

Hanford Elementary School District

REGULAR BOARD MEETING AGENDA

Wednesday, May 22, 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

CLOSED SESSION

- **Student Discipline** (*Education Code Section 48918... requires closed sessions in order to prevent the disclosure of confidential student record information*)

Administrative Panel Recommendations

Case# 19-29 Monroe

Case# 19-30 Lincoln

Case# 19-31 Wilson

- **Public Employee Discipline/Dismissal/Release (GC 54957)**
- **Conference with Labor Negotiators (GC 54957.6)**
Agency Representatives: J. Gabler & J. Martinez, Employee Organization: HETA & CSEA

OPEN SESSION

- Take action on closed session items

1. PRESENTATIONS, REPORTS AND COMMUNICATIONS

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

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

2. CONSENT ITEMS

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

- a) Accept warrant listings dated May 3, 2019 and May 10, 2019.
- b) Approve minutes of Regular Board Meeting held on May 8, 2019.
- c) Approve interdistrict transfers as recommended.
- d) Approve donation of \$93.50 from Box Tops for Education (Hamilton).
- e) Approve donation of \$70.00 from Box Tops for Education (Lee Richmond).
- f) Approve donation of \$32.10 from Box Tops for Education (Monroe).

- *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.*

3. INFORMATION ITEMS

- a) Receive for information a review of the 2018-2019 District/Board Goals (Gabler)
- b) Receive for information the Pearson Success Maker Online Instructional Material for Community Day School (Carlton)
- c) Receive for information the District's Initial Proposal to California School Employees Association (CSEA) for 2019-2020 amendments to the 2017-2020 Collective Bargaining Agreement between Hanford Elementary School District (HESD) and CSEA (reopened articles) (Martinez)
- d) Receive for information the CSEA's Initial Proposal for 2019-2020 amendments to the 2017-2020 Collective Bargaining Agreement between HESD and CSEA (Martinez)
- e) Receive for information the monthly financial reports for the period of 07/01/2018-04/30/2019 (Endo)
- f) Receive for information the following revised Exhibit: (Endo)
 - E 3553 – Free and Reduced Meals

4. BOARD POLICIES AND ADMINISTRATION

- a) Consider adoption of Resolution #22-19: Regarding Absent Board Member Compensation (Gabler)
- b) Consider adoption of Resolution #23-19: Regarding Absent Board Member Compensation (Gabler)
- c) Consider approval of the HESD 2018-19 Evaluation of Consolidated Programs/ Comprehensive Needs Assessment (Title 1 Evaluation) (Carlton)
- d) Consider approval of SARB agreement with KCOE for the 2019-20 School Year (Strickland)
- e) Consider approval of Plan of Work with Tulare COE and Jefferson Charter Academy (Espindola)
- f) Consider approval of out-of-state travel for a HESD Band Educator to attend the VanderCook College of Music Mariachi Workshop (Espindola)
- g) Consider award for the Exterior Painting of Martin Luther King Elementary School to Jeff Painting (Mulligan)
- h) Consider approval of the following revised Board and Administrative Regulation: (Carlton)
 - BP/AR 1312.3 – Uniform Complaint Procedures
- i) Consider approval of the following revised Board and Administrative Regulation: (Gabler)
 - BP/AR 5145.3 – Nondiscrimination/Harassment
- j) Consider approval of the following revised Board: (Gabler)
 - BP 5145.9 – Hate-Motivated Behavior
- k) Consider approval of the following revised Administrative Regulation and Exhibit: (Strickland)
 - AR/E 5125.1 – Release of Directory Information
- l) Consider approval of the following new Board Policy and Administrative Regulation: (Strickland)
 - BP/AR 5145.13 – Response to Immigration Enforcement

5. PERSONNEL (Martinez)

a) Employment

Certificated, effective 8/8/19

- Maria Lawson, Teacher, Probationary

Classified

- Dezirae De Soto, Food Service Worker I – 3.0 hrs., Lincoln, effective 5/7/19

Temporary Employees/Substitutes

- Brooke King, Substitute Yard Supervisor, effective 4/29/19
- Melonie Thomas, Short-term Special Circumstance Aide – 5.5 hrs., Richmond, effective 5/14/19 to 6/7/19
- Kathy Turner, Substitute Yard Supervisor, effective 5/10/19

b) Short-term Employment

CERTIFICATED STAFF SUMMER PROGRAMS

Special Education Extended School Year at Lee Richmond School – June 10, 2019 (prep day – 4.0 Hours/Day); June 11, 2019 – June 28, 2019 – 5.5 Hours/Day

- Yolanda Bernal, Teacher, 6/10/19 prep day, and 6/11/19 to 6/19/19
- Charles Cole, Teacher, 6/10/19 prep day, and 6/19/19 to 6/28/19

Summer Enrichment Program at Lee Richmond School, June 14, 2019 (prep day – 5.5 hrs.); June 17 - June 28, 2019 - 5.5 Hours/Day

- Maria Porras, 3rd grade Teacher
- Shannon Shuklian, 3rd grade Teacher
- John Porras, 4th grade Teacher
- Sara DeCuir, 4th grade Teacher
- Katie Warner, 5th grade Teacher
- Leslie Griffith, 5th grade, Teacher

Summer Enrichment Program at Lee Richmond School, June 14, 2019 (prep day – 5.5 hrs.); June 17 - June 28, 2019 – 3.0 Hours/Day

- Carla Bode, Art, Teacher

Nursing Services for Summer Migrant Program at Jefferson School – June 10 – June 28, 2019, 5.5 Hours/Day

- Cara Cummings, School Nurse, effective 6/10/19 – 6/12/19
- Debra Cawley, School Nurse, effective 6/17/19 – 6/21/19
- Kathleen Salyer, School Nurse, effective 6/24/19 – 6/28/19
- LeAnn Williamson, School Nurse, effective 6/13/19 – 6/14/19

CLASSIFIED STAFF SUMMER PROGRAMS

Summer Enrichment Program at John F. Kennedy Jr. high School

- Yadira Castrejon Granados, Bilingual Clerk Typist II – 4.0 hrs. (prep day 6/14/19) and 5.5 hrs., effective 6/17/19 to 6/28/19, Kennedy
- Florita Magallon, Bilingual Student Specialist – 4.0 hrs. effective 6/14/19 (prep day), and 5.0 hrs., effective 6/17/19 to 6/28/19, Kennedy
- Daisy Wallace, Bilingual Licensed Vocational Nurse – 4.0 hrs. (prep day 6/14/19) and 5.5 hrs., effective 6/17/19 to 6/28/19, Kennedy

Migrant Summer School at Jefferson School

- Johnathan Covian, Custodian II – 5.5 hrs., Jefferson, effective 6/10/19 to 6/27/19

Seamless Summer Meal Program

- Jamie Reyes Camargo, Food Service Worker I – 2.5 hrs., Kennedy, effective 6/10/19 to 7/26/19
- Corina Carrera, Cook/Baker – 5.5 hrs., Food Services, effective 6/10/19 to 7/26/19
- Lucila Cervantes, Food Service Worker I – 2.5 hrs., Roosevelt, effective 6/10/19 to 7/26/19
- Johnathan Covian, Food Service Worker II – 2.5 hrs., Jefferson, effective 6/10/19 to 7/26/19
- Anna Hernandez, Food Service Worker I – 2.5 hrs., Jefferson, effective 6/10/19 to 7/26/19
- Loretta King, Yard Supervisor – 1.75 hrs., Jefferson, effective 6/10/19 to 7/26/19
- Wendi Santimore, Food Service Worker I – 2.5 hrs., Kennedy, effective 6/10/19 to 7/26/19
- Amanda Smith, Food Service Worker I – 2.5 hrs., Roosevelt, effective 6/10/19 to 7/26/19

c) Resignations

- Heidi Brunette, Substitute Special Education Aide and Yard Supervisor, effective 3/28/19
- Donna Duran, Substitute Alternative Education Program Aide, Food Service Worker I/II and Yard Supervisor, effective 4/23/19
- Heather Miller, Special Education Aide – 5.0 hrs., Richmond, effective 6/7/19
- Erik Villasenor, READY Program tutor – 4.5 hrs., Jefferson, effective 5/10/19 (revised)

d) Termination of Probationary Employee

- Yvette Mena, Yard Supervisor – 2.0 hrs., Monroe, effective 6/6/19

e) Voluntary Demotion/Transfer

- Gabriella Raeber, from Special Education Aide – 5.0 hrs., Hamilton to READY Program Tutor – 4.5 hrs., Simas, effective 8/8/19

f) Volunteers

<u>Name</u>	<u>School</u>
Corina Mendoza	Lincoln
Cindy Covarrubias	Monroe
Mary Mendez	Washington

6. FINANCIAL (Endo)

- a) Consider approval of contract with School Services of California for the 2019-2020 fiscal year

ADJOURN MEETING

HANFORD ELEMENTARY SCHOOL DISTRICT
AGENDA REQUEST FORM

TO: Joy Gabler
FROM: Jay Strickland
DATE: May 14, 2019

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

Date you wish to have your item considered: May 22, 2019

ITEM: Administrative Panel Recommendations

PURPOSE:

Case# 19-29 Monroe

Case# 19-30 Lincoln

Case# 19-31 Wilson

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: David Endo

DATE: 05/13/2019

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: 05/22/2019

ITEM:

Consider approval of warrants.

PURPOSE:

The administration is requesting the approval of the warrants as listed on the registers dated: 05/03/19 and 05/10/19.

FISCAL IMPACT:

See attached.

RECOMMENDATIONS:

Approve the warrants.

Warrant Register For Warrants

Dated 05/03/2019

Warrant Number	Vendor Number	Vendor Name	Amount
12607829	2778	AHA PROCESS INC. Books	\$1,080.00
12607830	7377	DANIELLE ALVAREZ Travel & Conf/Mileage	\$572.04
12607831	59	AMERIPRIDE UNIFORM SERVICES Laundry/Mop/Mat Services	\$419.61
12607832	2352	AMS.NET Repairs	\$7,807.50
12607833	6253	AT&T Telephone	\$41.68
12607834	6628	AWESOME CHARTERS AND TOURS LLC Transportation	\$9,355.00
12607835	4983	B & H PHOTO-VIDEO Equipment	\$1,615.97
12607836	2758	BALLOONS EVERYWHERE Instl Matls	\$99.98
12607837	123	BAYSHORE TRUCK EQUIPMENT CO. Transportation Supplies	\$1,798.90
12607838	6399	BEYONDTRUST CORPORATION Software License	\$3,678.90
12607839	7077	BLAIR CHURCH & FLYNN Buildings & Improvements	\$4,300.00
12607840	236	STATE OF CALIFORNIA Other Services	\$1,422.00
12607841	263	DOUGLAS CARLTON Meeting Supplies	\$30.48
12607842	299	CENTRAL VALLEY COMP. CARE INC. Other Services	\$79.00
12607843	331	CLASSIC CHARTER INC. Transportation	\$32,524.00
12607844	3068	DEBRA COLVARD Mileage	\$241.28
12607845	4178	COOK'S COMMUNICATION Radio Supplies	\$859.14
12607846	6625	COSCO FIRE PROTECTION Leases	\$1,260.00
12607847	3200	CROWN AWARDS Instl Matls	\$3,096.03
12607848	2560	CRUSHA ELECTRIC MOTOR Grounds Supplies	\$4,507.67
12607849	6486	CARA CUMMINGS Mileage	\$103.24
12607850	3799	DAVE'S UPHOLSTERY Repairs	\$75.00
12607851	414	DELL COMPUTER CORPORATION Software License	\$5,710.63
12607852	433	DISCOVERY CENTER Study Trip	\$344.00
12607853	6453	FLOWERS BAKING COMPANY Food	\$493.20
12607854	6232	FOLLETT LIBRARY RESOURCES Books	\$14,269.37
12607855	530	FONSECA NURSERY Grounds Supplies	\$188.76
12607856	5960	LAUREN FRANCO Mileage	\$21.23
12607857	2141	FRESNO COUNTY OFFICE OF ED Travel & Conf	\$360.00
12607858	1769	FRESNO PRODUCE Food	\$15,967.30
12607859	1393	GAS COMPANY Gas	\$769.68
12607860	4546	GIGGLETIME TOY CO Instl Matls	\$41.97
12607861	591	GOLD STAR FOODS Food	\$29,690.33
12607862	1816	LUCY GOMEZ Parent Inv Supplies	\$188.08
12607863	5975	VANESSA GOMEZ Allowance	\$200.00
12607864	622	CHERYL GUILBEAU Mileage	\$77.84
12607865	632	CITY OF HANFORD Water/Sewer	\$9,788.02
12607866	701	HOFMAN'S NURSERY Grounds Supplies	\$2,166.45
12607867	711	THE HORN SHOP Equipment/Band Matls	\$23,278.61
12607868	5290	KEENAN & ASSOCIATES Insurance	\$165.08
12607869	5828	KINGS COUNTY DEPT OF PUBLIC WORKS Fuel	\$87.19
12607870	796	KINGS COUNTY OFFICE OF ED Other Services	\$235.50
12607871	3048	CYNTHIA LEWIS Mileage	\$16.94
12607872	2243	MATSON ALARM Alarm Services	\$246.00
12607873	3735	JUDY NOJI Payroll Liability Holding	\$216.81
12607874	1058	OFFICE DEPOT Office Supplies	\$10,121.13
12607875	1058	OFFICE DEPOT Kitchen Office Supplies	\$110.12
12607876	5111	P & R PAPER SUPPLY COMPANY INC Kitchen Supplies	\$2,573.45

Warrant Register For Warrants

Dated 05/03/2019

Warrant Number	Vendor Number	Vendor Name	Amount
12607877	3948	PACIFIC TOWING & TRANSPORT Repairs	\$200.00
12607878	7203	PARADIGM HEALTHCARE SERVICES LLC. Other Services	\$197.47
12607879	7376	NANCY PEREZ SOTO Other Services	\$41.00
12607880	6674	PHYSIUS PHYSICAL THERAPY & WELLNESS Other Services	\$50.00
12607881	4118	KERRY PIEROTTE Mileage	\$25.75
12607882	1168	PRODUCERS DAIRY PRODUCTS Food	\$5,583.78
12607883	1204	SHARON RAMSEIER-WILLIAMS Inst'l Consultant	\$1,042.17
12607884	1232	RICHARD'S TREE SERVICE Repairs	\$1,600.00
12607885	1303	SAVE MART SUPERMARKETS Food	\$6.99
12607886	3743	SHRED-IT USA – FRESNO Shred Services	\$262.70
12607887	6368	SINCLAIR RESEARCH GROUP Inst'l Consultant	\$3,625.00
12607888	1374	SMART & FINAL STORES (HFD DO) Supplies	\$349.11
12607889	1801	SMART & FINAL STORES (HFD KIT) Food	\$292.11
12607890	1880	SOUTH COUNTY SUPPORT SERVICES AGENCY Other Services	\$3,977.29
12607891	1392	SOUTHERN CALIFORNIA EDISON CO. Electricity	\$17,603.61
12607892	1404	STANISLAUS FOUNDATION – ADMIN Other Services	\$2,611.00
12607893	2188	SUPPLYWORKS Equipment/Custodial Supplies	\$12,790.75
12607894	1444	SYSCO FOODSERVICES OF MODESTO Food/Kitchen Supplies	\$18,718.88
12607895	6944	TETER LLP Buildings & Improvements	\$50,916.93
12607896	4064	TULARE COUNTY OFFICE OF ED Travel & Conf	\$650.00
12607897	3154	UPS Postage	\$12.88
12607898	6370	VALLEY COYOTES Entry Fees	\$500.00
12607899	6770	RACHELLE VASQUEZ Mileage	\$25.17
12607900	7371	MARK L. VINCENT Inst'l Consultant	\$300.00
12607901	6583	VISUAL SPORTS PHOTOGRAPHY Band Services	\$50.00
12607902	7229	LEANN WILLIAMSON Mileage	\$103.24
Total Amount of All Warrants:			\$313,830.94

Credit Card Register For Payments

Dated 05/03/2019

Document Number	Vendor Number	Vendor Name	Amount
14025827	3599	4IMPRINT INC Instl Matls	\$1,239.35
14025828	91	AUTOMATED OFFICE SYSTEMS Leases	\$6,213.42
14025829	149	BLICK ART MATERIALS Instl Matls	\$642.10
14025830	176	BSN SPORTS Warehouse	\$486.50
14025831	806	KINGS COUNTY TROPHY Instl Matls	\$128.70
14025832	827	LA TAPATIA TORTILLERIA INC. Food	\$596.64
14025833	831	LAKESHORE LEARNING MATERIALS Instl Matls	\$321.66
14025834	1121	PERMA-BOUND Books	\$3,666.50
14025835	1214	REALLY GOOD STUFF Instl Matls	\$129.35
14025836	3583	SAN JOAQUIN IMPERIAL Repairs	\$282.00
14025837	1313	SCHOLASTIC TEACHERS STORE Books	\$4,265.85
14025838	1322	SCHOOL HEALTH CORPORATION Medical Supplies	\$245.72
14025839	1350	SIGN WORKS Maintenance Matls	\$462.34
14025840	5391	STARFALL EDUCATION Software License	\$270.00
14025841	1831	STUMPS/SHINDIGZ.COM Instl Matls	\$248.47
14025842	1547	VALLEY PUBLIC TELEVISION Inst'l Consultant	\$1,500.00
14025843	1619	WILBUR-ELLIS COMPANY LLC Grounds Supplies	\$1,478.90
Total Amount of All Credit Card Payments:			\$22,177.50

Warrant Register For Warrants

Dated 05/10/2019

Warrant Number	Vendor Number	Vendor Name	Amount
12608445	1142	MICHELE ALEXANDER Travel & Conf/Mileage	\$358.24
12608446	6431	AMAZON.COM Instl Matls/READY Supp/Warehouse	\$6,555.61
12608447	7230	ARDENT GENERAL INC Buildings & Improvements	\$100,072.09
12608448	7230	ARDENT GENERAL INC Buildings & Improvements	\$10,000.00
12608449	6253	AT&T Telephone	\$96.02
12608450	4119	KRISTINA BALDWIN Incentives	\$21.34
12608451	1690	BATTERY SYSTEMS Maint/Grounds Supplies	\$1,394.35
12608452	4393	CAROLINA BIOLOGICAL SUPPLY CO Instl Matls	\$494.21
12608453	3012	CBS DOOR Maint Matls	\$126.72
12608454	355	CDT INC. Other Services	\$66.00
12608455	1667	CDW GOVERNMENT INC. Technology	\$496,404.45
12608456	2767	CINEMARK Field Trip	\$731.25
12608457	405	DASSEL'S PETROLEUM INC. Fuel	\$9,518.61
12608458	4417	CARIN DE LA TORRE Travel & Conf/Mileage	\$289.68
12608459	2505	DEMSEY FILLIGER & ASSOCIATES Other Services	\$750.00
12608460	5786	DOCUMENT TRACKING SERVICES Other Services	\$2,702.06
12608461	5710	E & M'S REPTILE FAMILY LLC Inst'l Consultant	\$295.00
12608462	497	EMPLOYMENT DEVELOPMENT DEPT. Unemployment Insurance	\$5,555.12
12608463	1393	GAS COMPANY Gas	\$177.32
12608464	5323	NATIVIDAD GEORGE Instl Matls	\$47.78
12608465	2157	YOLANDA GOMES Incentives	\$41.73
12608466	5541	JOANN GRAHAM Mileage	\$117.04
12608467	652	HANFORD SENTINEL Other Services	\$2,029.00
12608468	632	CITY OF HANFORD Water/Sewer	\$34,759.87
12608469	3367	HEINEMANN PUBLISHING Books	\$1,037.00
12608470	686	JERI HIGDON Postage	\$14.60
12608471	687	HIGH NOON BOOKS Books	\$6,386.05
12608472	5264	HOUGHTON MIFFLIN HARCOURT Books	\$10,940.13
12608473	7175	iREPAIR Repairs	\$380.00
12608474	5703	TERESA JAQUEZ Inst'l Consultant	\$349.20
12608475	779	KEENAN & ASSOC. CPIC Health & Welfare	\$5,445.00
12608476	778	KEENAN & ASSOC. MED. EYE SERV. Health & Welfare	\$10,255.67
12608477	1829	KENNEDY STUDENT BODY Meal Deals	\$966.00
12608478	3760	KINGS COUNTY AIR Maintenance Matls	\$1,769.63
12608479	4655	KINGS COUNTY DEPT. OF AG Grounds Matls	\$285.29
12608480	796	KINGS COUNTY OFFICE OF ED Other Services	\$142.86
12608481	7357	HOLLY LOBRETTO Mileage	\$337.56
12608482	2256	MANDATE RESOURCE SERVICES LLC Other Services	\$3,000.00
12608483	912	MANGINI ASSOCIATES INC. Buildings & Improvements	\$23,504.36
12608484	5522	MORA'S MOBILE MUSIC Inst'l Consultant	\$400.00
12608485	2592	PRINCETON HEALTH PRESS Textbooks	\$25,784.00
12608486	7367	PRINT THEORY Instl Matls	\$260.45
12608487	4827	RAYMOND GEDDES & CO. INC. Instl Matls	\$473.83
12608488	6499	VERONICA REYNOSO Science Matls	\$26.82
12608489	5456	RICK'S VENDING Instl Matls	\$199.50
12608490	1367	SISC III Health & Welfare	\$567,017.75
12608491	1374	SMART & FINAL STORES (HFD DO) Supplies	\$285.76
12608492	1392	SOUTHERN CALIFORNIA EDISON CO. Electricity	\$4,070.10

Warrant Register For Warrants

Dated 05/10/2019

Warrant Number	Vendor Number	Vendor Name	Amount
12608493	773	SPORTS OFFICIATING SERVICE Inst'l Consultant	\$4,522.00
12608494	1403	STANISLAUS FOUNDATION – DENTAL Other Services	\$29,250.97
12608495	5622	JOANNA STONE Mileage	\$102.20
12608496	5586	SUPERIOR SOIL SUPPLEMENTS Grounds Supplies	\$321.75
12608497	6823	TCG GROUP HOLDINGS Other Services	\$254.00
12608498	5946	THE HARTFORD Health & Welfare	\$1,205.05
12608499	4017	JOSE TORRES Allowance	\$200.00
12608500	5810	TROPHY DEPOT INC. Instl Matls	\$884.11
12608501	1504	TURF STAR INC. Grounds Supplies	\$497.35
12608502	7378	KATHY TURNER Other Services	\$25.00
12608503	1508	U.S. POSTAL SERVICE (CMRS-FP) Postage	\$2,000.00
12608504	3749	ULINE INC Office Supplies	\$1,938.27
12608505	6370	VALLEY COYOTES Entry Fees	\$250.00
12608506	2404	VAVRINEK TRINE DAY & CO. LLP Audit Expenses	\$3,050.00
12608507	1554	SONIA VELO Mileage	\$37.06
12608508	7106	VERBENA NURSERY Grounds Matls	\$3,412.98
12608509	1647	VERITIV OPERATING COMPANY Printing Supplies	\$4,354.35
12608510	5905	KATELYN WARNER Travel & Conf/Mileage	\$289.68
12608511	7352	WILD WATER ADVENTURE PARK Field Trip	\$918.22
Total Amount of All Warrants:			\$1,389,448.04

Credit Card Register For Payments

Dated 05/10/2019

Document Number	Vendor Number	Vendor Name	Amount
14025906	2	A-Z BUS SALES INC Transportation Supplies	\$3,496.20
14025907	415	DELRAY TIRE & RETREADING INC. Repairs	\$1,235.63
14025908	416	DEMCO INC. Office Supplies	\$1,317.49
14025909	5139	DLT SOLUTIONS LLC Software License	\$10,475.48
14025910	539	FRANKLIN COVEY PRODUCTS LLC PD Supplies	\$57.31
14025911	2461	GAMETIME Equipment	\$1,078.61
14025912	4271	GOLDEN EAGLE CHARTER INC. Transportation	\$10,671.00
14025913	599	GOPHER SPORT Allowance/Athletic Supplies	\$6,701.94
14025914	2321	GRAPHIC ENTERPRISES INC. Instl Matls	\$138.47
14025915	5690	INDOFF INCORPORATED HR Supplies	\$475.01
14025916	2584	KIMBALL MIDWEST Athletics	\$3,995.49
14025917	806	KINGS COUNTY TROPHY Athletics	\$1,598.02
14025918	831	LAKESHORE LEARNING MATERIALS Software License/Inst Matls	\$1,714.64
14025919	1800	MITY-LITE INC. Office Supplies	\$354.98
14025920	6050	NETSOURCE GLOBAL INC Equipment Replacement	\$13,590.75
14025921	1071	ORIENTAL TRADING CO. INC. Instl Matls	\$4,240.85
14025922	4878	QUEST SOFTWARE INC. Software License	\$5,189.90
14025923	1188	QUILL LLC Office Supplies	\$712.12
14025924	1214	REALLY GOOD STUFF Instl Matls	\$1,828.87
14025925	2524	ROCHESTER 100 INC. Instl Matls	\$1,145.00
14025926	1278	S & S WORLDWIDE INC. Athletic Supplies	\$296.72
14025927	3849	SCHOLASTIC READING CLUBS Books	\$90.00
14025928	1313	SCHOLASTIC TEACHERS STORE Books	\$546.96
14025929	1619	WILBUR-ELLIS COMPANY LLC Travel & Conf	\$150.00
14025930	1637	WOODWIND & BRASSWIND Band Supplies	\$149.83
Total Amount of All Credit Card Payments:			\$71,251.27

Hanford Elementary School District
Minutes of the Regular Board Meeting
 May 8, 2019

Minutes of the Regular Board Meeting of the Hanford Elementary School District Board of Trustees on May 8, 2019 at Jefferson Charter Academy Library, 511 W. Malone St., Hanford, CA.

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

HESD Managers Present Joy C. Gabler, Superintendent, and the following administrators were present: Lindsey Calvillo, Doug Carlton, Debra Colvard, Kenny Eggert, David Endo, Javier Espindola, Lucy Gomez, Rick Johnston, Jaime Martinez, Jennifer Pitkin, Jill Rubalcava and Jay Strickland.

Closed Session Trustees adjourned to closed session for the purpose of:

- Student Discipline pursuant to Education Code section 48918
- Public Employee Discipline/Dismissal/Release (GC 54957)
- Employee Performance Evaluation (GC 54957) - Superintendent

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

Case#19-27 Trustee Strickland moved to accept the Findings of Facts and expel Case #19-27 for the remainder of the 2018-2019 school year and the first semester of the 2019-2020 school year for violation of Education Code 48900 and/or 48915 as determined by the Administrative Panel at hearings held on May 7, 2019. However, Trustee Strickland further moved that the parents may apply for readmission on or after May 9, 2019. If readmission is granted, the expulsion order shall be suspended and the student may attend regular school in probationary status on a Behavior Conditions Plan through January 13, 2020. Trustee Garcia seconded; motion carried 5-0:

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

Case#19-28 Trustee Strickland moved to accept the Findings of Facts and expel Case #19-28 for the remainder of the 2018-2019 school year and the first semester of the 2019-2020 school year for violation of Education Code 48900 and/or 48915 as determined by the Administrative Panel at hearings held on May 7, 2019. However, Trustee Strickland further moved that the parents may apply for readmission on or after June 7, 2019. If readmission is granted, the expulsion order shall be suspended and the student may attend regular school in probationary status on a Behavior Conditions Plan through January 13, 2020. Trustee Garcia seconded; motion carried 5-0:

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

Case #18-22 Trustee Strickland moved to revoke readmission for Case #18-22 based upon the student's failure to abide by school and district rules upon return to regular school. Parents may apply for readmission on or after June 7, 2019. Trustee Garcia seconded; motion carried 5-0:
Garcia – Yes
Garner – Yes
Hernandez – Yes
Revious – Yes
Strickland – Yes

Personnel No action was taken by the board.

**Public
Comments** None

**Board and Staff
Comments** Trustee Garcia thanked everyone that attended the KCSBA Dinner and shared that Ann Marie Dowd, HESD's nomination, was honored with the Making a Difference Award. Trustee Garcia added that Ann Marie's husband and daughter were in attendance to accept the award on her behalf.

Trustee Revious stated our students performed very well at the Valley Meet. A number of students placed 1st, 2nd and 3rd.
Javier Espindola shared the successes of Jefferson Charter track athletes.
Lindsey Calvillo stated Lee Richmond School had a great showing with four students winning medals, one got 1st place.
Rick Johnston stated one student from JFK got 4th place in the whole valley.

Superintendent Joy Gabler introduce the newest principal Cynthia Pursell. She will be taking the principal roll at Lincoln School.

**Requests to
Address the
Board** None

**Dates to
Remember** President Revious reviewed dates to remember: May 15th – Employee Recognition Event;
May 22nd – Regular Board Meeting.

CONSENT ITEMS

Minor revision where made to item b) Minutes of Regular Board Meeting held on April 24, 2019.

Trustee Strickland made a motion to take consent items "a" through "c" together.
Trustee Garner seconded; motion carried 5-0:
Garcia – Yes
Garner – Yes
Hernandez – Yes
Revious – Yes
Strickland – Yes

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

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

The items approved are as follows:

- a) Warrant listings dated April 19, 2019 and April 26, 2019.
- b) Minutes of Regular Board Meeting held on April 24, 2019.
- c) interdistrict transfers as recommended.

INFORMATION ITEMS

BP/AR 1312.3 Doug Carlton, Director of Program Development, Assessment & Accountability, presented for information the following revised Board Policy and Administrative Regulation:

- BP/AR 1312.3 – Uniform Complaint Procedures

BP/AR 5145.3 Joy Gabler, Superintendent, presented for information the following revised Board Policy and Administrative Regulation:

- BP/AR 5145.3 – Nondiscrimination/Harassment

5145.9 Joy Gabler, Superintendent, presented for information the following revised Board Policy:

- BP 5145.9 – Hate-Motivated Behavior

AR/E 5125.1 Jason Strickland, Director of Child Welfare & Attendance, presented for information the following revised Administrative Regulation and Exhibit:

- AR/E 5125.1 – Release of Directory Information

BP/AR 5145.13 Jason Strickland, Director of Child Welfare & Attendance, presented for information the following revised Board Policy and Administrative Regulation:

- BP/AR 5145.13 – Response to Immigration Enforcement

BOARD POLICIES AND ADMINISTRATION

CalFresh Trustee Garcia made a motion to approve the Memorandum of Understanding between University of California CalFresh Nutrition Education and Hanford Elementary School District. Trustee Strickland seconded; motion carried 5-0:

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

Migrant Summer School Trustee Strickland made a motion to approve the Agency Agreement and Memorandum of Understanding for Migrant Summer School programs operated by the Tulare County Office of Education/Migrant Region VIII. Trustee Garcia seconded; motion carried 5-0:

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

- Tree Fresno** Trustee Garcia made a motion to approve the Memorandum of Understanding with Tree Fresno. Trustee Garner seconded; motion carried 5-0:
Garcia – Yes
Garner – Yes
Hernandez – Yes
Revious – Yes
Strickland – Yes
- Tree Donations** Trustee Strickland made a motion to approve the donation of forty (40) trees from Tree Fresno and Calfire. Trustee Hernandez seconded; motion carried 5-0:
Garcia – Yes
Garner – Yes
Hernandez – Yes
Revious – Yes
Strickland – Yes
- NGSS – Twig Science & Stemsscopes** Trustee Strickland made a motion to adopt and purchase NGSS aligned Twig Science for Transitional Kindergarten to fifth grade and Stemsscopes for sixth to eighth grade. Trustee Garner seconded; motion carried 5-0:
Garcia – Yes
Garner – Yes
Hernandez – Yes
Revious – Yes
Strickland – Yes
- E 0420.41** Trustee Garcia made a motion to approve the revised Exhibit 0420.41 – Charter School Oversight Exhibit. Trustee Hernandez seconded; motion carried 5-0:
Garcia – Yes
Garner – Yes
Hernandez – Yes
Revious – Yes
Strickland – Yes
- BP 5131.2** Trustee Garcia made a motion to approve the revised Board Policy 5131.2 – Bullying. Trustee Hernandez seconded; motion carried 5-0:
Garcia – Yes
Garner – Yes
Hernandez – Yes
Revious – Yes
Strickland – Yes
- BP/AR 3514** Trustee Hernandez made a motion to approve the revised Board and Administrative Regulation 3514 – Environmental Safety. Trustee Garcia seconded; motion carried 5-0:
Garcia – Yes
Garner – Yes
Hernandez – Yes
Revious – Yes
Strickland – Yes

PERSONNEL

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

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

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

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

***Item "a" –
Employment***

The following items were approved:

Certificated, effective 8/8/19

- Julia Lofy, Special Education Teacher, Probationary
- Ariana Martin, Teacher, Probationary
- Nohemi Flores Medina, Teacher, Probationary (rescind)
- Claudia Snead, Teacher, Probationary

Classified

- Edgar Hernandez Herrera, Custodian II – 8.0 hrs., Roosevelt, effective 4/29/19

Temporary Employees/Substitutes

- Alberto Ordonez, Short-term Media Services Aide – 5.5 hrs., Jefferson, effective 4/29/19 to 6/14/19

***Item "b" –
Promotion***

- Cynthia Pursell, from Learning Director, Lincoln to Principal, Lincoln, effective 7/30/19

***Item "c" –
Reassignments***

- Peggy Noble, from Teacher @ King, to Instructional Coach, Math, Curriculum, Instruction and Professional Development, effective 8/8/19
- Danielle Darpli, from Teacher @ Wilson, to Instructional Coach ELA, Curriculum and Professional Development Specialist, effective 8/8/19

***Item "d" –
Transfer***

- Ramiro Flores, from Principal, Hamilton to Principal, Roosevelt
- Jennifer Henderson, from Learning Director, Washington to Learning Director, King
- Jennifer Pitkin, from Principal, Lincoln to Principal, Hamilton
- Marla Yadon, from Learning Director, King to Learning Director, Lincoln

***Item "e" –
Declaration of
Need***

- Adopt Declaration of Need for Fully Qualified Educators for 2019-2020 School Year (Title 5, 80026) – Attached

***Item "f" – 30-
Day Substitute
Teaching
Permits***

Annual Statement of Need for 30-Day Substitute Teaching Permits

- The Governing Board of the Hanford Elementary School District declares that a sufficient number of credentialed teachers are not available to fill vacancies for substitute teaching during the 2019-2020 school year. Therefore, the District is filing an annual statement of need with the Kings County Office of Education to

allow Emergency 30-Day Substitute Permit holders to fill day-to-day substitute needs.

FINANCIAL

Kings County Treasurer's Quarterly Compliance Report

Trustee Strickland made a motion to approve the Kings County Treasurer's Quarterly Compliance Report. Trustee Garcia seconded; motion carried 5-0:

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

Resolution #21-19

Trustee Garcia made a motion to adopt the Resolution#21-19: 2018-2019 Budget Revisions #4. Trustee Hernandez seconded; motion carried 5-0:

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

Adjournment

There being no further business, President Revious adjourned the meeting at 6:18 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-213	A	Wilson	Laton	5/13/2019

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Joy Gabler

FROM: Ramiro Flores

DATE: 5/2/19

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

FOR: () Information
(X) Action

Date you wish to have your item considered: May 22, 2019

ITEM: Consider approval of donations to Hamilton School from:
Box Tops for Education in the amount of \$93.50.

PURPOSE: To be used to pay for student rewards.

FISCAL IMPACT:

Increase of \$93.50 to 0100-1100-0-1110-1000-430000-029-0000.

RECOMMENDATION: Approve donation.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy Gabler

FROM: Lindsey Calvillo

DATE: May 2, 2019

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: May 22, 2019

ITEM: Consider acceptance of donation of \$70.00 from Box Tops Education

PURPOSE: To be used for purchase of instructional supplies for the 2018-2019 School Year.

FISCAL IMPACT: 0100-1100-0-1110-1000-430000-025-0000

RECOMMENDATION: Accept donation.

HANFORD ELEMENTARY SCHOOL DISTRICTAGENDA REQUEST FORM

TO: Joy Gabler

FROM: Julie Pulis

DATE: April 30, 2019

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

Date you wish to have your item considered: May 22, 2019

ITEM: Donation of \$32.10 from Boxtops for EducationPURPOSE: Accept donation of \$32.10 from Boxtops for Education
Materials & Supplies \$32.10
0100-1100-0-1110-1000-430000-024-0000FISCAL IMPACT (if any): \$32.10RECOMMENDATION (if any): Action.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: 05/10/19

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: 05/22/19

ITEM: Review the 2018-2019 District/Board Goals

PURPOSE: Provide an update on progress made toward the 2018-2019 District/Board Goals.

FISCAL IMPACT:

RECOMMENDATIONS:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy Gabler

FROM: Doug Carlton

DATE: May 2, 2019

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: May 22, 2019

ITEM: Pearson Success Maker Online Instructional Materials for Community Day School**PURPOSE:**

For CDS, there is a need for an instructional program that can be individualized to a student's academic level, that has the capability for both remediation and acceleration, that has assessment and progress monitoring tools, and that can follow a student as they transition back into regular school.

FISCAL IMPACT:

\$9,780 to be funding with the Community Day School Comprehensive Support and Improvement Grant.

RECOMMENDATIONS: Information only



Corey Akin

Hanford Elem School District
PO Box 1067
Hanford, CA 93232-1067
United States

Quote Number: 71898-3

Quote Creation Date: 03-07-2019

Quote Expiration Date: 09-30-2019

Quote Release: 3

SM Full Curriculum Plus PD

Price Quote Summary

Solution	Base Amount	Total
SuccessMaker Next Generation	\$ 9,780.00	\$ 9,780.00
Solution Subtotal	\$ 9,780.00	\$ 9,780.00
Shipping & Handling		\$ 0.00
Total		\$ 9,780.00

Price Quote Detail

Solution	UOM	Term	List Price	Quantity	Base Amount	Total
SuccessMaker Next Generation						
License						
6000223 - SuccessMaker Reading Curr Per Student Subscription License	MO	12	\$32.00	60	\$1,920.00	\$1,920.00
9781402625848 - SuccessMaker Math 1 Year part of OT enVisionMATH-SM Bundle	MO	12	\$16.00	60	\$960.00	\$960.00
License Subtotal					\$ 2,880.00	\$ 2,880.00
Training						
SMBPFULL3OS - SuccessMaker Best Practice Full Curriculum - 3 Onsite Days	EA	1	\$6,900.00	1	\$6,900.00	\$6,900.00
Training Subtotal					\$ 6,900.00	\$ 6,900.00
Implementation						
SMINTHOSTIMPL - SuccessMaker Initial Hosted Implementation	EA	1	\$0.00	1	\$0.00	\$0.00
Implementation Subtotal					\$ 0.00	\$ 0.00
SuccessMaker Next Generation Subtotal					\$ 9,780.00	\$ 9,780.00

Solution	UOM	Term	List Price	Quantity	Base Amount	Total
					Total	\$ 9,780.00

Addendum

Please submit a copy of this quotation, the District/School Purchase Order, and any other required documentation via one of the below:

eForm: <https://pearsonnacomunity.force.com/support/s/pearson-order-form>

Fax: 1-877-260-2530

Mail: Pearson Education, P.O. Box 6820, Chandler, AZ 85246

For questions regarding your order please call Customer Service: 1-800-848-9500

As of December 31, 2016, Pearson will no longer accept Credit Card information via postal mail, facsimile, or email. Credit Card information will only be accepted via phone, eCommerce, or OASIS.

This is a price quotation for the customer's convenience only, and not an offer to contract. All quotations are subject to review and final acceptance by a duly authorized representative of Pearson at its offices. Pearson reserves the right to correct typographical, computational or other errors. Pearson's standard terms are net 30 days unless otherwise specified. All pricing is in US Dollars unless otherwise specified. Pricing calculations use multiple decimal places to determine the most accurate extended pricing but are represented in standard currency format.

Annual subscriptions and/or maintenance and support charges automatically renew on the anniversary date of the original purchase and will be invoiced accordingly, unless otherwise specified. If you wish to cancel, please let us know in writing prior to the date of renewal by emailing customerservice@pearson.com.

Fees for any renewals of product or support/maintenance subscriptions beyond the period covered by this pricing proposal will be at Pearson's then-current rates and, for products for which such fees are based on student count, the customer's then-current enrollment. All such renewal fees are due at the commencement of the new subscription period.

Implementation services provided by Pearson will be delivered to the customer based on established Pearson processes and billing procedures or through a Custom Scope of Work establishing milestones and/or billing schedule agreed upon by the customer. Changes, requested by the customer, to the original Scope of Work may result in additional costs. Travel related expenses associated with On-Site Training and Services are included in the listed price unless otherwise specified.

S&H charges (where applicable) are shown on the quote. S&H rates quoted are for standard ground transportation and may not reflect account contracted rates. If expedited shipping is requested, actual charges may be higher.

Pearson reserves the right to change and/or update technology platforms, including possible edition updates to customers during the term of access. Customers will be notified of any change prior to the beginning of the new school year.

Quoted prices may not reflect contract pricing for some customers. Any applicable contract pricing will be applied to the final invoice. If you require contract pricing reflected on the quote, please work with your Account Manager or contact Customer Service.

All pricing in this quotation is exclusive of any applicable sales, use or other similar taxes or duties. The customer is responsible for any such taxes or duties that may apply; if the customer is tax exempt, evidence of such tax exemption must be provided. Estimated tax may be provided solely for customer convenience. The amount indicated is only an estimate and is intended to be helpful for budgeting purposes. The actual amount of sales tax assessed at time of invoicing may be more or less.

Certain Pearson products may have minimum requirements related to licensing, services, and/or pricing that are reflected in the attached quotation. The breakdown of the fees set forth in this quotation is considered Pearson proprietary information and not subject to disclosure by the customer.

If you are not entirely satisfied with any of our products, then you may, within one year from the date of purchase, return all materials still in new, unused, salable condition for a full refund, credit, or replacement. All materials sold in a set or a package must be returned complete as originally sold. Materials that were provided gratis must be returned proportionate to the purchased items being returned for refund or credit.

Product: SuccessMaker

Direct Response Software Maintenance and Support agreement includes Product Upgrades, access to Community Connection web site, patch releases, online chat support, and telephone support during the term of the contract.

Field Response Software Maintenance and Support agreement includes the features of Direct Response and a Field Engineer onsite when necessary.

SuccessMaker software purchased as a subscription fee will receive support (online and toll free) as well as access to any future enhancements or upgrades to those content offerings within the SuccessMaker product that are licensed by the Customer.


MyTrainingConnection.com is included with Direct Response, Field Response, and SuccessMaker subscription.

When SuccessMaker Partnership Plus Customer - Software Integration is selected the software integration will be completed by Field Engineer and will use some of the customer's allotted 140 days.

Hanford Elementary School District
PERSONNEL DEPARTMENT

AGENDA REQUEST FORM

TO: Joy Gabler

FROM: Jaime Martinez 

DATE: May 13, 2019

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☒ Information
☐ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **May 22, 2019**

ITEM: Receive the District's Initial Proposal to California School Employees Association (CSEA) for 2019-2020 amendments to the 2017-2020 Collective Bargaining Agreement between Hanford Elementary School District (HESD) and CSEA (reopened articles).

PURPOSE: To initiate the negotiation process for 2019-2020 amendments to the Collective Bargaining Agreement between HESD and CSEA. The current 3-year Agreement allows for re-negotiating Article 22 Health and Welfare Benefits and/or Article 23 Pay and Allowances, and two additional Articles each.

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

FISCAL IMPACT: Unknown; proposal is subject to negotiation.

RECOMMENDATION: Receive proposal for information only.

**HANFORD ELEMENTARY SCHOOL DISTRICT'S
INITIAL PROPOSAL
CSEA CONTRACT REOPENERS 2019-2020
Effective July 1, 2019**

Article 22: Health and Welfare Benefits

Discuss the current District contribution toward Employee Health and Welfare Benefits in combination with salary schedule adjustments.


Article 23: Pay and Allowances

Discuss classified salary schedule adjustments in combination with Employee Health and Welfare benefit contributions.

Hanford Elementary School District
HUMAN RESOURCES DEPARTMENT

AGENDA REQUEST FORM

TO: Joy Gabler

FROM: Jaime Martinez 

DATE: May 13, 2018

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☒ Information
☐ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **May 22, 2018**

ITEM: Receive California School Employees Association's (CSEA's) Initial Proposal for 2019-2020 amendments to the 2017-2020 Collective Bargaining Agreement between Hanford Elementary School District (HESD) and CSEA (reopened articles).

PURPOSE: To initiate the negotiation process for 2019-2020 amendments to the Collective Bargaining Agreement between HESD and CSEA. The current 3-year Agreement allows for re-negotiating Article 22 Health and Welfare Benefits and/or Article 23 Pay and Allowances and two additional articles each.

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

FISCAL IMPACT: Unknown; proposal is subject to negotiation.

RECOMMENDATION: Receive proposal for information only.

California School Employees Association, and its Chapter #344 (CSEA)
2019-2020 Initial Contract Proposal
To
Hanford Elementary School District (District)
May 6, 2019

ARTICLE 23 – PAY AND ALLOWANCES

Modify classified salary schedule and pay and allowances to provide fair and equitable compensation for classified employees in the bargaining unit.

ARTICLE 22 – HEALTH AND WELFARE BENEFITS

Review and modify language to provide fair and equitable health and welfare benefits to CSEA classified employees.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: David Endo

DATE: 05/13/2019

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: 05/22/2019

ITEM:

Receive for information monthly financial reports for the period of 07/01/2018-04/30/2019.

PURPOSE:

Attached are financial summaries for all of the District's funds for the period of 07/01/2018-04/30/2019.

FISCAL IMPACT:

The financial reports are informational only.

RECOMMENDATIONS:

Receive the monthly financial reports.

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

Fiscal Position Report

April 2019

Page 1 of 13

5/14/2019 9:54:32AM

Fund: 0100 General Fund

		April Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$10,335,562.56	\$10,335,562.56		
REVENUES						
1) LCFF Sources	8010-8099	\$4,922,702.58	\$46,997,978.07	\$56,677,306.00	82.92	17.08
2) Federal Revenues	8100-8299	\$127,415.80	\$2,394,269.67	\$4,110,539.26	58.25	41.75
3) Other State Revenues	8300-8599	\$67,695.00	\$2,712,115.37	\$6,029,199.00	44.98	55.02
4) Other Local Revenues	8600-8799	\$260,288.02	\$1,967,076.41	\$2,874,744.39	68.43	31.57
5) Total, Revenues		\$5,378,101.40	\$54,071,439.52	\$69,691,788.65	77.59	22.41
EXPENDITURES						
1) Certificated Salaries	1000-1999	\$2,528,809.95	\$22,469,789.45	\$27,766,456.00	80.92	19.08
2) Classified Salaries	2000-2999	\$1,004,741.87	\$9,291,466.20	\$11,329,876.00	82.01	17.99
3) Employee Benefits	3000-3999	\$1,383,805.30	\$12,103,668.43	\$17,182,492.00	70.44	29.56
4) Books and Supplies	4000-4999	\$125,106.63	\$1,551,718.79	\$4,267,722.22	36.36	63.64
5) Services, Oth Oper Exp	5000-5999	\$268,734.54	\$3,549,751.96	\$4,008,469.74	88.56	11.44
6) Capital Outlay	6000-6999	\$0.00	\$506,001.48	\$2,002,218.34	25.27	74.73
7) Other Outgo(excl. 7300`s)	7100-7499	\$64,111.00	\$604,845.73	\$1,459,384.00	41.45	58.55
8) Direct/Indirect Support	7300-7399	\$0.00	\$0.00	(\$355,000.00)	0.00	100.00
9) Total Expenditures		\$5,375,309.29	\$50,077,242.04	\$67,661,618.30	74.01	25.99
OTHER FINANCING SOURCES/USES						
1) Transfers						
B) Transfers Out	7610-7629	\$0.00	\$758,883.00	\$1,451,093.00	52.30	47.70
3) Contributions	8980-8999	\$0.00	\$0.00	\$0.00	0.00	100.00
4) Total, Other Financing Sources/Uses		\$0.00	(\$758,883.00)	(\$1,451,093.00)	52.30	47.70
NET INCREASE (DECREASE) IN FUND BALANCE		\$2,792.11	\$3,235,314.48	\$579,077.35		
ENDING FUND BALANCE			\$13,570,877.04	\$10,914,639.91		

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

Fiscal Position Report

April 2019

5/14/2019 9:54:32AM

Fund: 0900 Charter Schools Fund

		April Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$433,160.97	\$433,160.97		
REVENUES						
1) LCFF Sources	8010-8099	\$397,103.00	\$3,286,991.00	\$4,317,724.00	76.13	23.87
3) Other State Revenues	8300-8599	(\$9,880.00)	\$129,653.77	\$320,170.00	40.50	59.50
4) Other Local Revenues	8600-8799	\$7,334.83	\$16,383.33	\$16,851.00	97.22	2.78
5) Total, Revenues		\$394,557.83	\$3,433,028.10	\$4,654,745.00	73.75	26.25
EXPENDITURES						
1) Certificated Salaries	1000-1999	\$157,851.61	\$1,410,476.26	\$1,736,369.00	81.23	18.77
2) Classified Salaries	2000-2999	\$0.00	\$0.00	\$0.00	0.00	100.00
3) Employee Benefits	3000-3999	\$59,888.85	\$508,547.15	\$756,392.00	67.23	32.77
4) Books and Supplies	4000-4999	\$11,070.91	\$84,779.36	\$107,082.74	79.17	20.83
5) Services, Oth Oper Exp	5000-5999	\$19,600.41	\$115,622.07	\$1,461,552.27	7.91	92.09
6) Capital Outlay	6000-6999	\$0.00	\$124,780.34	\$129,790.34	96.14	3.86
8) Direct/Indirect Support	7300-7399	\$0.00	\$0.00	\$190,000.00	0.00	100.00
9) Total Expenditures		\$248,411.78	\$2,244,205.18	\$4,381,186.35	51.22	48.78
OTHER FINANCING SOURCES/USES						
1) Transfers						
B) Transfers Out	7610-7629	\$0.00	\$49,082.00	\$190,764.00	25.73	74.27
3) Contributions	8980-8999	\$0.00	\$0.00	\$0.00	0.00	100.00
4) Total, Other Financing Sources/Uses		\$0.00	(\$49,082.00)	(\$190,764.00)	25.73	74.27
NET INCREASE (DECREASE) IN FUND BALANCE		\$146,146.05	\$1,139,740.92	\$82,794.65		
ENDING FUND BALANCE			\$1,572,901.89	\$515,955.62		

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

Fiscal Position Report

April 2019

5/14/2019 9:54:32AM

Fund: 1300 Cafeteria Fund

		April Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$1,446,470.57	\$1,446,470.57		
REVENUES						
2) Federal Revenues	8100-8299	\$306,188.38	\$2,083,343.54	\$3,504,814.00	59.44	40.56
3) Other State Revenues	8300-8599	\$23,139.62	\$157,216.00	\$246,042.00	63.90	36.10
4) Other Local Revenues	8600-8799	\$21,875.08	\$111,252.86	\$154,872.00	71.84	28.16
5) Total, Revenues		\$351,203.08	\$2,351,812.40	\$3,905,728.00	60.21	39.79
EXPENDITURES						
2) Classified Salaries	2000-2999	\$101,473.49	\$914,001.40	\$1,139,475.00	80.21	19.79
3) Employee Benefits	3000-3999	\$37,771.49	\$328,637.03	\$425,674.00	77.20	22.80
4) Books and Supplies	4000-4999	\$155,045.08	\$1,347,303.55	\$1,890,408.00	71.27	28.73
5) Services, Oth Oper Exp	5000-5999	(\$4,314.82)	(\$4,726.54)	(\$14,533.00)	32.52	67.48
6) Capital Outlay	6000-6999	\$0.00	\$37,573.45	\$156,000.00	24.09	75.91
8) Direct/Indirect Support	7300-7399	\$0.00	\$0.00	\$165,000.00	0.00	100.00
9) Total Expenditures		\$289,975.24	\$2,622,788.89	\$3,762,024.00	69.72	30.28
NET INCREASE (DECREASE) IN FUND BALANCE		\$61,227.84	(\$270,976.49)	\$143,704.00		
ENDING FUND BALANCE			\$1,175,494.08	\$1,590,174.57		

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

Fiscal Position Report

April 2019

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Fund: 1400 Deferred Maintenance Fund

		April Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$3,296.98	\$3,296.98		
REVENUES						
1) LCFF Sources	8010-8099	\$0.00	\$300,000.00	\$300,000.00	100.00	0.00
4) Other Local Revenues	8600-8799	\$886.58	\$2,250.38	\$2,000.00	112.52	(12.52)
5) Total, Revenues		\$886.58	\$302,250.38	\$302,000.00	100.08	(0.08)
EXPENDITURES						
5) Services, Oth Oper Exp	5000-5999	\$0.00	\$0.00	\$0.00	0.00	100.00
6) Capital Outlay	6000-6999	\$6,513.58	\$135,860.25	\$305,296.98	44.50	55.50
9) Total Expenditures		\$6,513.58	\$135,860.25	\$305,296.98	44.50	55.50
NET INCREASE (DECREASE) IN FUND BALANCE		(\$5,627.00)	\$166,390.13	(\$3,296.98)		
ENDING FUND BALANCE			\$169,687.11	\$0.00		

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

Fiscal Position Report

April 2019

5/14/2019 9:54:32AM

Fund: 1500 Pupil Transportation Equip

		April Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$148,916.49	\$148,916.49		
REVENUES						
4) Other Local Revenues	8600-8799	\$1,268.82	\$3,252.00	\$5,000.00	65.04	34.96
5) Total, Revenues		\$1,268.82	\$3,252.00	\$5,000.00	65.04	34.96
OTHER FINANCING SOURCES/USES						
1) Transfers						
A) Transfers In	8910-8929	\$0.00	\$100,000.00	\$100,000.00	100.00	0.00
4) Total, Other Financing Sources/Uses		\$0.00	\$100,000.00	\$100,000.00	100.00	0.00
NET INCREASE (DECREASE) IN FUND BALANCE		\$1,268.82	\$103,252.00	\$105,000.00		
ENDING FUND BALANCE			\$252,168.49	\$253,916.49		

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

Fiscal Position Report

April 2019

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 5/14/2019 9:54:32AM

Fund: 2000 SPECIAL RESERVE FUND FOR OTHER POSTE

		April Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$3,446,033.37	\$3,446,033.37		
REVENUES						
4) Other Local Revenues	8600-8799	\$20,020.68	\$50,384.18	\$60,000.00	83.97	16.03
5) Total, Revenues		\$20,020.68	\$50,384.18	\$60,000.00	83.97	16.03
OTHER FINANCING SOURCES/USES						
1) Transfers						
A) Transfers In	8910-8929	\$0.00	\$707,965.00	\$1,241,857.00	57.01	42.99
4) Total, Other Financing Sources/Uses		\$0.00	\$707,965.00	\$1,241,857.00	57.01	42.99
NET INCREASE (DECREASE) IN FUND BALANCE		\$20,020.68	\$758,349.18	\$1,301,857.00		
ENDING FUND BALANCE			\$4,204,382.55	\$4,747,890.37		

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

Fiscal Position Report

April 2019

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 5/14/2019 9:54:32AM

Fund: 2100 Building Fund-Local

		April Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$2,792,280.19	\$2,792,280.19		
REVENUES						
4) Other Local Revenues	8600-8799	\$5,375.47	\$27,181.00	\$50,000.00	54.36	45.64
5) Total, Revenues		\$5,375.47	\$27,181.00	\$50,000.00	54.36	45.64
EXPENDITURES						
5) Services, Oth Oper Exp	5000-5999	\$0.00	\$0.00	\$0.00	0.00	100.00
6) Capital Outlay	6000-6999	\$15,430.18	\$2,507,323.38	\$2,670,310.42	93.90	6.10
9) Total Expenditures		\$15,430.18	\$2,507,323.38	\$2,670,310.42	93.90	6.10
OTHER FINANCING SOURCES/USES						
1) Transfers						
B) Transfers Out	7610-7629	\$0.00	\$0.00	\$128,189.00	0.00	100.00
2) Other Sources/Uses						
A) Sources	8930-8979	\$0.00	\$0.00	\$200,000.00	0.00	100.00
4) Total, Other Financing Sources/Uses		\$0.00	\$0.00	\$71,811.00	0.00	100.00
NET INCREASE (DECREASE) IN FUND BALANCE		(\$10,054.71)	(\$2,480,142.38)	(\$2,548,499.42)		
ENDING FUND BALANCE			\$312,137.81	\$243,780.77		

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

Fiscal Position Report

April 2019

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Fund: 2110 Building Funds - Local 1

		April Amount	YTD Amount	Revised Budget	% of Budget	% Remain
REVENUES						
4) Other Local Revenues	8600-8799	\$2,092.51	\$2,092.51	\$0.00	0.00	100.00
5) Total, Revenues		\$2,092.51	\$2,092.51	\$0.00	0.00	100.00
EXPENDITURES						
5) Services, Oth Oper Exp	5000-5999	\$11,036.50	\$228,088.52	\$228,088.52	100.00	0.00
9) Total Expenditures		\$11,036.50	\$228,088.52	\$228,088.52	100.00	0.00
OTHER FINANCING SOURCES/USES						
2) Other Sources/Uses						
A) Sources	8930-8979	\$0.00	\$7,665,052.02	\$7,665,052.02	100.00	0.00
4) Total, Other Financing Sources/Uses		\$0.00	\$7,665,052.02	\$7,665,052.02	100.00	0.00
NET INCREASE (DECREASE) IN FUND BALANCE		(\$8,943.99)	\$7,439,056.01	\$7,436,963.50		
ENDING FUND BALANCE			\$7,439,056.01	\$7,436,963.50		

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

Fiscal Position Report

April 2019

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Fund: 2120 Building Funds - Local 2

		April Amount	YTD Amount	Revised Budget	% of Budget	% Remain
REVENUES						
4) Other Local Revenues	8600-8799	\$0.00	\$0.00	\$0.00	0.00	100.00
5) Total, Revenues		\$0.00	\$0.00	\$0.00	0.00	100.00
NET INCREASE (DECREASE) IN FUND BALANCE						
		\$0.00	\$0.00	\$0.00		
ENDING FUND BALANCE						
			\$0.00	\$0.00		

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

Fiscal Position Report

April 2019

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 5/14/2019 9:54:32AM

Fund: 2500 CapitalFacilities Fund

		April Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$198,667.72	\$198,667.72		
REVENUES						
4) Other Local Revenues	8600-8799	\$110,942.26	\$445,786.84	\$455,000.00	97.98	2.02
5) Total, Revenues		\$110,942.26	\$445,786.84	\$455,000.00	97.98	2.02
EXPENDITURES						
5) Services, Oth Oper Exp	5000-5999	\$0.00	\$165,818.18	\$173,318.18	95.67	4.33
6) Capital Outlay	6000-6999	\$0.00	\$0.00	\$0.00	0.00	100.00
9) Total Expenditures		\$0.00	\$165,818.18	\$173,318.18	95.67	4.33
OTHER FINANCING SOURCES/USES						
1) Transfers						
B) Transfers Out	7610-7629	\$0.00	\$0.00	\$0.00	0.00	100.00
3) Contributions	8980-8999	\$0.00	\$0.00	\$0.00	0.00	100.00
4) Total, Other Financing Sources/Uses		\$0.00	\$0.00	\$0.00	0.00	100.00
NET INCREASE (DECREASE) IN FUND BALANCE		\$110,942.26	\$279,968.66	\$281,681.82		
ENDING FUND BALANCE			\$478,636.38	\$480,349.54		

13 Hanford Elementary School District

Fiscal Year: 2019

Requested by dendo

Fiscal Position Report

April 2019

5/14/2019 9:54:32AM

Fund: 3500 SCHOOL FACILITY PROGRAM

		April Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$610,882.83	\$610,882.83		
REVENUES						
3) Other State Revenues	8300-8599	\$0.00	\$0.00	\$0.00	0.00	100.00
4) Other Local Revenues	8600-8799	\$2,355.14	\$8,253.14	\$15,000.00	55.02	44.98
5) Total, Revenues		\$2,355.14	\$8,253.14	\$15,000.00	55.02	44.98
EXPENDITURES						
6) Capital Outlay	6000-6999	\$21,790.21	\$1,154,004.11	\$4,478,571.83	25.77	74.23
9) Total Expenditures		\$21,790.21	\$1,154,004.11	\$4,478,571.83	25.77	74.23
OTHER FINANCING SOURCES/USES						
1) Transfers						
A) Transfers In	8910-8929	\$0.00	\$689,500.00	\$3,852,689.00	17.90	82.10
3) Contributions	8980-8999	\$0.00	\$0.00	\$0.00	0.00	100.00
4) Total, Other Financing Sources/Uses		\$0.00	\$689,500.00	\$3,852,689.00	17.90	82.10
NET INCREASE (DECREASE) IN FUND BALANCE		(\$19,435.07)	(\$456,250.97)	(\$610,882.83)		
ENDING FUND BALANCE			\$154,631.86	\$0.00		

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

Fiscal Position Report

April 2019

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Fund: 4000 Special Reserve - Capital Outlay

		April Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$4,008,824.84	\$4,008,824.84		
REVENUES						
4) Other Local Revenues	8600-8799	\$16,920.88	\$48,334.08	\$40,000.00	120.84	(20.84)
5) Total, Revenues		\$16,920.88	\$48,334.08	\$40,000.00	120.84	(20.84)
EXPENDITURES						
5) Services, Oth Oper Exp	5000-5999	\$0.00	\$1,133.75	\$20,000.00	5.67	94.33
6) Capital Outlay	6000-6999	\$0.00	\$6,227.00	\$39,146.00	15.91	84.09
9) Total Expenditures		\$0.00	\$7,360.75	\$59,146.00	12.45	87.55
OTHER FINANCING SOURCES/USES						
1) Transfers						
A) Transfers In	8910-8929	\$0.00	\$0.00	\$300,000.00	0.00	100.00
B) Transfers Out	7610-7629	\$0.00	\$689,500.00	\$3,724,500.00	18.51	81.49
4) Total, Other Financing Sources/Uses		\$0.00	(\$689,500.00)	(\$3,424,500.00)	17.13	82.87
NET INCREASE (DECREASE) IN FUND BALANCE		\$16,920.88	(\$648,526.67)	(\$3,443,646.00)		
ENDING FUND BALANCE			\$3,360,298.17	\$565,178.84		

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

Fiscal Position Report

April 2019

5/14/2019 9:54:32AM

Fund: 6720 Self-Insurance/Other

		April Amount	YTD Amount	Revised Budget	% of Budget	% Remain
BEGINNING BALANCE						
Net Beginning Balance	9791-9795		\$483,868.56	\$483,868.56		
REVENUES						
4) Other Local Revenues	8600-8799	\$60,137.76	\$502,456.48	\$694,000.00	72.40	27.60
5) Total, Revenues		\$60,137.76	\$502,456.48	\$694,000.00	72.40	27.60
EXPENDITURES						
5) Services, Oth Oper Exp	5000-5999	\$54,727.70	\$526,851.68	\$658,500.00	80.01	19.99
9) Total Expenditures		\$54,727.70	\$526,851.68	\$658,500.00	80.01	19.99
NET INCREASE (DECREASE) IN FUND BALANCE		\$5,410.06	(\$24,395.20)	\$35,500.00		
ENDING FUND BALANCE			\$459,473.36	\$519,368.56		

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: David Endo

DATE: 05/13/2019

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: 05/22/2019

ITEM:

Receive the following revised Exhibit for information:

E 3553 – Free and Reduced Meals

PURPOSE:

The United States Department of Agriculture (USDA) requires that school districts ensure sufficient funds are being provided by meals served to students that are not eligible for free or reduced meals. As such, the USDA requires districts that charge less than the target weighted average of \$3.00 per paid student meal to increase the paid lunch price or provide non-federal support to the food service account. Since the District currently charges \$1.55 per a paid student lunch, at a minimum the district would need to increase the cost to \$1.65 per a paid student meal to comply with the guidance. Since the District participates in the Community Eligibility Provision (CEP) and all District students receive meals for free, this amount only applies to those students that pay for lunch at non District sites to which the District provides meals.

Additionally, the District is recommending an increase to the paid adult lunch (without milk) from \$2.80 to \$3.85 and an increase to the paid adult breakfast from \$1.10 to \$2.30 as is required by the CEP.

FISCAL IMPACT:

There should be a slight increase in paid lunches by the private schools that are serviced by the District.

RECOMMENDATIONS:

Consider approval of the following revised Exhibit at the next Board meeting:

E 3553 – Free and Reduced Meals

Hanford ESD

Exhibit

Free And Reduced Price Meals

E 3553

Business and Noninstructional Operations

CAFETERIA PRICES LIST

CAFETERIA PRICES

The prices for cafeteria meals, by Board adoption, shall be as follows:

Lunch Program (Effective July 1, ~~2018~~ 2019)

Student Lunch	\$1.55 \$1.65
Reduced Price Lunch	\$0.00
Student Milk Only	\$0.30
Adult Lunch without Milk	\$2.80 \$3.85
Adult Milk Only	\$0.30

Breakfast Program (Effective July 1, 2015)

Student Breakfast	\$0.60
Reduced Price Breakfast	\$0.00
Adult Breakfast	\$1.10 \$2.30

Exhibit HANFORD ELEMENTARY SCHOOL DISTRICT

version: June 15, 2011 Hanford, California

revised: April 10, 2013

revised: March 17, 2014

revised: January 14, 2015

revised: April 13, 2016

revised: May 24, 2017

revised: June 16, 2018

revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: May 13, 2019

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: May 22, 2019

ITEM: Consider adopting Resolution #22-19: Regarding Absent Board Member Compensation.

PURPOSE: Education Code section 35120(c) provides that a board member may be paid for any meeting when absent if the board by resolution duly adopted and included in its minutes finds that at the time of the meeting: 1) he or she is performing services outside the meeting for the school district or districts, (2) he or she was ill or on jury duty, (3) or the absence was due to a hardship deemed acceptable by the board. Trustee Jeff Garner was unable to attend the April 24, 2019 meeting due to illness.

FISCAL IMPACT: Not to exceed \$250.

RECOMMENDATIONS: Adopt Resolution #22-19.

**HANFORD ELEMENTARY SCHOOL DISTRICT
RESOLUTION # 22-19**

**Board of Trustees
Hanford Elementary School District**

**RESOLUTION REGARDING ABSENT BOARD MEMBER COMPENSATION
(Education Code § 35120(c))**

WHEREAS, Education Code section 35120(c) provides that a board member may be paid for any meeting when absent if the board by resolution duly adopted and included in its minutes finds that at the time of the meeting: 1) he or she is performing services outside the meeting for the school district or districts, (2) he or she was ill or on jury duty, (3) or the absence was due to a hardship deemed acceptable by the board.

NOW, THEREFORE BE IT RESOLVED that the Hanford Elementary School District Board of Trustees determines as follows:

1. Board Member Jeff Garner was absent from the Hanford Elementary School District's regular board meeting held April 24, 2019 due to:
 - ☐ performing services outside the meeting for the school district
 - ☒ illness
 - ☐ jury duty
 - ☐ hardship deemed acceptable by the board
2. Said Board Members shall be paid for the meeting.

PASSED AND ADOPTED THIS 22nd day of May, 2019 at a regular meeting, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Tim Revious, President

Lupe Hernandez, Vice-President

HANFORD ELEMENTARY SCHOOL DISTRICT

Board Member Absence Verification

In accordance with Board Bylaw 9250, if a member of the Board of Trustees does not attend all Board meetings during the month, he/she is eligible to receive a percentage of the monthly compensation equal to the percentage of meetings attended unless otherwise authorized by the Board in accordance with law. Board members may be paid for meetings they missed when the Board of Trustees finds that they were performing designated services for the district at the time of the meeting or that they were absent because of illness, jury duty, or a hardship deemed acceptable by the Board. (Education Code 35120)

I was absent from the Board meeting conducted on April 24, 2019.

☐ I am not requesting compensation for the meeting.

☒ I am requesting compensation for the meeting since I was absent from the meeting for the following reason (*check one*):

☐ Performing designated service for the district.

☒ Illness.

☐ Jury Duty.

☐ Hardship (please specify) _____

Board Member Name: Jeff Garner

Board Member Signature:  Date: 5-8-19

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: May 13, 2019

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: May 22, 2019

ITEM: Consider adopting Resolution #23-19: Regarding Absent Board Member Compensation.

PURPOSE: Education Code section 35120(c) provides that a board member may be paid for any meeting when absent if the board by resolution duly adopted and included in its minutes finds that at the time of the meeting: 1) he or she is performing services outside the meeting for the school district or districts, (2) he or she was ill or on jury duty, (3) or the absence was due to a hardship deemed acceptable by the board. Trustee Lupe Hernandez was unable to attend the April 24, 2019 meeting due to illness.

FISCAL IMPACT: Not to exceed \$250.

RECOMMENDATIONS: Adopt Resolution #23-19.

**HANFORD ELEMENTARY SCHOOL DISTRICT
RESOLUTION # 23-19**

**Board of Trustees
Hanford Elementary School District**

**RESOLUTION REGARDING ABSENT BOARD MEMBER COMPENSATION
(Education Code § 35120(c))**

WHEREAS, Education Code section 35120(c) provides that a board member may be paid for any meeting when absent if the board by resolution duly adopted and included in its minutes finds that at the time of the meeting: 1) he or she is performing services outside the meeting for the school district or districts, (2) he or she was ill or on jury duty, (3) or the absence was due to a hardship deemed acceptable by the board.

NOW, THEREFORE BE IT RESOLVED that the Hanford Elementary School District Board of Trustees determines as follows:

1. Board Member Lupe Hernandez was absent from the Hanford Elementary School District's regular board meeting held April 24, 2019 due to:
 - ☐ performing services outside the meeting for the school district
 - ☒ illness
 - ☐ jury duty
 - ☐ hardship deemed acceptable by the board
2. Said Board Members shall be paid for the meeting.

PASSED AND ADOPTED THIS 22nd day of May, 2019 at a regular meeting, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Tim Revious, President

Greg Strickland, Clerk

HANFORD ELEMENTARY SCHOOL DISTRICT

Board Member Absence Verification

In accordance with Board Bylaw 9250, if a member of the Board of Trustees does not attend all Board meetings during the month, he/she is eligible to receive a percentage of the monthly compensation equal to the percentage of meetings attended unless otherwise authorized by the Board in accordance with law. Board members may be paid for meetings they missed when the Board of Trustees finds that they were performing designated services for the district at the time of the meeting or that they were absent because of illness, jury duty, or a hardship deemed acceptable by the Board. (Education Code 35120)

I was absent from the Board meeting conducted on April 24, 2019.

☐ I am not requesting compensation for the meeting.

☐ I am requesting compensation for the meeting since I was absent from the meeting for the following reason (*check one*):


☐ Performing designated service for the district.

☒ Illness.

☐ Jury Duty.

☐ Hardship (please specify) _____

Board Member Name: Lupe Hernandez

Board Member Signature:  Date: 5-8-19

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy Gabler

FROM: Doug Carlton

DATE: April 17, 2019

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: May 22, 2019

ITEM:

Consider, for approval, the Hanford Elementary School District 18-19 Evaluation of Consolidated Programs / Comprehensive Needs Assessment (Title I Evaluation)

Hanford Elementary School District (Dist.
Evaluation)

Hamilton Elementary
 Jefferson Charter Academy
 John F. Kennedy Jr. High
 Martin Luther King Elementary
 Lincoln Elementary
 Hanford Community Day

Monroe Elementary

Lee Richmond Elementary
 Roosevelt Elementary
 Simas Elementary
 Washington Elementary
 Woodrow Wilson Jr. High

PURPOSE:

The Title I Evaluation documents the following components of the planning process at the district level and for each school site:

- Analysis of student achievement data (California School Dashboard)
- Areas in which the LCAP Addendum and School Plans for Student Achievement were well implemented and led to increases in student achievement
- Areas of need (specific areas of focus that are required to further improve student achievement)

FISCAL IMPACT:

Approximately \$2.9 million in categorical funding that is requested through the Consolidated Application (The Title I Evaluation is a requirement for receiving this funding.)

RECOMMENDATIONS: Approve the Hanford Elementary School District 18-19 Evaluation of Consolidated Programs / Comprehensive Needs Assessment (Title I Evaluation).

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler
FROM: Jay Strickland
DATE: May 13, 2019

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

Date you wish to have your item considered: 05/22/19

ITEM: Consider approval of SARB agreement with KCOE for the 2019-2020 school year

PURPOSE: To partnership with KCOE and other county resources to help make up our Local SARB board and to have available the resources of those involved for cases that go forward through the County SARB process.

FISCAL IMPACT (if any): Approximately \$22,000 (\$3.75 per student)

RECOMMENDATION (if any): For Approval

2019-2020

SCHOOL ATTENDANCE REVIEW BOARD AGREEMENT

THIS AGREEMENT made between the Kings County Office of Education, hereinafter called "SUPERINTENDENT", and the **Hanford Elementary School District**, hereinafter called "DISTRICT", provides SCHOOL ATTENDANCE REVIEW BOARD (SARB) services to the District for the 2019-2020 school year.

The Superintendent agrees to furnish to the District the following School Attendance Review Board services by staff of the Superintendent as follows:

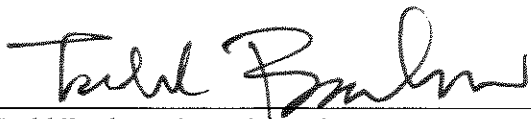
1. The SARB staff will provide consultation services to the District prior to a School Attendance Review Board referral, and
2. The SARB Coordinator will schedule all School Attendance Review Board hearings for the District, and
3. The SARB staff will provide follow-up services to the District after a student has been referred to the School Attendance Review Board, and
4. The County SARB will prepare the necessary court documents when the School Attendance Review Board hearing results in a court appearance by the parents of the referred student.

The Superintendent agrees to deposit any monies awarded by the Court in the account of the said District.

FOR AND IN CONSIDERATION of the School Attendance Review Board services provided to the District by the Superintendent, the District agrees to pay to the Superintendent an amount determined to be **\$3.75** for Hanford Area Local SARB Board services or **\$2.75** for County SARB services only, based on the October 2018 CBEDS count minus "Independent Study Based Charter School" Programs, (i.e. Mid-Valley Charter, Crossroads Charter). (See attached fee schedule.) Please check choice of service:

- _____ **Hanford Local Area SARB and County SARB @\$3.75 per CBEDS**
(Items 1 –4 above)
- _____ **County SARB only @ \$2.75 per CBEDS**
(Items 1 – 3 at County level only; Item 4 as stated)

IN WITNESS WHEREOF the Superintendent of the District and the Superintendent of Schools of Kings County have affixed their signatures on the _____ day of _____, 2019.



Todd Barlow, Superintendent
Kings County Office of Education

Mrs. Joy Gabler, Superintendent
Hanford Elementary School District

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: Javier Espindola

DATE: May 13, 2019

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: May 22, 2019

ITEM: Consider approval of Plan of Work with Tulare County Office of Education and Jefferson Charter Academy.

PURPOSE: Jared Marr from Tulare County Office of Education to provide ongoing planning support and in class coaching to K-8 teachers in the area of Next Generation Science Standards.

FISCAL IMPACT: \$28,800

RECOMMENDATIONS: Approve

WORK PLAN (CISC REGION 7) (Not Tulare County)
JULY 1, 2019 - JUNE 30, 2020

INITIAL OR REVISION DATE: **5/13/19**

TULARE COUNTY OFFICE OF EDUCATION
EDUCATIONAL RESOURCE SERVICES

DISTRICT/SCHOOL: **Hanford ESD/Jefferson Charter**

TCOE LEAD(S): **Jared Marr Cell: (808)222-7057**

CONTACT: **Javier Espindola**

CONTENT AREA: **Science**

CONTACT EMAIL: **jespindola@hanfordesd.org**

Please return the signed work plan via fax (559) 651-0516 or EMAIL to:
Irma.Cerrillos@tcoe.org

CONTACT MOBILE #: _____

2019-20 PROFESSIONAL LEARNING GOALS

1) *Develop NGSS lessons and learning sequences that are phenomenon driven.*

2) *Using a Co-Plan, Co-Teach model we will deepen our understanding of best teaching practices, 3-dimensional science, and the integration of subjects/content.*

Workshop Participants (if applicable)

#	DATE(S)	CONSULTANT ACTIVITY	DISTRICT RESPONSIBILITY	ON-SITE DAY(S)	PREP & FOLLOW-UP DAY(S)	SUBTOTAL DAY(S)	# of participants	\$50 for # above 20	Estimated	Actual
1	8/30, 10/7, 1/17, 3/9	CoPlan 8th, 2nd, 5th	Schedule teachers and subs	4		4		\$ -		
2	9/6, 10/15, 1/21, 3/23	CoTeach 8th, 2nd, 5th	Schedule teachers and subs	4		4		\$ -		
3	9/10, 10/22, 1/30, 3/27	CoPlan K, 3rd, 1st	Schedule teachers and subs	4		4		\$ -		
4	9/16, 10/31, 2/14, 4/2	CoTeach K, 3rd, 1st,	Schedule teachers and subs	4		4		\$ -		
5	9/26, 12/2, 2/18, 4/23	CoPlan 6th, 7th 4th	Schedule teachers and subs	4		4		\$ -		
6	10/4, 12/9, 2/28, 5/1	CoTeach 6th, 7th, 4th	Schedule teachers and subs	4		4		\$ -		
						DAYS 24				

CISC REGION 7 RATE \$ 1,200

SUBTOTALS \$28,800.00 \$0.00

TOTAL FOR SERVICES \$28,800.00

GRAND TOTAL FOR SERVICES & MATERIALS/OTHER

\$28,800.00

DISTRICT / SCHOOL SIGNATURE _____

DATE _____

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: Javier Espindola

DATE: May 13, 2019

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: May 22, 2019

ITEM: Consider out-of-state travel for a HESD Band Educator to attend the VanderCook College of Music Mariachi Workshop July 8-12, 2019.

PURPOSE: VanderCook College of Music will be holding a five-day Mariachi Workshop from July 8-12, 2019 in Las Vegas, Nevada. The five days of professional development will focus on the development of pedagogical strategies to assist educators in teaching mariachi at a variety of levels. Each session will concentrate on the development of playing skills on the secondary and tertiary instruments.

Attendees will be provided one full year of teaching materials, hands-on instruction on all mariachi instruments, standards-based curriculum for each level, one full year of mariachi arrangements, and clinics with world-renowned mariachi performing artist José Hernández.

FISCAL IMPACT: \$595 plus travel expenses.

RECOMMENDATIONS: Approve attendance for Jacob Donabedian, HESD Band Educator.

HANFORD ELEMENTARY SCHOOL DISTRICT

Agenda Request Form

TO: Joy C. Gabler
FROM: Gerry Mulligan *GM*
DATE: May 13, 2019
FOR: (X) Board Meeting
 () Superintendent's Cabinet
FOR: () Information
 (X) Action

Date you wish to have your item considered: May 22, 2019

ITEM:

Consider award for the Exterior Painting of Martin Luther King Elementary School to Jeff Painting.

PURPOSE:

Jeff Painting was low bid for the Exterior Painting at Martin Luther King Elementary project. Once the bid is awarded, we expect to start the project on June 10, 2019. The work shall be completed within 60 calendar days.

FISCAL IMPACT:

The total cost for labor and materials on this project is \$103,000.

RECOMMENDATION:

Award bid as presented for the Exterior Painting at Martin Luther King Elementary School to Jeff Painting.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy Gabler

FROM: Doug Carlton

DATE: May 2, 2019

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: May 22, 2019

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

- BP/AR 1312.3 – Uniform Complaint Procedures

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 BP/AR 1312.3

Hanford ESD

Board Policy

Uniform Complaint Procedures

BP 1312.3

Community Relations

The ~~Governing~~ Board of Trustees recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages ~~the early, informal~~ resolution of complaints whenever possible, ~~and appropriate~~. To resolve complaints which may require a more formal ~~cannot be resolved through such informal~~ process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

Complaints Subject to the UCP

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, After School Education and Safety programs, bilingual education, peer assistance and review programs for teachers, consolidated categorical aid programs, migrant education, child nutrition programs, compensatory education, consolidated categorical aid programs, English learner programs, federal education programs in Title I-VII, migrant education, school safety plans, special education programs, State Preschool Programs, Tobacco-Use Prevention Education programs, and any other district-implemented program which is listed in Education Code 64000(a) and special education programs (5 CCR 4610) ~~Additionally, any above referenced complaint including child nutrition programs will be forwarded to the California Department of Education.~~

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3555 - Nutrition Program Compliance)

(cf. 5131.62 - Tobacco)

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

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6159 - Individualized Education Program)

(cf. 6171 - Title I Programs)

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

(cf. 6175 - Migrant Education Program)

(cf. 6178 - Career Technical Education)

(cf. 6178.1 - Work-Based Learning)

(cf. 6178.2 - Regional Occupational Center/Program)

(cf. 6200 - Adult Education)

2. Any complaint alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) against any student, employee, or other person participating in district programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, or parental status, physical or ~~mental~~ disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

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

(cf. ~~4030 - Nondiscrimination in Employment~~)

~~(cf. 5145.3 - Nondiscrimination/Harassment)~~

(cf. 5145.7 - Sexual Harassment)

3. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student (Education Code 222)

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

4. Any complaint alleging district noncompliance with the~~3.~~The prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)

(cf. 3260 - Fees and Charges)

(cf. 3320 - Claims and Actions Against the District)

54. Any complaint alleging district noncompliance with legal requirements related to the implementation of the local control and accountability plan (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)

65. Any complaint, by or on behalf of any student who is a foster youth, alleging district noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the district's educational liaison to the student, the award of credit for coursework satisfactorily completed in another school or district, school transfer, or the grant of an exemption from Board-imposed graduation requirements ~~-(Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)~~

(cf. 6173.1 - Education for Foster Youth)

76. Any complaint, by or on behalf of a homeless student as defined in 42 USC 11434a, a former juvenile court school student, or a child of a military family as defined in Education Code 49701 who transfers into the district after his/her second year of high school, alleging district noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or district or the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1, 51225.2)

(cf. 6173 - Education for Homeless Children)

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

(cf. 6173.3 - Education for Juvenile Court School Students)

8

7. Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student in grades 9-12 to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions -(Education Code 51228.3)

(cf. 6152 - Class Assignment)

98. Any complaint alleging district noncompliance with the physical education instructional minutes requirement for students in elementary school (Education Code 51210, 51223)

(cf. 6142.7 - Physical Education and Activity)

109. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy

1140. Any other complaint as specified in a district policy

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. ~~For As appropriate-~~ ~~for~~ any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep ~~confidential~~ the identity of the complainant, and/or the subject of the complaint if he/she is different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

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

(cf. 5125 - Student Records)

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

When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints. ~~All such records shall be destroyed~~ in accordance with applicable ~~state~~ law and district policy.

(cf. 3580 - District Records)

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.

3. Any complaint alleging ~~employment discrimination shall be sent to the California Department of Fair Employment and Housing and the compliance officer shall notify the complainant by first class mail of the transfer.~~

4. ~~Any complaint alleging~~ fraud shall be referred to the Legal, Audits and Compliance Branch of the California Department of Education.

Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment.

~~Any~~In addition, the district's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with the procedures in AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

222 Reasonable accommodations; lactating students

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries

32280-32289 School safety plan, uniform complaint procedures

33380-33384 California Indian Education Centers

35186 Williams uniform complaint procedures

44500-44508 California Peer Assistance and Review Program for Teachers

48853-48853.5 Foster youth

48985 Notices in language other than English

49010-49013 Student fees

49060-49079 Student records

49069.5 Rights of parents

49490-49590 Child nutrition programs

49701 Interstate Compact on Educational Opportunity for Military Children

51210 Courses of study grades 1-6

51223 Physical education, elementary schools

51225.1-51225.2 Foster youth, ~~and~~ homeless children, former juvenile court school students, and military-connected students; course credits; graduation requirements

51226-51226.1 Career technical education

51228.1-51228.3 Course periods without educational content

52060-52077 Local control and accountability plan, especially:

52075 Complaint for lack of compliance with local control and accountability plan requirements

52160-52178 Bilingual education programs

52300-~~52462~~~~52490~~ Career technical education

52500-52616.24 Adult schools

54000-54029 Economic Impact Aid

~~52800-52870 School-based program coordination~~

54400-54425 Compensatory education programs

54440-54445 Migrant education

54460-54529 Compensatory education programs

56000-~~56865~~~~56867~~ Special education programs

59000-59300 Special schools and centers

64000-64001 Consolidated application process

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

HEALTH AND SAFETY CODE

104420 Tobacco-Use Prevention Education

PENAL CODE

422.55 Hate crime; definition

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 2

11023 Harassment and discrimination prevention and correction

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

6301-~~6576~~~~6577~~ Title I basic programs

6801-~~7014~~~~6874~~ Title III language instruction for limited English proficient and immigrant students

7101-7184 Safe and Drug-Free Schools and Communities Act

7201-7283g Title V promoting informed parental choice and innovative programs

7301-7372 Title V rural and low-income school programs

12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy Act

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

104.7 Designation of responsible employee for Section 504

CODE OF FEDERAL REGULATIONS, TITLE 34

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

110.25 Notification of nondiscrimination on the basis of age

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Sample UCP Board Policies and Procedures

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

Dear Colleague Letter: Title IX Coordinators, April 2015

~~Questions and Answers on Title IX and Sexual Violence, April 2014~~

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

~~Dear Colleague Letter: Sexual Violence, April 2011~~

Dear Colleague Letter: Harassment and Bullying, October 2010

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

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002

WEB SITES

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

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

Family Policy Compliance Office: <http://familypolicy.ed.gov>

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

U.S. Department of Justice: <http://www.justice.gov>

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: May 16, 2001 Hanford, California

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 _____

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

j~~h~~. 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.

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

l~~j~~. 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 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

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: 05/09/19

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: 05/22/19

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

- BP & AR 5145.3 – Nondiscrimination/Harassment

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

Minor revisions made in policy and regulation to reflect **NEW LAW (AB 699)** which prohibits discrimination based on immigration status. Additionally, language and regulations were added related to Title IX requirements and the handling of gender-nonconforming and transgender students.

FISCAL IMPACT: None

RECOMMENDATIONS: Approve

Hanford ESD

Board Policy

Nondiscrimination/Harassment

BP 5145.3

Students

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

~~This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.~~

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

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

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

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

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

student's educational opportunities.

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

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. The Superintendent or designee shall periodically review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program.

(cf. 1312.3 - Uniform Complaint Procedures)
 (cf. 1330 - Use of Facilities)
 (cf. 4131 - Staff Development)
 (cf. 4231 - Staff Development)
 (cf. 4331 - Staff Development)
 (cf. 6145 - Extracurricular and Cocurricular Activities)
 (cf. 6145.2 - Athletic Competition)
 (cf. 6164.2 - Guidance/Counseling Services)

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

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

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
 (cf. 4119.21/4219.21/4319.21 - Professional Standards)
 (cf. 4218 - Dismissal/Suspension/Disciplinary Action)
 (cf. 5144 - Discipline)
 (cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
 (cf. 5145.2 - Freedom of Speech/Expression)

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
 48900.3 Suspension or expulsion for act of hate violence
 48900.4 Suspension or expulsion for threats or harassment
 48904 Liability of parent/guardian for willful student misconduct
 48907 Student exercise of free expression
 48950 Freedom of speech
 48985 Translation of notices
 49020-49023 Athletic programs
 51500 Prohibited instruction or activity
 51501 Prohibited means of instruction
 60044 Prohibited instructional materials

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

PENAL CODE

422.55 Definition of hate crime
 422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 Student record

4600-~~4670~~~~4687~~ Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.31 Disclosure of personally identifiable information

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

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

110.25 Prohibition of discrimination based on age

COURT DECISIONS

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

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

Management Resources:

CSBA PUBLICATIONS

~~Updated Legal Guidance: Protecting Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students Against Sex Discrimination, July 2016, Policy Brief, February 2014~~

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

~~Final Guidance Regarding Transgender Students, Privacy, and Facilities, March 2014~~

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

FIRST AMENDMENT CENTER PUBLICATIONS

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

~~NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS~~

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

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

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, Fact Sheet, August 2010~~January 1999~~

WEB SITES

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

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

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

California Office of the Attorney General: <http://oag.ca.gov>

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

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

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

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: June 16, 2010 Hanford, California

revised: August 22, 2012
revised: June 12, 2013
revised: September 10, 2014
revised: April 8, 2015
revised: December 13, 2017
revised:

Hanford ESD

Administrative Regulation

Nondiscrimination/Harassment

AR 5145.3

Students

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

~~Director of Special Services~~ [Assistant Superintendent – Office of Special Services](#)

714 N. White Street
Hanford, CA 93230
(559) 585-3617

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

Measures to Prevent Discrimination

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

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public [by](#) posting them on the district's web site and other prominent locations and providing easy access to them through district-supported social media, when available.

2. [Post in a prominent and conspicuous location on the district and school web sites](#)

information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.61)

- a. The name and contact information of the district's Title IX coordinator, including the phone number and email address
- b. The rights of students and the public and the responsibilities of the district under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)
- c. A description of how to file a complaint of noncompliance with Title IX in accordance with AR 1312.3 - Uniform Complaint Procedures, which shall include:
 - (1) An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations
 - (2) An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site
 - (3) A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office

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

32. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior. (Education Code 234.1)

43. Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and gender-nonconforming. ~~The notice shall inform students and parents/guardians of the possibility that students.~~ The notice shall inform students and parents/guardians that ~~will participate in a sex-segregated school program or activity together with another student of the opposite biological sex, and that they may request to meet with~~ inform the compliance officer if they feel such participation would be against the student's religious beliefs and/or practices or a violation of his/her right to privacy. ~~In such a case, the compliance officer shall meet with the student and/or parent/guardian who raises the objection to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies.~~ The notice shall also inform all students and parents/guardians that, to the extent possible, the ~~student.~~ The notice shall inform students and parents/guardians that the district will address any ~~not typically notify them of individual~~

student's interests and concerns in private instances of transgender students participating in a program or activity.

(cf. 5145.6 - Parental Notifications)

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

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

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

(cf. 1240 - Volunteer Assistance)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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

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

Enforcement of District Policy

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

1. Removing vulgar or offending graffiti

(cf. 5131.5 - Vandalism and Graffiti)

2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, [how to report it or file a complaint](#), and how to respond

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

4. Consistent with ~~the~~ laws regarding the confidentiality of student and personnel records, communicating ~~the school's response~~ to students, parents/guardians, and the community [the school's response plan to unlawful discrimination or harassment](#)

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

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

(cf. 5125 - Student Records)

5. Taking appropriate disciplinary action against [students, employees, perpetrators](#) and anyone determined to have engaged in wrongdoing [in violation of district policy](#), including any student who is found to have [filed](#) ~~made~~ a complaint of discrimination that he/she knew was not true

(cf. 4118 - [Dismissal](#)/Suspension/Disciplinary Action)

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

(cf. 5144 - Discipline)

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

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

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

Process for Initiating and Responding to Complaints

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

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

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

When ~~a verbal~~any report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is ~~made~~submitted to or received by the principal or compliance officer, he/she shall ~~make a note of the report and encourage~~inform the student or parent/guardian ~~of the right~~ to file ~~the a formal~~ complaint ~~in writing~~, pursuant to the provisions in AR 1312.3 - Uniform Complaint Procedures. ~~Once notified verbally or in writing, the principal- Any report of unlawful discrimination involving the principal, compliance officer, or any other person to whom the complaint would ordinarily be reported or compliance officer shall begin the investigation and filed shall instead be submitted to the Superintendent or designee. Even if the student chooses not to file a formal complaint, the principal or compliance officer shall implement immediate measures necessary to stop the discrimination and to ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or~~

~~Upon receiving a student who is the victim of the alleged unlawful complaint of discrimination, the compliance officer shall immediately investigate the complaint in accordance with the district's uniform complaint procedures specified in AR 1312.3.~~

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Transgender and Gender-Nonconforming Students

Gender identity of a student means ~~the a~~ student's gender-related identity, appearance, or behavior as determined from the student's internal sense of his/her gender, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

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

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

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

Regardless of whether they are sexual in nature, acts~~Acts~~ of verbal, nonverbal, or physical

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

1. Refusing to address a student by a name and the pronouns consistent with his/her gender identity
2. Disciplining or disparaging a ~~transgender~~ student or excluding him/her from participating in activities for behavior or appearance that is consistent with~~because~~ his/her gender identity~~mannerisms, hairstyle, or style of dress correspond to his/her gender identity, or a non-transgender student because his/her mannerisms, hairstyle, or that does~~ style of dress do not conform to stereotypical notions of masculinity~~stereotypes for his/her gender or femininity are perceived as applicable~~ indicative of the other sex
3. Blocking a student's entry to the restroom~~bathroom~~ that corresponds to his/her gender identity ~~because the student is transgender or gender nonconforming~~
4. Taunting a student because he/she participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent
6. Use of gender-specific slurs
7. Physical assault of a student motivated by hostility toward him/her because of his/her gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students.

~~—~~Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

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

1. Right to privacy: A student's transgender or gender-nonconforming status is his/her private information and the district shall~~will~~ only disclose the information to others with the

student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In ~~any case~~~~the latter instance~~, the district shall ~~only allow~~~~limit~~ disclosure ~~of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to individuals reasonably believed to 34 CFR 99.31. be able to protect the student's well-being.~~ Any district employee to whom a ~~student's~~~~student-~~~~discloses his/her~~ transgender or gender-nonconforming status ~~is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee~~ shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless he/she is required to disclose or report the student's information pursuant to this ~~administrative regulation~~~~procedure~~, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to his/her status as a transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the ~~student's need for support~~~~physical, emotional, and other-~~~~significant risks to the student~~, the compliance officer may ~~discuss~~~~consider discussing~~ with the student any need to disclose the student's transgender or gender-nonconformity status ~~or gender identity or gender expression~~ to his/her parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

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

3. Addressing a Student's Transition Needs: The compliance officer shall arrange a meeting with the student and, if appropriate, his/her parents/guardians to identify ~~potential-~~~~issues, including transition-related issues,~~ and ~~to~~ develop strategies for ~~ensuring that the student's access to education programs and activities is maintained~~~~addressing them~~. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to his/her status as a transgender or gender-nonconforming individual, so that prompt action ~~can~~~~could~~ be taken to address it. Alternatively, if appropriate and desired

by the student, the school may form a support team for the student that will meet periodically to assess whether the ~~student's~~ arrangements for the student are meeting his/her educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

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

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

(cf. 7110 - Facilities Master Plan)

5. Student Records: A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. ~~pursuant to a court order.~~ However, at the written request of a student or, if appropriate, his/her parents/guardians, the district shall use the student's preferred name and pronouns consistent with his/her gender identity on all other district-related documents. Such preferred name may be added to the student's record and official documents as permitted by law.

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

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

7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with

his/her gender identity, subject to any dress code adopted on a school site.

(cf. 5132 - Dress Code)

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT
approved: August 13, 2014 Hanford , California
revised: April 8, 2015
revised: December 9, 2015
revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: 05/09/19

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: 05/22/19

ITEM: Consider for approval the following revised Board Policy:

- BP 5145.9 – Hate-Motivated Behavior

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

The policy is updated to define hate-motivated behavior and expand material related to collaboration, staff training, and enforcement of rules regarding student conduct. Policy also provides for the use of uniform complaint procedures when the behavior is determined to be based on unlawful discrimination.

FISCAL IMPACT: None**RECOMMENDATIONS:** Approve

Hanford ESD

Board Policy

Hate-Motivated Behavior

BP 5145.9

Students

The ~~Governing~~ Board of Trustees is committed of Trustees affirms the right of every student to providing a safe learning environment ~~be protected from hate-motivated behavior. It is the intent of the Board to promote harmonious relationships that protects~~enable students from ~~discrimination, harassment, intimidation, bullying, to gain a true understanding of the civil rights and other behavior motivated by a person's hostility towards another person's real~~social-responsibilities of people in our society. Behavior or ~~perceived~~statements that degrade an individual on the basis of his/her race, ethnicity, national origin, immigrant status, sex, ~~culture, heritage,~~ gender, sexual orientation, ~~physical/mental attributes,~~ religious belief, age, disability, ~~beliefs~~ or any other physical or cultural characteristic. The Superintendent or designee ~~practices~~ shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents if they occur. ~~not be tolerated.~~

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

(cf. 0450 - Comprehensive Safety Plan)–

(cf. ~~3515.1 – Crime Data Reporting~~)–

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

(cf. ~~5131- Conduct~~)

(cf. ~~5131.2 - Bullying~~)

(cf. ~~5131.5 - Vandalism, Theft and Graffiti~~)–

~~(cf. 5136 - Gangs)–~~

~~(cf. 5137 - Positive School Climate)–~~

~~(cf. 5141.52 - Suicide Prevention)~~

(cf. 5145.3 - Nondiscrimination/Harassment)–

(cf. 5145.7 - Sexual Harassment)–

The Superintendent or designee shall promote safe environments for youth by developing effective prevention strategies and response plans, providing assistance to students affected by hate-motivated behavior, and/or educating students who have perpetrated hate-motivated acts.

~~(cf. 6141.6 – Multicultural)~~(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

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

(cf. 5148.2 - Before/After School Programs)

The district shall provide students with age-appropriate instruction that includes the development of social-emotional learning, promotes their understanding of and respect for human rights,

diversity, and acceptance in a multicultural society, and provides strategies to manage conflicts constructively.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6142.3 - Civic Education)–

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

(cf. 6142.94 - History-Social Science Instruction)

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

(cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall ensure that the rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident are provided to students and parents/guardians.

The Superintendent or designee shall provide staff with training on recognizing and preventing hate-motivated behavior and on effectively enforcing rules for appropriate student conduct.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

~~Any~~

Complaint Process

A student or parent/guardian who believes the student ~~who feels that he/she~~ is a victim of hate-motivated behavior is strongly encouraged to report the incident to a teacher, the principal, or other staff member.

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the principal or the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, he/she shall also contact law enforcement.

(cf. 3515.3 - District Police/Security Department)

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

~~Any designee. If the student believes that the situation has not been remedied by the principal or designee, he/she may file a complaint~~ of hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved in accordance with law and the district's uniform district complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the principal or designee shall inform the complainant and shall take all necessary

actions to resolve the complaint.

(cf. 1312.1 - Complaints Concerning District Employees)

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

~~Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the principal, Superintendent or designee, and law enforcement, as appropriate. Students demonstrating hate-motivated behavior shall be subject to discipline in accordance with Board policy and administrative regulation.~~

~~(cf. 4158/4258/4358 - Employee Security)~~

~~(cf. 5144 - Discipline)~~

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

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

~~The Superintendent or designee shall ensure that staff receive appropriate training to recognize hate-motivated behavior and methods for handling such behavior in appropriate ways.~~

~~(cf.~~

~~4131 - Staff Development)~~

~~(cf. 4231 - Staff Development)~~

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

~~The district shall provide age-appropriate instruction to help promote understanding of and respect for human rights.~~

~~At the beginning of each school year, students and staff shall receive a copy of the district's policy on hate-motivated behavior.~~

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination ~~on the basis of sex~~

32282 School safety plans

48900.3 Suspension for hate violence

48900.4 Suspension or expulsion for threats or harassment

PENAL CODE

422.55 Definition of hate crime

~~186.21 Street terrorism; legislative findings and declarations~~

422.6 Crimes, harassment ~~422.95 Civil Rights~~

~~11410-11414 Terrorism~~

~~13023 Reports by law enforcement of crimes motivated by race, ethnicity, religion, sexual orientation or physical or mental disability~~

~~13519.6 Hate crimes, training courses and guidelines~~

~~UNITED STATES CODE OF REGULATIONS, TITLE 5~~ 48

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

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

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

110.25 Prohibition of discrimination based on age

245 Federally protected activities

Management Resources:

~~CSBA PUBLICATIONS~~

~~Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1995~~

~~ALAMEDA OFFICE OF EDUCATION & CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS~~

~~Bullying at School, 2003~~

~~CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS~~

~~Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to~~

~~Assist California K-12 Schools in Responding to Immigration Issues, April 2018~~

~~Hate-Motivated Behavior in Schools: Response Strategies for School Boards, Administrators, Law Enforcement and Communities, 1997~~

~~U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS & NATIONAL~~

~~ASSOCIATION OF ATTORNEYS GENERAL PUBLICATIONS~~

~~Dear Colleague Letter: Protecting Students from Harassment and Bullying, October 2010~~
~~Hate-Crime: A Guide for Schools, 1999~~

~~Dear Colleague Letter: Prohibited Disability Harassment, July 2000~~

WEB SITES

~~CSBA~~~~CDE~~: <http://www.csba.org>~~ede.ca.gov~~

California Association of Human Relations Organizations: <http://www.cahro.org>

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

~~California~~, Office of the Attorney General: <http://oag.ca.gov>

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

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

~~U.S. Department of Justice: <http://www.justice.gov>~~

Policy HANFORD ELEMENTARY SCHOOL DISTRICT

adopted: November 6, 2002 Hanford, California

revised:

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy Gabler
FROM: Jason Strickland
DATE: May 14, 2019

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

Date you wish to have your item considered: 5/22/19

ITEM: Consider for Adoption the following revised Board Policy:

AR/E - 5125.1 Release of Directory Information

PURPOSE: Regulation and exhibit updated to reflect the California Attorney General's model policy, developed pursuant to NEW LAW (AB 699), which requires that the annual parental notification include a statement that directory information does not include citizenship status, immigration status, place of birth, or national origin.

FISCAL IMPACT (if any): None

RECOMMENDATION (if any): Approve

Hanford ESD

Administrative Regulation

Release Of Directory Information

AR 5125.1
Students

Definition

Directory information means information contained in a student record that would not generally be considered harmful or an invasion of privacy if disclosed. ~~Such student information~~ includes: (Education Code 49061; 20 USC 1232g; 34 CFR 99.3)

1. Name
2. Address
3. Telephone number
4. Email address
5. Date of birth
6. Major field of study
7. Participation record in officially recognized activities and sports
8. Weight and height of athletic team members
9. Dates of attendance
10. Degrees and awards received
11. Most recent previous school attended

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

Directory information does not include a student's social security number or student identification number. However, for purposes of accessing or communicating in electronic systems ~~However~~, directory information may include a student identification number, user identification, or other personal identifier used by the student ~~for purposes of accessing or communicating in electronic systems~~ provided that the identifier cannot be used to gain access to education records except when used in conjunction with a personal identification number,

password, or other factor known or possessed only by the authorized user. (34 CFR 99.3)

Directory information also does not include a student's citizenship status, immigration status, place of birth, or any other information indicating national origin.

Notification to Parents/Guardians

At the beginning of each school year, all parents/guardians shall be notified as to the categories of directory information the district plans to release and the recipients of the information. -The notification shall also inform parents/guardians of their right to refuse to let the district designate any or all types of information as directory information, how to refuse release, and the period of time within which a parent/guardian must notify the district in writing that he/she does not want a certain category of information designated as directory information. (Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37)

(cf. 5125 - Student Records)

(cf. 5145.6 - Parental Notifications)

In addition, the annual parental notification shall include a statement that directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin and that the district will not release such information without parental consent or a court order.

(cf. 5145.13 - Response to Immigration Enforcement)

The Superintendent or designee shall notify parents/guardians that they may request that the district not release the name, address, and telephone number of their child to military recruiters, employers, or institutions of higher education without prior written consent. (20 USC 7908)

Parent/Guardian Consent

No directory information of a student identified as a homeless child or youth as defined in 42 USC ~~11434a~~^{1143a} shall be released, unless the parent/guardian, or the student if he/she is 18 years or older~~old~~, has provided written consent that directory information may be released. -For any other student, directory information shall not be released if his/her~~regarding any student- whose~~ parent/guardian notifies the district in writing that such information not be disclosed without the parent/guardian's prior consent. (Education Code 49073; 20 USC 1232g, 7908)

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

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

For a former student, the district shall continue to honor any valid request to opt out of the disclosure of directory information made while the student was in attendance at the district, unless the opt-out request has been rescinded. (34 CFR 99.37)

Regulation HANFORD ELEMENTARY SCHOOL DISTRICT

approved: May 16, 2001 Hanford, California

revised: November 6, 2002

revised: August 28, 2006

revised: June 13, 2012

revised: December 9, 2015

revised:

Hanford ESD

Exhibit

Release Of Directory Information

E 5125.1

Students

PARENT/GUARDIAN NOTICE RELEASE OF DIRECTORY INFORMATION

~~Hanford Elementary School District Refusal For Release Of Directory Information~~

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that Hanford Elementary School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the district may disclose appropriately designated "directory information" without written consent, unless you have advised the district to the contrary in accordance with district procedures. The primary purpose of directory information is to allow the district to include this type of information from your child's education records in certain school and/or district publications. Examples include:

- * -a playbill, showing your child's role in a drama production
- * -the annual yearbook
- * -honor roll or other recognition lists
- * -graduation programs
- * -sports activity sheets, such as for wrestling, showing weight and height of team members

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent/guardian's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require districts receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA), as amended, to provide military recruiters, upon request, with students' names, addresses, and telephone listings, unless parents/guardians have advised the district that they do not want their child's information disclosed without their prior written consent.

If you do not want the district to disclose directory information from your child's education records without your prior written consent, you must notify the district in writing by August 30th completing the "Refusal for Release of Directory Information" form (Sch 012). The district has designated the following information as directory information:

1. Name

2. Address
3. Telephone number
4. Email; address
5. Date; ~~telephone number~~; ~~e-mail address~~; ~~date~~ of birth
6. Major field of study
7. Participation ~~and~~; ~~participation~~ in officially recognized activities and sports
8. Weight; ~~weight~~ and height of athletic team members
9. Dates; ~~dates~~ of attendance
10. Degrees; ~~degrees~~ and awards received
11. Most; ~~most~~ recent previous school attended.

The district also may disclose your child's student identification number, user identification, or other unique personal identifier used to communicate in electronic systems, provided it cannot be used to access education records without a personal identification number (PIN), password, or other factor that only the authorized user knows. Your child's social security number will not be used for this purpose.

Directory information does not include your child's citizenship status, immigration status, place of birth, or any other information indicating national origin. The district will not disclose such information without your consent or a court order.

I do not want any directory information related to my child, _____, released without my prior consent.

Signature: _____

Relationship: _____

Date: _____

Exhibit HANFORD ELEMENTARY SCHOOL DISTRICT
 version: September 2006 Hanford, California
 revised: June 13, 2012
revised: _____

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy Gabler
 FROM: Jason Strickland
 DATE: May 14, 2019

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

Date you wish to have your item considered: 5/22/19

ITEM: Consider for Adoption the following revised Board Policy:

BP/AR - 5145.13 Response to Immigration Enforcement

PURPOSE: New policy and regulation reflect NEW LAW (AB 699) which mandates districts to adopt policy consistent with the model policy developed by the California Attorney General, including policy related to the district's response to requests by law enforcement for access to information, students, or school grounds for immigration enforcement purposes and actions to be taken in the event that a student's family member is detained or deported. Policy also reflects NEW LAW (SB 31) which prohibits districts from compiling or assisting federal government authorities with compiling a list, registry, or database based on students' national origin, ethnicity, or religion.

FISCAL IMPACT (if any): None

RECOMMENDATION (if any): Approve

Hanford ESD

Board Policy

Response To Immigration Enforcement

BP 5145.13

Students

The Governing Board is committed to the success of all students and believes that every school site should be a safe and welcoming place for all students and their families irrespective of their citizenship or immigration status.

District staff shall not solicit or collect information or documents regarding the citizenship or immigration status of students or their family members or provide assistance with immigration enforcement at district schools, except as may be required by state and federal law. (Education Code 234.7)

(cf. 5111 - Admission)

(cf. 5111.1 - District Residency)

No student shall be denied equal rights and opportunities nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in the district's programs and activities on the basis of his/her immigration status. (Education Code 200, 220, 234.1)

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

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

The Superintendent or designee shall notify parents/guardians regarding their children's right to a free public education regardless of immigration status or religious beliefs and their rights related to immigration enforcement. (Education Code 234.7)

(cf. 5145.6 - Parental Notifications)

Consistent with requirements of the California Office of the Attorney General, the Superintendent or designee shall develop procedures for addressing any requests by a law enforcement officer for access to district records, school sites, or students for the purpose of immigration enforcement.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(cf. 5125 - Student Records)
 (cf. 5125.1 - Release of Directory Information)

The Superintendent or designee shall report to the Board in a timely manner any requests for information or access to a school site by an officer or employee of a law enforcement agency for the purpose of enforcing the immigration laws. Such notification shall be provided in a manner that ensures the confidentiality and privacy of any potentially identifying information.
 (Education Code 234.7)

Legal Reference:

EDUCATION CODE

200 Educational equity

220 Prohibition of discrimination

234.1 Safe Place to Learn Act

234.7 Student protections relating to immigration and citizenship status

48204.4 Evidence of residency for school enrollment

48980 Parental notifications

48985 Notices to parents in language other than English

GOVERNMENT CODE

8310.3 California Religious Freedom Act

PENAL CODE

422.55 Definition of hate crime

627.1-627.6 Access to school premises, outsiders

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

COURT DECISIONS

Plyler v. Doe, 457 U.S. 202 (1982)

Management Resources:

CSBA PUBLICATIONS

Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

WEB SITES

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

California Office of the Attorney General: <http://oag.ca.gov>

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

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

California Department of Justice: <http://www.justice.gov>

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

U.S. Immigration and Customs Enforcement: <http://www.ice.gov>

U.S. Immigration and Customs Enforcement, Online Detainee Locator System:
<http://locator.ice.gov/odls>

Policy HANFORD ELEMENTARY SCHOOL DISTRICT
approved:

Hanford ESD

Administrative Regulation

Response To Immigration Enforcement

AR 5145.13

Students

Responding to Requests for Information

Unless authorized by the Family Educational Rights and Privacy Act pursuant to 20 USC 1232g, student information shall not be disclosed to immigration law enforcement authorities without parental consent, a court order, or judicial subpoena. The Superintendent or designee shall annually notify parents/guardians that the district will not release student information to third parties for immigration enforcement purposes, unless the parent/guardian consents or as required to do so by a court order or judicial subpoena.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

Upon receiving any verbal or written request for information related to a student's or family's immigration or citizenship status, district staff shall:

1. Notify the Superintendent or designee about the information request
2. Provide students and families with appropriate notice and a description of the immigration officer's request
3. Document any request for information by immigration authorities
4. Provide students and parents/guardians with any documents provided by the immigration enforcement officer, unless such disclosure is prohibited by a subpoena served on the district or in cases involving investigations of child abuse, neglect, or dependency

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Resources and data collected by the district shall not be used, directly or by others, to compile a list, registry, or database of individuals based on national origin, immigration status, religion, or other category of individual characteristics protected against unlawful discrimination.

(Government Code 8310.3)

Responding to Requests for Access to Students or School Grounds

District staff shall receive parent/guardian consent before a student is interviewed or searched by any officer seeking to enforce civil immigration laws at the school, unless the officer presents a valid, effective warrant signed by a judge or a valid, effective court order. A student's parent/guardian shall be immediately notified if a law enforcement officer requests or gains access to the student for immigration enforcement purposes, unless the judicial warrant or subpoena restricts disclosure to the parent/guardian.

(cf. 5145.12 - Search and Seizure)

All visitors and outsiders, including immigration enforcement officers, shall register with the principal or designee upon entering school grounds during school hours. Each visitor or outsider shall provide the principal or designee with his/her name, address, occupation, age if less than 21, purpose in entering school grounds, proof of identity, and any other information required by law. (Penal Code 627.2, 627.3)

(cf. 1250 - Visitors/Outsiders)

District staff shall report the presence of any immigration enforcement officers to on-site district police and other appropriate administrators.

(cf. 3515.3 - District Police/Security Department)

As early as possible, district staff shall notify the Superintendent or designee of any request by an immigration enforcement officer for access to the school or a student or for review of school documents, including service of lawful subpoenas, petitions, complaints, warrants, or other such documents.

In addition, district staff shall take the following actions in response to an officer present on the school campus specifically for immigration enforcement purposes:

1. Advise the officer that before school personnel can respond to the officer's request, they must first receive notification and direction from the Superintendent or designee, except under exigent circumstances that necessitate immediate action
2. Request to see the officer's credentials, including his/her name and badge number, and the phone number of the officer's supervisor, and note or make a copy of all such information
3. Ask the officer for his/her reason for being on school grounds and document the response
4. Request that the officer produce any documentation that authorizes his/her school access
5. Make a copy of all documents produced by the officer and retain one copy for school records

6. If the officer declares that exigent circumstances exist and demands immediate access to the campus, comply with the officer's orders and immediately contact the Superintendent or designee
7. If the officer does not declare that exigent circumstances exist, respond according to the requirements of the officer's documentation, as follows:
 - a. If the officer has an Immigrations and Customs Enforcement (ICE) administrative warrant, district staff shall inform the agent that they cannot consent to any request without first consulting with the district's legal counsel or other designated district official.
 - b. If the officer has a federal judicial warrant, such as a search and seizure warrant or an arrest warrant signed by a federal judge or magistrate, district staff shall promptly comply with the warrant. If feasible, district staff shall consult with the district's legal counsel or designated administrator before providing the officer with access to the person or materials specified in the warrant.
 - c. If the officer has a subpoena for production of documents or other evidence, district staff shall inform the district's legal counsel or other designated official of the subpoena and await further instructions as to how to proceed.
8. Do not attempt to physically impede the officer, even if the officer appears to be exceeding the authorization given under a warrant or other document. If an officer enters the premises without consent, district staff shall document the officer's actions while on campus.
9. After the encounter with the officer, promptly make written notes of all interactions with the officer, including:
 - a. A list or copy of the officer's credentials and contact information
 - b. The identity of all school personnel who communicated with the officer
 - c. Details of the officer's request
 - d. Whether the officer presented a warrant or subpoena to accompany his/her request, what was requested in the warrant or subpoena, and whether the warrant or subpoena was signed by a judge
 - e. District staff's response to the officer's request
 - f. Any further action taken by the officer
 - g. A photo or copy of any documents presented by the officer
10. Provide a copy of these notes and associated documents collected from the officer to the district's legal counsel or other designated district official

The district's legal counsel or other designated official shall submit a timely report to the Governing Board regarding the officer's requests and actions and the district's responses. (Education Code 234.7)

The Superintendent or designee shall also email the Bureau of Children's Justice in the California Department of Justice (BCJ@doj.ca.gov) regarding any attempt by a law enforcement officer to access a school site or a student for immigration enforcement purposes.

Responding to the Detention or Deportation of Student's Family Member

The Superintendent or designee shall encourage students and their families to update their emergency contact information as needed throughout the school year and to provide alternative contacts, including an identified trusted adult guardian, in case a student's parent/guardian is detained or is otherwise unavailable. The Superintendent or designee shall notify students' families that information provided on the emergency cards will only be used in response to specific emergency situations and not for any other purpose.

(cf. 5141 - Health Care and Emergencies)

The Superintendent or designee shall also encourage all students and families to learn their emergency phone numbers and be aware of the location of important documentation, including birth certificates, passports, social security cards, physicians' contact information, medication lists, lists of allergies, and other such information that would allow the students and families to be prepared in the event that a family member is detained or deported.

In the event that a student's parent/guardian is detained or deported by federal immigration authorities, the Superintendent or designee shall release the student to the person(s) designated in the student's emergency contact information or to any individual who presents a caregiver's authorization affidavit on behalf of the student. The Superintendent or designee shall only contact child protective services if district personnel are unable to arrange for the timely care of the student by the person(s) designated in the emergency contact information maintained by the school or identified on a caregiver's authorization affidavit.

The Superintendent or designee shall notify a student whose parent/guardian was detained or deported that the student continues to meet the residency requirements for attendance in a district school, provided that the parent/guardian was a resident of California and the student lived in California immediately before he/she moved out of state as a result of the parent/guardian's departure. (Education Code 48204.4)


(cf. 5111.1 - District Residency)

Regulation approved: HANFORD ELEMENTARY SCHOOL DISTRICT

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department

AGENDA REQUEST FORM

TO: Joy Gabler

FROM: Jaime Martinez 

DATE: May 13, 2019

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

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **May 22, 2019**

ITEM: Consider approval of personnel transactions and related matters.

PURPOSE:

a. Employment

Certificated, effective 8/8/19

- Maria Lawson, Teacher, Probationary

Classified

- Dezirae De Soto, Food Service Worker I – 3.0 hrs., Lincoln, effective 5/7/19

Temporary Employees/Substitutes

- Brooke King, Substitute Yard Supervisor, effective 4/29/19
- Melonie Thomas, Short-term Special Circumstance Aide – 5.5 hrs., Richmond, effective 5/14/19 to 6/7/19
- Kathy Turner, Substitute Yard Supervisor, effective 5/10/19

b. Short-term Employment

CERTIFICATED STAFF SUMMER PROGRAMS

Special Education Extended School Year at Lee Richmond School – June 10, 2019 (prep day – 4.0 Hours/Day); June 11, 2019 – June 28, 2019 – 5.5 Hours/Day

- Yolanda Bernal, Teacher, 6/10/19 prep day, and 6/11/19 to 6/19/19
- Charles Cole, Teacher, 6/10/19 prep day, and 6/19/19 to 6/28/19

Summer Enrichment Program at Lee Richmond School, June 14, 2019
(prep day – 5.5 hrs.); June 17 - June 28, 2019 - 5.5 Hours/Day

- Maria Porras, 3rd grade Teacher
- Shannon Shuklian, 3rd grade Teacher
- John Porras, 4th grade Teacher
- Sara DeCuir, 4th grade Teacher
- Katie Warner, 5th grade Teacher
- Leslie Griffith, 5th grade, Teacher

Summer Enrichment Program at Lee Richmond School, June 14, 2019
(prep day – 5.5 hrs.); June 17 - June 28, 2019 – 3.0 Hours/Day

- Carla Bode, Art, Teacher

Nursing Services for Summer Migrant Program at Jefferson School – June
10 – June 28, 2019, 5.5 Hours/Day

- Cara Cummings, School Nurse, effective 6/10/19 – 6/12/19
- Debra Cawley, School Nurse, effective 6/17/19 – 6/21/19
- Kathleen Salyer, School Nurse, effective 6/24/19 – 6/28/19
- LeAnn Williamson, School Nurse, effective 6/13/19 – 6/14/19

Short-term Employment
CLASSIFIED STAFF SUMMER PROGRAMS

Summer Enrichment Program at John F. Kennedy Jr. high School

- Yadira Castrejon Granados, Bilingual Clerk Typist II – 4.0 hrs. (prep day 6/14/19) and 5.5 hrs., effective 6/17/19 to 6/28/19, Kennedy
- Florita Magallon, Bilingual Student Specialist – 4.0 hrs. effective 6/14/19 (prep day), and 5.0 hrs., effective 6/17/19 to 6/28/19, Kennedy
- Daisy Wallace, Bilingual Licensed Vocational Nurse – 4.0 hrs. (prep day 6/14/19) and 5.5 hrs., effective 6/17/19 to 6/28/19, Kennedy

Migrant Summer School at Jefferson School

- Johnathan Covian, Custodian II – 5.5 hrs., Jefferson, effective 6/10/19 to 6/27/19

Seamless Summer Meal Program

- Jamie Reyes Camargo, Food Service Worker I – 2.5 hrs., Kennedy, effective 6/10/19 to 7/26/19
- Corina Carrera, Cook/Baker – 5.5 hrs., Food Services, effective 6/10/19 to 7/26/19
- Lucila Cervantes, Food Service Worker I – 2.5 hrs., Roosevelt, effective 6/10/19 to 7/26/19
- Johnathan Covian, Food Service Worker II – 2.5 hrs., Jefferson, effective 6/10/19 to 7/26/19
- Anna Hernandez, Food Service Worker I – 2.5 hrs., Jefferson, effective 6/10/19 to 7/26/19

Seamless Summer Meal Program (cont.)

- Loretta King, Yard Supervisor – 1.75 hrs., Jefferson, effective 6/10/19 to 7/26/19
- Wendi Santimore, Food Service Worker I – 2.5 hrs., Kennedy, effective 6/10/19 to 7/26/19
- Amanda Smith, Food Service Worker I – 2.5 hrs., Roosevelt, effective 6/10/19 to 7/26/19

c. Resignations

- Heidi Brunette, Substitute Special Education Aide and Yard Supervisor, effective 3/28/19
- Donna Duran, Substitute Alternative Education Program Aide, Food Service Worker I/II and Yard Supervisor, effective 4/23/19
- Heather Miller, Special Education Aide – 5.0 hrs., Richmond, effective 6/7/19
- Erik Villasenor, READY Program tutor – 4.5 hrs., Jefferson, effective 5/10/19 (revised)

d. Termination of Probationary Employee

- Yvette Mena, Yard Supervisor – 2.0 hrs., Monroe, effective 6/6/19

e. Voluntary Demotion/Transfer

- Gabriella Raeber, from Special Education Aide – 5.0 hrs., Hamilton to READY Program Tutor – 4.5 hrs., Simas, effective 8/8/19

f. Volunteers

<u>Name</u>	<u>School</u>
Corina Mendoza	Lincoln
Cindy Covarrubias	Monroe
Mary Mendez	Washington

RECOMMENDATION: Approve.

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: David Endo

DATE: 05/13/2019

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: 05/22/2019

ITEM:

Consider approval of contract with School Services of California for the 2019-2020 fiscal year.

PURPOSE:

School Service of California is the leading consultant in California school finance and is primarily used to provide updates on state activities as it relates to school districts finance.

FISCAL IMPACT:

There cost of the contract is \$3,900.

RECOMMENDATIONS:

Approve the contract with School Services of California for the 2019-2020 fiscal year.

Client # 0009850/S15

P.O. # _____

AGREEMENT FOR SPECIAL SERVICES
Fiscal and Management Information Services

This is an Agreement between the **HANFORD ELEMENTARY SCHOOL DISTRICT**, hereinafter referred to as "Client," and **SCHOOL SERVICES OF CALIFORNIA, INC.**, hereinafter referred to as "Consultant," entered into as of July 1, 2019.

RECITALS

WHEREAS, the Client needs assistance regarding issues of school finance, legislation, school budgeting, general fiscal issues, and the state-mandated program cost claims process; and

WHEREAS, the Consultant, is professionally and specially trained and competent to provide these services; and

WHEREAS, the authority for entering into this Agreement is contained in Section 53060 of the Government Code and such other provisions of California law as may be applicable;

NOW, THEREFORE, the parties to this Agreement do hereby mutually agree as follows:

1. Consultant agrees to perform such duties relating to issues of school finance, including:
 - a. Delivery of "one copy" of each edition of the *Fiscal Report* containing information on issues of school finance, budgets, or practices that impact local educational agency fiscal policies, and one copy of the *Analysis of the Governor's Proposals for the State Budget and K-12 Education*
 - b. Unlimited access to the Consultant's online workshops, which include:
 - i. Fiscal Aspects of Negotiations
 - ii. Associate Student Body
 - c. The option of receiving information on Consultant's website regarding major school finance and policy issues
 - d. An analysis of all major school finance/fiscal legislation and reports on its legislative/executive branch progress
 - e. Preliminary local educational agency revenue calculation using the online tools available on the Consultant's website for use in determining the projected revenue funding level soon after the budget is adopted based on the major annual school finance legislation
 - f. Participation at the Consultant's school finance conferences and workshops at the Consultant's client rate

- g. Counsel the Client on new mandates and information relating to the local mandate reimbursement process for all applicable legislation already adopted that contains a reimbursement appropriation, and maintain liaison with the State Controller, the Commission on State Mandates, and the State Department of Finance
- 2. The Consultant shall provide the Client with services as requested to a total of twelve (12) direct service hours during the 12-month period of this Agreement at no additional cost beyond the annual fee. The hours of service may be used as the Client directs on fiscal and mandate service issues, including: mandate counseling, analysis of specific local educational agency revenue or expenditure issues, analysis of specific legislative or regulatory issues, including a "quick query" service to provide telephone response to specific fiscal or mandate questions of the Client.

Services for which the base service hours may not be used, include: Client specific economy, efficiency, or management consulting services, including, but not limited to efficiency or management studies, demographic or school facility studies, Special Education studies, fiscal health analysis, and/or an in-depth budget review, direct collective bargaining or factfinding assistance; fiscal analysis for purposes of collective bargaining, legislative representation or advocacy; appearance as an expert witness; provision of depositions or declarations for local educational agency legal issues; major customized research projects or studies; or, on-site speeches or presentations.

- 3. The Client agrees to pay to Consultant for services rendered under this Agreement:
 - a. \$3,900 annually, plus expenses, or payable at \$325 per month, plus expenses, upon receipt of a billing from Consultant
 - b. For all requested services in excess of twelve (12) direct service hours as indicated in Item 2 above in the 12-month period, the applicable hourly rate for the person(s) performing the services shall apply
 - c. "Hours" are defined as hours of direct service to the Client, as well as reasonable travel time to and from the Client's site
 - d. "Expenses" are defined as actual, out-of-pocket expenses, such as travel, meals, shipping, and duplication of materials
- 4. This Agreement shall be for the period of one year, beginning July 1, 2019, and terminating June 30, 2020. This Agreement may be terminated prior to June 30, 2020, by either party on thirty (30) days' written notice. In the event that the Client elects to terminate services at the end of the Agreement, the Client shall

HANFORD ELEMENTARY SCHOOL DISTRICT

give a 30-day written notice of nonrenewal. Consultant will provide continuing services for 90 days after the expiration date of the Agreement or until the client provides written notice. The Client is responsible for these accrued charges and SSC may bill these additional days. In the case of cancellation, the Client shall be liable for any costs accrued to the date of cancellation.

5. It is expressly understood and agreed to by both parties that Consultant, while carrying out and complying with any of the terms and conditions of this Agreement, is an independent contractor and is not an employee of the Client.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as indicated below:

BY: _____

DATE: _____

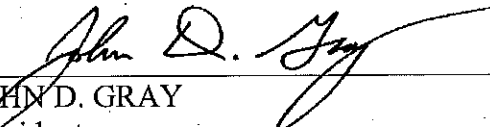
David Endo

Print Name
Chief Business Official

Job Title
Hanford Elementary School District

BY: _____

DATE: May 1, 2019



JOHN D. GRAY
President
School Services of California, Inc.