354          | ILLUMINATE EDUCATION INC. Inst'l Consultant       | \$3,400.00  |
| 12617029       | 2528          | INDUSTRIAL PLUMBING SUPPLY Maint Matls            | \$3,039.72  |
| 12617030       | 5342          | INNOVATION COMMERCIAL FLOORING Repairs            | \$734.80    |
| 12617031       | 7175          | iREPAIR Repairs                                   | \$81.85     |
| 12617032       | 6573          | IXL LEARNING Software License                     | \$599.00    |
| 12617033       | 2062          | JOHN'S INCREDIBLE PIZZA Field Trip                | \$1,231.35  |
| 12617034       | 3760          | KINGS COUNTY AIR Maintenance Matls                | \$296.00    |
| 12617035       | 5828          | KINGS COUNTY DEPT OF PUBLIC WORKS Fuel            | \$63.73     |
| 12617036       | 2768          | KREMEN SCHOOL OF EDUCATION Travel & Conf          | \$145.00    |
| 12617037       | 2243          | MATSON ALARM Alarm Services                       | \$90.00     |
| 12617038       | 2649          | PEGGY NOBLE Mileage                               | \$34.57     |
| 12617039       | 7404          | MADISON POLLARD Allowance                         | \$200.00    |
| 12617040       | 7428          | R.V. NUCCIO & ASSOCIATES Insurance                | \$2,592.00  |
| 12617041       | 6747          | CARIN RAY Allowance                               | \$175.31    |
| 12617042       | 1227          | RENAISSANCE LEARNING INC. Software License        | \$9,045.00  |
| 12617043       | 3883          | SHEREESE ROSE Luncheon                            | \$250.00    |
| 12617044       | 1285          | SAFETY-KLEEN SYSTEMS INC. Transportation Supplies | \$1,359.62  |
| 12617045       | 1327          | SCHOOL SPECIALTY Warehouse                        | \$13,792.79 |
| 12617046       | 6368          | SINCLAIR RESEARCH GROUP Inst'l Consultant         | \$8,750.00  |
| 12617047       | 3800          | SONITROL OF FRESNO Leases                         | \$10,039.60 |
| 12617048       | 1401          | STANDARD STATIONERY SUPPLY Warehouse              | \$551.02    |

# Warrant Register For Warrants

## Dated 08/30/2019

| Warrant Number                       | Vendor Number | Vendor Name  | Amount              |
|--------------------------------------|---------------|--|---------------------|
| 12617049                             | 1403          | STANISLAUS FOUNDATION – DENTAL Other Services      | \$17,331.49         |
| 12617050                             | 6289          | ASHLEY STOKES Allowance                            | \$154.39            |
| 12617051                             | 2277          | BRIAN STONE Allowance                              | \$105.50            |
| 12617052                             | 5586          | SUPERIOR SOIL SUPPLEMENTS Grounds Supplies         | \$922.35            |
| 12617053                             | 2233          | TERMINIX PROCESSING CENTER Pest Control            | \$7,667.00          |
| 12617054                             | 4547          | U S SCHOOL SUPPLY Instl Matls                      | \$521.55            |
| 12617055                             | 3749          | ULINE INC Instl Matls                              | \$275.07            |
| 12617056                             | 1558          | VERIZON WIRELESS Telephone                         | \$846.95            |
| 12617057                             | 1575          | WALMART COMMUNITY RFCSLLC Warehouse/Homeless Needs | \$1,986.12          |
| 12617058                             | 5905          | KATELYN WARNER Allowance                           | \$69.63             |
| 12617059                             | 1649          | LUPE YADETA Allowance                              | \$200.00            |
| <b>Total Amount of All Warrants:</b> |               |  | <b>\$112,881.17</b> |



# Credit Card Register For Payments

## Dated 08/30/2019

| Document Number                                  | Vendor Number | Vendor Name                                    | Amount             |
|--|---------------|--|--------------------|
| 14026845   | 3893          | ALLIED ELECTRIC MOTOR SERV INC Custodial Matls | \$1,025.31         |
| 14026846   | 5184          | DRISKELL'S APPLIANCE Equipment                 | \$1,264.12         |
| 14026847   | 529           | FOLLETT SCHOOL SOLUTIONS Books                 | \$380.85           |
| 14026848   | 2461          | GAMETIME Equipment                             | \$600.63           |
| 14026849   | 652           | HANFORD SENTINEL HR Services                   | \$2,398.75         |
| 14026850   | 831           | LAKESHORE LEARNING MATERIALS Instl Matls       | \$920.20           |
| 14026851   | 4276          | LEARNING A-Z Software License                  | \$3,238.50         |
| 14026852   | 1147          | POSITIVE PROMOTIONS Instl Matls                | \$852.91           |
| 14026853   | 5829          | PRINT MANAGER Software License                 | \$1,883.50         |
| 14026854   | 1214          | REALLY GOOD STUFF Allowance/Instl Matls        | \$495.58           |
| 14026855   | 2524          | ROCHESTER 100 INC. Allowance/Office Supplies   | \$840.30           |
| 14026856   | 1637          | WOODWIND & BRASSWIND Band Matls                | \$974.52           |
| <b>Total Amount of All Credit Card Payments:</b> |               |  | <b>\$14,875.17</b> |



Hanford Elementary School District  
*Minutes of the Regular Board Meeting*  
*August 28, 2019*

Minutes of the Regular Board Meeting of the Hanford Elementary School District Board of Trustees on August 28, 2019 at the District Office Board Room, 714 N. White Street, Hanford, CA.

- Call to Order** President Revious called the meeting to order at 5:30 p.m. Trustee Garcia, Hernandez and Strickland were present. Trustee Garner was absent.
- HESD Managers Present** Joy C. Gabler, Superintendent, and the following administrators were present: Doug Carlton, David Endo, Ramiro Flores, David Goldsmith, Lucy Gomez, Jaime Martinez, Karen McConnell, Gerry Mulligan, Jill Rubalcava Cruz Sanchez-Leal and Jay Strickland.
- Closed Session** Trustees adjourned to closed session for the purpose of:
- Security (GC 54957)
- Open Session** Trustees returned to open session at 5:51 p.m.
- Security** No action was taken by the board.
- Public Comments** Paula Mesey, resident of South of Hanford, stated she wanted to bring awareness and education regarding Valley Fever. She noticed construction was still going on while school was in session. She said it's a bad idea to move the dirt when children are around. She saw a green tarp was up but said it does not stop spores. She recommends it is done during the weekend or at night. She wants to make us aware Valley Fever is deadly and it's real. Cal OSHA will get with construction companies that are moving dirt, and will bring awareness to educate employers. She thanked the Board.
- Trustee Revious asked if we are done moving dirt. Gerry Mulligan answered no dirt is still being moved.
- Trustee Strickland stated he understand where Paula was coming from and we can work on dust mitigation.
- Board and Staff Comments** Trustee Revious thanked Mr. Barlow for being in attendance.
- Trustee Strickland gave a shout-out to superintendent and staff for a great Summer Enrichment Program. He spoke to a mom who loved the program and gave him great feedback.
- Requests to Address the Board** None
- Dates to Remember** President Previous reviewed dates to remember: August 29<sup>th</sup> - Elementary Back-to-School Night; September 2<sup>nd</sup> - Holiday-Labor Day.

## **CONSENT ITEMS**

Trustee Hernandez made a motion to take consent items "a" through "e" together.  
Trustee Garcia seconded; motion carried 4-0:

Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

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

Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

The items approved are as follows:

- a) Warrant listings dated August 9, 2019 and August 16, 2019.
- b) Minutes of Regular Board Meeting held on August 14, 2019.
- c) Interdistrict transfers as recommended.
- d) Donation of \$500.00 form Save-Mart.
- e) Donation of 420 backpacks from Costco's Community Outreach Program.

Trustee Revious thanked donors.

## **INFORMATION TIEMS**

### **Notice of Completion – MLK**

Gerry Mulligan, Director of Facilities & Operations, presented for information the Notice of Completion for the Martin Luther King Elementary exterior painting project.

### **Notice of Completion - WW**

Gerry Mulligan, Director of Facilities & Operations, presented for information the Notice of Completion for the Woodrow Wilson Jr. High School reroof of building B, C, D & Q project.

Trustee Hernandez thanked Gerry Mulligan for his hard work in keeping the schools looking beautiful.

### **AR 1312.3**

Doug Carlton, Director of Program Development, Assessment & Accountability, presented for information the following revised Administrative Regulation:

- AR 1312.3 – Uniform Complaint Procedures

### **BP 0415**

Joy Gabler, Superintendent, presented for information the following new Board Policy:

- BP 0415 – Equity

### **BP 1020**

Joy Gabler, Superintendent, presented for information the following deleted Board Policy:

- BP 1020 – Youth Services

### **BP 1400**

Joy Gabler, Superintendent, presented for information the following revised Board Policy:

- BP 1400 – Relations Between Other Government Agencies and The Schools

**BP 2210** Joy Gabler, Superintendent, presented for information the following revised Board Policy:

- BP 2210 – Administrative Discretion Regarding Board Policy

**BB 9310** Joy Gabler, Superintendent, presented for information the following revised Board Bylaw:

- BB 9310 – Board Policies

### **BOARD POLICIES AND ADMINISTRATION**

**CSBA 2019 Legislative Awards Program** Trustee Garcia stated he would like to nominate Rudy Salas for the 2019 CSBA Outstanding Legislative Award Program. He stated Rudy Salas has not only done a lot for the community of Hanford but also our schools.

Trustee Strickland made a motion approve the CSBA 2019 Legislative Awards Program nomination of Rudy Salad. Trustee Hernandez seconded; motion carried 4-0:

Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

**Community Day School** Trustee Strickland made a motion to approve maintaining three Community Day School classes at Community Day School Campus contiguous to Martin Luther King Elementary School. Trustee Hernandez seconded; motion carried 4-0:

Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

**MOU – Tulare COE** Trustee Garcia made a motion to approve the Memorandum of Understanding with Tulare County Office of Education/Migrant Program Region VIII as a Model B district. Trustee Strickland seconded; motion carried 4-0:

Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

**Consultant Contract with Parent Institute of Quality Education** Trustee Strickland made a motion to approve the Consultant Contract with Parent Institute for Quality Education for nine parent training sessions for parents of English learners in grades kinder to 8<sup>th</sup>. Trustee Hernandez seconded; motion carried 4-0:

Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

**MOU – Big Brother/Big Sister of Central California** Trustee Garcia made a motion to approve the Memorandum of Understanding with Big Brothers/Big Sisters of Central California. Trustee Hernandez seconded; motion carried 4-0:

Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

- BP/AR 5141.6** Trustee Garcia made a motion to approve the revised Board Policy and Administrative Regulation 5141.6 – School Health Services. Trustee Hernandez seconded; motion carried 4-0:  
Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes
- BP/AR 6145.2** Trustee Strickland made a motion to approve the revised Board Policy and Administrative Regulation BP/AR 6145.2 – Athletic Competition. Trustee Garcia seconded; motion carried 4-0:  
Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes
- AR 5141.32** Trustee Garcia made a motion to approve the revised Administrative Regulation AR 5141.32 – Heath Screening for School Entry. Trustee Hernandez seconded; motion carried 4-0:  
Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes
- BP 3290** Trustee Garcia made a motion to approve the revised Board Policy 3290 – Gifts, Grants and Bequest. Trustee Hernandez seconded; motion carried 4-0:  
Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes
- AR 3460** Trustee Garcia made a motion to approve the revised Administrative Regulation 3460 – Financial Reports and Accountability. Trustee Hernandez seconded; motion carried 4-0:  
Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes
- BP 3515.21** Trustee Garcia made a motion to approve the new Board Policy 3515.21 – Unmanned Aircraft Systems (Drones). Trustee Hernandez seconded; motion carried 4-0:  
Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes
- BP/AR 4030** Trustee Hernandez made a motion to approve the revised Board Policy and Administrative Regulation 4030 – Nondiscrimination in Employment. Trustee Garcia seconded; motion carried 4-0:  
Garcia – Yes  
Hernandez – Yes  
Revious – Yes

Strickland – Yes

**BP 4119.22**

Trustee Garcia made a motion to approve the following revised Board Policy 4119.22 Dress and Grooming. Trustee Hernandez seconded; motion carried 4-0:

Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

**PERSONNEL**

Trustee Garcia made a motion to take Personnel items “a” through “i” together. Trustee Strickland seconded; the motion carried 4-0:

Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

Trustee Garcia then made a motion to approve Personnel items “a” through “i”. Trustee Strickland seconded; the motion carried 4-0:

Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

***Item “a” –  
Employment***

The following items were approved:

Classified

- Nancy Acosta, READY Program Tutor – 4.5 hrs., Roosevelt, effective 8/8/19
- Bernadette Bracy, Substitute Telephone Clerk – 8.0 hrs., Human Resources, effective 8/12/19
- Diego De Alba, READY Program Tutor – 4.5 hrs., Hamilton, effective 8/8/19
- Allison Fruit, Alternative Education Program Aide – 5.5 hrs., Community Day School @ King, effective 8/13/19
- Audra Jaurigui, Food Service Worker II – 2.5 hrs., Kennedy, effective 8/12/19
- Elizabeth McGrath, READY Program Tutor – 4.5 hrs., King, effective 8/8/19
- Paola Mora Morales, READY Program Tutor – 4.5 hrs., Simas, effective 8/8/19
- Rachel Shimmin, READY Program Tutor – 4.5 hrs., Simas, effective 8/8/19

Temporary Employees/Substitutes

- Shelby Alcaraz, Substitute Yard Supervisor, effective 8/12/19 (revised); Short-term Yard Supervisor – 1.0 hr., Wilson, effective 8/13/19 to 10/18/19
- Angela Byars, Substitute Special Circumstance Aide and Special Education Aide, effective 8/13/19; Short-term Special Circumstance Aide – 3.0 hrs., King, effective 8/13/19 to 10/18/19
- Laura Canchola Leon, Substitute Yard Supervisor, effective 8/13/19; Short-term Yard Supervisor – 1.5 hrs., Hamilton, effective 8/13/19 to 10/18/19
- DeMerio Carre, Short-term Yard Supervisor – 2.5 hrs., Washington, effective 8/13/19 to 10/18/19
- Aunika Castellanos, Substitute Yard Supervisor, effective 8/7/19; Short-term Yard Supervisor – 2.0 hrs., Hamilton, effective 8/13/19 to 10/18/19
- Maribel Corrales-Ortiz, Substitute Yard Supervisor, effective 8/13/19

- Sandra Davis, Substitute Food Service Worker I/II, effective 8/13/19
- Marissa Gonzales, Substitute Yard Supervisor, effective 8/13/19; Short-term Yard Supervisor – 2.5 hrs., Simas, effective 8/13/19 to 10/18/19
- Rosie Ochoa, Substitute Yard Supervisor, effective 8/15/19
- Alberto Ordonez, Short-term Media Services Aide – 5.5 hrs., Richmond, effective 8/6/19 to 9/6/19
- Merly Quintana, Short-term Yard Supervisor – 3.5 hrs., Simas, effective 8/13/19 to 10/18/19 (rescind)
- Carlos Perez Reyna, Short-term Yard Supervisor – 1.0 hr. (M,T,Th,F), Roosevelt, effective 8/16/19 to 6/5/20
- Michael Thompson, Short-term Yard Supervisor – 3.5 hrs., Simas, effective 8/13/19 to 9/11/19
- Sarahi Vazquez, Substitute Yard Supervisor, effective 8/12/19 (revised)
- Sandra Virden, Short-term Yard Supervisor – 3.5 hrs., Lincoln, effective 8/13/19 to 9/13/19
- Melisa Wakefield, Short-term READY Program Tutor – 4.5 hrs., King, effective 8/19/19 to 10/25/19

***Item "b" –  
Resignations***

- Monica Toomes, Educational Tutor K-6 – 3.5 hrs., Monroe, effective 5/13/19

***Item "c" –  
Termination of  
Employment***

- Sonia Gutierrez, Substitute Custodian I and Yard Supervisor, effective 8/5/19
- Jennifer Ruddy, Food Service Worker I – 3.25 hrs., Lincoln, effective 6/7/19

***Item "d" –  
Temporary Out  
of Class  
Assignment/  
More Hours***

- Cecily Perez, from READY Program Tutor – 4.5 hrs. to READY Site Lead – 5.0 hrs., King, effective 8/19/19 to 10/25/19

***Item "e" –  
Administrative  
Transfer***

- Branden Barajas, Educational Tutor K-6 – 3.5 hrs., from Richmond to Washington, effective 8/29/19
- Jacob Carrasco, Custodian II – 8.0 hrs., from Monroe/King to Monroe, effective 9/16/19

***Item "f" –  
Certificated  
Transfers/  
Reassignments,  
effective  
8/26/19***

Involuntary Transfers

- Claudia Snead, from Roosevelt Kindergarten to Simas 1st Grade

Combination Class Assignments

- Tracy Ryan, from Hamilton Transitional Kindergarten to Hamilton Transitional Kindergarten/Kindergarten Combination Class
- Lisa Hinojos, from Lincoln Transitional Kindergarten to Lincoln Transitional Kindergarten/Kindergarten Combination Class
- Katie Heugly, from Roosevelt Transitional Kindergarten to Roosevelt Transitional Kindergarten/Kindergarten Combination Class
- Jennifer Fossett, from Washington Transitional Kindergarten to Washington Transitional Kindergarten/Kindergarten Combination Class

***Item "g" –  
Status of Non-  
Permanent  
Certificated***

- Certify Employment Status of Non-Permanent Certificated Staff for 2019-20 School Year (EC 44916)
- See attached listing

**Staff**

**Item "h" –  
Volunteers**

| <u>Name</u>                      | <u>School</u> |
|----------------------------------|---------------|
| Carin DeLa Torre (HESD Employee) | Jefferson     |
| Stephanie Llamas (HESD Employee) | Jefferson     |
| Jennifer Aguirre (HESD Employee) | Monroe        |
| Waed Alaboud                     | Monroe        |
| Jessica Bateman (HESD Employee)  | Simas         |
| Amber DeAnzo                     | Simas         |
| Sarah Hasse                      | Simas         |
| Jacqueline Rodriguez             | Simas         |

**Item "i" –  
Approve  
Variable Term  
Waiver Request,  
EC 44253.3**

- BCLAD (new waiver) for Maria Lawson, 3rd Grade Dual Immersion Teacher, Jefferson Academy for 2019-20 School Year

**FINANCIAL**

**Resolution  
#02-20**

Trustee Garcia made a motion to adopt Resolution #02 -20: Regarding the Accounting of Developer Fees. Trustee Hernandez seconded; motion carried 4-0:

Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

**Teachers’  
Salaries**

Trustee Strickland made a motion to approve the request for exemption from the required expenditures for classroom teachers’ salaries. Trustee Hernandez seconded; motion carried 4-0:

Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

**Resolution  
#05-20**

Trustee Garcia made a motion to adopt Resolution #05-20: Gann Limit. Trustee Hernandez seconded; motion carried 4-0:

Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

**Standard 31**

Trustee Strickland made a motion to approve the Kings County’s Government Accounting Standard 31 Report. Trustee Garcia seconded; motion carried 4-0:

Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

**Unaudited  
Actuals Financial  
Report**

David Endo, Chief Business Official, presented the unaudited actual financial report in a PowerPoint format. Some of the highlight included: total funds for special education, cafeteria funds, and employee benefits. ADA only grew by 4% and he hasn’t seen

improvement. He showed a total general fund chart overview. He reviewed the general fund budget comparison and other Hanford Elementary School District funds. He stated some of the projects that began last year continued into this year and other projects didn't begin till this year.

Trustee Garcia made a motion to approve the unaudited actuals financial report. Trustee Hernandez seconded; motion carried 4-0:

Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

**Kings County  
Treasurer's  
Quarterly  
Compliance  
Report**

Trustee Garcia made a motion to approve the Kings County Treasurer's Quarterly Compliance Report. Trustee Hernandez seconded; motion carried 4-0:

Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

**Resolution  
#04-20**

Trustee Garcia made a motion to approve the Resolution #04-20: 18-19 final budget revisions. Trustee Hernandez seconded; motion carried 4-0:

Garcia – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

**Adjournment**

There being no further business, President Revious adjourned the meeting at 6:36 p.m.

Respectfully submitted,

Joy C. Gabler,  
Secretary to the Board of Trustees

Approved:

\_\_\_\_\_  
Timothy Revious, President

\_\_\_\_\_  
Greg Strickland, Clerk

| No    | A/D | Sch Req'd | Home Sch | Date      |
|-------|-----|-----------|----------|-----------|
| I-184 | A   | King      | Lakeside | 8/30/2019 |
| I-185 | A   | Monroe    | Armona   | 8/30/2019 |
| I-186 | A   | Monroe    | Armona   | 8/30/2019 |
| I-187 | A   | Jefferson | Corcoran | 8/30/2019 |
| I-188 | A   | Monroe    | Armona   | 8/30/2019 |

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy C. Gabler

FROM: Gerry Mulligan

DATE: 08/30/2019

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☒ Information  
☐ Action

Date you wish to have your item considered: 09/11/2019

**ITEM:**

Annually the Maintenance, Grounds and Operation departments engage in projects over the summer. A brief project listing has been included for your information.

**PURPOSE:**

The following projects were completed over the summer:

- MLK Elementary School Chiller project
- MLK Elementary School Painting project
- Roofs repaired on Woodrow Wilson Jr. High School 200 wing and band room
- Parking lot resurfaced at District Office, JFK Jr. High School, MLK Elementary School
- Sidewalk addition at Simas Elementary School
- Construction of Lincoln Kindergarten wing began
- Monroe Elementary School staff lounge was remodeled
- District Office sidewalks repaired
- Jefferson Academy Library/Office completed
- Community Day School Shade Structure
- Flooring replacement in 2 classrooms and work room at Jefferson Academy
- Flooring replacement in 4 classrooms at Simas Elementary School
- 17 AEDs installed across the District
- 300 student chairs and over 150 student desks replaced
- Outdoor awnings extended at Roosevelt and Monroe Elementary Schools
- Lincoln cafeteria walls resurfaced

**FISCAL IMPACT:**

None.

**RECOMMENDATIONS:**

This item is for information only.

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy C. Gabler

FROM: David Endo

DATE: 08/30/2019

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☒ Information  
☐ Action

Date you wish to have your item considered: 09/11/2019

**ITEM:**

Receive for information monthly financial reports for the period of 07/01/2019-08/31/2019.

**PURPOSE:**

Attached are financial summaries for all of the District's funds for the period of 07/01/2019-08/31/2019.

**FISCAL IMPACT:**

The financial reports are informational only.

**RECOMMENDATIONS:**

Receive the monthly financial reports.

13 Hanford Elementary School District  
 Fiscal Year: 2020  
 Requested by dendo

## Fiscal Position Report

August 2019

Page 1 of 13

9/3/2019 7:59:24AM

Fund: 0100 General Fund

|  |           | August Amount           | YTD Amount              | Revised<br>Budget      | % of<br>Budget | % Remain     |
|--|-----------|-------------------------|-------------------------|------------------------|----------------|--------------|
| <b>BEGINNING BALANCE</b>                       |           |                         |                         |                        |                |              |
| Net Beginning Balance                          | 9791-9795 |                         | \$0.00                  | \$12,645,808.08        |                |              |
| <b>REVENUES</b>                                |           |                         |                         |                        |                |              |
| 1) LCFF Sources                                | 8010-8099 | \$2,385,107.00          | \$4,612,347.54          | \$63,717,216.00        | 7.24           | 92.76        |
| 2) Federal Revenues                            | 8100-8299 | \$206,469.60            | \$289,966.62            | \$3,921,099.00         | 7.40           | 92.60        |
| 3) Other State Revenues                        | 8300-8599 | \$1,671.00              | \$1,671.00              | \$5,193,447.60         | 0.03           | 99.97        |
| 4) Other Local Revenues                        | 8600-8799 | \$84,084.86             | \$169,923.86            | \$2,341,175.00         | 7.26           | 92.74        |
| <b>5) Total, Revenues</b>                      |           | <b>\$2,677,332.46</b>   | <b>\$5,073,909.02</b>   | <b>\$75,172,937.60</b> | <b>6.75</b>    | <b>93.25</b> |
| <b>EXPENDITURES</b>                            |           |                         |                         |                        |                |              |
| 1) Certificated Salaries                       | 1000-1999 | \$2,718,117.46          | \$2,882,821.97          | \$31,149,610.00        | 9.25           | 90.75        |
| 2) Classified Salaries                         | 2000-2999 | \$998,112.08            | \$1,513,620.83          | \$12,290,997.00        | 12.31          | 87.69        |
| 3) Employee Benefits                           | 3000-3999 | \$947,609.28            | \$1,266,139.33          | \$19,161,814.00        | 6.61           | 93.39        |
| 4) Books and Supplies                          | 4000-4999 | \$412,509.46            | \$523,074.63            | \$4,049,375.10         | 12.92          | 87.08        |
| 5) Services, Oth Oper Exp                      | 5000-5999 | \$470,408.20            | \$1,136,701.90          | \$5,412,011.23         | 21.00          | 79.00        |
| 6) Capital Outlay                              | 6000-6999 | \$37,286.39             | \$96,501.22             | \$1,365,767.94         | 7.07           | 92.93        |
| 7) Other Outgo(excl. 7300`s)                   | 7100-7499 | \$213,561.00            | \$253,395.00            | \$1,523,938.00         | 16.63          | 83.37        |
| 8) Direct/Indirect Support                     | 7300-7399 | \$0.00                  | \$0.00                  | (\$157,000.00)         | 0.00           | 100.00       |
| <b>9) Total Expenditures</b>                   |           | <b>\$5,797,603.87</b>   | <b>\$7,672,254.88</b>   | <b>\$74,796,513.27</b> | <b>10.26</b>   | <b>89.74</b> |
| <b>OTHER FINANCING SOURCES/USES</b>            |           |                         |                         |                        |                |              |
| 1) Transfers                                   |           |                         |                         |                        |                |              |
| B) Transfers Out                               | 7610-7629 | \$0.00                  | \$100,000.00            | \$274,067.00           | 36.49          | 63.51        |
| 3) Contributions                               | 8980-8999 | \$0.00                  | \$0.00                  | \$0.00                 | 0.00           | 100.00       |
| <b>4) Total, Other Financing Sources/Uses</b>  |           | <b>\$0.00</b>           | <b>(\$100,000.00)</b>   | <b>(\$274,067.00)</b>  | <b>36.49</b>   | <b>63.51</b> |
| <b>NET INCREASE (DECREASE) IN FUND BALANCE</b> |           | <b>(\$3,120,271.41)</b> | <b>(\$2,698,345.86)</b> | <b>\$102,357.33</b>    |                |              |
| <b>ENDING FUND BALANCE</b>                     |           |                         | <b>(\$2,698,345.86)</b> | <b>\$12,748,165.41</b> |                |              |

13 Hanford Elementary School District  
 Fiscal Year: 2020  
 Requested by dendo

# Fiscal Position Report

August 2019

9/3/2019 7:59:24AM

Fund: 0900 Charter Schools Fund

|  |           | August Amount | YTD Amount    | Revised<br>Budget   | % of<br>Budget | % Remain |
|--|-----------|---------------|---------------|---------------------|----------------|----------|
| <b>BEGINNING BALANCE</b>                       |           |               |               |                     |                |          |
| Net Beginning Balance                          | 9791-9795 |               | \$0.00        | \$600,875.92        |                |          |
| <b>NET INCREASE (DECREASE) IN FUND BALANCE</b> |           |               |               |                     |                |          |
|  |           | <u>\$0.00</u> | <u>\$0.00</u> | <u>\$0.00</u>       |                |          |
| <b>ENDING FUND BALANCE</b>                     |           |               |               |                     |                |          |
|  |           |               | <u>\$0.00</u> | <u>\$600,875.92</u> |                |          |

13 Hanford Elementary School District  
 Fiscal Year: 2020  
 Requested by dendo

## Fiscal Position Report

August 2019

Page 3 of 13

9/3/2019 7:59:24AM

Fund: 1300 Cafeteria Fund

|  |           | August Amount         | YTD Amount            | Revised<br>Budget     | % of<br>Budget | % Remain     |
|--|-----------|-----------------------|-----------------------|-----------------------|----------------|--------------|
| <b>BEGINNING BALANCE</b>                       |           |                       |                       |                       |                |              |
| Net Beginning Balance                          | 9791-9795 |                       | \$0.00                | \$1,658,153.48        |                |              |
| <b>REVENUES</b>                                |           |                       |                       |                       |                |              |
| 2) Federal Revenues                            | 8100-8299 | \$0.00                | \$0.00                | \$3,365,129.00        | 0.00           | 100.00       |
| 3) Other State Revenues                        | 8300-8599 | \$0.00                | \$0.00                | \$236,668.00          | 0.00           | 100.00       |
| 4) Other Local Revenues                        | 8600-8799 | \$2,173.12            | \$2,173.12            | \$147,680.00          | 1.47           | 98.53        |
| <b>5) Total, Revenues</b>                      |           | <b>\$2,173.12</b>     | <b>\$2,173.12</b>     | <b>\$3,749,477.00</b> | <b>0.06</b>    | <b>99.94</b> |
| <b>EXPENDITURES</b>                            |           |                       |                       |                       |                |              |
| 2) Classified Salaries                         | 2000-2999 | \$108,514.61          | \$143,394.04          | \$1,186,172.00        | 12.09          | 87.91        |
| 3) Employee Benefits                           | 3000-3999 | \$26,685.17           | \$39,792.35           | \$463,705.00          | 8.58           | 91.42        |
| 4) Books and Supplies                          | 4000-4999 | \$92,942.16           | \$93,380.94           | \$1,914,991.00        | 4.88           | 95.12        |
| 5) Services, Oth Oper Exp                      | 5000-5999 | \$1,458.62            | \$1,504.76            | (\$19,098.00)         | (7.88)         | 107.88       |
| 6) Capital Outlay                              | 6000-6999 | \$0.00                | \$89,780.18           | \$235,000.00          | 38.20          | 61.80        |
| 8) Direct/Indirect Support                     | 7300-7399 | \$0.00                | \$0.00                | \$157,000.00          | 0.00           | 100.00       |
| <b>9) Total Expenditures</b>                   |           | <b>\$229,600.56</b>   | <b>\$367,852.27</b>   | <b>\$3,937,770.00</b> | <b>9.34</b>    | <b>90.66</b> |
| <b>NET INCREASE (DECREASE) IN FUND BALANCE</b> |           | <b>(\$227,427.44)</b> | <b>(\$365,679.15)</b> | <b>(\$188,293.00)</b> |                |              |
| <b>ENDING FUND BALANCE</b>                     |           |                       | <b>(\$365,679.15)</b> | <b>\$1,469,860.48</b> |                |              |

13 Hanford Elementary School District  
 Fiscal Year: 2020  
 Requested by dendo

## Fiscal Position Report

August 2019

Page 4 of 13

9/3/2019 7:59:24AM

Fund: 1400 Deferred Maintenance Fund

|  |           | August Amount       | YTD Amount          | Revised<br>Budget    | % of<br>Budget | % Remain     |
|--|-----------|---------------------|---------------------|----------------------|----------------|--------------|
| <b>BEGINNING BALANCE</b>                       |           |                     |                     |                      |                |              |
| Net Beginning Balance                          | 9791-9795 |                     | \$0.00              | \$16,440.74          |                |              |
| <b>REVENUES</b>                                |           |                     |                     |                      |                |              |
| 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              | \$0.00              | \$4,000.00           | 0.00           | 100.00       |
| <b>5) Total, Revenues</b>                      |           | <b>\$0.00</b>       | <b>\$300,000.00</b> | <b>\$304,000.00</b>  | <b>98.68</b>   | <b>1.32</b>  |
| <b>EXPENDITURES</b>                            |           |                     |                     |                      |                |              |
| 6) Capital Outlay                              | 6000-6999 | \$1,354.86          | \$1,354.86          | \$320,440.74         | 0.42           | 99.58        |
| <b>9) Total Expenditures</b>                   |           | <b>\$1,354.86</b>   | <b>\$1,354.86</b>   | <b>\$320,440.74</b>  | <b>0.42</b>    | <b>99.58</b> |
| <b>NET INCREASE (DECREASE) IN FUND BALANCE</b> |           | <b>(\$1,354.86)</b> | <b>\$298,645.14</b> | <b>(\$16,440.74)</b> |                |              |
| <b>ENDING FUND BALANCE</b>                     |           |                     | <b>\$298,645.14</b> | <b>\$0.00</b>        |                |              |

13 Hanford Elementary School District  
 Fiscal Year: 2020  
 Requested by dendo

## Fiscal Position Report

August 2019

Page 5 of 13

9/3/2019 7:59:24AM

Fund: 1500 Pupil Transportation Equip

|  |           | August Amount | YTD Amount          | Revised<br>Budget   | % of<br>Budget | % Remain      |
|--|-----------|---------------|---------------------|---------------------|----------------|---------------|
| <b>BEGINNING BALANCE</b>                       |           |               |                     |                     |                |               |
| Net Beginning Balance                          | 9791-9795 |               | \$0.00              | \$253,505.17        |                |               |
| <b>REVENUES</b>                                |           |               |                     |                     |                |               |
| 4) Other Local Revenues                        | 8600-8799 | \$0.00        | \$0.00              | \$5,000.00          | 0.00           | 100.00        |
| <b>5) Total, Revenues</b>                      |           | <b>\$0.00</b> | <b>\$0.00</b>       | <b>\$5,000.00</b>   | <b>0.00</b>    | <b>100.00</b> |
| <b>OTHER FINANCING SOURCES/USES</b>            |           |               |                     |                     |                |               |
| 1) Transfers                                   |           |               |                     |                     |                |               |
| A) Transfers In                                | 8910-8929 | \$0.00        | \$100,000.00        | \$100,000.00        | 100.00         | 0.00          |
| <b>4) Total, Other Financing Sources/Uses</b>  |           | <b>\$0.00</b> | <b>\$100,000.00</b> | <b>\$100,000.00</b> | <b>100.00</b>  | <b>0.00</b>   |
| <b>NET INCREASE (DECREASE) IN FUND BALANCE</b> |           | <b>\$0.00</b> | <b>\$100,000.00</b> | <b>\$105,000.00</b> |                |               |
| <b>ENDING FUND BALANCE</b>                     |           |               | <b>\$100,000.00</b> | <b>\$358,505.17</b> |                |               |

13 Hanford Elementary School District  
 Fiscal Year: 2020  
 Requested by dendo

## Fiscal Position Report

August 2019

Page 6 of 13

9/3/2019 7:59:24AM

Fund: 2000 SPECIAL RESERVE FUND FOR OTHER POSTE

|  |           | August Amount | YTD Amount    | Revised<br>Budget     | % of<br>Budget | % Remain      |
|--|-----------|---------------|---------------|-----------------------|----------------|---------------|
| <b>BEGINNING BALANCE</b>                       |           |               |               |                       |                |               |
| Net Beginning Balance                          | 9791-9795 |               | \$0.00        | \$5,243,018.03        |                |               |
| <b>REVENUES</b>                                |           |               |               |                       |                |               |
| 4) Other Local Revenues                        | 8600-8799 | \$0.00        | \$0.00        | \$95,000.00           | 0.00           | 100.00        |
| <b>5) Total, Revenues</b>                      |           | <b>\$0.00</b> | <b>\$0.00</b> | <b>\$95,000.00</b>    | <b>0.00</b>    | <b>100.00</b> |
| <b>OTHER FINANCING SOURCES/USES</b>            |           |               |               |                       |                |               |
| 1) Transfers                                   |           |               |               |                       |                |               |
| A) Transfers In                                | 8910-8929 | \$0.00        | \$0.00        | \$174,067.00          | 0.00           | 100.00        |
| <b>4) Total, Other Financing Sources/Uses</b>  |           | <b>\$0.00</b> | <b>\$0.00</b> | <b>\$174,067.00</b>   | <b>0.00</b>    | <b>100.00</b> |
| <b>NET INCREASE (DECREASE) IN FUND BALANCE</b> |           | <b>\$0.00</b> | <b>\$0.00</b> | <b>\$269,067.00</b>   |                |               |
| <b>ENDING FUND BALANCE</b>                     |           |               | <b>\$0.00</b> | <b>\$5,512,085.03</b> |                |               |

13 Hanford Elementary School District  
 Fiscal Year: 2020  
 Requested by dendo

## Fiscal Position Report

August 2019

Page 7 of 13

9/3/2019 7:59:24AM

Fund: 2100 Building Fund-Local

|  |           | August Amount | YTD Amount    | Revised<br>Budget    | % of<br>Budget | % Remain      |
|--|-----------|---------------|---------------|----------------------|----------------|---------------|
| <b>BEGINNING BALANCE</b>                       |           |               |               |                      |                |               |
| Net Beginning Balance                          | 9791-9795 |               | \$0.00        | \$71,168.30          |                |               |
| <b>REVENUES</b>                                |           |               |               |                      |                |               |
| 4) Other Local Revenues                        | 8600-8799 | \$0.00        | \$0.00        | \$6,000.00           | 0.00           | 100.00        |
| <b>5) Total, Revenues</b>                      |           | <b>\$0.00</b> | <b>\$0.00</b> | <b>\$6,000.00</b>    | <b>0.00</b>    | <b>100.00</b> |
| <b>EXPENDITURES</b>                            |           |               |               |                      |                |               |
| 6) Capital Outlay                              | 6000-6999 | \$0.00        | \$0.00        | \$0.00               | 0.00           | 100.00        |
| <b>9) Total Expenditures</b>                   |           | <b>\$0.00</b> | <b>\$0.00</b> | <b>\$0.00</b>        | <b>0.00</b>    | <b>100.00</b> |
| <b>OTHER FINANCING SOURCES/USES</b>            |           |               |               |                      |                |               |
| 1) Transfers                                   |           |               |               |                      |                |               |
| B) Transfers Out                               | 7610-7629 | \$0.00        | \$0.00        | \$77,168.30          | 0.00           | 100.00        |
| <b>4) Total, Other Financing Sources/Uses</b>  |           | <b>\$0.00</b> | <b>\$0.00</b> | <b>(\$77,168.30)</b> | <b>0.00</b>    | <b>100.00</b> |
| <b>NET INCREASE (DECREASE) IN FUND BALANCE</b> |           | <b>\$0.00</b> | <b>\$0.00</b> | <b>(\$71,168.30)</b> |                |               |
| <b>ENDING FUND BALANCE</b>                     |           |               | <b>\$0.00</b> | <b>\$0.00</b>        |                |               |

13 Hanford Elementary School District  
 Fiscal Year: 2020  
 Requested by dendo

## Fiscal Position Report

August 2019

Page 8 of 13

9/3/2019 7:59:24AM

Fund: 2110 Building Funds - Local 1

|  |           | August Amount | YTD Amount    | Revised<br>Budget       | % of<br>Budget | % Remain      |
|--|-----------|---------------|---------------|-------------------------|----------------|---------------|
| <b>BEGINNING BALANCE</b>                       |           |               |               |                         |                |               |
| Net Beginning Balance                          | 9791-9795 |               | \$0.00        | \$7,478,537.91          |                |               |
| <b>REVENUES</b>                                |           |               |               |                         |                |               |
| 4) Other Local Revenues                        | 8600-8799 | \$0.00        | \$0.00        | \$150,000.00            | 0.00           | 100.00        |
| <b>5) Total, Revenues</b>                      |           | <b>\$0.00</b> | <b>\$0.00</b> | <b>\$150,000.00</b>     | <b>0.00</b>    | <b>100.00</b> |
| <b>OTHER FINANCING SOURCES/USES</b>            |           |               |               |                         |                |               |
| 1) Transfers                                   |           |               |               |                         |                |               |
| B) Transfers Out                               | 7610-7629 | \$0.00        | \$0.00        | \$6,114,321.31          | 0.00           | 100.00        |
| <b>4) Total, Other Financing Sources/Uses</b>  |           | <b>\$0.00</b> | <b>\$0.00</b> | <b>(\$6,114,321.31)</b> | <b>0.00</b>    | <b>100.00</b> |
| <b>NET INCREASE (DECREASE) IN FUND BALANCE</b> |           | <b>\$0.00</b> | <b>\$0.00</b> | <b>(\$5,964,321.31)</b> |                |               |
| <b>ENDING FUND BALANCE</b>                     |           |               | <b>\$0.00</b> | <b>\$1,514,216.60</b>   |                |               |

13 Hanford Elementary School District  
 Fiscal Year: 2020  
 Requested by dendo

# Fiscal Position Report

August 2019

9/3/2019 7:59:24AM

Fund: 2120 Building Funds - Local 2

|  |           | August Amount        | YTD Amount           | Revised<br>Budget    | % of<br>Budget | % Remain      |
|--|-----------|----------------------|----------------------|----------------------|----------------|---------------|
| <b>REVENUES</b>                                |           |                      |                      |                      |                |               |
| 4) Other Local Revenues                        | 8600-8799 | \$0.00               | \$0.00               | \$0.00               | 0.00           | 100.00        |
| 5) Total, Revenues                             |           | <b>\$0.00</b>        | <b>\$0.00</b>        | <b>\$0.00</b>        | <b>0.00</b>    | <b>100.00</b> |
| <b>NET INCREASE (DECREASE) IN FUND BALANCE</b> |           |                      |                      |                      |                |               |
|  |           | <u><b>\$0.00</b></u> | <u><b>\$0.00</b></u> | <u><b>\$0.00</b></u> |                |               |
| <b>ENDING FUND BALANCE</b>                     |           |                      |                      |                      |                |               |
|  |           |                      | <u><b>\$0.00</b></u> | <u><b>\$0.00</b></u> |                |               |

13 Hanford Elementary School District  
 Fiscal Year: 2020  
 Requested by dendo

## Fiscal Position Report

August 2019

Page 10 of 13

9/3/2019 7:59:24AM

Fund: 2500 CapitalFacilities Fund

|  |           | August Amount      | YTD Amount         | Revised<br>Budget     | % of<br>Budget | % Remain      |
|--|-----------|--------------------|--------------------|-----------------------|----------------|---------------|
| <b>BEGINNING BALANCE</b>                       |           |                    |                    |                       |                |               |
| Net Beginning Balance                          | 9791-9795 |                    | \$0.00             | \$614,871.58          |                |               |
| <b>REVENUES</b>                                |           |                    |                    |                       |                |               |
| 4) Other Local Revenues                        | 8600-8799 | \$24,275.88        | \$24,275.88        | \$206,000.00          | 11.78          | 88.22         |
| <b>5) Total, Revenues</b>                      |           | <b>\$24,275.88</b> | <b>\$24,275.88</b> | <b>\$206,000.00</b>   | <b>11.78</b>   | <b>88.22</b>  |
| <b>EXPENDITURES</b>                            |           |                    |                    |                       |                |               |
| 5) Services, Oth Oper Exp                      | 5000-5999 | \$2,480.00         | \$2,480.00         | \$165,000.00          | 1.50           | 98.50         |
| <b>9) Total Expenditures</b>                   |           | <b>\$2,480.00</b>  | <b>\$2,480.00</b>  | <b>\$165,000.00</b>   | <b>1.50</b>    | <b>98.50</b>  |
| <b>OTHER FINANCING SOURCES/USES</b>            |           |                    |                    |                       |                |               |
| 1) Transfers                                   |           |                    |                    |                       |                |               |
| B) Transfers Out                               | 7610-7629 | \$0.00             | \$0.00             | \$600,000.00          | 0.00           | 100.00        |
| <b>4) Total, Other Financing Sources/Uses</b>  |           | <b>\$0.00</b>      | <b>\$0.00</b>      | <b>(\$600,000.00)</b> | <b>0.00</b>    | <b>100.00</b> |
| <b>NET INCREASE (DECREASE) IN FUND BALANCE</b> |           | <b>\$21,795.88</b> | <b>\$21,795.88</b> | <b>(\$559,000.00)</b> |                |               |
| <b>ENDING FUND BALANCE</b>                     |           |                    | <b>\$21,795.88</b> | <b>\$55,871.58</b>    |                |               |

13 Hanford Elementary School District  
 Fiscal Year: 2020  
 Requested by dendo

## Fiscal Position Report

August 2019

Page 11 of 13

9/3/2019 7:59:24AM

Fund: 3500 SCHOOL FACILITY PROGRAM

|  |           | August Amount         | YTD Amount            | Revised<br>Budget     | % of<br>Budget | % Remain      |
|--|-----------|-----------------------|-----------------------|-----------------------|----------------|---------------|
| <b>BEGINNING BALANCE</b>                       |           |                       |                       |                       |                |               |
| Net Beginning Balance                          | 9791-9795 |                       | \$0.00                | \$418,075.43          |                |               |
| <b>REVENUES</b>                                |           |                       |                       |                       |                |               |
| 4) Other Local Revenues                        | 8600-8799 | \$0.00                | \$0.00                | \$10,000.00           | 0.00           | 100.00        |
| <b>5) Total, Revenues</b>                      |           | <b>\$0.00</b>         | <b>\$0.00</b>         | <b>\$10,000.00</b>    | <b>0.00</b>    | <b>100.00</b> |
| <b>EXPENDITURES</b>                            |           |                       |                       |                       |                |               |
| 6) Capital Outlay                              | 6000-6999 | \$325,862.58          | \$325,862.58          | \$8,798,310.51        | 3.70           | 96.30         |
| <b>9) Total Expenditures</b>                   |           | <b>\$325,862.58</b>   | <b>\$325,862.58</b>   | <b>\$8,798,310.51</b> | <b>3.70</b>    | <b>96.30</b>  |
| <b>OTHER FINANCING SOURCES/USES</b>            |           |                       |                       |                       |                |               |
| 1) Transfers                                   |           |                       |                       |                       |                |               |
| A) Transfers In                                | 8910-8929 | \$0.00                | \$0.00                | \$8,389,160.33        | 0.00           | 100.00        |
| <b>4) Total, Other Financing Sources/Uses</b>  |           | <b>\$0.00</b>         | <b>\$0.00</b>         | <b>\$8,389,160.33</b> | <b>0.00</b>    | <b>100.00</b> |
| <b>NET INCREASE (DECREASE) IN FUND BALANCE</b> |           | <b>(\$325,862.58)</b> | <b>(\$325,862.58)</b> | <b>(\$399,150.18)</b> |                |               |
| <b>ENDING FUND BALANCE</b>                     |           |                       | <b>(\$325,862.58)</b> | <b>\$18,925.25</b>    |                |               |

13 Hanford Elementary School District  
 Fiscal Year: 2020  
 Requested by dendo

## Fiscal Position Report

August 2019

Page 12 of 13

9/3/2019 7:59:24AM

Fund: 4000 Special Reserve - Capital Outlay

|  |           | August Amount       | YTD Amount          | Revised<br>Budget       | % of<br>Budget | % Remain      |
|--|-----------|---------------------|---------------------|-------------------------|----------------|---------------|
| <b>BEGINNING BALANCE</b>                       |           |                     |                     |                         |                |               |
| Net Beginning Balance                          | 9791-9795 |                     | \$0.00              | \$2,875,630.82          |                |               |
| <b>REVENUES</b>                                |           |                     |                     |                         |                |               |
| 4) Other Local Revenues                        | 8600-8799 | \$0.00              | \$0.00              | \$11,000.00             | 0.00           | 100.00        |
| <b>5) Total, Revenues</b>                      |           | <b>\$0.00</b>       | <b>\$0.00</b>       | <b>\$11,000.00</b>      | <b>0.00</b>    | <b>100.00</b> |
| <b>EXPENDITURES</b>                            |           |                     |                     |                         |                |               |
| 5) Services, Oth Oper Exp                      | 5000-5999 | \$0.00              | \$0.00              | \$0.00                  | 0.00           | 100.00        |
| 6) Capital Outlay                              | 6000-6999 | \$1,500.00          | \$1,500.00          | \$0.00                  | 0.00           | 100.00        |
| <b>9) Total Expenditures</b>                   |           | <b>\$1,500.00</b>   | <b>\$1,500.00</b>   | <b>\$0.00</b>           | <b>0.00</b>    | <b>100.00</b> |
| <b>OTHER FINANCING SOURCES/USES</b>            |           |                     |                     |                         |                |               |
| 1) Transfers                                   |           |                     |                     |                         |                |               |
| B) Transfers Out                               | 7610-7629 | \$0.00              | \$0.00              | \$1,597,670.72          | 0.00           | 100.00        |
| <b>4) Total, Other Financing Sources/Uses</b>  |           | <b>\$0.00</b>       | <b>\$0.00</b>       | <b>(\$1,597,670.72)</b> | <b>0.00</b>    | <b>100.00</b> |
| <b>NET INCREASE (DECREASE) IN FUND BALANCE</b> |           | <b>(\$1,500.00)</b> | <b>(\$1,500.00)</b> | <b>(\$1,586,670.72)</b> |                |               |
| <b>ENDING FUND BALANCE</b>                     |           |                     | <b>(\$1,500.00)</b> | <b>\$1,288,960.10</b>   |                |               |

13 Hanford Elementary School District  
 Fiscal Year: 2020  
 Requested by dendo

## Fiscal Position Report

August 2019

Page 13 of 13

9/3/2019 7:59:24AM

Fund: 6720 Self-Insurance/Other

|  |           | August Amount        | YTD Amount            | Revised<br>Budget   | % of<br>Budget | % Remain     |
|--|-----------|----------------------|-----------------------|---------------------|----------------|--------------|
| <b>BEGINNING BALANCE</b>                       |           |                      |                       |                     |                |              |
| Net Beginning Balance                          | 9791-9795 |                      | \$0.00                | \$478,781.50        |                |              |
| <b>REVENUES</b>                                |           |                      |                       |                     |                |              |
| 4) Other Local Revenues                        | 8600-8799 | \$16,353.79          | \$21,316.91           | \$695,000.00        | 3.07           | 96.93        |
| <b>5) Total, Revenues</b>                      |           | <b>\$16,353.79</b>   | <b>\$21,316.91</b>    | <b>\$695,000.00</b> | <b>3.07</b>    | <b>96.93</b> |
| <b>EXPENDITURES</b>                            |           |                      |                       |                     |                |              |
| 5) Services, Oth Oper Exp                      | 5000-5999 | \$86,057.45          | \$148,475.15          | \$656,500.00        | 22.62          | 77.38        |
| <b>9) Total Expenditures</b>                   |           | <b>\$86,057.45</b>   | <b>\$148,475.15</b>   | <b>\$656,500.00</b> | <b>22.62</b>   | <b>77.38</b> |
| <b>NET INCREASE (DECREASE) IN FUND BALANCE</b> |           | <b>(\$69,703.66)</b> | <b>(\$127,158.24)</b> | <b>\$38,500.00</b>  |                |              |
| <b>ENDING FUND BALANCE</b>                     |           |                      | <b>(\$127,158.24)</b> | <b>\$517,281.50</b> |                |              |

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**TO: **Joy C. Gabler**FROM: **Jill Rubalcava** DATE: **August 21, 2019**

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☒ Information  
☐ Action

Date you wish to have your item considered: **September 11, 2019****ITEM: BP/E 5145.6 - Parental Notifications**

**PURPOSE:** Receive information regarding updates to reflect federal law applicable to districts participating in certain federal programs which requires that parental notifications be presented in an understandable and uniform format and, to the extent practicable, in a language that parents/guardians can understand. Policy revisions also reflect state law requiring that parental notifications be written in the primary language, in addition to English, whenever 15 percent or more of the students enrolled in a school speak a single primary language other than English.

Exhibit updated to reflect notices required by **NEW LAW**, including notices related to students' right to a free public education regardless of immigration status or religious beliefs (**AB 699**), the employee code of conduct related to employee interactions with students (**AB 500**), the district's meal payment policy (USDA Memorandum SP-23-2017), a student's identification as a long-term English learner (**AB 81**), a negative balance in a student's meal account (**SB 250**), educational rights of children of military families (**AB 365**), and any excessive level of lead found in drinking water (**AB 746**). Two legal cites renumbered pursuant to federal law and regulations.

**FISCAL IMPACT: None at this time****RECOMMENDATIONS: Information Item - for first reading and review**

# Hanford ESD

## Board Policy

### Parental Notifications

BP 5145.6

#### Students

The Board ~~of Trustees desires to promote~~~~of Trustees recognizes that notifications are essential to~~ effective communication between the school and the home and to keep parents/guardians informed regarding educational programs, school operations, and the legal rights of students and their parents/guardians. The Superintendent or designee shall send ~~students and~~ parents/guardians and students all notifications required by law, ~~including notifications about their legal rights,~~ and any other notifications he/she believes will promote parental understanding and involvement.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5022 - Student and Family Privacy Rights)

(cf. 6020 - Parent Involvement)

Notice of the rights and responsibilities of parents/guardians as specified in~~The notice required pursuant to~~ Education Code 48980 shall be sent at the beginning of each academic year and may be provided ~~either~~ by regular mail, in electronic form when so requested by the parent/guardian, or by any other method normally used by the district for written communication to communicate with parents/guardians ~~in writing.~~ (Education Code 48981, ~~48982~~)

~~No~~If any activity specified in Education ~~Code~~code 48980 ~~will be undertaken by any school during the forthcoming school term, the notice shall state that fact and the approximate date on which any such activity will occur. No such activity~~ shall be undertaken with respect to any particular student unless his/her parent/guardian has been informed of such action through the annual notification or other separate special notification. Such notice shall state the activity that will be undertaken and the approximate date on which the activity will occur. (Education Code 48983-48984)

The annual notification shall include a request that the parent/guardian sign the notice and return it to the school or, if the notice is provided in electronic format, that the parent/guardian ~~submits~~submits a signed acknowledgment of receipt of the notice to the school. ~~The~~ parent/guardian's signature is an ~~acknowledgment~~acknowledgement of receipt of the information but does not indicate that consent to participate in any particular program has been given or withheld. (Education Code 48982)

Whenever a student enrolls in a district school during the school year, his/her ~~Notifications to~~ parents/guardians shall be given all required parental notifications at that time.

Whenever 15 percent or more of the students enrolled in a district school speak a single~~in the~~

family's primary language other than English, as determined from the California Department of Education census data collected pursuant to when so required by law. Education Code 52164, all notices sent to the parent/guardian of any such student shall, in addition to being written in English, be written in the primary language, and may be responded to either in English or the primary language. (Education Code 48981, 48985)

~~; 20 USC 6311, 6312)~~—Whenever an employee learns that a student's parent/guardian is ~~, for any reason,~~ unable to understand the district's printed notifications for any reason, he/she shall inform, the principal or designee, who shall work with the parent/guardian to establish other appropriate means of communication.

#### Legal Reference:

#### EDUCATION CODE

221.5 Prohibited sex discrimination

231.5 Sexual harassment policy

234.7 Student protections relating to immigration and citizenship status

262.3 Appeals for discrimination complaints; information regarding availability of civil remedies

310 Language acquisition programs

~~310-311 Structured English immersion program, parental exception waivers~~

313 Reclassification of English learners, parental consultation

313.2 Long-term English learner, notification

440 English language proficiency assessment; instruction in English language development

8483 Before/after school program; enrollment priorities

17288 Building standards for university campuses

17611.5-17612 Notification of pesticide use

32221.5 Insurance for athletic team members

32255-32255.6 Right to refuse harmful or destructive use of animals

32390 Fingerprint program; contracts; funding; consent of parent/guardian

33479.3 The Eric Paredes Sudden Cardiac Arrest Prevention Act

35160.5 Extracurricular and cocurricular activities

35178.4 Notice of accreditation status

35182.5 Advertising in the classroom

35183 School dress codes; uniforms

35186 Complaints concerning deficiencies in instructional materials and facilities

35211 Driver training; district insurance, parent/guardian liability

35256 School Accountability Report Card

35258 School Accountability Report Card

35291 Rules for student discipline

37616 Consultation regarding year-round schedule

39831.5 School bus rider rules and information

44050 Employee codes of conduct, employee interactions with students

44808.5 Permission to leave school grounds

46010.1 Notice regarding excuse to obtain confidential medical services

46014 Regulations regarding absences for religious purposes  
 46600-46611 Interdistrict attendance agreements  
 48000 Minimum age of admission  
 48070.5 Promotion or retention of students  
 48204 Residency requirements  
 48205 Absence for personal reasons  
 48206.3 Students with temporary disabilities; individual instruction; definitions  
 48207-48208 Students with temporary disabilities in hospitals  
 48213 Prior notice of exclusion from attendance  
 48216 Immunization  
 48260.5 Notice regarding truancy  
 48262 Need for parent conference regarding truancy  
 48263 Referral to school attendance review board or probation department  
48301 Interdistrict transfers  
48350-48361 Open Enrollment Act  
 48354 Option to transfer from school identified under Open Enrollment Act  
 48357 Status of application for transfer from school identified under Open Enrollment Act  
48412 Certificate of proficiency  
48432.3 Voluntary enrollment in continuation education  
 48432.5 Involuntary transfers of students  
48850-48859 Education of foster youth and homeless students  
 48900.1 Parental attendance required after suspension  
 48904 Liability of parent/guardian for willful student misconduct  
 48904.3 Withholding grades, diplomas, or transcripts  
 48906 Notification of release of student to peace officer  
 48911 Notification in case of suspension  
 48911.1 Assignment to supervised suspension classroom  
 48912 Closed sessions; consideration of suspension  
 48915.1 Expelled students; enrollment in another district  
 48916 Readmission procedures  
 48918 Rules governing expulsion procedures  
48929 Transfer of student convicted of violent felony or misdemeanor  
 48980 Required notification at beginning of term  
 48980.3 Notification of pesticide use  
 48981 Time and means of notification  
 48982 Parent signature acknowledging receipt of notice  
 48983 Contents of notice  
 48984 Activities prohibited unless notice given  
 48985 Notices to parents in language other than English  
 48987 Child abuse information  
 49013 Use of uniform complaint procedures for complaints regarding student fees  
 49063 Notification of parental rights  
 49067 Student evaluation; student in danger of failing course  
 49068 Transfer of permanent enrollment and scholarship record  
 49069 Absolute right to access  
49070 Challenging content of student record

49073 Release of directory information

49073.6 Student records, social media

49076 Access to student records

49077 Access to information concerning a student in compliance with court order

49403 Cooperation in control of communicable disease and immunization

49423 Administration of prescribed medication for student

49451 Physical examinations: parent's refusal to consent

49452.5 Screening for scoliosis

49452.7 Information on type 2 diabetes

49452.8 Oral health assessment

49456 Results of vision or hearing test

49471-49472 Insurance

49475 Student athletes; concussions and head injuries

49480 Continuing medication regimen for nonepisodic conditions

49510-49520 Duffy-Moscone Family Nutrition Education and Services Act of 1970

49557.5 Child Hunger Prevention and Fair Treatment Act of 2017; notice of negative balance in meal account

51225.1 Exemption from district graduation requirements

51225.2 Course credits; foster youth, homeless youth, former juvenile court school students and military-connected students

51225.3 Graduation requirements; courses that satisfy college entrance criteria

51229 Course of study for grades 7-12

51513 Personal beliefs; privacy

51938 HIV/AIDS and sexual health instruction

52164 Language census

52164.1 Census-taking methods; determination of primary language; assessment of language skills

52164.3 Reassessment of English learners; notification of results

54444.2 Migrant education programs; parent involvement

56301 Child-find system; policies regarding written notification rights

56321 Special education: proposed assessment plan

56321.5-56321.6 Notice of parent rights pertaining to special education

56329 Written notice of right to findings; independent assessment

56341.1 Development of individualized education program; right to audio record meeting

56341.5 Individualized education program team meetings

56343.5 Individualized education program meetings

56521.1 Behavioral intervention

58501 Alternative schools; notice required prior to establishment

60615 Exemption from state assessment

60641 California Assessment of Student Performance and Progress

69432.9 Submission of grade point average to Cal Grant program

CIVIL CODE

1798.29 District records, breach of security

60850 High School Exit Examination

60852.4 High School Exit Examination; waiver for student with disabilities

HEALTH AND SAFETY CODE

1596.857 Right to enter child care facility

104420 Tobacco use prevention

104855 Availability of topical fluoride treatment

116277 Lead testing of school drinking water

120365-120375 Immunizations

120440 Sharing immunization information

124100-~~124105~~ Health screening and immunizations

PENAL CODE

626.81 Notice of permission granted to sex offender to volunteer on campus

627.5 Hearing request following denial or revocation of registration

CODE OF REGULATIONS, TITLE 5

852 Exemptions from state assessments

863 Reports of state assessment results

3052 Behavioral intervention

4622 Notification of uniform complaint procedures

4631 Uniform complaint procedures; notification of decision and right to appeal

4702 Student transfer from school identified under Open Enrollment Act

4917 Notification of sexual harassment policy

11303 Reclassification of English learners

~~11309 Parental exception waivers~~

11511.5 English language proficiency assessment; test results

11523 Notice of proficiency examinations

18066 Child care policies regarding excused and unexcused absences

18094-18095 Notice of Action; child care services

18114 Notice of delinquent fees; child care services

18118-18119 Notice of Action; child care services

CODE OF REGULATIONS, TITLE 17

2951 Hearing tests

6040 Time period to obtain needed immunizations

UNITED STATES CODE, TITLE 20

1232g Family Educational and Privacy Rights Act

1232h Privacy rights

1415 Procedural safeguards

6311 State ~~plan~~plans

6312 Local ~~educational~~education agency plans

~~6316 Academic assessment and local education agency school improvement~~

6318 ~~Parent and family engagement~~Parental involvement

~~7012 Instruction in English language development~~

7908 Armed forces recruiter access to students

UNITED STATES CODE, TITLE 42

1758 Child nutrition programs

11431-11435 McKinney-Vento Homeless Assistance Act

CODE OF FEDERAL REGULATIONS, TITLE 7

245.5 Eligibility criteria for free and reduced-price meals

245.6a Verification of eligibility for free and reduced-price meals

CODE OF FEDERAL REGULATIONS, TITLE 34

99.7 Student records, annual notification

99.30 Disclosure of personally identifiable information

99.34 Student records, disclosure to other educational agencies

99.37 Disclosure of directory information

104.32 District responsibility to provide free appropriate public education

104.36 Procedural safeguards

104.8 Nondiscrimination

106.9 Dissemination of policy, nondiscrimination on basis of sex

200.4861- Teacher qualifications

300.300 Parent consent for special education evaluation

300.322 Parent participation in IEP team meetings

300.502 Independent educational evaluation of student with disability

300.503 Prior written notice regarding identification, evaluation, or placement of student with disability

300.504 Procedural safeguards notice for students with disabilities

300.508 Due process complaint

300.530 Discipline procedures

CODE OF FEDERAL REGULATIONS, TITLE 40

763.84 Asbestos inspections, response actions and post-response actions

763.93 Asbestos management plans

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: May 16, 2001 Hanford, California

revised: June 16, 2005

revised: September 5, 2007

revised: January 14, 2015

revised:

# Hanford ESD

## Exhibit

### Parental Notifications

E 5145.6

#### Students

Cautionary Notice: Government Code 17581.5 ~~releases~~relieves districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of ~~20182016~~ (SB ~~840826~~, Ch. ~~2923~~, Statutes of ~~20182016~~) extends the suspension of these requirements through the ~~2018-192016-17~~ fiscal year. As a result, certain provisions of the following Exhibit related to scoliosis screening and bus safety instruction may be suspended.

#### I. Annually

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 234.7

Board Policy/Administrative Regulation #: See BP 0410

Subject: Right to a free public year 234.7 education regardless of immigration status or religious beliefs

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 310

Board Policy/Administrative Regulation #: See BP ~~6142.26174~~, See AR ~~61746142.2~~

Subject: Information on the district's language acquisition program

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 17611.5, 17612, 48980.3

Board Policy/Administrative Regulation #: See AR 3514.2

Subject: Use of pesticide product, active ingredients, Internet address to access information, and, if district uses certain pesticides, integrated pest management plan

When to Notify: Annually by February 1

Education or Other Legal Code: Education Code 35256, 35258

Board Policy/Administrative Regulation #: See BP 0510

Subject: School Accountability Report Card provided

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 35291, 48980

Board Policy/Administrative Regulation #: See AR 5144, See AR 5144.1

Subject: District and site discipline rules

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 44050  
Board Policy/Administrative Regulation #: See BP 4119.21, See BP 4219.21, See BP 4319.21  
Subject: Code of conduct addressing employee interactions with students

When to Notify: Beginning of each school year  
 Education or Other Legal Code: Education Code 46010.1  
 Board Policy/Administrative Regulation #: See AR 5113  
 Subject: Absence for confidential medical services

When to Notify: Beginning of each school year, if district has adopted policy on involuntary transfer of students convicted of certain crimes when victim is enrolled at same school  
 Education or Other Legal Code: Education Code 48929, 48980  
 Board Policy/Administrative Regulation #: See BP 5116.2  
 Subject: District policy authorizing transfer

When to Notify: Beginning of each school year  
 Education or Other Legal Code: Education Code 48980  
 Board Policy/Administrative Regulation #: See BP 6111  
 Subject: Schedule of minimum days and student-free staff development days

When to Notify: Beginning of each school year  
 Education or Other Legal Code: Education Code 48980, 231.5; 5 CCR 4917  
 Board Policy/Administrative Regulation #: See AR 5145.7  
 Subject: Copy of sexual harassment policy as related to students

When to Notify: Beginning of each school year  
 Education or Other Legal Code: Education Code 48980, 32255-32255.6  
 Board Policy/Administrative Regulation #: See AR 5145.8  
 Subject: Right to refrain from harmful or destructive use of animals

When to Notify: Beginning of each school year  
 Education or Other Legal Code: Education Code 48980, 35160.5, 46600-46611, 48204, 48301, 48350-48361  
 Board Policy/Administrative Regulation #: See BP 5111.1, See AR 5116.1, See AR 5117  
 Subject: All statutory attendance options, available local attendance options, options for meeting residency, form for changing attendance, appeals process

When to Notify: Beginning of each school year, if Board allows such absence  
 Education or Other Legal Code: Education Code 48980, 46014  
 Board Policy/Administrative Regulation #: See AR 5113  
 Subject: Absence for religious exercise or purposes

When to Notify: Beginning of each school year  
 Education or Other Legal Code: Education Code 48980, 48205  
 Board Policy/Administrative Regulation #: See AR 5113, See BP 6154

Subject: Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed; full text of Education Code 48205

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980, 48206.3, 48207, 48208

Board Policy/Administrative Regulation #: See AR 6183

Subject: Availability of home/hospital instruction for students with temporary disabilities

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980, 49403

Board Policy/Administrative Regulation #: See BP 5141.31

Subject: School immunization program

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980, 49423, 49480

Board Policy/Administrative Regulation #: See AR 5141.21

Subject: Administration of prescribed medication

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980, 49451; 20 USC 1232h

Board Policy/Administrative Regulation #: See AR 5141.3

Subject: Right to refuse consent to physical examination

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980, 49471, 49472

Board Policy/Administrative Regulation #: See BP 5143

Subject: Availability of insurance

When to Notify: Annually

Education or Other Legal Code: 49013; 5 CCR 4622

Board Policy/Administrative Regulation #: See AR 1312.3

Subject: Uniform complaint procedures, available appeals, civil law remedies

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 49063

Board Policy/Administrative Regulation #: See AR 5125, See AR 5125.3

Subject: Challenge, review and expunging of records

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 49063, 49069; 20 USC 1232g; 34 CFR 99.7

Board Policy/Administrative Regulation #: See AR 5125

Subject: Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine legitimate educational interest, course prospectus availability

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37  
 Board Policy/Administrative Regulation #: See AR 5125.1  
 Subject: Release of directory information

When to Notify: Beginning of each school year  
 Education or Other Legal Code: Education Code 49520, 48980; 42 USC 1758; 7 CFR 245.5  
 Board Policy/Administrative Regulation #: See AR 3553  
 Subject: Eligibility and information regarding Community Eligibility Program (CEP)

When to Notify: Beginning of each school year  
 Education or Other Legal Code: Education Code 51513, 20 USC 1232h  
 Board Policy/Administrative Regulation #: See AR 5022, See BP 6162.8  
 Subject: Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities; inspection rights and procedures

When to Notify: Beginning of each school year  
 Education or Other Legal Code: Education Code 56301  
 Board Policy/Administrative Regulation #: See BP 6164.4  
 Subject: Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment

When to Notify: Beginning of each school year  
 Education or Other Legal Code: Education Code 58501, 48980  
 Board Policy/Administrative Regulation #: See AR 6181  
 Subject: Alternative schools

When to Notify: Beginning of each school year  
 Education or Other Legal Code: Health and Safety Code 104855  
 Board Policy/Administrative Regulation #: See AR 5141.6  
 Subject: Availability of dental fluoride treatment; opportunity to accept or deny treatment

When/Whom to Notify: Annually  
 Education or Other Legal Code: 5 CCR 852; Education Code 60615  
 Board Policy/Administrative Regulation #: See AR 6162.51  
 Subject: Student's participation in state assessments; option to request exemption from testing

When to Notify: Beginning of each school year, if district receives Title I funds  
 Education or Other Legal Code: 20 USC 6312; 34 CFR 200.~~4861~~  
 Board Policy/Administrative Regulation #: See BP 4112.2, See AR 4222  
 Subject: Right to request information re: professional qualifications of child's teacher and paraprofessional

When to Notify: Beginning of each school year  
 Education or Other Legal Code: 34 CFR 104.8, 106.9  
 Board Policy/Administrative Regulation #: See BP 0410, See BP 6178

Subject: Nondiscrimination

When to Notify: Beginning of each school year to parent, teacher, and employee organizations or, in their absence, individuals

Education or Other Legal Code: 40 CFR 763.84, 40 CFR 763.93

Board Policy/Administrative Regulation #: See AR 3514

Subject: Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

## II. At Specific Times During the Student's Academic Career

When to Notify: Beginning in grade 7, at least once prior to course selection and career counseling

Education or Other Legal Code: Education Code 221.5; 48980

Board Policy/Administrative Regulation #: See BP 6164.2

Subject: Course selection and career counseling

When to Notify: Upon a student's enrollment

Education or Other Legal Code: Education Code 310

Board Policy/Administrative Regulation #: See BP ~~6142.26174~~, See AR ~~61746142.2~~

Subject: Information on the district's language acquisition programs

When to Notify: When child first enrolls in a public school, if the school offers a fingerprinting program

Education or Other Legal Code: Education Code 32390, 48980

Board Policy/Administrative Regulation #: See AR 5142.1

Subject: Fingerprinting program

When/Whom to Notify: When participating in driver training courses under the jurisdiction of the district

Education or Other Legal Code: Education Code 35211

Board Policy/Administrative Regulation #: None

Subject: Civil liability, insurance coverage

When to Notify: Upon registration in K-6, if students have not previously been transported

Education or Other Legal Code: Education Code 39831.5

Board Policy/Administrative Regulation #: See AR 3543

Subject: School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops

When to Notify: Beginning of each school year for high school students, if high school is open campus

Education or Other Legal Code: Education Code 44808.5, 48980

Board Policy/Administrative Regulation #: See AR 5112.5

Subject: Open campus

When to Notify: Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement  
 Education or Other Legal Code: Education Code 48980, 51225.3  
 Board Policy/Administrative Regulation #: See AR 6146.1  
 Subject: How each school graduation requirement does or does not satisfy college entrance a-g course criteria; districts CTE courses that satisfy a-g course criteria

When to Notify: Upon a student's enrollment  
 Education or Other Legal Code: Education Code 49063  
 Board Policy/Administrative Regulation #: See AR 5125, See AR 5125.3  
 Subject: Specified rights related to student records

When to Notify: When students enter grade 7  
 Education or Other Legal Code: Education Code 49452.7  
 Board Policy/Administrative Regulation #: See AR 5141.3  
 Subject: Specified information on type 2 diabetes

When to Notify: When in kindergarten, or first grade if not previously enrolled in public school  
 Education or Other Legal Code: Education Code 49452.8  
 Board Policy/Administrative Regulation #: See AR 5141.32  
 Subject: Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights

When to Notify: Beginning of each school year for students in grades 7-12, or at time of enrollment if after beginning of year  
 Education or Other Legal Code: Education Code 51938, 48980  
 Board Policy/Administrative Regulation #: See AR 6142.1  
 Subject: Sexual health and HIV prevention education; right to view A/V materials, whether taught by district staff or outside consultants, right to request specific Education Code sections, right to excuse

When to Notify: Within 20 working days of receiving results of standardized achievement tests or, if results not available in school year, within 20 working days of start of next school year  
 Education or Other Legal Code: Education Code 60641; 5 CCR 863  
 Board Policy/Administrative Regulation #: See AR 6162.51  
 Subject: Results of tests; test purpose, individual score and intended use

When/Whom to Notify: By October 15 for students in grade 12  
 Education or Other Legal Code: Education Code 69432.9  
 Board Policy/Administrative Regulation #: See AR 5121, See AR 5125  
 Subject: Forwarding of student's grade point average to Cal Grant program; timeline to opt out

When to Notify: When child is enrolled in kindergarten  
 Education or Other Legal Code: Health and Safety Code 124100, 124105

Board Policy/Administrative Regulation #: See AR 5141.32

Subject: Health screening examination

When to Notify: To students in grades 11-12, early enough to enable registration for fall test

Education or Other Legal Code: 5 CCR 11523

Board Policy/Administrative Regulation #: See AR 6146.2

Subject: Notice of proficiency examination provided under Education Code 48412

When to Notify: To secondary students, if district receives Title I funds

Education or Other Legal Code: 20 USC 7908

Board Policy/Administrative Regulation #: See AR 5125.1

Subject: Request that district not release name, address, phone number of child to military recruiters without prior written consent

### III. When Special Circumstances Occur

When to Notify: In the event of a breach of security of district records, security of district records,

Education or Other Legal Code: Civil Code 1798.29

Board Policy/Administrative Regulation #: See BP 3580

Subject: Types of records affected, date of breach, description of incident, contact information for credit reporting agencies

When to Notify: Upon receipt of a complaint alleging discrimination

Education or Other Legal Code: Education Code 262.3

Board Policy/Administrative Regulation #: See AR 1312.3

Subject: Civil law remedies available to complainants

When to Notify: When determining whether an English learner should be reclassified as fluent English proficient

Education or Other Legal Code: Education Code 313; 5 CCR 11303

Board Policy/Administrative Regulation #: See AR 6174

Subject: Description of reclassification process, opportunity for parent/guardian to participate

When to Notify: When Student is identified as English learner and district receives Titles I or Title III funds for English learner programs, not later than 30 days after beginning of school year or within two weeks of placement if identified during school year

Education or Other Legal Code: Education Code [313.2](#), 440; 20 USC 6312

Board Policy/Administrative Regulation #: See AR 6174

Subject: Reason for classification, level of English proficiency, [identification as long-term English learner](#), description of program(s), option to decline program or choose alternate, option to remove student from program at any time, exit requirements of program

When to Notify: When homeless or foster youth applies for enrollment in before/after school program

Education or Other Legal Code: Education Code 8483

Board Policy/Administrative Regulation #: See AR 5178.2

Subject: Right to priority enrollment how to request priority enrollment

When to Notify: Before high school student attends specialized secondary program on a university campus

Education or Other Legal Code: Education Code 17288

Board Policy/Administrative Regulation #: None

Subject: University campus buildings may not meet Education Code requirements for structural safety

When to Notify: At least 72 hours before use of pesticide product not included in annual list

Education or Other Legal Code: Education Code 17612

Board Policy/Administrative Regulation #: See AR 3514.2

Subject: Intended use of pesticide product

When to Notify: To members of athletic teams

Education or Other Legal Code: Education Code 32221.5

Board Policy/Administrative Regulation #: See AR 5143

Subject: Offer of insurance; no-cost and low-cost program options

When to Notify: Annually to parents/guardians of student athletes before participation in competition

Education or Other Legal Code: Education Code 33479.3

Board Policy/Administrative Regulation #: See AR 6145.2

Subject: Information on sudden cardiac arrest

When to Notify: If school has lost its WASC accreditation status

Education or Other Legal Code: Education Code 35178.4

Board Policy/Administrative Regulation #: See BP 6190

Subject: Loss of status, potential consequences

When/Whom to Notify: When district has contracted for electronic products or services that disseminate advertising

Education or Other Legal Code: Education Code 35182.5

Board Policy/Administrative Regulation #: BP 3312

Subject: Advertising will be used in the classroom or learning center

When to Notify: At least six months before implementing a schoolwide uniform policy

Education or Other Legal Code: Education Code 35183

Board Policy/Administrative Regulation #: See AR 5132

Subject: Dress code policy requiring schoolwide uniform

When to Notify: Before implementing a year-round schedule

Education or Other Legal Code: Education Code 37616

Board Policy/Administrative Regulation #: See BP 6117

Subject: Public hearing on year-round schedule

When to Notify: When interdistrict transfer is requested and not approved or denied within 30 days

Education or Other Legal Code: Education Code 46601

Board Policy/Administrative Regulation #: See AR 5117

Subject: Appeal process

When to Notify: Before early entry to kindergarten, if offered

Education or Other Legal Code: Education Code 48000

Board Policy/Administrative Regulation #: See AR 5111

Subject: Effects, advantages and disadvantages of early entry

When to Notify: When student identified as being at risk of retention

Education or Other Legal Code: Education Code 48070.5

Board Policy/Administrative Regulation #: See AR 5123

Subject: Student at risk of retention

When to Notify: When student excluded due to quarantine, contagious or infectious disease, danger to safety or health

Education or Other Legal Code: Education Code 48213

Board Policy/Administrative Regulation #: See AR 5112.2, See BP 5141.33

Subject: Student has been excluded from school

When to Notify: Before already admitted student is excluded for lack of immunization

Education or Other Legal Code: Education Code 48216; 17 CCR 6040

Board Policy/Administrative Regulation #: See AR 5141.31

Subject: Need to submit evidence of immunization or exemption within 10 school days; referral to medical care

When to Notify: When a student is classified as truant

Education or Other Legal Code: Education Code 48260.5, 48262

Board Policy/Administrative Regulation #: See AR 5113.1

Subject: Truancy, parental obligation, availability of alternative programs, student consequences, need for conference

When to Notify: When a truant is referred to a SARB or probation department

Education or Other Legal Code: Education Code 48263

Board Policy/Administrative Regulation #: See AR 5113.1

Subject: Name and address of SARB or probation department and reason for referral

When to Notify: When a school is identified on the state's Open Enrollment List

Education or Other Legal Code: Education Code 48354; 5 CCR 4702

Board Policy/Administrative Regulation #: See AR 5118

Subject: Student's option to transfer to another school

When to Notify: Within 60 days of receiving application for transfer out of open enrollment

school

Education or Other Legal Code: Education Code 48357; 5 CCR 4702

Board Policy/Administrative Regulation #: See AR 5118

Subject: Whether student's transfer application is accepted or rejected; reasons for rejection

When/Whom to Notify: When student requests to voluntarily transfer to continuation school

Education or Other Legal Code: Education Code 48432.3

Board Policy/Administrative Regulation #: See AR 6184

Subject: Copy of district policy and regulation on continuation education

When to Notify: Prior to involuntary transfer to continuation school

Education or Other Legal Code: Education Code 48432.5

Board Policy/Administrative Regulation #: See AR 6184

Subject: Right to require meeting prior to involuntary transfer to continuation school

When/Whom to Notify: To person holding educational rights, prior to recommending placement of foster youth outside school of origin

Education or Other Legal Code: Education Code 48853.5

Board Policy/Administrative Regulation #: See AR 6173.1

Subject: Basis for the placement recommendation

When to Notify: When student is removed from class and teacher requires parental attendance at school

Education or Other Legal Code: Education Code 48900.1

Board Policy/Administrative Regulation #: See AR 5144.1

Subject: Parental attendance required; timeline for attendance

When to Notify: Prior to withholding grades, diplomas, or transcripts

Education or Other Legal Code: Education Code 48904

Board Policy/Administrative Regulation #: See AR 5125.2

Subject: Damaged school property

When to Notify: When withholding grades, diplomas or transcripts from transferring student

Education or Other Legal Code: Education Code 48904.3

Board Policy/Administrative Regulation #: See AR 5125.2

Subject: Next school will continue withholding grades, diplomas or transcripts

When to Notify: When student is released to peace officer

Education or Other Legal Code: Education Code 48906

Board Policy/Administrative Regulation #: See BP 5145.11

Subject: Release of student to peace officer for the purpose of removing minor from school, unless taken into custody as victim of suspected child abuse

When to Notify: At time of suspension

Education or Other Legal Code: Education Code 48911

Board Policy/Administrative Regulation #: See BP 5144.1, See AR 5144.1

Subject: Notice of suspension

When to Notify: When original period of suspension is extended

Education or Other Legal Code: Education Code 48911

Board Policy/Administrative Regulation #: See AR 5144.1

Subject: Extension of suspension

When to Notify: At the time a student is assigned to a supervised suspension classroom

Education or Other Legal Code: Education Code 48911.1

Board Policy/Administrative Regulation #: See AR 5144.1

Subject: The student's assignment to a supervised suspension classroom

When to Notify: Before holding a closed session re: suspension

Education or Other Legal Code: Education Code 48912

Board Policy/Administrative Regulation #: See AR 5144.1

Subject: Intent to hold a closed session re: suspension

When to Notify: When student expelled from another district for certain acts seeks admission

Education or Other Legal Code: Education Code 48915.1, 48918

Board Policy/Administrative Regulation #: See BP 5119

Subject: Hearing re: possible danger presented by expelled student

When to Notify: When readmission is denied

Education or Other Legal Code: Education Code 48916

Board Policy/Administrative Regulation #: See AR 5144.1

Subject: Reasons for denial; determination of assigned program

When to Notify: When expulsion occurs

Education or Other Legal Code: Education Code 48916

Board Policy/Administrative Regulation #: See AR 5144.1

Subject: Readmission procedures

When to Notify: At least 10 calendar days before expulsion hearing

Education or Other Legal Code: Education Code 48918

Board Policy/Administrative Regulation #: See AR 5144.1

Subject: Notice of expulsion hearing

When to Notify: When expulsion or suspension of expulsion occurs

Education or Other Legal Code: Education Code 48918

Board Policy/Administrative Regulation #: See AR 5144.1

Subject: Decision to expel; right to appeal to county board; obligation to inform new district of status

When to Notify: Before involuntary transfer of student convicted of certain crime when victim is enrolled at same school

Education or Other Legal Code: Education Code 48929, 48980

Board Policy/Administrative Regulation #: See BP 5116.2  
 Subject: Right to request a meeting with principal or designee

When to Notify: One month before the scheduled minimum day  
 Education or Other Legal Code: Education Code 48980  
 Board Policy/Administrative Regulation #: See BP 6111  
 Subject: When minimum days are scheduled after the beginning of the school year

When to Notify: When parents/guardians request guidelines for filing complaint of child abuse at a school site  
 Education or Other Legal Code: Education Code 48987  
 Board Policy/Administrative Regulation #: See AR 5141.4  
 Subject: Guidelines for filing complaint of child abuse at a school site with local child protective agencies

When to Notify: When student in danger of failing a course  
 Education or Other Legal Code: Education Code 49067  
 Board Policy/Administrative Regulation #: See AR 5121  
 Subject: Student in danger of failing a course

When to Notify: When student transfers from another district or private school  
 Education or Other Legal Code: Education Code 49068  
 Board Policy/Administrative Regulation #: See AR 5125  
 Subject: Right to receive copy of student's record and to challenge its content

When/Whom to Notify: When parent/guardian's challenge of student record is denied and parent/guardian appeals  
 Education or Other Legal Code: Education Code 49070  
 Board Policy/Administrative Regulation #: See AR 5125.3  
 Subject: If board sustains allegations, the correction of destruction of record; if denied, right to submit written objection

When/Whom to Notify: When district is considering program to gather safety-related information from students' social media activity  
 Education or Other Legal Code: Education Code 49073.6  
 Board Policy/Administrative Regulation #: See BP 5125  
 Subject: Opportunity for input on proposed program

When/Whom to Notify: When district adopts program to gather information from students' social media activity, and annually thereafter  
 Education or Other Legal Code: Education Code 49073.6  
 Board Policy/Administrative Regulation #: AR 5125  
 Subject: Information is being gathered, access to records, process for removal or corrections, destruction of records

When to Notify: Within 24 hours of release of information to a judge or probation officer

Education or Other Legal Code: Education Code 49076  
 Board Policy/Administrative Regulation #: See AR 5125  
 Subject: Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition

When to Notify: Before release of information pursuant to court order or subpoena  
 Education or Other Legal Code: Education Code 49077  
 Board Policy/Administrative Regulation #: See AR 5125  
 Subject: Release of information pursuant to court order or subpoena

When to Notify: When screening results in suspicion that student has scoliosis  
 Education or Other Legal Code: Education Code 49452.5  
 Board Policy/Administrative Regulation #: See AR 5141.3  
 Subject: Scoliosis screening

When to Notify: When test results in discovery of visual or hearing defects  
 Education or Other Legal Code: Education Code 49456; 17 CCR 2951  
 Board Policy/Administrative Regulation #: See AR 5141.3  
 Subject: Vision or hearing test results

When to Notify: Annually to parents/guardians of student athletes before their first practice or competition  
 Education or Other Legal Code: Education Code 49475  
 Board Policy/Administrative Regulation #: See AR 6145.2  
 Subject: Information on concussions and head injuries

When to Notify: Before any test/survey questioning personal beliefs  
 Education or Other Legal Code: Education Code 51513  
 Board Policy/Administrative Regulation #: See AR 5022  
 Subject: Permission for test, survey questioning personal beliefs

When to Notify: At least 14 days before HIV prevention or sexual health instruction, if arrangement made for guest speaker after beginning of school year  
 Education or Other Legal Code: Education Code 51938  
 Board Policy/Administrative Regulation #: See AR 6142.1  
 Subject: Instruction in HIV prevention or sexual health by guest speaker or outside consultant

When to Notify: Prior to administering survey regarding health risks and behaviors to students in 7-12  
 Education or Other Legal Code: Education Code 51938  
 Board Policy/Administrative Regulation #: See AR 5022  
 Subject: Notice that the survey will be administered

When to Notify: Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency

Education or Other Legal Code: Education Code 52164.1, 52164.3; 5 CCR 11511.5

Board Policy/Administrative Regulation #: See AR 6174

Subject: Results of state test of English proficiency

When to Notify: When migrant education program is established

Education or Other Legal Code: Education Code 54444.2

Board Policy/Administrative Regulation #: See BP 6175, See AR 6175

Subject: Parent advisory council membership composition

When to Notify: When child participates in licensed child care and development program

Education or Other Legal Code: Health and Safety Code 1596.857

Board Policy/Administrative Regulation #: See AR 5148

Subject: Parent/guardian right to enter facility

When/Whom to Notify: When district receives Tobacco-Use Prevention Education Funds

Education or Other Legal Code: Health and Safety Code 104420

Board Policy/Administrative Regulation #: See AR 3513.3

Subject: The district's tobacco-free schools policy and enforcement procedures

When to Notify: When testing by community water system finds presence of lead exceeding specified level

Education or Other Legal Code: Health and Safety Code 116277

Board Policy/Administrative Regulation #: See AR 3514

Subject: Elevated lead level at school

When to Notify: When sharing student immunization information with an immunization system

Education or Other Legal Code: Health and Safety Code 120440

Board Policy/Administrative Regulation #: See AR 5125

Subject: Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share

When/Whom to Notify: At least 14 days prior to sex offender coming on campus as volunteer

Education or Other Legal Code: Penal Code 626.81

Board Policy/Administrative Regulation #: See AR 1240, See BP 1250

Subject: Dates and times permission granted; obtaining information from law enforcement

When to Notify: When hearing is requested by person asked to leave school premises

Education or Other Legal Code: Penal Code 627.5

Board Policy/Administrative Regulation #: See AR 3515.2

Subject: Notice of hearing

When/Whom to Notify: When responding to complaint re: discrimination, special education, or noncompliance with law

Education or Other Legal Code: 5 CCR 4631

Board Policy/Administrative Regulation #: See AR 1312.3

Subject: Findings, disposition of complaint, any corrective actions, appeal rights and procedures

When to Notify: When child participates in licensed child care and development program

Education or Other Legal Code: 5 CCR 18066

Board Policy/Administrative Regulation #: See AR 5148

Subject: Policies re: excused and unexcused absences

When to Notify: Within 30 days of application for subsidized child care or preschool services

Education or Other Legal Code: 5 CCR 18094, 18118

Board Policy/Administrative Regulation #: See AR 5148, See AR 5148.3

Subject: Policies re: Approval or denial of services

When to Notify: Upon recertification or update of application for child care or preschool services

Education or Other Legal Code: 5 CCR 18095, 18119

Board Policy/Administrative Regulation #: See AR 5148, See AR 5148.3

Subject: Policies re: Any change in service, such as in fees, amount of service, termination of service

When to Notify: Upon child's enrollment in child care program

Education or Other Legal Code: 5 CCR 18114

Board Policy/Administrative Regulation #: See AR 5148

Subject: Policies re: Policy on fee collection

When to Notify: When payment of child care fees is seven days late

Education or Other Legal Code: 5 CCR 18114

Board Policy/Administrative Regulation #: See AR 5148

Subject: Policies re: Notice of delinquent fees

When to Notify: When district substantively changes policy on student privacy rights

Education or Other Legal Code: 20 USC 1232h

Board Policy/Administrative Regulation #: See AR 5022

Subject: Notice of any substantive change in policy or regulation

When to Notify: For districts receiving Title I funds, when a child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet state certification requirements for the grade level/subject taught

Education or Other Legal Code: 20 USC 6312

Board Policy/Administrative Regulation #: See AR 4112.24

Subject: Timely notice to parent/guardian of child's assignment

When to Notify: For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents/guardians of English learners

Education or Other Legal Code: 20 USC 6312

Board Policy/Administrative Regulation #: See AR 6174

Subject: Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose another program

When to Notify: For schools receiving Title I funds, upon development of parent involvement policy

Education or Other Legal Code: 20 USC ~~63186316~~

Board Policy/Administrative Regulation #: See AR 6020

Subject: Notice of policy

When to Notify: When household is selected for verification of eligibility for free or reduced-price meals

Education or Other Legal Code: 42 USC 1758; 7 CFR 245.6a

Board Policy/Administrative Regulation #: See AR 3553

Subject: Need to submit verification information; any subsequent change in benefits; appeals

When/Whom to Notify: When student is homeless or unaccompanied minor

Education or Other Legal Code: 42 USC 11432; Education Code 48852.5

Board Policy/Administrative Regulation #: See AR 6173

Subject: Educational and related opportunities; transportation services; placement decision and right to appeal

When to Notify: When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30

Education or Other Legal Code: 34 CFR 99.34

Board Policy/Administrative Regulation #: See AR 5125

Subject: Right to review records

When to Notify: When district receives federal funding assistance for nutrition program

Education or Other Legal Code: USDA FNS Instruction 113-1

Board Policy/Administrative Regulation #: See BP 3555

Subject: Rights and responsibilities, nondiscrimination policy, complaint procedures

#### IV. Special Education Notices

When to Notify: Prior to conducting initial evaluation

Education or Other Legal Code: Education Code 56301, 56321, 56321.5, 56321.6, 56329; 20 USC 1415 (d); 34 CFR 300.502, 300.503

Board Policy/Administrative Regulation #: See BP 6159.1, See AR 6159.1, See AR 6164.4

Subject: Proposed evaluation plan, related parental rights, prior written notice, procedural safeguards

When/Whom to Notify: Before functional behavioral assessment begins

Education or Other Legal Code: Education Code 56321

Board Policy/Administrative Regulation #: See AR 6159

Subject: Notification and consent

When to Notify: 24 hours before IEP when district intending to record

Education or Other Legal Code: Education Code 56341.1

Board Policy/Administrative Regulation #: See AR 6159

Subject: Intention to audio-record IEP meeting

When to Notify: Early enough to ensure opportunity for parent to attend IEP meeting

Education or Other Legal Code: Education Code 56341.5; 34 CFR 300.322

Board Policy/Administrative Regulation #: See AR 6159

Subject: Time, purpose, location, who will attend, participation of others with special knowledge, transition statements if appropriate

When to Notify: When parent/guardian orally requests review of IEP

Education or Other Legal Code: Education Code 56343.5

Board Policy/Administrative Regulation #: See AR 6159

Subject: Need for written request

When to Notify: Within one school day of emergency intervention or serious property damage

Education or Other Legal Code: Education Code 56521.1

Board Policy/Administrative Regulation #: See AR 6159.4

Subject: Emergency intervention

When to Notify: Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services

Education or Other Legal Code: 20 USC 1415(c); 34 CFR 300.300, 300.503

Board Policy/Administrative Regulation #: See AR 6159, See AR 6159.1

Subject: Prior written notice

When/Whom to Notify: Upon filing of state complaint

Education or Other Legal Code: 20 USC 1415(d), 34 CFR 300.504

Board Policy/Administrative Regulation #: See AR 6159.1

Subject: Procedural safeguards notice

When/Whom to Notify: When disciplinary measures are taken or change in placement

Education or Other Legal Code: 20 USC 1415(k); 34 CFR 300.530

Board Policy/Administrative Regulation #: See AR 5144.2

Subject: Decision and procedural safeguards notice

When to Notify: Upon requesting a due process hearing

Education or Other Legal Code: 20 USC 1415(k); 34 CFR 300.508

Board Policy/Administrative Regulation #: See AR 6159.1

Subject: Child's name, address, school, description of problem, proposed resolution

When to Notify: Eligibility for services under Section 504

Education or Other Legal Code: 34 CFR 104.32, 104.36

Board Policy/Administrative Regulation #: See AR 6164.6

Subject: District responsibilities, district actions, procedural safeguards

## V. Classroom Notices

When to Notify: In each classroom in each school

Education or Other Legal Code: Education Code 35186

Board Policy/Administrative Regulation #: See AR/E 1312.4

Subject: Complaints re: sufficiency of instructional materials, teacher vacancy and misassignment, maintenance of facilities, right of students who did not pass the exit exam to receive intensive instruction after grade 12

Exhibit HANFORD ELEMENTARY SCHOOL DISTRICT

version: August 2006 Hanford, California

revised: January 14, 2015

revised: September 23, 2015

revised: September 27, 2017

revised:

## HANFORD ELEMENTARY SCHOOL DISTRICT

## AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: Jill Rubalcava

DATE: August 21, 2019

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☒ Information  
☐ Action

Date you wish to have your item considered: September 11, 2019

ITEM: BP 6162.5

**PURPOSE:** Policy updated to reflect **NEW LAW (AB 1035)** which addresses the use and purpose of interim and formative assessments that are part of the California Assessment of Student Performance and Progress, prohibits their use for high-stakes purposes as defined, and requires that teachers who administer the assessments have access to all pertinent functions and information.

**FISCAL IMPACT:** None at this time**RECOMMENDATIONS:** Information Item - for first reading and review

# Hanford ESD

## Board Policy

### Student Assessment

BP 6162.5

#### Instruction

The ~~Governing~~ Board of Trustees recognizes that student assessments are an important instructional and accountability tool. To obtain the most accurate evaluation of student performance, the district shall use a variety of measures, including district, state, and/or national assessments.

(cf. 6162.51 - State Academic Achievement Tests)

Assessment data shall be used to help determine individual students' progress, mastery of academic standards, appropriate placement in district programs, and/or eligibility for graduation. In addition, summary data on student assessment results shall be used by the district to identify and review student achievement goals in the district's local control and accountability plan, and evaluate district educational programs in order to identify needed improvements.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 0500 - Accountability)

(cf. 2140 - Evaluation of the Superintendent)

(cf. 4115 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

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

(cf. 5123 - Promotion/Acceleration/Retention)

(cf. 6011 - Academic Standards)

(cf. 6142.7 - Physical Education and Activity)

~~(cf. 6162.51 - State Academic Achievement Tests)~~

~~(cf. 6162.52 - High School Exit Examination)~~

~~(cf. 6190 - Evaluation of the Instructional Program)~~

~~To obtain the most accurate evaluation of student performance, the district shall use a variety of measures, including district, state, and/or national assessments. As appropriate, assessment results shall be disaggregated by student subgroup, classroom, grade level, and/or school site to allow for critical analysis of student needs.~~

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

In selecting or developing any district assessment, the Superintendent or designee shall examine evidence of its reliability, its validity for the intended purpose and for various student populations, and the extent to which it aligns with the material that is being taught.

The Superintendent or designee shall ensure that assessments are administered in accordance with law and ~~the~~ test publisher's directions, and that test administration procedures are fair and equitable for all students.

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 6162.54 - Test Integrity/Test Preparation)

As appropriate, assessment results shall be disaggregated by student subgroup, classroom, grade level, and/or school site to allow for critical analysis of student needs.

The Superintendent or designee shall provide professional development as needed to assist administrators and teachers in interpreting and using assessment data to improve student performance and the instructional program.

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

When districtwide and school-level results of student assessments are published by the state, the Superintendent or designee may provide supplementary information to assist parents/guardians and the community in understanding test results.

(cf. 0510 - School Accountability Report Card)

### Interim and Formative Assessments

State interim and formative assessments may be used in combination with other sources of information to gain timely feedback about student progress in an effort to continually adjust instruction to improve learning. Results from interim and formative assessments shall not be used for any high-stakes purpose, including, but not limited to, teacher or other school staff evaluation, accountability, student grade promotion or retention, graduation, course or class placement, identification for gifted or talented education, reclassification of English learners, or identification as an individual with exceptional needs. (Education Code 60642.6, 60642.7)

(cf. 5123 - Promotion/Acceleration/Retention)  
(cf. 6146.1 - High School Graduation Requirements)  
(cf. 6152 - Class Assignment)  
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)  
(cf. 6172 - Gifted and Talented Student Program)  
(cf. 6174 - Education for English Learners)

The Superintendent or designee shall ensure that teachers who administer interim and formative assessments have access to all functions and information designed for teacher use related to such assessments and student performance on the assessments. (Education Code 60642.6)

# Legal Reference:

## EDUCATION CODE

313 Assessment of English language development

10600-10610 California Education Information System

44660-44665 Evaluation and assessment of performance of certificated employees (Stull Act)

49558 Free and reduced-price meals; use of individual applications and records

51041 Evaluation of educational program

51450-51455 Golden State Seal Merit Diploma

52052 ~~Accountability~~~~Academic Performance Index~~; numerically significant student subgroups

52060-52077 Local control and accountability plan

60600-60649 Assessment of academic achievement, especially:

60640-60649 California Assessment of Student Performance and Progress

60800 Physical fitness testing

60810-60812 Assessment of English language development

~~60850-60859 High school exit examination~~

60900 California Longitudinal Pupil Achievement Data System

## CODE OF REGULATIONS, TITLE 5

850-864 California Assessment of Student Performance and Progress

~~1200-1225 High School Exit Examination~~

## UNITED STATES CODE, TITLE 20

9622 National Assessment of Educational Progress

# Management Resources:

~~CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS~~

~~Key Elements of Testing, May 2004~~

~~U.S. DEPARTMENT OF EDUCATION PUBLICATIONS~~

~~Teachers' Use of Student Data Systems to Improve Instruction, 2007~~

## WEB SITES

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

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

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

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

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT

approved: September 23, 2015 Hanford, California

revised:

## HANFORD ELEMENTARY SCHOOL DISTRICT

## AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: Jill Rubalcava 

DATE: August 21, 2019

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☒ Information  
☐ Action

Date you wish to have your item considered: September 11, 2019

ITEM: BP 6170.1 Transitional Kindergarten

PURPOSE: Policy updated with minor language revisions. There is no change in our current practice.

FISCAL IMPACT: None at this time

RECOMMENDATIONS: Information Item - for first reading and review

# Hanford ESD

## Board Policy

### Transitional Kindergarten

BP 6170.1

#### Instruction

The Governing Board 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 students 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 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)

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. 5141.22 - Infectious Diseases)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

#### 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- (CDE). 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 Learners)

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~~ CDE as to whether the district's TK programs are offered full day, part day, or both. (Education Code 37202, 46111, 46115, 46117, 48003)

(cf. 6111 - School Calendar)  
 (cf. 6112 - School Day)

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.

### Staffing

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

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.

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

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

8235 California State Preschool Program

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. 3, 2013

California Preschool Learning Foundations, Vol. 3, 2012

California Preschool Curriculum Framework, Vol. 2, 2011

California Preschool Learning Foundations, Vol. 2, 2010

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: December 12, 2018

revised:

## HANFORD ELEMENTARY SCHOOL DISTRICT

## AGENDA REQUEST FORM

TO: Joy C. Gabler  
FROM: Jill Rubalcava  
DATE: August 21, 2019

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☒ Information  
☐ Action

Date you wish to have your item considered: September 11, 2019

**ITEM: BP 6190 Evaluation of the Instructional Program**

**PURPOSE:** Policy updated to reflect minor language changes. Additionally, references to Federal Program Monitoring have been removed from the policy as all requirements are detailed in FPM monitoring and requirements through the California Department of Education.

**FISCAL IMPACT:** None at this time

**RECOMMENDATIONS:** Information Item - for first reading and review

# Hanford ESD

## Board Policy

### Evaluation Of The Instructional Program

BP 6190

#### Instruction

The Board of Trustees recognizes that it is accountable to students, parents/guardians, and the community for the effectiveness of the district's educational program in meeting district goals for student learning. The Superintendent or designee shall conduct a continual evaluation of the curriculum and the instructional program in order to ~~improve~~ identify strategies for improving student achievement.

(cf. 0200 - Goals for the School District)

(cf. 0500 - Accountability)

(cf. 6000 - Concepts and Roles)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

The Superintendent or designee shall provide the Board and the community with regular reports on student ~~progress toward Board established standards of expected achievement at each grade level in each area of study. In addition, he/she. The reports~~ shall ~~evaluate and report~~ include data for each district school and for ~~every~~ each numerically significant student subgroup, as defined in Education Code 52052, including, but not limited to, school and subgroup performance on statewide achievement indicators and progress toward goals specified in the district's local control and accountability plan (LCAP).

(cf. 0460 - Local Control and Accountability Plan)

(cf. 0510 - School Accountability Report Card)

(cf. 6011 - Academic Standards)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. ~~6162.52 - High School Exit Examination~~ 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6174 - Education for English ~~Language~~ Learners)

Based on these reports, the Board shall take appropriate actions to maintain the effectiveness of programs and to improve the quality of education ~~that~~ provided to district students ~~receive~~.

Annual ~~Monitoring~~ Evaluation of Consolidated Application Programs

The Board and the Superintendent or designee shall annually determine whether the district's categorical programs funded through the state's consolidated application are effective in meeting the needs of the students they are intended to serve. As a basis for this evaluation, the Superintendent or designee shall recommend for Board approval the specific, measurable criteria that shall be used at each school and at the district level. These criteria may include, but are not necessarily limited to, the progress of all students participating in the program and of each numerically significant subgroup toward goals contained in the district's LCAP, the school's single plan for student achievement, ~~Title I local educational agency plan~~, and/or other applicable district or school plans.

~~(cf. 0410—Nondiscrimination in District Programs and Activities)~~  
~~(cf. 0420—School Plans/Site Councils)~~  
~~(cf. 0520.2—Title I Program Improvement Schools)~~  
~~(cf. 0520.3—Title I Program Improvement Districts)~~  
~~(cf. 1312.3—Uniform Complaint Procedures)~~  
~~(cf. 1312.4—Williams Uniform Complaint Procedures)~~  
~~(cf. 4112.24—Teacher Qualifications Under the No Child Left Behind Act)~~  
~~(cf. 4131—Staff Development)~~  
~~(cf. 5020—Parent Rights and Responsibilities)~~  
~~(cf. 5148—Child Care and Development Programs)~~  
~~(cf. 5148.2—Before/After School Programs)~~  
~~(cf. 5148.3—Preschool/Early Childhood Education)~~  
~~(cf. 6020—Parent Involvement)~~  
~~(cf. 6142.7—Physical Education and Activity)~~  
~~(cf. 6171—Title I Programs)~~  
~~(cf. 6173—Education for Homeless Children)~~  
~~(cf. 6175—Migrant Education Program)~~  
~~(cf. 6178—Career Technical Education)~~  
~~(cf. 6178.1—Work Based Learning)~~  
~~(cf. 6200—Adult Education)~~

~~In the event that the FPM review results in a finding of noncompliance in relation to any program, the Superintendent or designee shall submit a proposed resolution to the CDE within 45 days of the date the district was notified of the finding. The resolution shall be implemented in accordance with the terms and timeframe specified in the resolution agreement with the CDE.~~

~~The Superintendent or designee shall report to the Board regarding the results of the review process.~~

(cf. 1113 - District and School Web Sites)  
~~(cf. 5145.6 - Parental Notifications)~~

Legal Reference:

## EDUCATION CODE

33400-33407 \_Educational evaluations

35178.4 \_Notice of accreditation status

44662 \_Evaluation and assessment guidelines, certificated employee performance

48985 \_Compliance with translation of parental notifications

51041 \_Education program, evaluation and revisions

51226 \_Model curriculum standards

52052-~~52052.1 Academic Performance Index~~ Accountability; numerically significant student subgroups

52060-52077 \_Local control and accountability plan

62005.5 \_Failure to comply with purposes of funds

64000-64001 \_Consolidated application process

## CODE OF REGULATIONS, TITLE 5

3930-3937 \_Program requirements

3942 \_Continuity of funding

## UNITED STATES CODE, TITLE 20

6311 ~~Adequate yearly progress~~ State plans

## Management Resources:

~~CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS~~~~FPM Frequently Asked Questions~~~~Federal Program Monitoring Instruments~~

## WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES PUBLICATIONS

Focus on Learning: Joint ACS WASC/CDE Process Guide, ~~2014~~2017

## WEB SITES

CSBA: http://www.csba.orgCalifornia Department of Education, ~~Testing and Accountability~~: http://www.cde.ca.gov/taWestern Association of Schools and Colleges (WASC), Accrediting Commission for Schools:  
http://www.acswasc.org

## Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: May 16, 2001 Hanford, California

revised: September 20, 2006

revised: September 19, 2007

revised: April 13, 2016

revised:

## HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy Gabler  
 FROM: Jason Strickland  
 DATE: August 27, 2019

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

Date you wish to have your item considered: 9/11/19

ITEM: Consider for Adoption the following revised Board Policy:

BP 5112.5 - Open/Closed Campus

PURPOSE: (BP revised; AR deleted)

Policy revised to clarify options for open campus and add optional language regarding district criteria for student eligibility for open campus privileges. Policy also includes the requirement for written parental notification of the open campus policy, formerly in AR, and clarifies that a student's unauthorized absence from school constitutes an unexcused absence but is not classified as truancy unless it meets the legal definition of truancy based on the number of absences during the school year. Regulation deleted and key concepts moved to BP.

FISCAL IMPACT (if any): None

RECOMMENDATION (if any):

# Hanford ESD

## Board Policy

### Open/Closed Campus

BP 5112.5

#### Students

Students shall not leave ~~the~~ school grounds at any other time during the school day without ~~express~~written permission of their parents/guardians and school authorities. ~~Students who leave school without authorization shall be~~ considered to have an unexcused absence and be~~classified~~truant ~~and~~ subject to disciplinary action.

(cf. 5112.1 - Exemptions from Attendance)

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5113.11 - Attendance Supervision)

(cf. 5113.12 - District School Attendance Review Board)

The principal or designee may revoke

At the off campus privilege for individual~~beginning of the school year~~, students for disciplinary reasons.

(cf. 5144 - Discipline)

Student handbooks shall fully explain all rules and disciplinary procedures involved in~~policy~~through the maintenance of the closed campus~~parent handbook.~~

(cf. 5144 - Discipline)

Legal Reference:

EDUCATION CODE

35160 Authority of the ~~board~~Board

35160.1 Broad authority of school district

44808.5 Permission for ~~students~~pupils to leave school grounds; notice

48980 Annual notification to parents/guardians

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: May 19, 1999 Hanford, California

reviewed: May 16, 2001

reviewed:

## HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy Gabler  
 FROM: Jason Strickland  
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Date you wish to have your item considered: 9/11/19

ITEM: Consider for Adoption the following revised Board Policy:

BP/AR - 5144.1 Suspension/Expulsion and Due Process

PURPOSE: Policy updated to add foster 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 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):

# Hanford ESD

## Board Policy

### Suspension And Expulsion/Due Process

BP 5144.1

#### Students

The ~~Governing~~ 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" 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. 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)

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

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-12" and "Additional Grounds for Suspension and Expulsion: - Grades 4-12," 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 open 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 outcome data related to student suspensions and expulsions in accordance with 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 by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine 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 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

7961 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

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:

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: –

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

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: March 25, 2015 Hanford, California

revised: January 9, 2019

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 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-12

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. [3513.4 - Drug and Alcohol Free Schools](#))

(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~~includes 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 4-12," that has any of the effects described above on a reasonable student.

Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by

means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

Electronic act means the creation or transmission ~~of a communication~~ originated on or off the 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, ~~of a communication including, but not limited to:~~ (Education Code 48900(r))

a. A message, text, sound, video, or image

b. A post on a social network Internet web site ~~shall include, including,~~ but ~~is~~ not limited to, ~~the posting to or creation of~~ creating a burn page or ~~the creation of~~ creating 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 4-12

Any student in grades 4-12 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 be 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" 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, 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, 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" 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, or designee shall document the other means of correction used and retain ~~them~~the documentation in the student's record. (Education Code 48900.5)

(cf. 5125 - Student Records)

### Length of Suspension

The Superintendent, 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, 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~~including the ~~available~~other means of correction that were attempted before the suspension as required pursuant to Education Code 48900.5, and the evidence against him/her, and shall be 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, 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, 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 4-12" 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 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)

#### 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, 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, 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, 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, a 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-12" and "Additional Grounds for Suspension and Expulsion: ~~Grades 4-12~~" 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~~open 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, 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-12~~" or "Additional Grounds for Suspension and Expulsion: ~~Grades 4-12~~" (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-12" or "Additional Grounds for Suspension and Expulsion: -Grades 4-12" 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 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 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 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-12" and items #1-3 under "Additional Grounds for Suspension and Expulsion: - Grades 4-12" 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: January 9, 2019

revised:

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy C. Gabler

FROM: Karen McConnell

DATE: August 28, 2019

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☒ Information  
☐ Action

Date you wish to have your item considered: September 11, 2019

**ITEM:** Review recommended revisions to Board Policy 6145 – Extracurricular & Cocurricular Activities

**PURPOSE:** Policy and regulation updated to reflect new law (AB 1639, 2016) which requires (1) distribution to student athletes and parents/guardians of information on the nature and warning signs of sudden cardiac arrest, (2) training of coaches and athletic directors on the nature and warning signs of sudden cardiac arrest, and (3) removal of a student from an athletic activity if he/she passes out or faints, until clearance is obtained from a health care provider. Policy also updated to reflect the prohibition against the use of a racially derogatory or discriminatory athletic team name, mascot, or nickname. Policy reflects law which provides that a homeless student must be immediately deemed to meet all residency requirements for participation in interscholastic athletic activities. Regulation also updated to reflect new law (SB 1375, 2016) which requires districts and schools to post specified Title IX information on their web sites by July 1, 2017.

**FISCAL IMPACT:** None**RECOMMENDATIONS:**

# Hanford ESD

## Board Policy

### Extracurricular And Cocurricular Activities

BP 6145

#### Instruction

The ~~Governing Board~~ Board of Trustees recognizes that extracurricular and cocurricular activities enrich the educational and social development of students and enhance students' feelings of connectedness with the schools. The district shall encourage and support student participation in extracurricular and cocurricular activities without compromising the integrity and purpose of the educational program.

~~Extracurricular activities are those programs that have all the following characteristics:~~

- ~~1. The program is supervised or financed by the school district.~~
- ~~2. Students participating in the program represent the school district.~~
- ~~3. Students exercise some degree of freedom in the selection, planning, or control of the program.~~
- ~~4. The program includes both preparation for performance and performance before an audience or spectators.~~

~~Extracurricular activities are programs that may be associated with the curriculum in a regular classroom.~~

#### ~~Eligibility Requirements~~

~~1. Academic Eligibility: In order to encourage and promote academic excellence, all students participating in extra/cocurricular activities shall demonstrate satisfactory minimum progress in meeting the grade level requirements established by the district.~~

~~a. Grades 4–6: The student's classroom teacher shall determine whether the student is eligible to participate in each scheduled activity. The teacher shall communicate with the site co-curricular coordinator regarding each student's eligibility.~~

~~—The classroom teacher shall consider the following factors when deciding whether to permit the student to participate in the performance:~~

- ~~(1) Attendance during the appropriate rating period.~~
- ~~(2) Academic performance during the appropriate rating period.~~

~~(3) Academic effort, including but not limited to, completion of homework during the appropriate rating period.~~

~~b. Grades 7 and 8: In order to be eligible for participation in the extra/cocurricular activities, students in grades 7 and 8 must:~~

~~—— Earn at least a 2.0 grade point average every grading period~~

~~—— Have no more than one "F" each grading period~~

~~—— Have no more than 5 citations and/or 4 days of suspension for the year~~

~~\* All 7th grade students are granted eligibility status to begin the first trimester. This, however, does not apply to 7th grade students who have been retained.~~

~~For all students, a program that has as its primary goal the improvement of academic or educational achievements of students is not subject to these eligibility requirements. (Education Code 35160.5(b) (5)). The Superintendent or designee shall determine in advance when extra/cocurricular activities or programs are primarily for students' academic or educational achievement, therefore not subject to the eligibility requirements of this policy.~~

~~2. Citizenship Eligibility: As a condition for maintaining eligibility for participation in extra/co-curricular activities, each student shall also maintain a positive record of citizenship. As visible representatives of their school and school district, participants shall exhibit and be held to high standards of behavior.~~

~~a. Grades 4–6: A student shall be ineligible for participation in an upcoming event upon receiving a level B citation. A student shall be ineligible for participation for the remainder of an athletic season upon receiving one level C citation or is recommended for expulsion. Moreover, a student shall be declared ineligible for the next scheduled athletic season if he/she voluntarily quits a team without sufficient reason. The coach and/or Director of Youth Development shall determine if the reason is valid.~~

~~—— Each student shall be responsible for securing the signed/dated permission form and presenting it to the supervisor/coach prior to the activity in question.~~

~~b. Grades 7 and 8: A student shall be ineligible for participation in the following athletic season upon receiving three level A citations within a single athletic season. A student may be ineligible for participation for the remainder of an athletic season upon receiving one level B citation or one level C citation within a single athletic season, as determined by the principal and/or Director of Youth Development.~~

~~Consequences for individual citations or unacceptable behavior may include sanctions issued by the principal, coach or Director of Youth Development. Sanctions may include but not be limited to, suspensions from games but excludes eligibility (governed as above).~~

~~A student accumulating six citations or five days of suspension within an academic year shall be ineligible immediately during an athletic season and for the remainder of the academic year upon the issuance of the sixth citation or upon the assignment of the fifth day of suspension.~~

~~Moreover, a student shall be declared ineligible for the next scheduled athletic season if he/she should voluntarily quit a team without sufficient reason. The Director of Youth Development shall determine if the reason is valid.~~

~~The Superintendent or designee may grant ineligible students a probationary period not to exceed one semester. Students granted probationary eligibility must meet the required standards by the end of the probationary period in order to remain eligible for participation. (Education Code 35160.5)~~

### ~~Supervision~~

~~Extra/co-curricular activities shall be under the general supervision of school authorities and certificated employees whenever they are conducted under the name of the school district.~~

~~The Superintendent or designee shall develop regulations, which provide for:~~

- ~~1. Determining which activities and programs are affected by the eligibility requirements of this policy.~~
- ~~2. Identifying and monitoring ineligible students.~~
- ~~3. Assisting ineligible students to become eligible for participation in extra/co-curricular activities.~~
- ~~4. Determining which activities may not be entered into after the onset of the activity.~~

(cf. 1330 - Use of School Facilities)  
 (cf. 5137 - Positive School Climate)  
 (cf. 6145.2 - Athletic Competition)  
 (cf. 5148.2 - Before/After School Programs)

Prerequisites for student participation in extracurricular and cocurricular activities shall be limited to those that have been demonstrated to be essential to the success of the activity. No extracurricular or cocurricular program or activity shall be provided or conducted separately on the basis of any actual or perceived characteristic listed as a prohibited category of discrimination in state or federal law, nor shall any student's participation in an extracurricular or cocurricular activity be required or refused on those bases. (5 CCR 4925)

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

(cf. 6145.5 - Student Organizations and Equal Access)

Any complaint alleging unlawful discrimination in the district's extracurricular or cocurricular programs or activities shall be filed in accordance with BP/AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Unless specifically authorized by law, no student shall be charged a fee for his/her participation in educational activities, including extracurricular and cocurricular activities and materials or equipment related to such activities. (Education Code 49010, 49011)

(cf. 3260 - Fees and Charges)

(cf. 3452 - Student Activity Funds)

### Eligibility Requirements

~~Any decision regarding the eligibility of a homeless student, foster youth, or child of an active-duty military family for extracurricular or cocurricular activities shall be made by the Superintendent or designee in accordance with Education Code 48850 and 49701.~~

~~(cf. 6173 - Education for Homeless Children)~~

~~(cf. 6173.1 - Education for Foster Youth)~~

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

### Eligibility Requirements

To be eligible to participate in extracurricular and cocurricular activities, students in grades 7-12 must demonstrate satisfactory educational progress in the previous grading period, including, but not limited to: (Education Code 35160.5)

1. Maintenance of a minimum of 2.0 grade point average on a 4.0 scale in all enrolled classes
2. Maintenance of minimum progress toward meeting high school graduation requirements

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

(cf. 6146.1 - High School Graduation Requirements)

The Superintendent or designee may grant ineligible students a probationary period not to exceed one semester. Students granted probationary eligibility must meet the required standards by the end of the probationary period in order to remain eligible for participation. (Education Code 35160.5)

Any decision regarding the eligibility of a homeless student, foster youth, or child of an active-duty military family for extracurricular or cocurricular activities shall be made by the

Superintendent or designee in accordance with Education Code 48850 and 49701.

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

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

The Superintendent or designee may revoke a student's eligibility for participation in extracurricular and cocurricular activities when the student's poor citizenship is serious enough to warrant loss of this privilege.

#### Student Conduct at Extracurricular/Cocurricular Events

When attending or participating in extracurricular and cocurricular activities on or off campus, district students are subject to district policies and regulations relating to student conduct. Students who violate district policies and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, or denial of participation in extracurricular or cocurricular activities in accordance with Board policy and administrative regulation. When appropriate, the Superintendent or designee shall notify local law enforcement.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5144 - Discipline)

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

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

#### Annual Policy Review

The Board shall annually review this policy and implementing regulations. (Education Code 35160.5)

#### Legal Reference:

##### EDUCATION CODE

35145 Public meetings

35160.5 District policy rules and regulations; requirements; matters subject to regulation

35179 Interscholastic athletics; associations or consortia

35181 Students' responsibilities

48850 Participation of homeless students and foster youth in extracurricular activities and interscholastic sports

48930-48938 Student organizations

49010-49013 Student fees

49024 Activity Supervisor Clearance Certificate

49700-49703 Education of children of military families

##### CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

## CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

5531 Supervision of extracurricular activities of pupils

## UNITED STATES CODE, TITLE 42

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

## COURT DECISIONS

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

## Management Resources:

### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

### CALIFORNIA TASK FORCE REPORT TO THE LEGISLATURE

Compact on Educational Opportunity for Military Children: Preliminary Final Report, March 2009

### COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

Information on Assembly Bill 346 Concerning the Activity Supervisor Clearance Certificate (ASCC), Coded Correspondence 10-11, July 20, 2010

## WEB SITES

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

California Association of Directors of Activities: <http://www.cada1.org>

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

California Interscholastic Federation: <http://www.cifstate.org>

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

~~The Superintendent or designee may revoke a student's eligibility for participation in extracurricular and cocurricular activities when the student's poor citizenship is serious enough to warrant loss of this privilege.~~

## ~~Student Conduct at Extracurricular/Cocurricular Events~~

~~When attending or participating in extracurricular and cocurricular activities on or off campus, district students are subject to district policies and regulations relating to student conduct. Students who violate district policies and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, or denial of participation in extracurricular or cocurricular activities in accordance with Board policy and administrative regulation. When appropriate, the Superintendent or designee shall notify local law enforcement.~~

~~(cf. 5131—Conduct)~~

~~(cf. 5131.1—Bus Conduct)~~

~~(cf. 5144—Discipline)~~

~~(cf. 5144.1—Suspension and Expulsion/Due Process)~~

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

## ~~Annual Policy Review~~

~~The Board shall annually review this policy and implementing regulations.—(Education Code 35160.5)~~

### ~~Legal Reference:~~

#### ~~EDUCATION CODE~~

~~35145—Public meetings~~

~~35160.5—District policy rules and regulations; requirements; matters subject to regulation~~

~~35179—Interscholastic athletics; associations or consortia~~

~~35181—Students' responsibilities~~

~~48850—Participation of homeless students and foster youth in extracurricular activities and interscholastic sports~~

~~48930-48938—Student organizations~~

~~49010-49013—Student fees~~

~~49024—Activity Supervisor Clearance Certificate~~

~~49700-49704—Education of children of military families~~

#### ~~CALIFORNIA CONSTITUTION~~

~~Article 9, Section 5—Common school system~~

#### ~~CODE OF REGULATIONS, TITLE 5~~

~~350—Fees not permitted~~

~~4900-4965—Nondiscrimination in elementary and secondary education programs receiving state financial assistance~~

~~5531—Supervision of extracurricular activities of pupils~~

#### ~~UNITED STATES CODE, TITLE 42~~

~~2000h-2-2000h-6—Title IX, 1972 Education Act Amendments~~

#### ~~COURT DECISIONS~~

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

### ~~Management Resources:~~

#### ~~CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS~~

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

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#### ~~COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS~~

~~Information on Assembly Bill 346 Concerning the Activity Supervisor Clearance Certificate (ASCC), Coded Correspondence 10-11, July 20, 2010~~

#### ~~WEB SITES~~

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

~~California Association of Directors of Activities: <http://www.cadal.org>~~

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: May 16, 2001 Hanford, California

revised: November 20, 2002

revised: June 28, 2017

revised: September 11, 2019

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy Gabler

FROM: Jill Rubalcava 

DATE: August 20, 2019

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: September 11, 2019

**ITEM:** Consider adoption of Resolution 03-20 pertaining to the sufficiency of instructional materials.

**PURPOSE:** An annual public hearing is held to review district standards on instructional materials as they relate to Education Code Section 60119 which states, "each pupil, including English Learners, has a standards-aligned textbook or instructional materials, or both, to use in class and to take home" in the core subject areas of reading/language arts, mathematics, science, and history-social science. Furthermore, these materials are aligned with the standards and cycles of the curriculum frameworks adopted by the state board. Once sufficiency has been determined, it requires that Board adopt a resolution stating whether each pupil in the district has sufficient textbooks or instructional materials in the core subject areas.

**FISCAL IMPACT:** None

**RECOMMENDATIONS:** Adopt Resolution 03-20

RESOLUTION NO. 03-20

BEFORE THE BOARD OF TRUSTEES  
OF THE HANFORD ELEMENTARY SCHOOL DISTRICT

**In the matter pertaining to Sufficiency of Instructional Materials**

Whereas, the governing board of Hanford Elementary School District, in order to comply with the requirements of *Education Code* Section 60119 held a public hearing on Wednesday, September 11, 2019 at 5:30 p.m., which is on or before the eighth week of school (between the first day that students attend school and the end of the eighth week from that day) and which did not take place during or immediately following school hours, and;

Whereas, the governing board provided at least 10 days notice of the public hearing posted in at least three public places within the district that stated the time, place, and purpose of the hearing, and;

Whereas, the governing board encouraged participation by parents, teachers, members of the community, and bargaining unit leaders (if the district or county office has a bargaining unit) in the public hearing, and;

Whereas, information provided at the public hearing and to the governing board at the public meeting detailed the extent to which textbooks and instructional materials were provided to all students, including English learners, in the Hanford Elementary School District, and;

Whereas, the definition of "sufficient textbooks or instructional materials" means that each pupil has a textbook or instructional materials, or both, to use in class and to take home, and;

Whereas, sufficient textbooks and instructional materials were provided to each student, including English learners, that are aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks in the following subjects:

- Mathematics – 2014 Adoption:
  - McGraw-Hill (Transitional Kindergarten)
  - Pearson (Grades K – 5)
  - Big Ideas (Grades 6 & 7)
  - College Preparatory Math (Grade 8)
- Science – 2006 Adoption:
  - McGraw-Hill (Grades K – 6)
  - CPO (Grades 7 & 8)
- History-social science – 2018 Adoption
  - Studies Weekly (Grades K – 6)
  - Pearson (Grades 7 & 8)
- English/language arts – 2014 Adoption:
  - Houghton Mifflin Harcourt (Grade TK)
- English/language arts – 2016 Adoption:
  - Houghton Mifflin Harcourt (Grades K – 1)
  - Benchmark Advance (Grades 2 – 6)
  - Houghton Mifflin Harcourt (Grades 7 & 8)

Whereas, sufficient textbooks or instructional materials were provided to each pupil enrolled in foreign language or health classes, and;

Therefore, it is resolved that for the 2019-2020 school year, the Hanford Elementary School District has provided each pupil with sufficient textbooks and instructional materials aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks.

Passed and adopted on the 11<sup>th</sup> day of September 2019 at a regular meeting of the governing board by the following vote:

AYES:

NOES:

ABSENT:

I hereby certify that the foregoing Resolution was duly introduced, passed and adopted by the governing board at a regularly called and conducted meeting on said date.

---

Tim Revious  
President, Board of Trustees  
Hanford Elementary School District

# Hanford Elementary School District

## District Core Instructional Materials

### 2019-2020

#### MATHEMATICS – 2014 ADOPTION

| Grade | Publisher                | District Implementation Year | State Board of Education Adopted | 1:1 Text Per Student Ratio |
|-------|--------------------------|------------------------------|----------------------------------|----------------------------|
| TK    | McGraw Hill              | 2014-15                      | Yes                              | Yes                        |
| K – 5 | Pearson                  | 2014-15                      | Yes                              | Yes                        |
| 6 – 7 | Big Ideas                | 2014-15                      | Yes                              | Yes                        |
| 8     | College Preparatory Math | 2014-15                      | Yes                              | Yes                        |

#### READING/LANGUAGE ARTS/ELD – 2016 ADOPTION (K-8)

| Grade | Publisher                 | District Implementation Year | State Board of Education Adopted | 1:1 Text Per Student Ratio |
|-------|---------------------------|------------------------------|----------------------------------|----------------------------|
| TK    | Houghton Mifflin Harcourt | 2014-15                      | Yes                              | Yes                        |
| K – 1 | Houghton Mifflin Harcourt | 2016-17                      | Yes                              | Yes                        |
| 2 - 6 | Benchmark Advance         | 2016-17                      | Yes                              | Yes                        |
| 7 -8  | Houghton Mifflin Harcourt | 2016-17                      | Yes                              | Yes                        |

#### HISTORY/SOCIAL SCIENCE – 2018 ADOPTION

| Grade | Publisher      | District Implementation Year | State Board of Education Adopted | 1:1 Text Per Student Ratio |
|-------|----------------|------------------------------|----------------------------------|----------------------------|
| K – 6 | Studies Weekly | 2018-19                      | Yes                              | Yes                        |
| 7 – 8 | Pearson        | 2018-19                      | Yes                              | Yes                        |

#### SCIENCE – 2006 ADOPTION

| Grade | Publisher   | District Implementation Year | State Board of Education Adopted | 1:1 Text Per Student Ratio |
|-------|-------------|------------------------------|----------------------------------|----------------------------|
| K – 6 | McGraw Hill | 2007-08                      | Yes                              | Yes                        |
| 7 – 8 | CPO         | 2007-08                      | Yes                              | Yes                        |

#### FOREIGN LANGUAGE – SPANISH – 2003 ADOPTION

| Grade | Publisher | District Implementation Year | State Board of Education Adopted | 1:1 Text Per Student Ratio<br>Per student enrolled in course |
|-------|-----------|------------------------------|----------------------------------|--|
| TK    | Glencoe   | 2007-08                      | Yes                              | Yes  |

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy C. Gabler

FROM: Lucy Gomez

DATE: August 30, 2019

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

Date you wish to have your item considered: September 11, 2019

**ITEM:** Consultant Contract with Sharon Ramseier-Williams for custom Parent-Kinder Bi-Literacy Workshops (Spanish & English)**PURPOSE:** The focus of these monthly bi-literacy workshops is to provide parents of TK/Kinder English Learners with strategies to support literacy in the child's primary language (Spanish). Participation in our district Kinder Counts Academy will empower parents to be active participants in their child's language development, both in English and Spanish.**FISCAL IMPACT:** \$7,989.97**RECOMMENDATIONS:** Approval

## HANFORD ELEMENTARY SCHOOL DISTRICT

## CONSULTANT CONTRACT

This contract is entered into on August 22, 2019, between the Hanford Elementary School District and Sharon Ramseier-Williams (Consultant).

Consultant agrees to perform the following services for the Hanford Elementary School District:

Provide bi-literacy workshops to parents of Kinder English Learners from all HESD elementary school sites on a monthly basis (2 per month/total of 14), as well as nine planning sessions with HESD staff.

The Consultant, and the agents and employees of the Consultant, in the performance of this agreement shall act in an independent capacity and not as officers or employees or agents of the Hanford Elementary School District.

Consultant agrees to indemnify, defend and save harmless the Hanford Elementary School District, its officers, agents and employees from any and all claims and losses accruing or resulting in connection with the performance of this agreement, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by the Consultant in the performance of this agreement.

The Hanford Elementary School District agrees to pay Sharon Ramseier-Williams the sum of Seven Thousand Nine Hundred Eighty-Nine Dollars and Fifty-Three Cents ( \$ 7,989.97 ) for such services.

Sharon Ramseier-Williams

\_\_\_\_\_  
Consultant Signature

\_\_\_\_\_  
Consultant Name

1369 Harvard Place

Hanford,

CA

93230

\_\_\_\_\_  
Consultant's Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
Principal/Department Head Signature

\_\_\_\_\_  
Other Authorizing Signature

Budget Account Number:

0100-4203-0-0000-2495-580009-005-0000

Board Approved: \_\_\_\_\_


Original Copy: Fiscal Services  
One Copy: Consultant  
One Copy: School/Department

**DISTRICT USE:**  
**SUBJECT TO MONTOYA SCHOOL SAFETY ACT?**

YES / NO  
(CIRCLE ONE)

## HANFORD ELEMENTARY SCHOOL DISTRICT

## AGENDA REQUEST FORM

TO: **Joy C. Gabler**  
FROM: **Jill Rubalcava**   
DATE: **August 30, 2019**

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: **September 11, 2019**

**ITEM:** Consultant Contract with Dr. Adam Saenz of Saenz Culture Architects

**PURPOSE:**

Provide 2 days of Professional Development (October 21-22) for teachers and administrators.

**Session Topics:**

For Teachers: Dr. Saenz will focus on Relationship Based De-escalation in the classroom and Mental Health First Aide in the classroom.

For Administrators: Dr. Saenz will focus on Emotionally Intelligent Leadership, Stages of Community, and Using Stress to Reach Peak Performance.

**FISCAL IMPACT:** \$18,000

**RECOMMENDATIONS:** Approval

## HANFORD ELEMENTARY SCHOOL DISTRICT

**Agenda Request Form**

TO: Joy C. Gabler

FROM: Gerry Mulligan *GM*

DATE: August 30, 2019

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: September 11, 2019

**ITEM:**

Consider approval for inspection services agreement with TWB Inspections to oversee the Lincoln solar project.

**PURPOSE:**

The District is interested in having an inspector to oversee the construction of the Lincoln Kindergarten solar project. TWB Inspections is certified by the Division of the State Architect and has worked with the District in the past.

**FISCAL IMPACT:**

Inspection services are \$7,500 for this project.

**RECOMMENDATION:**

Approve inspection services contract with TWB Inspections to oversee the Lincoln solar project.

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy C. Gabler

FROM: Karen McConnell

DATE: September 3, 2019

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: September 11, 2019

**ITEM:** Memorandum of Understanding (MOU) between Kings View Counseling Services and Hanford Elementary School District

**PURPOSE:** This Memorandum of Understanding between Kings View Counseling Services and the Hanford Elementary School District is for the purpose of providing mental health counseling services to students who meet the Department of Mental Health guidelines for medical necessity in order to receive services. These services are often generated by a referral from a medical professional, mental health professional or through a school based referral and treatment is agreed to by parents.

**FISCAL IMPACT:** Cost Breakdown on page 2 of MOU

**RECOMMENDATIONS:** Approve

**Memorandum of Understanding  
Kings View Behavioral Health System, Kings County  
And  
Hanford Elementary School District**

This Memorandum of Understanding ("MOU") is made and entered into with Kings View Behavioral Health System, Kings County, ("KVBHSC") the provider of Mental Health Services and the Hanford Elementary School District ("HESD"). The parties have entered into this MOU for the purpose of funding and providing Individualized Education Program ("IEP") driven educationally related mental health services to specified HESD students with exceptional needs.

Now, therefore, in consideration of the covenants, conditions, agreements, and stipulations set forth herein, the parties agree as follows:

Scope of Services.

- a. KVBHSC shall participate as a member of the IEP team for students who are identified as needing educationally relevant counseling and guidance necessary for the student to make educational progress. KVBHSC shall work jointly in the development of assessments with the HESD staff, provide services as determined by the IEP team, write and monitor appropriate goals on the students IEP as outlined in the IEP, provide services as indicated on the students IEP, monitor the student progress on the IEP and report such progress to HESD administration.
- b. KVBHSC staff will provide monthly logs of service to HESD outlining service provisions provided to each student served by KVBHSC staff.
- c. KVBHSC agrees to provide the educationally relevant counseling and guidance service at the school the student attends.
- d. HESD agrees to provide a confidential location at the school site for individual and/or group counseling.
- e. HESD will provide access to its wireless network and Special Education Information System ("SEIS"); however, hardware will be the responsibility of KVBHSC. KVBHSC agrees to have each of its employees who will access the district's wireless network and SEIS review, sign and comply with the HESD's "Acceptable Use Policy."
- f. KVBHSC will provide certification to HESD to demonstrate its qualifications on as a Non-Public Agency through the California Department of Education. KVBHSC will provide documentation to HESD demonstrating eligibility of all its employees to be on schools' sites (fingerprint checks) and having recent TB clearance.
- g. HESD will determine the number of students to be served under this MOU and locations of service for each student.

### Service Specifications.

KVBHSCC shall provide educationally relevant counseling and guidance services as determined by the IEP team to students and their families including the following services as negotiated by all parties:

- a. Assessments
- b. Individual Counseling
- c. Group Counseling
- d. Case Management/Consultation Services

### Compensation/Billing.

- a. An accounting/invoice shall be submitted to HESD by KVBHSCC quarterly for each student indicating the school district of residence; student's date of birth, the nature of the services provided; the total minutes per session and the total sessions; dates on which services were rendered; the revenue received; and the net and/or unreimbursed cost for the IEP-driven educationally relevant counseling and guidance service due and payable to KVBHSCC. The compensation shall be paid within thirty (30) business days after receipt of the invoice.
- b. It will be the responsibility of KVBHSCC to diligently account for and seek reimbursement from the State for all Medi-Cal/Early and Periodic Screening and Diagnostic Treatment ("EPSDT") eligible services.
- c. KVBHSCC agrees to diligently leverage additional funding from other sources, should any exist or come into existence. Such funding and/or reimbursements received by KVBHSCC for educationally relevant counseling and guidance service shall offset any amount HESD is required to fund under this MOU.

### Rate of Service.

KVBHSCC proposes to bill HESD for all staff time required for IEP services at whatever the current Short/Doyle Medi-Cal billing rate is for the particular service. If it is not a billable Medi-Cal service, KVBHSCC will bill the Medi-Cal rate for Mental Health Services.

Medi-Cal rates are based on KVBHSCC's actual costs which are defined and audited by the State, but an interim billing rate is used and is based on as close an estimate to actual costs as possible. Since the State is in the process of changing the methodology for determining that rate, and is also eliminating the State Maximum Allowable, it is possible that the rates could go up or down from what they are currently. Therefore, the rates shown below are subject to change based on the above.

### KVBHSCC Medi-Cal Billing Rates (2019-20)

|                            |                   |                   |
|----------------------------|-------------------|-------------------|
| Case Management, Brokerage | \$2.65 per minute | \$159.00 per hour |
| Mental Health Services     | \$3.50 per minute | \$210.00 per hour |
| Agency Consultation        | \$3.50 per minute | \$210.00 per hour |

Case Management, Brokerage includes linkage and consultation.

Mental Health Services includes individual, group, and family therapy, as well as collateral and rehab.

KVBHSCC will bill HESD per minute which includes direct face-to-face time as well as documentation time. If a student is eligible for Medi-Cal, any Medi-Cal billable service costs would be credited in the amount of the Federal Financial Participation (FFP) which is currently 50%. HESD would then be responsible only for the non-FFP portion for Medi-Cal billable services provided to Medi-Cal eligible children. For example:

Medi-Cal Eligible Student receives an hour of therapy:

|   |                   |
|---|-------------------|
| Billing is for one (1) hour @ \$3.50 per minute = | \$210.00 per hour |
| Medi-Cal FFP credit @ 50%=                        | (-105.00)         |
| Balance to be paid by HESD=                       | <\$105.00>        |

Non Medi-Cal Eligible Student receives an hour of therapy:

|   |                   |
|---|-------------------|
| Billing is for one (1) hour @ \$3.50 per minute = | \$210.00 per hour |
| Medi-Cal FFP credit @ 50%=                        | (-0.00)           |
| Balance to be paid by HESD=                       | <\$210.00>        |

#### Effective Date and Duration.

The MOU and the obligations hereunder shall be effective upon signatures and dates of all parties. The agreement and the scope of services under this MOU will cover all services rendered as of August 1, 2019, shall remain in effect until June 30, 2020.

#### Termination of MOU for Convenience of Either Party.

Any party may terminate this MOU at any time by giving to the other party thirty (30) days written notice of each termination. Termination for convenience shall be effective at 11:59 p.m., Pacific Standard Time on the intended date for termination (the "Termination Date"). The terminating party shall have no effect upon the rights and obligations of the parties arising out of any transaction occurring prior to the effective date of such termination. KVBHSCC shall be paid for all services satisfactorily completed at the rates stated above and not previously paid through payments prior to the effective date of said termination.

#### Termination of MOU for Cause.

If either party fails to perform its duties under this MOU or if either party breaches any of the material terms or provisions of the MOU, then the non-breaching party shall have the right to terminate this MOU effective immediately upon giving written notice to the breaching party. Termination shall have no effect upon the rights and obligations of the parties arising out of any transaction occurring prior to the effective date of such termination. If the termination for cause is defective for any reason, including, but not

limited to, reliance on erroneous facts concerning performance of any defect in notice thereof, then the maximum liability shall not exceed the amount payable to KVBHSC under "Rate of Service" noted above.

#### Entire Agreement and Modification.

This MOU supersedes all previous agreements and constitutes the entire understanding of the parties hereto. All parties specifically acknowledge that in entering into and executing this MOU that they shall rely solely upon the provisions contained in this MOU.

#### Enforceability.

If any term, covenant, condition, or provision of this MOU is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions hereof shall remain in full force and effect and shall in no way be affected, impaired, or invalidated thereby.

#### Employment Status.

KVBHSC and its officers, employees, or agents shall, during the entire term of the MOU, be construed to be an independent contractor and nothing in this MOU is intended nor shall be construed to create an employer-employee relationship, a joint venture relationship or to allow LEA to exercise direction or control over the professional manner in which KVBHSC performs the services which are the subject matter of this MOU. KVBHSC understands and agrees that its employees shall not be and will not be eligible for membership for any benefits from any LEA group plan for hospital, surgical, or medical insurance, or for membership in any LEA retirement program, or for paid vacation, sick leave or other leave, with or without pay, or for any other benefit which accrues to the LEA employee.

#### Warranty of KVBHSC.

KVBHSC warrants that KVBHSC and each of the personnel employed or otherwise retained by KVBHSC for services performed pursuant to this MOU are properly certified and licensed under the laws and regulations of the State of California to provide the special services herein agreed to. Mental health services shall be provided in a manner consistent with all applicable standards and regulation governing such services. Staff will be either a Licensed Marriage and Family Therapist, or a Licensed Social Worker, or will be a Masters Level Counselor, or Social Working with a Pupil Personnel Services Credential. KVBHSC also warrants that all of its employees are covered by a currently liability insurance policy during the term of this MOU.

#### California Law and Venue.

It is agreed this MOU shall be governed by the laws of the State of California. This MOU is made, executed, and performed in the County of Kings.

#### Indemnification.

- a. Each party agrees to defend, hold harmless, and indemnify the other party's (and the other party's officers, employees, trustees, agents, successors, and assigns) against all claims, suites, expenses, losses, penalties, fines, costs, and liability

whether in contract, tort, or strict liability (including, but not limited to, personal injury, death at any time, and property damage) arising out of or made necessary by: (a) the indemnifying party's breach of the terms of this MOU, (b) the act or omission of the indemnifying party, its employees, officers, agents, and assigns in connection with the performance of this MOU, and (c) the presence of the indemnifying party, its officers, employees, agents, assigns, or invitees on the other party's premises.

- b. In the event of any action or proceeding that is brought against any party by reason of any claim or demand discussed in this section, upon notice, the indemnifying party shall defend the action or proceeding at the indemnifying party's expense, through counsel reasonably satisfactory to the other party or parties. The obligation to indemnify set forth in this section shall be including reasonable attorneys' fees and investigation costs and all other reasonable costs, expenses, and liabilities from the first notice that any claim or demand is made.
- c. The indemnifying party's obligation under this section shall apply regardless of whether the other party (or any of its officers, employees, trustees, or agents) is actively or passively negligent, but shall not apply to any loss, liability, fine, penalty, forfeiture, cost, or damage determined by an arbitrator or court of competent jurisdiction to be caused by the sole active negligence of willful misconduct of the other party, its officers, employees, trustees, or agents.
- d. These indemnification obligations shall survive the expiration and/or termination of this MOU.

#### Confidentially.

Services provided by KVBHSCC are confidential in nature. All mental health records shall be maintained by KVBHSCC and not shared with HESD or their officers, agents, or employees, except as authorized by law. Confidential information obtained by HESD or its officers, agents, or employees, in the course of receiving services and/or residential placement under this MOU may not be disclosed except as authorized by law or unless HESD secures prior written authorization from KVBHSCC. HESD and their officers, agents, and employees, agree to obey all applicable laws and regulations, including without limitation the provisions of the Health Information Portability and Accountability Act, the Public Health Service Act (42 U.S.C. Section 290ee-3), Title 42 of the Code of Federal Regulations, any other applicable Federal, State, or local laws, regulation, directives, or guidelines. All student records by HESD are confidential as provided for by the California Education Code and the Federal Educational Rights and Privacy Act. KVBHSCC agrees to have all its employees abide by these confidentiality laws regarding student records.

#### Third Party Rights.

Nothing in this MOU shall be construed to give any rights or benefits to anyone other than KVBHSCC and HESD.

### Integration.

This MOU represents the entire understanding of KVBHSCC and HESD as to those matters contained herein and superseded and cancels any prior oral or written understanding, promises, representations, or agreement(s) with respect to those matters covered hereunder. This MOU may not be modified or altered except in writing and signed by all parties hereto.

### Legal Compliance.

Each party shall comply with all laws as may be applicable for the provision of services within the scope of this MOU, and within the State and Federal audit compliance requirements as set for the by the State Department of Mental Health and Federal regulation.

### Records.

- a. KVBHSCC shall keep complete accurate records as required by law for the service performed pursuant to this MOU. Those records shall only be releasable in accordance with appropriate provisions of law.
- b. KVBHSCC shall assure the confidentiality of any records that are required by law to be so maintained.
- c. KVBHSCC shall comply with the Health Insurance Portability and Accountability Act of 1996 Public Law 104-19 ("HIPAA"). KVBHSCC shall train all of its personnel regarding the requirement of the Act. KVBHSCC shall implement all privacy protections to individual's identifiable protected health information.

### Attorney Fees.

If the parties become involved in arbitration or litigation concerning this contract or the performance of this contract, the prevailing party shall be entitled to an award of reasonable costs and expenses or arbitration or litigation, including expert witness fees and attorney fees.

### Staffing.

Staffing is dependent on the number of students and amount of service. It is understood these hours may fluctuate based on the student's IEP requirements. Should the numbers of students increase rapidly, KVBHSCC will be provided one (1) month to secure staff resources in order to address the needs of students being serviced as outlined on the IEP.

### Term.

This MOU shall cover the period beginning on August 1, 2019, through the close of business on June 30, 2020. However, this MOU may be extended by parties' mutual written consent.

Any notice requires to be given pursuant to the terms and provisions hereof shall be in writing and shall be sent by first class mail to the following:

Kings View Behavioral Health System, Kings County  
 1393 Bailey Drive  
 Hanford, CA 93230

And

Hanford Elementary School District  
 714 N. White Street  
 Hanford, CA 93230

Any such notice shall be deemed to have been received if: (a) in the case of personal delivery or facsimile transmission with confirmation retained, on the date of such delivery or transmission; (b) in the case or nationally recognized overnight courier, on the next business day after the date sent, or (c) in the case of mailing, on the third business day following posting.

IN WITNESS TO WHICH, each party to this MOU has signed this MOU upon the date and agrees for itself, its employees, officers, partners, and successor, to be fully bound by all terms and conditions of this MOU.

Hanford Elementary School District

\_\_\_\_\_  
 Joy Gabler, Superintendent  
 Hanford Elementary School District

\_\_\_\_\_  
 Date

Kings View Behavioral Health System, Kings County

  
 \_\_\_\_\_  
 Lisa Rogers, PhD., Regional Director  
 Kings View Behavioral Health System, Kings County

8/30/19  
 \_\_\_\_\_  
 Date

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy Gabler

FROM: Doug Carlton

DATE: August 29, 2019

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: September 11, 2019

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

- AR 1312.3 – Community Relations

**PURPOSE: BP/AR 1312.3 - Uniform Complaint Procedures**

(BP/AR revised)

Policy updated to list all state and federal programs subject to the uniform complaint procedures (UCP) as specified in the Federal Program Monitoring instrument, reflect **NEW LAW (AB 699)** which includes immigration status as a prohibited basis for discrimination, and reflect **NEW LAW (AB 365)** which authorizes the use of UCP for alleged noncompliance with certain educational rights of children of military families. Policy also revised to clarify that, although complaints of employment discrimination are not subject to UCP, the district has an obligation to investigate such complaints using other district procedures. Regulation updated to reflect a requirement in AB 365 that the annual UCP notice include the educational rights of children of military families. Regulation also clarifies that any individual, public agency, or organization may file a complaint alleging violation of law regarding applicable state or federal programs, and deletes references to Office of Civil Rights resources on sexual violence which have been withdrawn.

**FISCAL IMPACT:** None

**RECOMMENDATIONS:** Approve AR 1312.3

# Hanford ESD

## Administrative Regulation

### Uniform Complaint Procedures

AR 1312.3

#### Community Relations

Except as the ~~Governing~~ Board of Trustees may otherwise specifically provide in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in BP 1312.3.

(cf. 1312.1 - Complaints Concerning District Employees)  
 (cf. 1312.2 - Complaints Concerning Instructional Materials)  
 (cf. 1312.4 - Williams Uniform Complaint Procedures)  
 (cf. 4030 - Nondiscrimination in Employment)

#### Compliance Officers

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment as the responsible employee(s) to handle complaints regarding ~~unlawful~~~~sex~~ discrimination (such as discriminatory harassment, intimidation, or bullying). The individual(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

(cf. 5145.3 - Nondiscrimination/Harassment)  
 (cf. 5145.7 - Sexual Harassment)

Superintendent (Lead Compliance Officer)  
 P.O. Box 1067  
 Hanford, CA 93230  
 (559) 585-3600

Director of Special Services (Compliance Officer)  
 P.O. Box 1067  
 Hanford, CA 93230  
 (559) 585-3600

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent, if applicable, if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which he/she has a bias or

conflict of interest that would prohibit him/her from fairly investigating or resolving the complaint. Any complaint against ~~or implicating~~ a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall may be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall ~~cover~~ include current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those ~~alleging involving alleged~~ unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 4331 - Staff Development)

(cf. 9124 - Attorney)

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement, ~~if possible,~~ one or more interim measures. The interim measures ~~shall~~ may remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

#### Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

The Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties. The notification shall include, ~~including~~ information regarding the prohibition of discrimination, harassment, intimidation, and bullying; unlawful student fees; local control and accountability plan (LCAP) requirements; and requirements related to the educational rights of foster youth, ~~and~~ homeless students, former juvenile court school students, and children of military families. ~~to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties.~~ (Education Code 262.3, 48853, 48853.5, 49010-49013, 49069.5, 51225.1, 51225.2, 52075; 5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 1220 - Citizen Advisory Committees)

(cf. 3260 - Fees and Charges)  
 (cf. 4112.9/4212.9/4312.9 - Employee Notifications)  
 (cf. 5145.6 - Parental Notifications)  
 (cf. 6173 - Education for Homeless Children)  
 (cf. 6173.1 - Education for Foster Youth)

~~The annual notification~~ (cf. 6173.2 - Education of Children of Military Families)  
(cf. 6173.3 - Education for Juvenile Court School Students)

~~and complete contact information of the compliance officer(s) may be posted on the district web site and, if available, provided through district supported social media.~~

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

~~The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.~~

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

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal antidiscrimination laws, if applicable
3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination (such as discriminatory harassment, intimidation, or bullying).
4. Include statements that:
  - a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
  - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
  - c. A complaint alleging retaliation or unlawful discrimination (such as discriminatory

harassment, intimidation, or bullying) must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.

d. Complaints should be filed in writing and signed by the complainant. If a complainant is unable to put his/her complaint in writing, for example, due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint.

e. If a complaint is not filed in writing but the district receives notice of any allegation that is subject to the UCP, the district shall take affirmative steps to investigate and address the allegations, in a manner appropriate to the particular circumstances.

If the allegation involves retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and the investigation confirms that discrimination has occurred, the district will take steps to prevent recurrence of discrimination and correct its discriminatory effects on the complainant, and on others, if appropriate.

fd. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.

ge. The Board is required to adopt and annually update the LCAP in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.

hf. A foster youth shall receive information about educational rights related to his/her educational placement, enrollment in and checkout from school, as well as the responsibilities of the district liaison for foster youth to ensure and facilitate these requirements and to assist the student in ensuring proper transfer of his/her credits, records, and grades when he/she transfers between schools or between the district and another district.

ig. A foster youth, ~~or~~ homeless student, former juvenile court school student, or child of a military family who transfers into a district high school or between district high schools as applicable shall be notified of the district's responsibility to:

(1)- Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to issue full or partial credit for the coursework completed

(2)- Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency

(3)- If the student has completed his/her second year of high school before the transfer, provide the student information about district-adopted coursework and Board-imposed

graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1

jh. The complainant has a right to appeal the district's decision to ~~the~~ CDE by filing a written appeal within 15 calendar days of receiving the district's decision.

In any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the respondent also shall have the right to file an appeal with CDE in the same manner as the complainant, if he/she is dissatisfied with the district's decision.

ki. The appeal to ~~the~~ CDE must include a copy of the complaint filed with the district and a copy of the district's decision.

lj. Copies of the district's UCP are available free of charge.

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district web site and may be provided through district-supported social media, if available.

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

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

#### District Responsibilities

All UCP-related complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. (5 CCR 4631)

For complaints alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall inform the respondent when the complainant agrees to an extension of the timeline for investigating and resolving the complaint.

The compliance officer shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in the allegations shall be notified when a complaint is filed and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process. (5 CCR 4630, 4964)

All complainants shall be protected from retaliation.

### Filing of Complaints

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A ~~written~~ complaint alleging district violation of applicable state or federal law or regulations governing ~~theadult education~~ programs specified in the accompanying Board policy (item #1 of the section "Complaints Subject to the UCP"), ~~consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs~~ may be filed by any individual, public agency, or organization. (5 CCR 4630)
2. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the -, or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)
3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that he/she personally suffered the unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged unlawful discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
4. When a complaint alleging unlawful discrimination (such as discriminatory harassment,

intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

5. When the complainant ~~or alleged victim~~ of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when he/she is not the complainant, requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

~~6. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)~~

### Investigation of Complaint

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or his/her representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or his/her representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. He/she shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in

any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

#### Report of Findings

##### OPTION 1:

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant, and respondent if there is one, a written report, as described in the section "Final Written Decision" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

##### OPTION 2:

~~Unless extended by written agreement with the complainant, a final decision shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint. Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Final Written Decision" below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five business days, file his/her complaint in writing with the Board.~~

~~The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. When required by law, the matter shall be considered in closed session. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.~~

~~If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)~~

In resolving any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent also shall be sent the district's decision and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

## Final Written Decision

The district's decision on how it will resolve the complaint shall be in writing and shall be sent to the complainant and respondent.- (5 CCR 4631)

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the decision or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the district's decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved attends a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
  - a. Statements made by any witnesses
  - b. The relative credibility of the individuals involved
  - c. How the complaining individual reacted to the incident
  - d. Any documentary or other evidence relating to the alleged conduct
  - e. Past instances of similar conduct by any alleged offenders
  - f. Past false allegations made by the complainant
2. The conclusion(s) of law
3. Disposition of the complaint
4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the

following:

- a. The manner in which~~How~~ the misconduct affected one or more students' education
  - b. The type, frequency, and duration of the misconduct
  - c. The relationship between the alleged victim(s) and offender(s)
  - d. The number of persons engaged in the conduct and at whom the conduct was directed
  - e. The size of the school, location of the incidents, and context in which they occurred
  - f. Other incidents at the school involving different individuals
5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

\_\_\_\_For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the decision may, as required by law, include:

- a. The corrective actions imposed on the respondent~~individual found to have engaged in the conduct that relate directly to the subject of the complaint~~
  - b. Individual remedies offered or provided to the complainant or another person who was the subject of the complaint, but this information should not be shared with the respondent.
  - c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence
6. Notice of the complainant's and respondent's right to appeal the district's decision to ~~the~~ CDE within 15 calendar days, and procedures to be followed for initiating such an appeal

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), the decision shall also include a notice to the complainant that:

1. He/she may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with ~~the~~ CDE.  (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law.  (Education Code 262.3)

3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at [www.ed.gov/ocr](http://www.ed.gov/ocr) within 180 days of the alleged discrimination.

### Corrective Actions

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate ~~remedies~~corrective actions that may be offered to focus on the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation
9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others

4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the district does not tolerate it, and how to report and respond to it.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes for students in elementary schools, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's final written decision of a complaint regarding any specified federal or state educational program subject to the UCP may file an appeal in writing with ~~the~~ CDE within 15 calendar days of receiving the district's decision. (Education Code 222, 48853, 48853.5, 49013, 49069.5, 51223, 51225.1, 51225.2, 51228.3, 52075; 5 CCR 4632)

When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the district's final written decision, he/she, in the same manner as the complainant, may file an appeal with CDE.

The complainant or respondent shall specify the basis for the appeal of the decision and how whether the facts of the district's decision are incorrect and/or the law has been misapplied.

The appeal shall be sent to CDE with ~~accompanied by~~ a copy of the original locally filed complaint and a copy of the district's decision in that complaint. (5 CCR 4632)

Upon notification by ~~the~~CDE that the complainant or respondent has appealed the district's decision, the Superintendent or designee shall forward the following documents to ~~the~~CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the written decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's uniform complaint procedures
7. Other relevant information requested by ~~the~~CDE

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT

approved: March 16, 1998 Hanford, California

revised: May 16, 2001

revised: April 5, 2006

revised: January 23, 2013

revised: October 23, 2013

revised: March 25, 2015

revised: March 9, 2016

revised: June 22, 2016

revised: May 22, 2019

revised: [September 25, 2019](#)

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: 08/29/19

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: 09/11/19

**ITEM:** Consider for approval the following **new** Board Policy:

- BP 0415 – Equity

**PURPOSE:** The following Board Policy is a new policy which addresses the district's recognition and response to the unique barriers facing historically underserved and underrepresented student populations. The policy expresses the district's intent to proactively identify class and cultural biases as well as practices that impede equal access to opportunities for all students. The policy also presents examples of strategies to promote equity in district programs and activities.

**FISCAL IMPACT:** None**RECOMMENDATIONS:** Approve

# Hanford ESD

## Board Policy

### Equity

BP 0415

#### Philosophy, Goals, Objectives and Comprehensive Plans

The ~~Governing Board of Trustees~~ believes that the diversity that exists among the district's community of students, staff, parents/guardians, and community members is integral to the district's vision, mission, and goals. Addressing the needs of the most marginalized learners requires recognition of the inherent value of diversity and acknowledgement that educational excellence requires a commitment to equity in the opportunities provided to students and the resulting outcomes.

(cf. 0000 - Vision)

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

In order to eradicate institutional bias of any kind, including implicit or unintentional biases and prejudices that affect student achievement, and to eliminate disparities in educational outcomes for students from historically underserved and underrepresented populations, the district shall proactively identify class and cultural biases as well as practices, policies, and institutional barriers that negatively influence student learning, perpetuate achievement gaps, and impede equal access to opportunities for all students.

The Board shall make decisions with a deliberate awareness of impediments to learning faced by students of color and/or diverse cultural, linguistic, or socio-economic backgrounds. To ensure that equity is the intentional result of district decisions, the Board shall consider whether its decisions address the needs of students from racial, ethnic, and indigent communities and remedy the inequities that such communities experienced in the context of a history of exclusion, discrimination, and segregation. Board decisions shall not rely on biased or stereotypical assumptions about any particular group of students.

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6174 - Education for English Learners)

(cf. 6175 - Migrant Education Program)

(cf. 9000 - Role of the Board)

(cf. 9310 - Board Policies)

The Board and the Superintendent or designee shall develop and implement policies and strategies to promote equity in district programs and activities, through measures such as the

following:

1. Routinely assessing student needs based on data disaggregated by race, ethnicity, and socio-economic and cultural backgrounds in order to enable equity-focused policy, planning, and resource development decisions

(cf. 0400 - Comprehensive Plans)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 6162.5 - Student Assessment)

2. Analyzing expenditures and allocating financial and human resources in a manner that provides all students with equitable access to district programs, support services, and opportunities for success and promotes equity and inclusion in the district. Such resources include access to high-quality administrators, teachers, and other school personnel; funding; technology, equipment, textbooks, and other instructional materials; facilities; and community resources or partnerships.

(cf. 0440 - District Technology Plan)

(cf. 3100 - Budget)

(cf. 4113 - Assignment)

(cf. 7110 - Facilities Master Plan)

3. Enabling and encouraging students to enroll in, participate in, and complete curricular and extracurricular courses, advanced college preparation programs, and other student activities

(cf. 6141.4 - International Baccalaureate Program)

(cf. 6141.5 - Advanced Placement)

(cf. 6143 - Courses of Study)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6152.1 - Placement in Mathematics Courses)

4. Building a positive school climate that promotes student engagement, safety, and academic and other supports for students

(cf. 5137 - Positive School Climate)

5. Adopting curriculum and instructional materials that accurately reflect the diversity among student groups

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

6. Providing and/or collaborating with local agencies and community groups to ensure the availability of necessary support services for students in need

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

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

(cf. 6179 - Supplemental Instruction)

7. Promoting the employment and retention of a diverse staff that reflects the student demographics of the community

8. Providing district staff with ongoing, researched-based, professional learning and professional development on culturally responsive instructional practices

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

9. Conducting program evaluations that focus on equity and address the academic outcomes and performance of all students on all indicators

(cf. 0500 - Accountability)

The Board shall regularly monitor the intent and impact of district policies and decisions in order to safeguard against disproportionate or unintentional impact on access to district programs and achievement goals for specific student populations in need of services.

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Educational equity

52077 Local control and accountability plan

60040 Selection of instructional materials

##### GOVERNMENT CODE

11000 Definitions

11135 Nondiscrimination in programs or activities funded by state

##### PENAL CODE

422.55 Definition of hate crime

422.6 Interference with constitutional right or privilege

##### CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

##### UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act

1681-1688 Discrimination based on sex or blindness, Title IX

2301-2414 Strengthening Career and Technical Education for the 21st Century Act

6311 State plans

6312 Local education agency plans

##### UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

## UNITED STATES CODE, TITLE 42

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

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

2000h-2000h-6 Title IX

12101-12213 Americans with Disabilities Act

## CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

36.303 Auxiliary aids and services

## CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.61 Discrimination on the basis of sex, effectuating Title IX

## Management Resources:

## CSBA PUBLICATIONS

Meeting California's Challenge: Access, Opportunity, and Achievement: Key Ingredients for Student Success, 2017

The School Board Role in Creating the Conditions for Student Achievement, 2017

African-American Students in Focus: Closing Opportunity and Achievement Gaps for African-American Students, 2016

African-American Students in Focus: Demographics and Achievement of California's African-American Students, 2016

Latino Students in California's K-12 Public Schools, 2016

Research-Supported Strategies to Improve the Accuracy and Fairness of Grades, 2016

Climate for Achievement Governance Brief Series, 2015

Math Misplacement, 2015

## CENTER FOR URBAN EDUCATION PUBLICATIONS

Protocol for Assessing Equity-Mindedness in State Policy, 2017

## WEB SITES

CSBA: <http://www.csba.org>California Department of Education: <http://www.cde.ca.gov>Center for Urban Education: <http://cue.usc.edu>Safe Schools Coalition: <http://www.casafeschools.org>

Policy HANFORD ELEMENTARY SCHOOL DISTRICT  
adopted: Hanford, California

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: 08/29/19

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: 09/11/19

**ITEM:** Consider for approval the following **deleted** Board Policy:

- BP 1020 – Youth Services

**PURPOSE:** The following Board Policy is being deleted. The key concepts were moved to BP 1400 – Relations Between Other Governmental Agencies and the Schools.

**FISCAL IMPACT:** None**RECOMMENDATIONS:** Approve

# Hanford ESD

## Board Policy

### Youth Services

BP 1020

### Community Relations

The Board of Trustees realizes that the schools alone cannot meet children's complex individual needs. Parents/guardians, schools, local government, businesses, foundations and community-based organizations all must work together to assess needs, improve conditions for our community's youth, and ensure that the multiple services needed by children and families are coordinated so as to avoid gaps, duplication or delay.

The Board shall initiate or participate in collaborative relationships with city and county leaders to develop local policies and provide effective multi-agency programs that respond to the needs of children and families.

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

The Superintendent and staff shall contact and cooperate with public and private agencies to ensure the availability and effective implementation of child care, after-school, nutrition, health and other services for children. District staff shall have opportunities to learn collaborative skills that will enhance their participation in these efforts.

The Board shall regularly evaluate the progress of collaborative efforts and shall monitor district budget, facilities and personnel priorities for opportunities to promote community collaboration and youth services.

The Board shall advocate for local, state and national policies, legislation and programs designed to provide or better coordinate services for children and families.

The district shall provide support services for children and families to the extent possible.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1160 - Political Processes)

(cf. 1240 - Volunteer Assistance)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 5136 - Gangs)

(cf. 5141.32 - Child Health and Disability Prevention Program)

(cf. 5141.4 - Child Abuse Reporting Procedures)

(cf. 5141.41 - Child Abuse Prevention)

(cf. 5141.6 - School-Based Health and Social Services)  
 (cf. 5146 - Married/Pregnant/Parenting Students)  
 (cf. 5148 - Child Care and Development)  
 (cf. 6020 - Parent Involvement)  
 (cf. 6164.2 - Guidance/Counseling Services)  
 (cf. 6171 - Title I Programs)

Legal Reference:

EDUCATION CODE

35160 Authority of Board of Trustees

35160.1 Broad authority of school districts

58700-58702 Tutoring and homework assistance program

WELFARE AND INSTITUTIONS CODE

18961.5 Computerized data base; families at risk for child abuse; sharing of information; multidisciplinary teams

18986.2-18986.30 Interagency Children's Services Act, especially:

18986.11-18986.15 County interagency collaboration

18986.40-18986.46 Integrated children's services programs

Management Resources:

CSBA PUBLICATIONS

Collaboration for Kids, March 1995

YOUTH LAW CENTER PUBLICATIONS

Model Form for Consent to Exchange Confidential Information among the Members of an Interagency Collaborative, Youth Law Center, San Francisco, 1995

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: May 16, 2001 Hanford, California

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: 08/29/19

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: 09/11/19

**ITEM:** Consider for approval the following Board Policy:

- BP 1400 – Relations Between Other Governmental Agencies and Schools.

**PURPOSE:** The policy was revised to delete material regarding the use of school facilities as a polling place, now addressed in BP 1330 - Use of School Facilities. Policy adds material on collaboration with local government agencies, formerly in BP 1020 - Youth Services.

**FISCAL IMPACT:** None**RECOMMENDATIONS:** Approve

# Hanford ESD

## Board Policy

### Relations Between Other Governmental Agencies And The Schools

BP 1400

#### Community Relations

The Board of Trustees ~~believes recognizes~~ that ~~agencies at all levels of government share its concern and responsibility for the welfare, health and safety of youth. The Board and district efforts~~ staff shall take every opportunity to provide a high-quality education for students in the community can be enhanced by collaboration work cooperatively with other government and public these agencies that are responsible for the health, safety, and well-being benefit of children and youth our students. The ~~district~~ Superintendent or designee shall initiate and maintain good working relationships with representatives of local these agencies ~~in order to~~ maximize student help our schools and family access to support students make use of the resources which governmental agencies can provide.

(cf. 1020—Youth Services)

~~The district may enter into agreements with other agencies which involve the exchange of funds or reciprocal services that will help students achieve to their highest potential. Such agreements shall be approved by the Board and executed in writing.~~

~~(cf. 3515.2—Disruptions)~~

~~(cf. 3515.3—District Police Department)~~

~~(cf. 3516—Emergencies and Disaster Preparedness Plan)~~

~~(cf. (cf. 0450 - Comprehensive Safety Plan)~~

~~(cf. 5030 - Student Wellness)~~

~~(cf. 5131.6 - Alcohol and Other Drugs4—Campus Disturbances)~~

~~(cf. 5131.7—Weapons and Dangerous Instruments)~~

~~(cf. (cf. 5141.32 - Health Screening for School Entry)~~

~~5141.22—Infectious Diseases)~~

~~(cf. (cf. 5141.4 - Child Abuse Prevention and Reporting Procedures)~~

~~(cf. 5144.1—Suspension and Expulsion/Due Process)~~

~~(cf. 5145.11—Questioning and Apprehension)~~

~~(cf. 5145.12—Search and Seizure)~~

~~(cf. 7131—Relations with Local Agencies)~~

~~(cf. 9311—Board Policies)~~

#### Elections/Voter Registration

~~If a city or county elections official specifically requests the use of a school building as a polling place, the Board shall allow its use for such purpose. The Board may authorize the use of school buildings as polling places on any election day, and may also authorize the use of school~~

buildings, without cost, (cf. 5141.52 - Suicide Prevention)  
(cf. 5141.6 - School Health Services)  
(cf. 5146 - Married/Pregnant/Parenting Students)  
(cf. 5148 - Child Care and Development)  
(cf. 5148.2 - Before/After School Programs)  
(cf. 5148.3 - Preschool/Early Childhood Education)  
(cf. 6164.2 - Guidance/Counseling Services)  
(cf. 6173 - Education for Homeless Children)  
(cf. 6173.1 - Education for Foster Youth)

The Board shall initiate or participate in collaborative relationships with city and county elected officials to design and coordinate multi-agency programs that respond to the needs of children and families and provide more efficient use of district and community resources. To further such collaborations, the Board may establish or participate in formal structures for governance teams to regularly meet and discuss issues of mutual concern.

(cf. 0200 - Goals for the School District)  
(cf. 9140 - Board Representatives)

The Superintendent and appropriate staff shall cooperate with government and public agencies in the planning and implementation of joint projects or activities within the community. The Superintendent or designee may designate a coordinator to ensure effective implementation of the district's responsibilities in any such collaborative project.

In order to identify priorities for services, the Board shall encourage a periodic assessment of children's needs within the community, which may include, but not be limited to, needs based on poverty, child abuse and neglect, poor physical or mental health, substance abuse, violence, homelessness, placement in foster care, or lack of access to child care. The needs assessment should also examine the extent to which those needs are being met through existing services in the district and in the community, the costs of providing those services, and any gaps, delay, or duplication of services.

The Board shall approve the services to be offered by the district, the resources that will be allocated to support collaboration, any use of school facilities for services, and any development or joint use of facilities with other jurisdictions. All agreements with other agencies to coordinate services or share resources shall be in writing. The Board may establish joint powers agreements or memorandums of understanding, when feasible, to formalize the responsibilities and liabilities of all parties in a collaborative activity.

(cf. 1330 - Use of School Facilities)  
(cf. 1330.1 - Joint Use Agreements)  
(cf. 3100 - Budget)

The Superintendent or designee shall work with interagency partners to explore funding opportunities available through each agency, state and national grant programs, and/or private foundations for youth service coordination and delivery.

In order to facilitate service delivery or determination of eligibility for services, the district may share information with other appropriate agencies as long as the parent/guardian consents and the information is shared in accordance with laws pertaining to confidentiality and privacy.

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5125 - Student Records)

The Board shall receive reports of progress toward the identified goals of the collaborative effort. The reports may include, but not be limited to, feedback from staff and families regarding service delivery, numbers of children and families served, specific indicators of conditions of children, and indicators of system efficiency and cost effectiveness.

(cf. 0500 - Accountability)

The Board shall communicate with the community about the district's collaborative efforts and the conditions of children within the schools. The Board may advocate for local, state, and national policies, programs, and initiatives designed to improve the conditions of children and youth.

(cf. 1100 - Communication with the Public)

(cf. 1160 - Political Processes)

(cf. 9000 - Role of the Board)

(cf. 9322 - Agenda/Meeting Materials)

~~for the storage of voting machines and other vote tabulating devices. If school sessions will continue, the Board shall identify to elections officials the specific areas of the school buildings not occupied by school activities that will be allowed for use as polling places. (Elections Code 12283)~~

~~When a school is used as a polling place, the Superintendent or designee shall provide the elections official a site with an adequate amount of space that will allow the precinct board to perform its duties in a manner that will not impede, interfere or interrupt the normal process of voting, and shall make a telephone line for Internet access available for use by local elections officials if so requested. He/she shall make a reasonable effort to ensure that the site is accessible to disabled persons. (Elections Code 12283)~~

#### Legal Reference:

#### EDUCATION CODE

8800-8807 Healthy Start support services for children

10900-10914.5 -Cooperative community recreation programs

49073 Privacy12400—Authority to receive and expend federal funds

12405—Authority to participate in federal programs

17050—Joint use of library facilities

17051—Joint use of park and recreational facilities

~~32001—Fire alarms and drills~~

~~35160—Authority of governing boards~~

~~35160.1—Broad authority of school districts~~

~~48902—Notification of law enforcement agencies re student records violations~~

~~49075 Parent/guardian permission for release of student records~~

~~49557.2 Sharing of information for MediCal eligibility~~

#### HEALTH AND SAFETY CODE

~~120440 Immunization records; release to 48909—District attorney may give notice re student drug use, sale or possession~~

~~49305—Cooperation of police and California Highway Patrol (re Safety Patrols)~~

~~49402—Contracts with city, county or local health departments~~

~~130100-130155 Early childhood development; First 5 Commission~~

~~49403—Cooperation in control of communicable disease and immunization~~

~~51202—Instruction in personal and public health and safety (re: fire prevention)~~

#### ELECTIONS CODE

~~12283—Polling places: schools~~

#### WELFARE AND INSTITUTIONS CODE

~~5850-5883 Mental Health Services Act~~

~~18961.5 Computerized database; families at risk for child abuse; sharing 828—Disclosure of information re minors by law enforcement agency~~

~~828.1—School district police department; disclosure of juvenile criminal records~~

#### Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: November 17, 1993 Hanford, California

reviewed: May 16, 2001

revised: February 18, 2004

revised:

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: 08/29/19

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: 09/11/19

**ITEM:** Consider for approval the following revised Board Policy:

- BP 2210 - Administrative Discretion Regarding Board Policy

**PURPOSE:** The policy has been updated to add the board's expectation that the superintendent or designee will be nondiscriminatory and demonstrate a commitment to equity whenever he/she is exercising administrative authority to address a situation that is either not covered in written policies or that requires immediate action to avoid risk to student and staff safety, protect district property, or prevent disruption of school operations. Policy clarifies the superintendent's accountability for all areas of operation under his/her authority and provides that the superintendent or designee will notify the board, as appropriate, of his/her actions exercised pursuant to this policy.

**FISCAL IMPACT:** None**RECOMMENDATIONS:** Approve

# Hanford ESD

## Board Policy

### Administrative Discretion Regarding Board Policy

BP 2210

#### Administration

The ~~Governing~~ Board of Trustees desires to be proactive in communicating its philosophy, priorities, and expectations for the district; clarifying the roles and responsibilities of the Board, Superintendent, and other senior administrators; and setting direction for the district through written policies. ~~However, the Board recognizes that, in the course of operating district schools or implementing district programs, situations may arise which may not be addressed in written policies. In such situations, or when immediate action is necessary to avoid any risk to the safety or security of students, staff, or district property or to prevent disruption of school operations, the Superintendent or designee shall have the authority to act on behalf of the district in a manner that is consistent with law and Board policies.~~

(cf. 0000 - Vision)

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

(cf. ~~0450 - Comprehensive Safety Plan~~)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 2110 - Superintendent Responsibilities and Duties)

(cf. ~~2121 - Superintendent's Contract~~)

(cf. ~~3516.5 - Emergency Schedules~~)

(cf. 9000 - Role of the Board)

(cf. 9310 - Board Policies)

~~In any situation in which immediate action is needed to avoid any risk to the safety or security of district students, staff, or property or disruption to student learning, the Superintendent or designee shall have the authority to act on behalf of the district.~~

As necessary, the Superintendent or designee shall consult with other district staff, including ~~the~~ legal counsel and/or the chief business official, regarding the exercise of this authority.

~~(cf. 0450 - Comprehensive Safety Plan)~~

~~(cf. 3516.5 - Emergency Schedules)~~

Any exercise of administrative authority shall be nondiscriminatory and demonstrate the district's commitment to equity in district programs and activities.

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

(cf. 0415 - Equity)

The Superintendent shall be accountable to the Board for all areas of operation under his/her

authority. As appropriate, the Superintendent or designee shall notify the Board as soon as practicable after he/she exercises ~~the~~this authority granted under this policy.— The Board president and the Superintendent shall schedule a review of the action at the next regular Board meeting. —If the action indicates the need for additions or revisions to Board policies, the Superintendent or designee shall make the necessary recommendations to the Board.

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

#### Legal Reference:

##### EDUCATION CODE

35010 Control of district, prescription and enforcement of rules

35035 Powers and duties of superintendent

35160 Authority of governing boards

35161 Powers and duties; authority to delegate

35163 Official actions, minutes and journal

#### Management Resources:

##### ~~CSBA PUBLICATIONS~~

~~Impact of Local Control Funding Formula on Board Policies, Policy Brief, November 2013~~

##### WEB SITES

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

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

#### Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: February 17, 1999 Hanford, California

revised: September 19, 2001

revised: September 9, 2015

revised:

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: 08/29/19

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: 09/11/19

**ITEM:** Consider for approval the following revised Board Bylaw:

- BB 9310 – Board Policies

**PURPOSE:** The bylaw has been updated to address alignment of board policies with the district's vision, goals, and local control and accountability plan and add the concept of proactively addressing equity and equal access in board policies. Material has been rearranged to emphasize that policies are not operative if in conflict with applicable federal or state law or regulations or court decisions.

**FISCAL IMPACT:** None**RECOMMENDATIONS:** Approve

# Hanford ESD

## Board Bylaw

### Board Policies

BB 9310

### Board Bylaws

The Board of Trustees shall adopt written policies to convey its expectations for actions that will be taken in the district, clarify roles and responsibilities of the Board and Superintendent, and communicate Board philosophy and positions to ~~the~~ students, staff, parents/guardians, and the community.

(cf. 9000 - Role of the Board)

The Board shall ensure that district policies align with the district's vision and goals, promote student learning and achievement, provide for consistent and fair treatment of students and staff, and proactively address equity and the provision of equal access to opportunities for all students.

(cf. 0000 - Vision)

(cf. 0100 - Philosophy)

(cf. 0415 - Equity)

(cf. 0460 - Local Control and Accountability Plan)

The Board recognizes the importance of maintaining a policy manual that is up to date and reflects the mandates of law. Board policies are binding on the district to the extent that they do not conflict with federal or state law and are consistent with the district's collective bargaining agreements.

~~(cf. 0000 - Vision)~~

~~(cf. 0100 - Philosophy)~~

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

~~The Board recognizes the importance of maintaining a policy manual that is up to date and reflects the mandates of law.~~ No Board policy, bylaw, or administrative regulation, or any portion thereof, shall be operative if it is found to be in conflict with applicable federal or state law or regulations or court decisions. If any portion of a policy is found to be invalid, that invalidity shall not affect other provisions of the policy.

(cf. 2210 - Administrative Discretion Regarding Board Policy)

Policies shall be regularly reviewed at a time allocated for this purpose on the agenda of public Board meetings.

(cf. 9320 - Meetings and Notices)

(cf. ~~9322—Agendas/Meeting Materials~~)  
9322 - Agenda/Meeting Materials)

The Board shall review certain policies annually, as required by Education Code 35160.5. If no revisions are deemed necessary, the Board minutes shall nevertheless indicate that the review was conducted. Other policies shall be monitored and reviewed as specified in the policy itself or as needed to reflect changes in law or district circumstances.—

(cf. 5116.1 - Intradistrict Open Enrollment)  
 (cf. 6145 - Extracurricular and Cocurricular Activities)

#### Policy Development and Adoption Process

The district's policy development process shall include the following basic steps:—

1. The Board and/or Superintendent or designee shall identify the need for a new policy or revision of an existing policy. ~~—The need may arise from a change in law, a new district vision statement, newer goals in the local control and accountability plan, educational research or trends, or a change in the superintendency or Board membership. The need may also occur as a result of an incident that has arisen in the district, or a recommendation or request from staff, a parent/guardian, or other interested person.~~persons.—

2. As needed, the Superintendent or designee shall gather fiscal ~~and other~~ data, staff and public input, related district policies, sample policies from the California School Boards Association or other organizations or agencies, and other useful information and data to fully inform the Board about a particular~~the~~ issue.

(cf. 1220 - Citizen Advisory Committees)

3. The Board may hold discussions during a public Board meeting to gain an understanding of the issue and provide initial direction to the Superintendent or designee. The discussion may include, but not be limited to, ~~how the proposed policy may affect student learning,~~ community expectations, staff recommendations, and the expected fiscal impact of, as well as the policy's impact on student learning and well-being, equity, governance, and the district's fiscal resources and operational efficiency.

4. The Board or Superintendent may request that legal counsel review the draft policy as appropriate.

5. The Superintendent or designee shall develop and present a draft policy for a first reading at a public Board meeting. At its second reading, the Board may take action on the proposed policy. ~~—The Board may waive the second reading or may require an additional reading if necessary.~~

(cf. 9323 - Meeting Conduct)

Only policies formally adopted by a majority vote of the Board shall constitute official Board policy.

(cf. ~~9322 - Agenda/Meeting Materials~~)  
(~~cf. 9323.2 - Actions by the Board~~)

The district's policy development process may be revised or expanded as needed based on the issue being considered, the need for more information, or the desire to provide greater opportunities for consultation and public input.

Policies shall become effective upon Board adoption or at a future date if so designated by the Board at the time of adoption.

### Board Bylaws

The Board shall prescribe and enforce rules for its own governance~~government~~ consistent with state law and regulations. (Education Code 35010)

Bylaws governing Board ~~of Trustees~~ operations may be developed, adopted, and amended following the same procedures as those used for the adoption or amendment of Board policy.-

### Administrative Regulations

The Superintendent or designee shall be responsible for developing and enforcing administrative regulations for the operation of the district. Administrative regulations shall be consistent with law and Board policy and shall be designed to promote the achievement of district goals and objectives. Administrative regulations may describe specific actions to be taken, roles and responsibilities of staff, timelines, and/or other ~~necessary~~ provisions. The Superintendent or designee may also ~~may~~ develop procedures manuals, handbooks, or other guides to carry out the intent of Board policy.

When Board policies are amended, the Superintendent or designee shall review corresponding administrative regulations to ensure that they conform to the intent of the revised policy. In case of conflict between administrative regulation and Board policy, policy shall prevail.

The Board may review and/or approve administrative regulations for the purpose of ensuring conformity with the intent of Board policy.

### Monitoring and Evaluation

At any time, the ~~time a policy is adopted, the~~ Board and Superintendent or designee may~~shall~~ determine that progress reports to the Board on the implementation and/or effectiveness~~whether an evaluation~~ of the policy should be scheduled. If and, if so, the Board and Superintendent or designee shall agree upon a timeline and, as applicable, measures for evaluating the effectiveness of the policy in achieving its purpose.

(cf. 0500 - Accountability)

#### Access to Policies

The Superintendent or designee shall ensure that all district employees and the public have access to an up-to-date district policy manual. ~~The A public copy of the~~ policy manual shall be maintained ~~at the district central office and at each school site. These copies shall be maintained either~~ electronically and/or by paper copy.-

(cf. 1113 - District and School Web Sites)

(cf. 1340 - Access to District Records)

As necessary, the Superintendent or designee shall notify staff, parents/guardians, students, and other stakeholders whenever a policy that affects them is adopted or revised. He/she may determine the appropriate ~~communication~~communications strategy depending on the issue. Policies shall be posted on the district's web site when required by law.

(cf. 1112 - Media Relations)

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

(cf. 5145.6 - Parental Notifications)

(cf. 6020 - Parent Involvement)

#### ~~Suspension of Policies~~

~~No Board policy, bylaw, or administrative regulation, or any portion thereof, shall be operative if it is found to be in conflict with applicable federal or state law or regulations or court decisions. If any portion of a policy is found to be invalid, that invalidity shall not affect other provisions of the policy.~~

~~(cf. 2210—Administrative Leeway in Absence of Board of Trustees Policy)~~

#### Legal Reference:

##### EDUCATION CODE

35010 Control of district; prescription and enforcement of rules

35160 Authority of governing boards

35160.5 Annual review of school district policies

35163 Official actions, minutes and journal

35164 Vote requirements

#### Management Resources:

##### ~~CSBA PUBLICATIONS~~

~~Targeting Student Learning: The School Board's Role as Policymaker, 2005~~

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

##### WEB SITES

CSBA, Policy Services, including Policy Update Service, Governance and Management Using

Technology (GAMUT ~~Online~~<sup>OnlineTM</sup>), Policy ~~Review~~<sup>Audit</sup> Program, Individual District Policy Workshops, Agenda Online, and Manual Maintenance: <http://www.csba.org/ps>

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

Bylaw HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: September 19, 2001                      Hanford, California


revised: October 4, 2006

revised: \_\_\_\_\_

HANFORD ELEMENTARY SCHOOL DISTRICT  
Human Resources Department

**AGENDA REQUEST FORM**

**TO:** Joy C. Gabler

**FROM:** Jaime Martinez 

**DATE:** August 30, 2019

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

**DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED:** **September 11, 2019**

**ITEM:** Consider approval of personnel transactions and related matters.

**PURPOSE:**

**a. Employment**

Classified

- Matthew Knevelbaard, Custodian II – 8.0 hrs., Monroe/King, effective 9/12/19

Temporary Employees/Substitutes

- Yusra Almarush, Substitute Yard Supervisor, effective 8/20/19; Short-term Yard Supervisor – 3.5 hrs., Simas, effective 8/21/19 to 10/25/19
- Svannah Blum, Substitute Yard Supervisor, effective 8/23/19
- Elizabeth Bolanos, Substitute Yard Supervisor, effective 8/27/19; Short-term Yard Supervisor – 2.5 hrs., Simas, effective 8/29/19 to 10/25/19
- Patricia Diaz, Folkloric Dance Coach, Jefferson, effective 9/16/19 to 11/8/19
- Silvia Foreman, Substitute Alternative Education Program Aide, Special Education Aide and Translator: Oral Interpreter, effective 8/22/19
- Ana Gomez, Substitute READY Program Tutor, effective 8/20/19
- Joseph Hernandez, Percussion Coach, Kennedy/Wilson, effective 8/13/19 to 6/5/20
- Julie Kos, Jefferson Sign Language, effective 9/16/19 to 11/8/19

Temporary Employees/Substitutes (cont.)

- Ana Torres Limon, Substitute READY Program Tutor, effective 8/26/19; Short-term READY Program Tutor – 4.5 hrs., Monroe, effective 8/26/19 to 11/15/19
- Paola Mora Morales, Substitute READY Program Tutor, effective 9/16/19
- Keshia Spain, Substitute READY Program Tutor, effective 8/19/19
- Earlisha White, Short-term Yard Supervisor – 3.0 hrs., Roosevelt, effective 8/26/19 to 11/1/19

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

- Erin Aguilar, 7<sup>th</sup> Grade Girls Volleyball Coach, Kennedy, effective 8/26/19 to 10/30/19
- Mariah Benitez, 4-6 Girls Softball Coach, Hamilton, effective 8/27/19 to 10/17/19; 4-6 Girls Basketball Coach, Hamilton, effective 11/18/19 to 2/27/20; 4-6 Girls Track Coach, Hamilton, effective 3/2/20 to 4/27/20
- Rachel Castellanos, 4-6 Girls Softball Coach, Roosevelt, effective 8/27/19 to 10/17/19
- Paul Meza, 7-8 Boys Flag Football Coach, Kennedy, effective 8/26/19 to 10/30/19
- Sara Meza, 8<sup>th</sup> Grade Girls Volleyball Coach, Kennedy, effective 8/26/19 to 10/30/19
- Savino Perico, 4-6 Boys Flag Football Coach, King, effective 8/28/19 to 10/17/19
- Michael Quiñones, 4-6 Boys Flag Football Coach, Washington, effective 8/27/19 to 10/18/19

**c. Resignation**

- Marissa Gonzales, Substitute Yard Supervisor, effective 8/26/19
- Joseline Martinez, Substitute READY Program Tutor, Translator: Oral Interpreter and Written Translator, effective 5/22/19
- Paola Mora Morales, READY Program Tutor – 4.5 hrs., Simas, effective 9/13/19
- John "Juan" Paz, Substitute READY Program Tutor and Yard Supervisor, effective 5/28/19
- Laura Sandoval, Food Service Worker I – 3.25 hrs., Jefferson, effective 9/3/19
- Sandra Tafolla, Educational Tutor K-6 – 3.5 hrs., Hamilton, effective 5/13/19

**d. Temporary Out of Class Assignment/More Hours**

- Kimberly Carrera, from READY Program Tutor – 4.5 hrs. to READY Site Lead – 5.0 hrs., Richmond, effective 8/26/19 to 11/5/19

Temporary Employees/Substitutes (cont.)

- Ana Torres Limon, Substitute READY Program Tutor, effective 8/26/19; Short-term READY Program Tutor – 4.5 hrs., Monroe, effective 8/26/19 to 11/15/19
- Paola Mora Morales, Substitute READY Program Tutor, effective 9/16/19
- Keshia Spain, Substitute READY Program Tutor, effective 8/19/19
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- Laura Sandoval, Food Service Worker II – 3.25 hrs., Jefferson, effective 9/3/19
- Sandra Tafolla, Educational Tutor K-6 – 3.5 hrs., Hamilton, effective 5/13/19

**d. Temporary Out of Class Assignment/More Hours**

- Kimberly Carrera, from READY Program Tutor – 4.5 hrs. to READY Site Lead – 5.0 hrs., Richmond, effective 8/26/19 to 11/5/19

**e. Leave of Absence**

- Molly Retzloff, Special Education Aide – 5.0 hrs., Monroe, effective 9/19/19 to 9/27/19, personal

**f. Job Descriptions**

- Student Specialist (revised)
- Student Specialist – Bilingual (revised)

**g. Consider approval of a Teacher Internship Agreement with CalState TEACH Program**

- Authorize agreement to enter into a Teacher Internship Agreement between Hanford Elementary School District and CalState Teach to be effective on 8/1/2019 through 7/31/2022 (3-year maximum).

**h. Consider approval of Student Teaching Agreement with CalState TEACH Program**

- Approve agreement between Hanford Elementary School District and CalState TEACH to provide placement and support for the preparation of CalState TEACH to student teachers to be effective on 8/1/2019 through 7/31/2022 (3-year maximum).

**i. Volunteers**

| <u>Name</u>                     | <u>School</u> |
|---------------------------------|---------------|
| Briana Koerner                  | Hamilton      |
| Cassandra Arceo (HESD Employee) | Jefferson     |
| Joseline Martinez               | Jefferson     |
| Gloria Ochoa                    | King          |
| Mirsha Gonzalez                 | Monroe        |
| Bertha Guerrero Solano          | Richmond      |
| Robert Hayden                   | Richmond      |
| Debra Dartez                    | Simas         |
| Loren Stoner                    | Simas         |
| Julio Lopez                     | Washington    |

**RECOMMENDATION:** Approve.

HANFORD ELEMENTARY SCHOOL DISTRICT  
Job Description

**STUDENT SPECIALIST —~~GRADES K-6~~**

**DEFINITION**

The Student Specialist, in consultation and cooperation with school and community professionals, assesses and defines problems that interfere with a student's ability and potential to succeed at school, and plans and develops appropriate strategies and support services to assist the student.

**DISTINGUISHING CHARACTERISTICS**

The Student Specialist works with ~~elementary~~ students and functions as a personal advocate and an intermediary in seeking prevention and solutions to problems that get in the way of learning and personal growth.

**SUPERVISION RECEIVED AND EXERCISED**

Works under the general supervision of the school principal. May train and deploy yard supervisors to meet the needs of students.

**ESSENTIAL FUNCTIONS**

- Monitors student attendance.
- Develops and promotes incentive plans to improve actual attendance of all students.
- Meets with appropriate school personnel study team to discuss and exchange strategies for intervention and preventative measures for children having attendance and/or dysfunctional behavior problems.
- Provides advice to students experiencing emotional or health related crisis situations and communicates with parents/guardians, crisis intervention services, and other appropriate agencies to bring about solutions.
- Assists in the development of Behavior Intervention Plans (BIP) and 504 plans.
- Monitors the implementation of the BIP's and 504.
- Contacts parents/guardians to resolve attendance, behavior, or health problems; makes home visits and schedules student/parent/teacher conferences as needed.
- Explains community resources, programs, and services to families in need and assists with linking parents to appropriate services/programs.

Hanford Elementary School District  
Job Description – **STUDENT SPECIALIST**  
Page 2 of 3

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### **ESSENTIAL FUNCTIONS (CONT.)**

- Consults and collaborates with school personnel to promote a school environment responsive to the special problems and needs of students, including but not limited to peer pressure, social/ethnic/cultural differences.
- Composes written correspondence and reports related to duties.
- Uses computer to enter, store, and retrieve student data and work-related communications.

### **QUALIFICATION REQUIREMENTS**

#### **Knowledge of:**

- social and health services and community resources and service delivery systems;
- individual and group behavior and effects of social and economic forces on students;
- social-economic, cultural, and ethnic profile and differences of students at school to which assigned;
- strategies for improving attendance;
- strategies for improving home-school relations;
- factors affecting “at risk” students;
- correct English usage, orally and in writing;
- basic computer operations.

#### **Ability to:**

- gather information through observation and interviewing, and identify from it student problems and needs;
- listen to students with patience and develop rapport to encourage free communication and acceptance of positive intervention;
- communicate effectively, orally and in writing, with students, parents, teachers and school/District officials, and with social and health services agents;
- analyze facts and information and draw accurate conclusions;

Hanford Elementary School District  
Job Description – **STUDENT SPECIALIST**  
Page 3 of 3

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**Ability to:**

- develop constructive solutions to problems, including applicable resources and strategies;
- coordinate in collaboration with others as needed, plans and activities to foster a better understanding of juvenile problems and ways to resolve them;
- keep accurate records and prepare clear and concise correspondence and narrative reports using personal computer;
- maintain confidentiality of student/family information.

**Education and Experience:**

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

Education: Equivalent to Associate Degree in child development or a related field.

Experience: Two (2) years of related experience. Evidence of working successfully with students and families.

**License/Automobile:**

Possession of a valid California Class C driver's license

Possession of personal automobile for work.

**WORKING CONDITIONS**

**Environment:** Office/school environment; subject to working irregular hours, including occasional evening or weekend work.

**Physical Abilities:** Hearing and speaking to exchange oral information and make verbal presentations; vision to read and to observe students; sitting for prolonged periods of time; driving a vehicle to conduct home visits.

**Hazards:** Contact with dissatisfied or abusive individuals.

Adopted 5/19/99  
Revised: 8/ /19

## HANFORD ELEMENTARY SCHOOL DISTRICT

### Job Description:

### **STUDENT SPECIALIST – BILINGUAL – ~~GRADES K-6~~**

#### **DEFINITION**

The Student Specialist, in consultation and cooperation with school and community professionals, assesses and defines problems that interfere with a student's ability and potential to succeed at school, and plans and develops appropriate strategies and support services to assist the student.

#### **DISTINGUISHING CHARACTERISTICS**

The Student Specialist works with ~~elementary~~ students and functions as a personal advocate and an intermediary in seeking prevention and solutions to problems that get in the way of learning and personal growth.

#### **SUPERVISION RECEIVED AND EXERCISED**

Works under the general supervision of the school principal. May train and deploy yard supervisors to meet the needs of students.

#### **ESSENTIAL FUNCTIONS**

- Monitors student attendance.
- Develops and promotes incentive plans to improve actual attendance of all students.
- Meets with appropriate school personnel study team to discuss and exchange strategies for intervention and preventative measures for children having attendance and/or dysfunctional behavior problems.
- Provides advice to students experiencing emotional or health related crisis situations and communicates with parents/guardians, crisis intervention services, and other appropriate agencies to bring about solutions.
- Assists in the development of Behavior Intervention Plans (BIP) and 504 plans.
- Monitors the implementation of the BIP's and 504.
- Contacts parents/guardians to resolve attendance, behavior, or health problems; makes home visits and schedules student/parent/teacher conferences as needed.

Job Description – Student Specialist - Bilingual ~~Grades K-6~~  
 Page 2 of 3

- Explains community resources, programs, and services to families in need and assists with linking parents to appropriate services/programs.
- Consults and collaborates with school personnel to promote a school environment responsive to the special problems and needs of students, including but not limited to peer pressure, social/ethnic/cultural differences.
- Composes written correspondence and reports related to duties.
- Uses computer to enter, store, and retrieve student data and work-related communications.

## **QUALIFICATION REQUIREMENTS**

### **Knowledge of:**

- social and health services and community resources and service delivery systems;
- individual and group behavior and effects of social and economic forces on students;
- social-economic, cultural, and ethnic profile and differences of students at school to which assigned;
- strategies for improving attendance;
- strategies for improving home-school relations;
- factors affecting “at risk” students;
- correct English usage, orally and in writing;
- basic computer operations.

### **Ability to:**

- gather information through observation and interviewing, and identify from it student problems and needs;
- listen to students with patience and develop rapport to encourage free communication and acceptance of positive intervention;
- communicate effectively, orally and in writing, in both Spanish and English with students, parents, teachers and school/District officials, and with social and health services agents;

Job Description – Student Specialist - Bilingual ~~Grades K-6~~  
Page 3 of 3

**Ability to:** (cont.)

- analyze facts and information and draw accurate conclusions;
- develop constructive solutions to problems, including applicable resources and strategies;
- coordinate in collaboration with others as needed, plans and activities to foster a better understanding of juvenile problems and ways to resolve them;
- keep accurate records and prepare clear and concise correspondence and narrative reports using personal computer;
- maintain confidentiality of student/family information.

**Education and Experience:**

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

Education: Equivalent to Associate Degree in child development or a related field.

Experience: Two (2) years of related experience. Evidence of working successfully with students and families.

**License/Automobile:**

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Possession of personal automobile for work.

**WORKING CONDITIONS**

**Environment:** Office/school environment; subject to working irregular hours, including occasional evening or weekend work.

**Physical Abilities:** Hearing and speaking to exchange oral information and make verbal presentations; vision to read and to observe students; sitting for prolonged periods of time; driving a vehicle to conduct home visits.

**Hazards:** Contact with dissatisfied or abusive individuals.

Adopted: 05/02/01

Revised: 08/ /19



**CalStateTEACH**  
TEACHER PREPARATION PROGRAM



**Distinguished Program**

## **California State University's CalStateTEACH Program**

### **Memorandum of Understanding and Agreement to Provide Student Teacher Placements to University Students**

This agreement is between the Hanford Elementary School District ("District") and the California State University's CalStateTEACH Program ("University"), who may be referred to collectively as the parties. This Agreement describes and confirms the expectations and responsibilities of the Parties regarding the Student Teaching Program through which University students enrolled in a credentialing program ("Student Teachers") will gain experience in the public school setting.

#### **TERM OF THE AGREEMENT**

This Agreement shall remain in effect for a term of 3 years beginning August 1, 2019 and ending July 31, 2022, unless terminated sooner. Either party may terminate this Agreement on 30 days' written notice to the other party; provided, however, that credential candidates shall be allowed to conclude any ongoing assignments. Performance under this Agreement shall be reviewed annually, and the parties may agree to annual extensions after expiration of the initial term.

#### **DISTRICT AND SCHOOL ADMINISTRATOR RESPONSIBILITIES**

1. The District will provide the Student Teachers with supervised clinical experience. The District's Designated Supervisor(s) will hold an appropriate degree, credential or license in the specified field, if any is required for that field, and at least five years' experience in that field. The Supervisor will provide the Student Teacher with at least two hours of face-to-face supervision per week for the duration of the internship. Supervision may be shared among more than one qualified District staff member.
2. The District will designate a member of its staff to participate with the University's designee in planning, implementing, and coordinating the Internship Program.
3. The District will maintain complete records and reports on each Student Teacher's performance and provide an evaluation to the University on forms the University shall provide.
4. The District may, in its sole discretion, refuse to accept as a participant in the Internship Program any University student assigned to participate, and, upon request of the District, University shall withdraw the assignment of any University student participant.
5. After the District accepts the assignment of a Student Teacher, the District may terminate the internship for "good cause." "Good cause" may include, but is not limited to failure to perform satisfactorily, refusal to follow District administrative policies, procedures, rules and regulations, or violation of any federal or state law. The District will immediately notify University in writing if it terminates an assignment. The District reserves the right to ban anyone from District facilities when the District finds, in its sole discretion that the presence of the person poses a threat or disrupts operations. University is responsible for informing its student participants of the provisions of this Section. District will immediately notify University, if District knows or suspects any professional or ethical or legal violations. University will cooperate with District in any investigation concerning the reported violation.



**CalStateTEACH**  
TEACHER PREPARATION PROGRAM



**Distinguished Program**

6. District shall, on any day when a Student Teacher is receiving training at its facilities, arrange for the Student Teacher to receive any necessary emergency health care or first aid for accidents occurring in its facilities. Except as provided in this paragraph, District shall have no obligation to furnish medical care, surgical care or other health care to any Student Teacher.

#### **UNIVERSITY RESPONSIBILITIES**

1. University will work collaboratively with the District's HR department, school site administration, and staff in the assignment of the Student Teacher.
2. University will confer regularly with District and site administration and district-employed mentor/liaison through meetings, telephone calls, and/or e-mail.
3. University will immediately notify appropriate District and site administration if University administration has knowledge of or suspects any professional or ethical violations by a Student Teacher in the school. University and District agree they will cooperate in any investigation concerning the reported violation.
4. University will guarantee that Student Teachers and university supervisors have appropriate tuberculosis and fingerprinting clearance, including subsequent arrest notification service.
5. University will instruct Student Teachers in state laws regarding child abuse reporting, sexual harassment and professional conduct.
6. University supervisors will conduct systematic and regular observations of Student Teachers' performances in the District's classrooms.
7. University will be responsible for ensuring that Student Teachers have appropriate insurance coverage.

#### **STUDENT TEACHER RESPONSIBILITIES**

1. Provide the District with the following documentation:
  - a. a copy of the letter from the University assigning the student to the District.
  - b. a background check fingerprint clearance report.
  - c. a negative tuberculosis test result, and
2. Comply with all applicable terms and provisions of this Agreement while serving as a Student Teacher.
3. Comply with the District's policies and procedures, and applicable state and federal laws and regulations while serving as a Student Teacher.
4. Provide services to District pupils only under the direct supervision of District staff.
5. Maintain the confidentiality of pupil information. No Student Teacher will have access to or have the right to receive any District pupil records, except to the extent necessary in the regular course of assisting in providing services to pupils as part of the internship program. The discussion, transmission, or narration in any form by Student Teachers of any individually identifiable pupil information, educational, medical or otherwise, which is obtained in the course of the internship program is forbidden except as a necessary part of the practical internship experience. Otherwise, Student Teachers shall use de-identified information only (and not personally identifiable pupil information) in any discussions about the internship experience with University, its employees, agents or others.



**CalStateTEACH**  
TEACHER PREPARATION PROGRAM



**Distinguished Program**

### **STATUS OF DISTRICT AND UNIVERSITY STUDENTS**

The parties expressly understand and agree that all University students serving as Student Teachers in District schools pursuant to this Agreement are doing so for educational purposes only, and Student Teachers are not considered employees of the District for any purpose, including, but not limited to, compensation for services, welfare and pension benefits, or workers' compensation insurance. It is the responsibility of University to provide notice to its student participants of the provisions of this Section. The provisions of this Section shall survive the termination or expiration of this Agreement.

### **LIABILITY INSURANCE & WORKERS' COMPENSATION**

The University shall take out and maintain a "claims-made" policy of general liability and professional liability insurance (including personal injury with limits not less than \$1 million per loss and damage to property of others up to \$5,000 per incident), with extended reporting period of three (3) years, covering Student Teachers, and naming District as an additional named insured under such insurance policy or policies. Further, University agrees to maintain professional and comprehensive general liability insurance, with no exclusion for molestation or abuse, at a minimum of Five Million Dollars (\$5,000,000) per occurrence and Twenty-Five Million Dollars (\$25,000,000) in aggregate throughout the course of this Agreement.

Further, University shall provide written notice that should any of the above described policies be cancelled before the expiration thereof, notice will be delivered in accordance with the policy provisions. University also agrees to maintain statutory Workers' Compensation coverage on Student Teachers, any individuals characterized as employees of University and instructors working at District pursuant to this Agreement at all times during the course of this Agreement.

University shall provide certificates evidencing all coverage referred to in this Section within thirty (30) days of execution of this Agreement and thereafter, on an annual basis. If the coverage is on a claims-made basis, University hereby agrees that not less than thirty (30) days prior to the effective date of termination of University's current insurance coverage or termination of this Agreement, University shall either purchase three (3) year tail coverage per claim or provide proof of continuous coverage in the above stated amounts for all claims arising out of incidents occurring prior to termination of University's current coverage or prior to termination of this Agreement, as applicable, and provide District a certificate of insurance evidencing such coverage.

The University is permissibly self-insured through the State of California for automobile liability.

The District shall be named as an additional insured or covered party on the liability coverages maintained by the University set forth above, and such coverages shall be primary to any coverages maintained by the District. Limits of liability for each type of liability coverage shall be at least \$1 million per claim per occurrence/ \$2 million aggregate.

### **NO WORKERS' COMPENSATION LIABILITY**

The Parties agree that the District is not to assume, nor shall it assume by this Agreement any liability under the California Workers' Compensation Insurance and Safety Act for, by or on behalf of any Student Teacher or University employees while they are on the premises of the District or while performing any duty whatsoever under the terms of the Agreement or while going to or from



**CalStateTEACH**  
TEACHER PREPARATION PROGRAM



**Distinguished Program**

any of the internship placement sites. University shall provide written notice to each Student Teacher regarding the lack of coverage of Workers' Compensation insurance by the District.

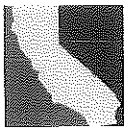
### **INDEMNIFICATION**

University shall defend, indemnify and hold District and its officials, employees and agents, harmless from and against any and all liability, loss, expense, attorneys' fees, or claims for injury or damages arising out of the performance of this Agreement, but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of University, its officials, agents, or employees.

District shall defend, indemnify and hold University, its officials, employees and agents, harmless from and against any and all liability, loss, expense, attorneys' fees, or claims for injury or damage arising out of the performance of this Agreement but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of District, its officials, agents, or employees.

### **ADDITIONAL PROVISIONS**

1. Nothing contained in this Agreement shall be deemed or construed to create a joint venture, partnership, principal-agent or employment relationship between the parties and neither party shall have the authority to bind the other party for any purpose.
2. This Agreement and the rights and obligations of the parties shall be governed and construed by the laws of the State of California. Any lawsuit concerning or arising out of this Agreement shall be venued in the county in which the District is located.
3. This Agreement supersedes all prior and contemporaneous agreements and understandings between the parties, both oral and written, with respect to its subject matter and constitutes the complete agreement and understanding between the parties, unless modified in a writing executed by both parties.
4. In the event of a dispute between the parties arising from this Agreement, the parties agree to mediate the dispute before initiating litigation. The Parties agree that with regard to any dispute or claim related to this Agreement, prior to the initiation of a lawsuit or other legal action, they shall and must, in good faith, submit the claim or dispute to mediation with any mutually agreeable neutral. The costs of the neutral will be split equally between the Parties. The prevailing party shall be entitled to recovery from the losing party the prevailing party's reasonable expenses (fees and costs) incurred in the lawsuit or legal action as allowed by law.
5. If any provision of this Agreement is determined to be invalid or unenforceable, that provision shall be amended to achieve as nearly as possible the same effect as the original provision, and the remainder of this Agreement shall remain in full force and effect.
6. No delay or failure by either party to act in the event of a breach or default hereunder shall be construed as a waiver of that or any succeeding breach or a waiver of the provision itself.
7. This Agreement may be executed in any number of counterparts, each of which shall be an original as against any party whose signature appears and all of which together shall constitute one and the same instrument.



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Signed this \_\_\_\_\_ date of \_\_\_\_\_.

\_\_\_\_\_  
School District Designee

\_\_\_\_\_  
Regional Director, California State University's CalStateTEACH



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## **California State University's CalStateTEACH Program**

### **Memorandum of Understanding and Agreement For the Employment of University Students Who Have an Intern Credential**

This agreement is between the Hanford Elementary School District ("District") and the California State University's CalStateTEACH Program ("University"), who may be referred to collectively as the parties. This Agreement describes and confirms the expectations and responsibilities of the Parties regarding the Internship Program through which University students who hold an intern credential from the California Commission on Teacher Credentialing ("Paid Interns") will gain experience in the public school setting. This agreement does not apply to unpaid service learning placements that are part of a credentialing program.

#### **RECITALS**

CalStateTEACH operates a program for the education and training of candidates pursuing a California Preliminary Multiple Subject Teaching Credential with English Learner Authorization (ELA) and is accredited by the California Commission on Teacher Credentialing (CTC) with approval to offer intern options in these programs.

The District is authorized under Education Code 44320 et seq., to cooperate with institutions of higher education in providing training and experience to credential candidates who hold an intern credential ("Paid Intern").

One or more District employees who are credentialed, experienced faculty members at a District high school, middle school, or elementary school have agreed to be responsible for a class or classes assigned to a credential candidate, and may be referred to below as mentor teachers.

University employs one or more experienced credentialed teachers, administrators, or faculty who have agreed to provide direct classroom supervision and support to credential candidates and mentor teachers. Such individuals may be referred to below as university supervisors.

#### **TERM OF THE AGREEMENT**

This Agreement shall remain in effect for a term of 3 years beginning August 1, 2019 and ending July 31, 2022, unless terminated sooner. Either party may terminate this Agreement on 30 days' written notice to the other party; provided, however, that credential candidates shall be allowed to conclude any ongoing assignments. Performance under this Agreement shall be reviewed annually, and the parties may agree to annual extensions after expiration of the initial term.

#### **CTC REQUIREMENTS FOR SUPPORT AND SUPERVISION OF INTERN TEACHERS**

In 2013, the California Commission on Teacher Credentialing (CTC) adopted policies that specify the number of hours of general support and supervision, as well as additional specific English learner support and supervision, which must be provided to Paid Interns. The regulations



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(California Education Code §44321; 5 Cal. Code Reg. § 80033) were approved and made part of law effective 2014.

Under the newly approved regulations, the University and District must ensure:

- A minimum of 144 hours per year (**72 hours per semester**) of support/mentoring and supervision must be provided to each Paid Intern including coaching, modeling, and demonstrating within the classroom, assistance with course planning and problem-solving regarding students, curriculum, and development of effective teaching methodologies.
- **A minimum of two hours of support/mentoring and supervision must be provided to an intern teacher every five instructional days.**
- The District must identify a mentor or other designated individual who meets the Commission's specified criteria prior to a Paid Intern assuming daily teaching responsibilities.
- An additional 45 hours per year (23 hours per semester) of support/mentoring and supervision specific to meeting the needs of English learners is required for a Paid Intern who enters the program without a valid English learner authorization listed on a previously issued Multiple Subject, Single Subject, or Education Specialist Teaching Credential or a valid English Learner Authorization or Crosscultural, Language and Academic Development (CLAD) Certificate. The additional hours of support can be provided by the credential program and/or the district employed mentor. The individual(s) providing this support must hold a valid California Teaching Credential with a valid English Learner Authorization or Crosscultural Language and Academic Development (CLAD) Certificate.

#### **DISTRICT AND SCHOOL ADMINISTRATOR RESPONSIBILITIES**

1. Prior to the Paid Intern's first day as teacher of record, provide each Paid Intern with a certified, experienced district-employed mentor/liaison who will work collaboratively with the University Supervisor to support the Paid Intern in achieving competency in the Teaching Performance Expectations. District will provide documentation of appropriate credentialing of district-employed supervisor as needed.
2. Identify a District-employed supervisor who serves as an evaluator for the Paid Intern.
3. Provide new teacher orientation, on-going support and other clinical/ professional experiences for Paid Interns teaching in the District's schools under the supervision of a district-employed mentor/liaison.
4. Provide release time for participation in district group/regional group meetings and professional development activities including time to observe other exemplar teachers teaching in their classrooms.
5. District will immediately notify University if the District has knowledge of or suspects any professional or ethical violations by a Paid Intern. University will cooperate with District in any investigation concerning the reported violation.
6. District will instruct intern in school policies regarding child abuse reporting, sexual harassment and professional conduct.

#### **UNIVERSITY DUTIES**



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1. University will work collaboratively with the District's HR department, school site administration, and staff in the assignment of the intern.
2. University will guarantee that Paid Interns have met California Commission for Teacher Credentialing (CTC) requirements for an intern credential (Certificate of Clearance, CBEST, subject matter competence, negative tuberculosis test, U.S. Constitution) and University requirements (satisfactory completion of course work that meets the CTC pre-service requirement, a copy of the district offer of employment) prior to recommending the candidate for an intern credential.
3. University will confer regularly with District and site administration and district-employed mentor/liaison through meetings, telephone calls, and/or e-mail.
4. University will immediately notify appropriate District and site administration if University administration has knowledge of or suspects any professional or ethical violations by a Paid Intern in the school. District will cooperate with University in any investigation concerning the reported violation.
5. University will guarantee that the Paid Intern and university supervisors have appropriate TB and fingerprinting clearance.
6. University will instruct Paid Interns in state laws regarding child abuse reporting, sexual harassment and professional conduct.
7. University supervisors will conduct systematic and regular observations of Paid Interns' performances in the District's classrooms.
8. University supervisors will confer regularly with district-employed mentor/liaison and with the site administration through meetings, telephone calls, and/or e-mail.

### UNIVERSITY SUPERVISOR AND DISTRICT-EMPLOYED MENTOR/LIAISON RESPONSIBILITIES

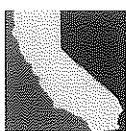
1. Collaborate to ensure that the Paid Intern receives a minimum of two hours of support/mentoring and supervision every five instructional days.
2. Collaborate to ensure that the Paid Intern receives specific support and supervision in addressing the needs of English Language Learners.
3. Use the list of activities that satisfy CTC support and supervision requirements to assist the Paid Intern in identifying and participating in a broad range of experiences to support his/her growth as a teacher.
4. Assist the Paid Intern in creating networks with faculty, staff, and administrators who can provide additional support.

### PAID INTERN RESPONSIBILITIES

1. Document required hours weekly using the electronic log.
2. Have the electronic log verified by both the University Supervisor and District-employed mentor/liaison to ensure that he/she is receiving the required support/mentoring and supervision.

### DISTRICT DISCRETION

It is at the sole discretion of the District to hire a University candidate for a Paid Intern position and to terminate the assignment in accordance with District policies and procedures. The District will notify the University of any Review that could result in termination. The University will



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notify the CTC to withdraw the intern credential of a Paid Intern who is terminated by the District.

#### **LIABILITY INSURANCE & WORKERS' COMPENSATION**

The University shall take out and maintain a "claims-made" policy of general liability and professional liability insurance (including personal injury with limits not less than \$1 million per loss and damage to property of others up to \$5,000 per incident), with extended reporting period of three (3) years, covering Student Teachers, and naming District as an additional named insured under such insurance policy or policies. Further, University agrees to maintain professional and comprehensive general liability insurance, with no exclusion for molestation or abuse, at a minimum of Five Million Dollars (\$5,000,000) per occurrence and Twenty Million Dollars (\$20,000,000) in aggregate throughout the course of this Agreement.

Further, University shall provide written notice that should any of the above described policies be cancelled before the expiration thereof, notice will be delivered in accordance with the policy provisions. University also agrees to maintain statutory Workers' Compensation coverage on Student Teachers, any individuals characterized as employees of University and instructors working at District pursuant to this Agreement at all times during the course of this Agreement.

University shall provide certificates evidencing all coverage referred to in this Section within thirty (30) days of execution of this Agreement and thereafter, on an annual basis. If the coverage is on a claims-made basis, University hereby agrees that not less than thirty (30) days prior to the effective date of termination of University's current insurance coverage or termination of this Agreement, University shall either purchase three (3) year tail coverage per claim or provide proof of continuous coverage in the above stated amounts for all claims arising out of incidents occurring prior to termination of University's current coverage or prior to termination of this Agreement, as applicable, and provide District a certificate of insurance evidencing such coverage.

The University is permissibly self-insured through the State of California for automobile liability.

The District shall maintain automobile liability, general liability, workers' compensation and errors and omissions liability coverages for themselves and their respective employees. Errors or omissions liability coverage shall include coverage for negligence relating to alleged sexual misconduct and shall be on an occurrence basis. Automobile liability coverage must apply to owned, non-owned and hired automobiles. The required coverage may be provided by way of adequately documented individual or pooled self-insurance.

The District shall be named as an additional insured or covered party on the liability coverages maintained by the University, and such coverages shall be primary to any coverages maintained by the District. Limits of liability for each type of liability coverage shall be at least \$1 million per claim per occurrence/ \$2 million aggregate.

District shall maintain workers' compensation coverage applicable to its employees, including Paid Interns.



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### **INDEMNIFICATION**

University shall defend, indemnify and hold District and its officials, employees and agents, harmless from and against any and all liability, loss, expense, attorneys' fees, or claims for injury or damages arising out of the performance of this Agreement, but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of University, its officials, agents, or employees.

District shall defend, indemnify and hold University, its officials, employees and agents, harmless from and against any and all liability, loss, expense, attorneys' fees, or claims for injury or damage arising out of the performance of this Agreement but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of District, its officials, agents, or employees.

### **ADDITIONAL PROVISIONS**

1. Nothing contained in this Agreement shall be deemed or construed to create a joint venture, partnership, principal-agent or employment relationship between the parties and neither party shall have the authority to bind the other party for any purpose.
2. This Agreement and the rights and obligations of the parties shall be governed and construed by the laws of the State of California. Any lawsuit concerning or arising out of this Agreement shall be venued in the county in which the District is located.
3. This Agreement supersedes all prior and contemporaneous agreements and understandings between the parties, both oral and written, with respect to its subject matter and constitutes the complete agreement and understanding between the parties, unless modified in a writing executed by both parties.
4. In the event of a dispute between the parties arising from this Agreement, the parties agree to mediate the dispute before initiating litigation. The Parties agree that with regard to any dispute or claim related to this Agreement, prior to the initiation of a lawsuit or other legal action, they shall and must, in good faith, submit the claim or dispute to mediation with any mutually agreeable neutral. The costs of the neutral will be split equally between the Parties. The prevailing party shall be entitled to recovery from the losing party the prevailing party's reasonable expenses (fees and costs) incurred in the lawsuit or legal action as allowed by law.
5. If any provision of this Agreement is determined to be invalid or unenforceable, that provision shall be amended to achieve as nearly as possible the same effect as the original provision, and the remainder of this Agreement shall remain in full force and effect.
6. No delay or failure by either party to act in the event of a breach or default hereunder shall be construed as a waiver of that or any succeeding breach or a waiver of the provision itself.
7. This Agreement may be executed in any number of counterparts, each of which shall be an original as against any party whose signature appears and all of which together shall constitute one and the same instrument.



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Signed this \_\_\_\_\_ date of \_\_\_\_\_.

\_\_\_\_\_  
School District Designee

\_\_\_\_\_  
Dr. Nan Barker, Regional Director,  
California State University's CalStateTEACH

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy C. Gabler

FROM: David Endo

DATE: 08/30/2019

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: 09/11/2019

**ITEM:**

Consider approval of a Memorandum of Understanding with Hanford Joint Union High School District (HJUHS) regarding transportation services.

**PURPOSE:**

HJUHS is experiencing a shortage of bus drivers and has requested that Hanford Elementary School District (HESD) help in covering its obligations. While HESD is currently fully staffed in the transportation department, there could be instances when driver availability becomes an issue and have asked HJUHS to reciprocate the offer.

**FISCAL IMPACT:**

Dependent on the level of use.

**RECOMMENDATIONS:**

Approve the Memorandum of Understanding with Hanford Joint Union High School District regarding transportation services.

**MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN HANFORD  
ELEMENTARY SCHOOL DISTRICT AND HANFORD JOINT UNION HIGH SCHOOL  
DISTRICT REGARDING TRANSPORTATION SERVICES**

This Memorandum of Understanding (hereinafter “MOU”) is made and entered this 11<sup>th</sup> day of September 2019, by and between the Hanford Elementary School District (hereinafter “HESD”) and the Hanford Joint Union High School (hereinafter “HJUHS”).

**RECITALS:**

- A. HJUHS and/or HESD may be providing transportation services as needed to each other for the 2019-2020 school year.
- B. HJUHS and HESD has the experience and resources to provide transportation services to students.
- C. HESD and HJUHS had the responsibility, experience, and expertise to oversee and collaborate with each other on the effectiveness and overall success of the transportation services.

Accordingly, HESD and HJUHS hereby agree to the following:

- 1. Term. This MOU is a one (1) year agreement for the school year of 2019-2020, or until there is no further need.
- 2. Scope of Work:
  - a. These transportation services are to be provided on an as needed basis.
  - b. Transportation services will be coordinated between the respective transportation departments.
- 3. Compensation. HESD and/or HESD agree to pay each other an agreed upon amount based on the transportation services.
- 4. Invoices.
  - a. HJUHS and/or HESD agree to invoice each respective Fiscal Services Department.
  - b. Each Department will be billed for every transportation service as needed between HESD and HJUHS.
  - c. HJUHS and/or HESD agree to pay invoices in full within 30 days of receipt of the aforementioned invoices.
- 5. Indemnification.
  - a. General Indemnification for HESD. HJUHS shall hold HESD, its elected officials, agents, officers, employees, and volunteers harmless from, save, indemnify, and defend the same against, any and all claims, and damages for injury to person or property, and related costs and expenses (including

- reasonable attorney's fees), arising out of any act or omission of HJUHS, its agents, officers, employees, or volunteers, during the performance of its obligations under this MOU.
- b. **General Indemnification for HJUHS.** HESD shall hold HJUHS, its elected officials, agents, officers, employees, and volunteers harmless from, save, indemnify, and defend the same against, any and all claims, and damages for injury to person or property, and related costs and expenses (including reasonable attorney's fees), arising out of any act or omission of HESD, its agents, officers, employees, or volunteers, during the performance of its obligations under this MOU.
  - c. **Indemnification obligations shall survive termination until expiration of statute of limitations or unless sooner terminated by mutual written agreement of the parties.**
6. **Binding Effect.** This agreement shall inure to the benefit of and shall be binding upon the HESD and HJUHS and their respective successors and assigns.
  7. **Severability.** If any provision of the Agreement shall be held invalid or unenforceable by a court of competence jurisdiction, such holding shall not invalidate or render unenforceable any other provisions hereof.
  8. **Amendments.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written agreement signed by HESD and HJUHS.
  9. **Termination.** HJUHS and HESD agree that a minimum of third (30) day verbal or written notice of cancellation of this contract by either party is required, unless a lesser amount of notice is agreed to by both parties.
  10. **Anti-Discrimination.** It is the policy of HJUHS and HESD that there shall be no discrimination against any prospective or active employee engaged in the work because of race, color, ancestry, national origin, sex or religious creed. Therefore, both parties agree to comply with all applicable Federal and state laws regarding discrimination.

IN WITNESS WHEREOF, the parties have executed this MOU hereto, upon the date indicated next to their respective signatures and this MOU shall become effective of the date first written above.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Joy Gabler, Superintendent  
Hanford Elementary School District

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Victor Rosa, Superintendent  
Hanford Joint Union High School District