

Hanford Elementary School District

REGULAR BOARD MEETING AGENDA

Wednesday, March 24, 2021

HESD District Office Board Room
714 N. White Street, Hanford, CA

In accordance with Governor Newsom's Executive Order N-29-20 Paragraph 3, the HESD Board Meeting will have teleconferencing and video conferencing available.

For members of the public interested in remotely viewing the HESD Board Meeting please visit the following link to access the live video stream:

<https://www.hanfordesd.org/hesdtv>

Individuals who wish to address the Board may do so by

- Submitting an email to public-comment@hanfordesd.org
- Leaving a voice message by calling 559-585-3604 (voice message will be transcribed).

Please include your name, agenda item number or subject matter being addressed, along with a 250-word description of the subject matter being addressed.

Voice message public comments must be received no later than 3:30 p.m. on the day of the meeting in order to be part of the record for the Board's information and/or discussion.

Public comments submitted by e-mail or voice message will be included in the minutes.

Please note that consistent with Board Bylaw 9323, any statements submitted for public comment that are inappropriate in nature, including, but not limited to statements that are obscene, threatening or substantially disruptive to school operations, will either be redacted, or will not be posted.

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 #21-01 Washington

- *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.*

CLOSED SESSION (continued)

- **Personnel** *(Pursuant to Government Code 54956.9, Trustees will adjourn to Closed Session to discuss the items listed below. The items to be discussed shall be announced in accordance with Government Code Section 54954.5 and/or under Education Code Provisions)*
 - **Public Employee Discipline/Dismissal/Release** (GC 54957)

OPEN SESSION

6:00 p.m.

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 March 5, 2021 and March 12, 2021.
- b) Approve minutes of the Regular Board Meeting held on March 10, 2021.
- c) Approve interdistrict transfers as recommended.

3. INFORMATION ITEMS

- a) Receive for information HESD 2021 Summer Learning Plans (Rubalcava)
- b) Receive for information the following revised Board Policy and Administrative Regulation: (Martinez)
 - BP/AR 4119.11, 4219.11, 4319.11 – Sexual Harassment (revised)
 - AR 4119.12, 4219.12, 4319.12 – Title IX Sexual Harassment Complaint Procedures (new)
- c) Receive for information the following revised Board Policy: (Martinez)
 - BP 4216 – Probationary/Permanent Status for Classified employees (revised)
 - BP 4315 – Evaluation/Supervision, for Management/ Specialists/Confidential employees (revised)

4. BOARD POLICIES AND ADMINISTRATION

- a) Consider for approval the 2020-2021 Updated School Plans for Student Achievement (Carlton)

5. PERSONNEL (Martinez)

- a) Resignations
 - Javantae Farmah, READY Program Tutor – 4.5 hrs., Washington, effective 3/5/21
- b) Retirement
 - Carolyn Hudgins, READY Site Lead – 5.0 hrs., Monroe, effective 6/4/21
 - Carolyn Kay Paz, Special Education Aide – 5.0 hrs., Lincoln, effective 6/4/21

c) Job Descriptions

- Assistant Superintendent of Human Resources (revised)
- Assistant Superintendent of Special Services (revised)

6. FINANCIAL (Endo)

NONE

ADJOURN MEETING

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy C. Gabler

FROM: David Endo

DATE: 03/15/2021

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☐ Information
☒ Action

Date you wish to have your item considered: 03/24/2021

ITEM:

Consider approval of warrants.

PURPOSE:

The administration is requesting the approval of the warrants as listed on the registers dated: 03/05/21 and 03/12/21.

FISCAL IMPACT:

See attached.

RECOMMENDATIONS:

Approve the warrants.

Warrant Register For Warrants

Dated 03/05/2021

Warrant Number	Vendor Number	Vendor Name	Amount
12655938	7255	ACER AMERICA CORPORATION Warehouse	\$2,174.12
12655939	2972	ROSA E. ADAMS Allowance	\$195.89
12655940	6934	BLANCA ALVARADO-CABRERA Allowance	\$200.00
12655941	6431	AMAZON.COM Instl Matls/READY Matls/Books	\$12,917.87
12655942	4670	ALICIA ARTHUR Allowance	\$200.00
12655943	7655	MARY ANN BANUELOS Payroll Liability Holding	\$1,400.00
12655944	5895	PEGGY BELL Allowance	\$160.09
12655945	7184	CARLA BODE Allowance	\$64.68
12655946	3178	ERIN BOLING Allowance	\$200.00
12655947	162	ANGEL BRAVO Allowance	\$200.00
12655948	163	DEBORAH BRAY Allowance	\$191.98
12655949	7250	LUCY BRIENO Allowance	\$185.56
12655950	7527	STANLEY BURYTA Payroll Liability Holding	\$247.55
12655951	5389	JOE BYERS Allowance	\$200.00
12655952	6468	NICOLE CARTLEDGE Allowance	\$86.32
12655953	3465	CATHERINE A CASTANEDA Allowance	\$155.49
12655954	6080	NEYDA CASTRO Allowance	\$151.60
12655955	355	CDT INC. Other Services	\$216.00
12655956	6954	MARINA CERVANTEZ Allowance	\$200.00
12655957	7123	CHILD1ST PUBLICATIONS LLC Instl Matls	\$154.68
12655958	6933	CHRISTINE CIBRIAN Allowance	\$200.00
12655959	7663	CLASSKICK Software License	\$1,499.00
12655960	4148	CARRIE CORTINAS Allowance	\$200.00
12655961	6957	SARA CRISP Allowance	\$191.56
12655962	2609	LISA CUNHA Allowance	\$198.73
12655963	5846	CINDY CUIEL Allowance	\$200.00
12655964	5996	NADIA D'AGOSTINO Allowance	\$200.00
12655965	6729	JUANA DE LA CRUZ-MORAN Reissued Payroll	\$9.35
12655966	416	DEMCO INC. Instl Matls	\$58.19
12655967	5354	DIANNE DIAS Allowance	\$200.00
12655968	4815	DIGITECH INTEGRATIONS INC Repairs	\$120.00
12655969	7364	FRONERRICKA FARLEY Reissued Payroll	\$9.35
12655970	7302	ALEXIS FARRAR Allowance	\$90.32
12655971	7668	FIELDTRIPZOOM INC Software License	\$299.95
12655972	1893	OMAR FIERRO Allowance	\$119.42
12655973	1177	FRED PRYOR SEMINARS Conference	\$1,268.00
12655974	6239	ANJALI FRY Allowance	\$197.35
12655975	5138	BROOKE FULLER Allowance	\$39.61
12655976	4161	MATT GAMBLE Social Dist Supplies	\$89.79
12655977	562	GRACIELA GARCIA Allowance	\$161.55
12655978	6481	TAMRA GARCIA Allowance	\$79.43
12655979	2749	GARDA CL WEST INC. Kitchen Services	\$1,181.50
12655980	5590	PRISCILLA GARIVAY Allowance	\$152.69
12655981	1393	GAS COMPANY Gas	\$5,358.90
12655982	5323	NATIVIDAD GEORGE Allowance	\$200.00
12655983	7212	JESSICA GONZALES Allowance	\$193.58
12655984	6963	GONZALEZ ARCHITECTS Buildings & Improvements	\$28,743.00
12655985	5541	JOANN GRAHAM Allowance	\$195.34

Warrant Register For Warrants

Dated 03/05/2021

Warrant Number	Vendor Number	Vendor Name	Amount
12655986	3656	HANFORD AUTO & TRUCK PARTS DSF Matls	\$553.23
12655987	1895	JENNIFER HENDERSON Allowance	\$140.54
12655988	4532	HENRY SCHEIN INC Warehouse	\$111.11
12655989	7281	HERBERT L FLAKE CO. Maint Matls	\$214.82
12655990	2121	GUADALUPE HERNANDEZ Allowance	\$62.86
12655991	6397	KATIE HEUGLY Allowance	\$160.97
12655992	2188	THE HOME DEPOT PRO Custodial Supplies	\$10,135.71
12655993	2528	INDUSTRIAL PLUMBING SUPPLY Maint Supplies	\$176.57
12655994	4117	JANA JASSO Allowance	\$200.00
12655995	7121	BAILEY JEFFUS Allowance	\$157.52
12655996	7678	ALFREDO G. JIMENEZ Reissue Payroll	\$48.59
12655997	6493	KELLIE JONES Allowance	\$95.36
12655998	4077	BRITTNEY JUAREZ Allowance	\$200.00
12655999	7128	DIANA KELLY Allowance	\$200.00
12656000	7457	KG COMMUNICATIONS INC. Transportation Services	\$1,174.45
12656001	3760	KINGS COUNTY AIR Buildings & Improvements	\$55,720.00
12656002	796	KINGS COUNTY OFFICE OF ED Other Services	\$78,212.76
12656003	5972	KINGS COUNTY SELF-INSURED SCHOOLS Teachers' Salaries	\$11,323.60
12656004	5363	BETHANEY KUENNING Allowance	\$53.86
12656005	6356	MAUREEN KUIPER Allowance	\$200.00
12656006	7675	JENNIFER LAIRD Allowance	\$197.35
12656007	7677	EMILY LASTIRI Allowance	\$151.17
12656008	838	LAWRENCE TRACTOR COMPANY Grounds Matls	\$318.77
12656009	7553	MARIA LAWSON Allowance	\$200.00
12656010	7090	SHANNON LOEWEN Allowance	\$199.59
12656011	7450	JULIA LOFY Allowance	\$148.17
12656012	912	MANGINI ASSOCIATES INC. Buildings & Improvements	\$19,738.78
12656013	7667	ARIEL MASTERSON Summer Health & Welfare	\$176.34
12656014	4704	KELLEY MAYFIELD Allowance	\$189.93
12656015	7336	LAURA MCCARTY Allowance	\$177.94
12656016	7575	ELIZABETH MCGRATH READY Matls	\$91.04
12656017	7666	ELIZABETH MEDEROS Allowance	\$400.00
12656018	7576	MIDSTATE AUTOMOTIVE EQUIPMENT Repairs	\$1,810.56
12656019	2545	JEANETTA MINOR Allowance	\$42.89
12656020	994	MOBILE MODULAR MGMT. CORP. Leases	\$59,028.00
12656021	6290	ANNA MORENO Allowance	\$200.00
12656022	6654	MEGAN MUNRO Allowance	\$200.00
12656023	1058	OFFICE DEPOT Warehouse/Office Supplies	\$694.71
12656024	1087	TRAVIS C. PADEN Allowance	\$196.20
12656025	7203	PARADIGM HEALTHCARE SERVICES LLC. Other Services	\$216.40
12656026	3147	JODY PATTON Allowance	\$200.00
12656027	1116	TRINIDAD PEREZ Allowance	\$190.46
12656028	4118	KERRY PIEROTTE Allowance	\$197.47
12656029	6732	JULEE PIRES Allowance	\$173.10
12656030	7404	MADISON POLLARD Allowance	\$148.32
12656031	7141	ANTHONY PORRAS Allowance	\$144.22
12656032	4686	JOHN PORRAS Allowance	\$200.00
12656033	7445	PRO-PT Other Services	\$165.00

Warrant Register For Warrants

Dated 03/05/2021

Warrant Number	Vendor Number	Vendor Name	Amount
12656034	2956	JACQUELINE A. RAVEN Allowance	\$62.20
12656035	3851	PATRICIA RODRIGUEZ Allowance	\$76.10
12656036	7676	ROXANA RODRIGUEZ Allowance	\$200.00
12656037	6028	MARIA ROSALES Allowance	\$145.67
12656038	5067	RUSSELL SIGLER INC Maint Matls	\$389.25
12656039	7292	SCREENCAST-O-MATIC Reissue	\$270.00
12656040	4186	ISAIAS SERRATO III Allowance	\$158.49
12656041	3131	SHERWIN-WILLIAMS CO Maint Matls	\$76.87
12656042	1356	SILVAS OIL COMPANY INC. Fuel	\$1,150.44
12656043	1801	SMART & FINAL STORES (HFD KIT) Supplies	\$172.15
12656044	1392	SOUTHERN CALIFORNIA EDISON CO. Electricity	\$16,918.69
12656045	6895	TAETUM SOUZA Allowance	\$200.00
12656046	1404	STANISLAUS FOUNDATION – ADMIN Other Services	\$2,658.25
12656047	6289	ASHLEY STOKES Allowance	\$198.13
12656048	7338	CINDY STOWE Instl Matls	\$43.24
12656049	2847	PAULINE STRAMBI Allowance	\$200.00
12656050	6744	OSCAR TAFOLLA Instl Matls	\$86.21
12656051	3391	GRISELDA TORRES Allowance	\$200.00
12656052	4017	JOSE TORRES Allowance	\$199.88
12656053	5884	GARRETT TOY Allowance	\$120.09
12656054	1504	TURF STAR INC. Grounds Matls	\$698.82
12656055	1508	U.S. POSTAL SERVICE (CMRS-POP) Postage	\$5,000.00
12656056	3771	KRISTIN ULDALL Allowance	\$144.36
12656057	1521	UNITED REFRIGERATION INC. Maint Matls	\$262.09
12656058	3154	UPS Shipping Charges	\$130.15
12656059	7149	VALLEY ELEVATOR INC Other Services	\$740.00
12656060	2653	VALLEY OXYGEN Maint Matls	\$237.90
12656061	1558	VERIZON WIRELESS Telephone	\$856.80
12656062	6746	RAQUEL VILLARINO Allowance	\$200.00
12656063	4150	BECKY WELLS Allowance	\$106.00
12656064	7247	FREDERICK WILLIAMS Allowance	\$200.00
12656065	2817	JESSIE WILLIAMS Allowance	\$58.67
12656066	6389	GAOSANG XIONG Allowance	\$200.00
12656067	6452	BREANNA YOUNG Allowance	\$200.00
12656068	4152	LAURIE YOUNG Allowance	\$150.21

Total Amount of All Warrants:

\$338,607.46

**Credit Card Register For Payments
Dated 03/05/2021**

Document Number	Vendor Number	Vendor Name	Amount
14030338	2	A-Z BUS SALES INC Transportation Supplies	\$1,220.62
14030339	2694	CALCHAMBER – ORDERS HR Matls	\$506.58
14030340	273	CASBO Conference	\$610.00
14030341	3618	CURRICULUM ASSOCIATES INC. Textbooks	\$198.27
14030342	529	FOLLETT SCHOOL SOLUTIONS Books	\$7,994.48
14030343	3653	HEINEMANN PUBLISHING Textbooks	\$222.99
14030344	1802	MEDALLION SUPPLY Maint Matls	\$346.49
14030345	1071	ORIENTAL TRADING CO. INC. Instl Matls	\$1,999.65
14030346	1350	SIGN WORKS Campus Matls	\$535.31
Total Amount of All Credit Card Payments:			\$13,634.39

Grand Total For All Districts:

\$13,634.39

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Warrant Register For Warrants

Dated 03/12/2021

Warrant Number	Vendor Number	Vendor Name	Amount
12656457	6431	AMAZON.COM Office Supplies/Warehouse/Books/READY Matls	\$4,363.95
12656458	59	ARAMARK UNIFORM & CAREER Laundry/Mop/Mat Services	\$3,077.14
12656459	59	ARAMARK UNIFORM & CAREER Kitchen Services	\$169.62
12656460	6253	AT&T Telephone	\$115.55
12656461	7655	MARY ANN BANUELOS Allowance	\$119.70
12656462	3710	KELLY BEKEDAM Allowance	\$117.92
12656463	184	BUREAU OF EDUCATION & RESEARCH Conference	\$3,108.00
12656464	355	CDT INC. Other Services	\$132.00
12656465	304	NICK CHAMPI ENTERPRISES INC. Equipment	\$968.84
12656466	7663	CLASSKICK Software License	\$187.00
12656467	4178	COOK'S COMMUNICATION Radio Matls	\$75.45
12656468	405	DASSEL'S PETROLEUM INC. Fuel	\$4,370.02
12656469	405	DASSEL'S PETROLEUM INC. Kitchen Fuel	\$266.69
12656470	416	DEMCO INC. Emergency Relief Matls	\$1,286.58
12656471	4815	DIGITECH INTEGRATIONS INC Other Services	\$720.00
12656472	5786	DOCUMENT TRACKING SERVICES Other Services	\$306.19
12656473	6851	JENNIFER FOSSETT Allowance	\$71.83
12656474	1769	FRESNO PRODUCE Food	\$15,732.35
12656475	1393	GAS COMPANY Gas	\$3,595.50
12656476	7674	GENERATION GENIUS INC. Software License	\$995.00
12656477	591	GOLD STAR FOODS Food	\$5,705.64
12656478	6804	MARGARITA GONZALES READY Matls	\$12.47
12656479	7592	HANFORD SENTINEL Buildings & Improvements	\$968.02
12656480	632	CITY OF HANFORD Water/Sewer	\$11,104.06
12656481	3528	LINDSAY HASTINGS Rewards	\$12.81
12656482	2188	THE HOME DEPOT PRO Custodial Supplies	\$355.96
12656483	6573	IXL LEARNING Software License	\$1,799.00
12656484	5990	KELLER FORD Maintenance Matls	\$290.00
12656485	7457	KG COMMUNICATIONS INC. Transportation Services	\$1,174.45
12656486	3962	KINGS COUNTY GLASS Repairs	\$1,583.63
12656487	796	KINGS COUNTY OFFICE OF ED Other Services	\$471.91
12656488	802	KINGS COUNTY PIPE & SUPPLY Maint/Grounds Matls	\$522.72
12656489	808	KINGS WASTE & RECYCLING Garbage	\$685.60
12656490	808	KINGS WASTE & RECYCLING Garbage	\$50.00
12656491	986	LAWNMOWER MAN Grounds Matls	\$276.69
12656492	7681	EUGENIO LOPEZ Other Services	\$1,025.00
12656493	7386	MARIO LOPEZ Inst'l Consultant	\$1,462.50
12656494	7260	LOWE'S PRO SERVICES Maint/Grounds Matls	\$1,229.59
12656495	5768	MCGEE PRODUCTIONS Other Services	\$600.00
12656496	3373	MARICELA MENDOZA Allowance	\$183.50
12656497	5510	NEWEGG.COM Tech Matls	\$263.96
12656498	5111	P & R PAPER SUPPLY COMPANY INC Kitchen Supplies	\$1,482.25
12656499	2592	PRINCETON HEALTH PRESS Textbooks	\$121.00
12656500	1168	PRODUCERS DAIRY PRODUCTS Food	\$13,711.96
12656501	4465	CYNTHIA PURSELL Rewards	\$308.90
12656502	1188	QUILL LLC Warehouse	\$1,409.44
12656503	1285	SAFETY-KLEEN SYSTEMS INC. Other Services	\$168.32
12656504	6574	MARIBEL SANTIAGO Books	\$44.56

Warrant Register For Warrants

Dated 03/12/2021

Warrant Number	Vendor Number	Vendor Name	Amount
12656505	7337	JAMEE SERRATO Allowance	\$200.00
12656506	3743	SHRED-IT USA – FRESNO Shred Service	\$211.37
12656507	7680	VIRGINIA SILVA Allowance	\$79.20
12656508	1801	SMART & FINAL STORES (HFD KIT) Food	\$11.94
12656509	2006	JOHN SNYDER Allowance	\$200.00
12656510	3800	SONITROL OF FRESNO Alarm Services	\$7,596.00
12656511	1392	SOUTHERN CALIFORNIA EDISON CO. Electricity	\$3,717.62
12656512	1403	STANISLAUS FOUNDATION – DENTAL Other Services	\$36,401.85
12656513	4381	STAPLES - BUSINESS ADVANTAGE Warehouse/Special Ed Matls	\$2,958.95
12656514	7338	CINDY STOWE Allowance	\$200.00
12656515	1444	SYSCO FOODSERVICES OF MODESTO Food	\$54,686.89
12656516	4114	TULARE COUNTY OFFICE OF EDUCATION Other Services	\$250.00
12656517	1506	TWB INSPECTIONS Equipment over \$5,000	\$1,500.00
12656518	4522	US AIR CONDITIONING DIST INC. Maint Matls	\$803.60
12656519	6943	WEST VALLEY SUPPLY Grounds Matls	\$244.49
12656520	2456	MICHAEL XIONG Allowance	\$81.10
Total Amount of All Warrants:			\$195,946.28

Credit Card Register For Payments
Dated 03/12/2021

Document Number	Vendor Number	Vendor Name	Amount
14030380	415	DELRAY TIRE & RETREADING INC. Repairs	\$168.02
14030381	509	EWING IRRIGATION PRODUCTS Grounds Matls	\$1,164.19
14030382	529	FOLLETT SCHOOL SOLUTIONS Books	\$19,998.30
14030383	1002	MORGAN & SLATES INC. Maint/Grounds Matls	\$294.88
14030384	5815	SCHOLASTIC STORE ONLINE Books	\$383.07
14030385	1313	SCHOLASTIC TEACHERS STORE Books	\$437.50
14030386	1345	SHIFFLER EQUIPMENT SALES INC. Maint Matls	\$173.46
14030387	1414	STEAM CLEANER INC Repairs	\$539.43
14030388	1466	TERMINIX INTERNATIONAL Pest Control	\$336.00
14030389	1466	TERMINIX INTERNATIONAL Pest Control-Kitchen	\$40.00
14030390	1702	TRIPLE J CONCRETE Grounds Matls	\$204.40
Total Amount of All Credit Card Payments:			\$23,739.25

Hanford Elementary School District
Minutes of the Regular Board Meeting
March 10, 2021

Minutes of the Regular Board Meeting of the Hanford Elementary School District Board of Trustees on March 10, 2021 at the District Office Board Room, 714 N. White Street, Hanford, CA.

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

HESD Managers Present Joy C. Gabler, Superintendent, and the following administrators were present: Doug Carlton, David Endo, Lucy Gomez, Jaime Martinez, Karen McConnell, William Potter, Jill Rubalcava and Jay Strickland.

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

- Public Employee Discipline/Dismissal/Release (GC 54957)

Open Session Trustees returned to open session at 6:09 p.m.

Public Employee During the closed session, the Board adopted Resolution #24-21 to provide notice of reassignment to a certificated administrator Employee Number 13443 pursuant to Education Code section 44951. The motion carried by a vote of 5 to 0.

Public Comments None

Board and Staff Comments Trustee Strickland asked for an agenda item to be added at the next March 24th Board Meeting regarding the Summer Enrichment Program.

Requests to Address the Board None

Dates to Remember President Garcia reviewed dates to remember: Regular Board Meeting – March 24th; Spring Break March 29th – April 5th; Holidays – April 2nd & April 5th

CONSENT ITEMS

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

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

Trustee Revious then made a motion to approve consent items "a" through "c".
Trustee Hernandez 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 February 19, 2021 and February 26, 2021.
- b) Minutes of the Regular Board Meeting held on February 24, 2021.
- c) Interdistrict transfers as recommended.

INFORMATION ITEMS

**Monthly
Financial Report
7/1/20 –
2/28/21**

- a) David Endo, Chief Business Official, presented for information the monthly financial reports for the period of 07/01/2020 – 02/28/2021.

BOARD POLICIES AND ADMINISTRATION

- a) Trustee Strickland made a motion to approve the award for the Richmond Modernization project to Oral E. Micham Inc. Trustee Hernandez seconded; motion carried 5-0:
Garcia – Yes
Garner – Yes
Hernandez – Yes
Revious – Yes
Strickland – Yes

PERSONNEL

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

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

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

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

The following items were approved:

***Item "a" –
Employment***

Classified

- Evelyn Galvan, Personnel Specialist (Confidential) – 8.0 hrs., Human Resources, effective 3/8/21

Temporary Employees/Substitutes

- Marco Rios Rodriguez, Substitute Custodian II, effective 2/12/21
- Cayn Sanchez, Substitute Custodian II, effective 2/12/21

***Item "b" –
Resignations***

- Deborah Arnold, Teacher, Jefferson Academy, effective 6/4/21
- Joseph Britton, Teacher, King, effective 6/4/21
- Kayla Gregory, Teacher, Washington, effective 6/4/21
- Violeta Naranjo, Yard Supervisor – 3.5 hrs., Roosevelt, effective 3/2/21
- Claudia Snead, Teacher, Simas, effective 6/4/21
- Ashley Stokes, Teacher, Monroe, effective 6/4/21

***Item "c" –
Retirement***

- Maria Jones, Bus Driver – 6.0 hrs., Transportation/DSF, effective 3/1/21

***Item "d" –
Promotion***

- Susan Tavares, from Custodian II – 8.0 hrs., Kennedy to Lead Custodian – 8.0 hrs., Hamilton, effective 3/1/21

***Item "e" –
Temporary Out
of Class
Assignment***

- Paige Morales, from READY Program Tutor – 4.5 hrs., to READY Site Lead – 5.0 hrs., Monroe, effective 2/9/21 to 6/4/21
- Javantae Farmah, from READY Program Tutor – 4.5 hrs., Washington to READY Site Lead – 5.0 hrs., Washington, effective 2/23/21 to 5/26/21

***Item "f" –
Change in Work
Year***

- Stacie Johnson, from Curriculum and Professional Development Specialist, Math/Science – 12-month to Curriculum and Professional Development Specialist, Math/Science – 11-month, effective 2021-22 school year

***Item "g" –
Salary/Wage
Schedules for
2020-2021***

- 2020-2021 Classified Salary Schedule (revised)

Adjournment

There being no further business, President Garcia adjourned the meeting at 6:15 p.m.

Respectfully submitted,

Joy C. Gabler,
Secretary to the Board of Trustees

Approved:

Robert Garcia, President

Lupe Hernandez, Clerk

No	Reason	Sch Req'd	Home Sch	Date
I-252	FSY	Monroe	Armona	3/15/2021

No	Reason	Sch Req'd	Home Sch	Date
O-161	O	Visalia	Monroe	3/15/2021
O-162	E	Riverdale	Kennedy	3/15/2021

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Board of Trustees

FROM: Joy Gabler

DATE: 03/11/21

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

FOR: ☒ Information
☐ Action

Date you wish to have your item considered: 03/24/21

ITEM: HESD 2021 Summer Learning Information

PURPOSE: Jill Rubalcava, Assistant Superintendent of Curriculum, Instruction & Professional Development will provide information on HESD's plans for summer school that will be held during the months of June and July 2021.

FISCAL IMPACT: None**RECOMMENDATIONS:**

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Joy Gabler

FROM: Jaime Martinez

DATE: March 15, 2021

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☒ Information
☐ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **March 24, 2021**

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

PURPOSE: The following Board Policy and Administrative Regulations are being updated to reflect NEW FEDERAL REGULATIONS (85 Fed. Reg. 30026) which require that complaints of behavior that meet federal definition of sexual harassment be addressed through the new Title IX complaint procedures. Title of compliance officer changed to Title IX Coordinator pursuant to federal regulations, and responsibility assigned to Title IX Coordinator to receive complaints and determine appropriate complaint procedure to use.

- BP/AR 4119.11, 4219.11, 4319.11 – Sexual Harassment (revised)
- AR 4119.12, 4219.12, 4319.12 – Title IX Sexual Harassment Complaint Procedures (new)

FISCAL IMPACT: None.

RECOMMENDATION: Consider for adoption at next regular board meeting.

Policy 4119.11: Sexual Harassment
4219.11, 4319.11

Status: DRAFT

Original Adopted Date: 02/09/2005 | **Last Revised Date:** 11/14/2018

The following policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

The Governing Board of Trustees is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees and retaliatory behavior or action against any person who complains, testifies, or otherwise participates in the complaint process established for the purpose of this policy.

Sexual harassment includes, but is not limited to, harassment that is based on the gender, gender identity, gender expression, or sexual orientation of the victim;

This policy shall apply to all district employees and to other persons on district property or with some employment relationship with the district, such as interns, volunteers, contractors, and job applicants.

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

(cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

Any district employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal.

(cf. 4117.7/4317.7 - Employment Status Reports)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

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

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to employees and others to whom the policy may apply

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

3. Ensuring prompt, thorough, ~~and fair,~~ and equitable investigation of complaints

4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

Sexual Harassment Reports and Complaints

~~Any district employee~~ District employees who ~~feels~~ feel that ~~he/she has~~ they have been sexually harassed in the performance of ~~his/her~~ their district responsibilities or who ~~has~~ have knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to ~~his/her~~ their direct supervisor, ~~another supervisor~~ a district administrator, or, the district's ~~coordinator for nondiscrimination, the Superintendent, or, if available, a~~ Title IX Coordinator. Employees may bypass their supervisor in filing a complaint if the supervisor is the subject of the complaint ~~hotline or an ombudsman~~. A supervisor or administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator ~~Complaints of sexual harassment~~ shall ensure the ~~be filed and investigated in accordance with the~~ complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures or ~~procedure specified in~~ AR 4030 - Nondiscrimination in Employment, as applicable. Because ~~An employee may bypass his/her supervisor in filing a complaint or allegation that is dismissed or denied under where the supervisor is the Title IX subject of the~~ complaint procedure may still be subject.

~~All complaints and allegations of sexual harassment shall be kept confidential to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030. extent necessary to carry out the investigation or to take other subsequent necessary actions. (2 CCR 11023)~~

(cf. 4112.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

The title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any district employee found to have engaged or participated in sexual harassment or to have aided, abetted, incited, compeled, or coerced another to commit sexual harassment in violation of this policy shall be subject to disciplinary action up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

2 CCR 11006-11086	Discrimination in employment
2 CCR 11021	Discrimination in employment - retaliation
2 CCR 11023	Harassment and discrimination prevention and correction
2 CCR 11024	Required training and education on harassment based on sex, gender identity and expression, and sexual orientation
2 CCR 11034	Terms, conditions, and privileges of employment
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
Ed. Code 200-262.4	Educational equity; prohibition of discrimination on the basis of sex
Gov. Code 12900-12996	Fair Employment and Housing Act
Gov. Code 12940	Unlawful discriminatory employment practices
Gov. Code 12950	Sexual harassment
Gov. Code 12950.1	Sexual harassment training
Lab. Code 1101	Political activities of employees
Lab. Code 1102.1	Discrimination: sexual orientation
Federal References	Description
20 USC 1681-1688	Title IX prohibition against discrimination
34 CFR 106.1-106.9	Nondiscrimination on the basis of sex in education programs or activities
34 CFR 106.51-106.61	Nondiscrimination on the basis of sex in employment in education program or activities
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
Management Resources References	Description
Court Decision	Department of Health Services v. Superior Court of California, (2003) 31 Cal.4th 1026
Court Decision	Faragher v. City of Boca Raton, (1998) 118 S.Ct. 2275
Court Decision	Burlington Industries v. Ellreth, (1998) 118 S.Ct. 2257
Court Decision	Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989
Court Decision	Oncale v. Sundowner Offshore Serv. Inc., (1998) 118 S.Ct. 998
Court Decision	Meritor Savings Bank, FSB v. Vinson et al., (1986) 447 U.S. 57
U.S. Equal Employment Opportunity Com. Publication	Promising Practices for Preventing Harassment, November 2017
Website	California Department of Fair Employment and Housing
Website	U.S. Department of Education, Office for Civil Rights
Website	U.S. Equal Employment Opportunity Commission
Cross References	Description
0410	Nondiscrimination In District Programs And Activities
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
3530	Risk Management/Insurance
3530	Risk Management/Insurance

3600	Consultants
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4040	Employee Use Of Technology
4040	Employee Use Of Technology
4040-E(1)	Employee Use Of Technology - Employee Technology Acceptable Use Policy
4112.9	Employee Notifications
4112.9-E(1)	Employee Notifications
4117.7	Employment Status Reports
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.21	Professional Standards
4119.21-E(1)	Professional Standards
4119.22	Dress And Grooming
4131	Staff Development
4212.9	Employee Notifications
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4219.21-E(1)	Professional Standards
4231	Staff Development
4312.9	Employee Notifications
4312.9-E(1)	Employee Notifications
4317.7	Employment Status Reports
4319.21	Professional Standards
4319.21-E(1)	Professional Standards
5145.7	Sexual Harassment
5145.7	Sexual Harassment

Regulation 4119.11: Sexual Harassment
4219.11, 4319.11

Status: DRAFT

Original Adopted Date: 05/05/1993 | **Last Revised Date:** 11/14/2018

The following ~~This~~ administrative regulation shall apply to all allegations of sexual harassment involving employees, interns, volunteers, and job applicants, but shall not be used to resolve any complaint by or against a student.

Definitions

~~Prohibited sexual~~ Sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions~~when~~: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

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

(cf. 4030 - Nondiscrimination in Employment)

For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, ~~Prohibited~~ sexual harassment is defined as any of the following forms of ~~also includes~~ conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44) ~~regardless of whether or not it is motivated by~~

1. A district employee conditioning the provision of a district aid, benefit, or service on the person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be ~~desire, is so severe, or pervasive, and objectively as to unreasonably interfere with the victim's work performance or create an intimidating, hostile, or offensive that it effectively denies a person equal access to the district's education program or activity~~ ~~work environment~~.
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual harassment Complaints)

Examples of Sexual Harassment

Examples of actions that might constitute sexual harassment under state or federal law in accordance with the definitions above, in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

Training

The Superintendent or designee shall ensure that all employees receive training regarding the district's sexual harassment policies when hired and periodically thereafter. The training shall include how to recognize prohibited or harassing conduct, the procedures for reporting and/or filing complaints involving an employee, employees' duty to use the district's complaint procedures, and employee obligations when a sexual harassment report involving a student is made to the employee. The training shall also include information about processes for employees to informally share or obtain information about harassment without filing a complaint.

Title IX Coordinator/Compliance Officer

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints, processed under AR 4030 - Nondiscrimination in Employment. The Title IX Coordinator(s) may be contact at

Jaime Martinez
 Assistant Superintendent of Human Resources
 714 N. White Street, Hanford, CA 93230
 (559) 585-3609
 jmartinez@hanfordesd.org

(cf. 1312.3 – Uniform Complaint Procedures)

(cf. 4030 – Nondiscrimination in Employment)

(cf. 5145.7 – Sexual Harassment)

Training

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, and nonsupervisory employee receive at least one hour, of classroom or other effective interactive training and education regarding sexual harassment. All such newly hired employees and employees or promoted employees to a supervisory position shall receive training within six months of their assumption of the new position. (Government Code 12950.1)

A supervisory employee is any employee having the authority, in the interest of the district, to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, adjust their grievances, or effectively recommend such action, when the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgment. (Government Code 12926).

(cf. 4300 - Administrative and Supervisory Personnel)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The district's sexual harassment training and education program for supervisory employees shall be aimed at assisting them in preventing and effectively responding to incidents of sexual harassment, as well as implementing mechanisms to promptly address and correct wrongful behavior. The training shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024.1102311024)

1. Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment, the remedies

2. The types of conduct that constitute available to sexual harassment

3. Remedies available for victims in civil actions, and potential employer/district and/or individual exposure / or liability

2. The types of conduct that constitute 4. Strategies to prevent harassment in the workplace

5. Supervisor's obligation to report sexual harassment, and retaliation of which they become aware

6. and practical Practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources.

3. A supervisor's obligation to report sexual harassment, discrimination, and retaliation of which he/she becomes aware and what to do if the supervisor himself/herself is personally accused of harassment

4. Strategies for preventing harassment, discrimination, and retaliation and appropriate steps to ensure that remedial measures are taken to correct harassing behavior, including an effective process for investigation of a complaint

5. The essential elements of the district's anti-harassment policy, including the 7. The limited confidentiality of the complaint process and resources

8. Resources for victims of unlawful sexual harassment, such as to whom they should report any alleged sexual harassment

9. Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint

10. What to do if the supervisor is personally accused of harassment

11. The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

Employees shall receive 6. A copy of the district's sexual harassment policy and administrative regulations, which they each participant shall read and acknowledge in writing that he/she they has received.

7. The definition and prevention of abusive conduct that addresses the use of derogatory remarks, insults, or

epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance

8-12. Information including practical examples, of harassment based on gender identity, gender expression, and sexual orientation

13. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and others in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisory employees. Such records shall include the names of trained employees, date of the training, the type of training, and the name of the training provider. (2 CCR 11024)

Notifications

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

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

The district shall notify employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

A copy of the Board policy and this administrative regulation shall: (Education Code 231.5)

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

2. Be provided to every district employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired (Education Code 231.5)

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

3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)

4. Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site (34 CFR 106.8)

5. Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employees organizations (34 CFR 106.8)

All employees shall receive a copy of an information sheet prepared by the California Department of Fair

Employment and Housing (DFEH) or the district **information sheets** that contains, at a minimum, components on: (Government Code 12950)

1. The illegality of sexual harassment
2. The definition of sexual harassment under applicable state and federal law
3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee
5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with, or otherwise participating in an investigation, proceeding or hearing conducted by DFEH and the EEOC.

In addition, the district shall post, in a prominent and accessible location, **the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights.** (Government Code 12950)

Complaint Procedures

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaints. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

2 CCR 11006-11086
 2 CCR 11021
 2 CCR 11023
 2 CCR 11024
 2 CCR 11034
 5 CCR 4900-4965
 Ed. Code 200-262.4
 Gov. Code 12900-12996
 Gov. Code 12940
 Gov. Code 12950
 Gov. Code 12950.1
 Lab. Code 1101
 Lab. Code 1102.1

Federal References

20 USC 1681-1688
 34 CFR 106.1-106.9
 34 CFR 106.51-106.61
 42 USC 2000e-2000e-17

Management Resources References

Court Decision
 Court Decision
 Court Decision
 Court Decision
 Court Decision
 U.S. Equal Employment Opportunity Com.
 Publication
 Website
 Website
 Website

Cross References

0410
 0450
 0450
 1312.3
 1312.3

Description

[Discrimination in employment](#)
[Discrimination in employment - retaliation](#)
[Harassment and discrimination prevention and correction](#)
[Required training and education on harassment based on sex, gender identity and expression, and sexual orientation](#)
[Terms, conditions, and privileges of employment](#)
[Nondiscrimination in elementary and secondary education programs](#)
[Educational equity; prohibition of discrimination on the basis of sex](#)
[Fair Employment and Housing Act](#)
[Unlawful discriminatory employment practices](#)
[Sexual harassment](#)
[Sexual harassment training](#)
[Political activities of employees](#)
[Discrimination: sexual orientation](#)

Description

[Title IX prohibition against discrimination](#)
[Nondiscrimination on the basis of sex in education programs or activities](#)
[Nondiscrimination on the basis of sex in employment in education program or activities](#)
[Title VII, Civil Rights Act of 1964, as amended](#)

Description

[Department of Health Services v. Superior Court of California, \(2003\) 31 Cal.4th 1026](#)
[Faragher v. City of Boca Raton, \(1998\) 118 S.Ct. 2275](#)
[Burlington Industries v. Ellreth, \(1998\) 118 S.Ct. 2257](#)
[Gebser v. Lago Vista Independent School District, \(1998\) 118 S.Ct. 1989](#)
[Oncale v. Sundowner Offshore Serv. Inc., \(1998\) 118 S.Ct. 998](#)
[Meritor Savings Bank, FSB v. Vinson et al., \(1986\) 447 U.S. 57](#)
[Promising Practices for Preventing Harassment, November 2017](#)
[California Department of Fair Employment and Housing](#)
[U.S. Department of Education, Office for Civil Rights](#)
[U.S. Equal Employment Opportunity Commission](#)

Description

[Nondiscrimination In District Programs And Activities](#)
[Comprehensive Safety Plan](#)
[Comprehensive Safety Plan](#)
[Uniform Complaint Procedures](#)
[Uniform Complaint Procedures](#)

3530	Risk Management/Insurance
3530	Risk Management/Insurance
3600	Consultants
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4040	Employee Use Of Technology
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4312.9-E(1)	Employee Notifications
4317.7	Employment Status Reports
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4319.21-E(1)	Professional Standards
5145.7	Sexual Harassment
5145.7	Sexual Harassment

Regulation 4119.12: Title IX Sexual Harassment Complaint Procedures
4219.12, 4319.12
Original Adopted Date: Pending

Status: DRAFT

Hanford ESD
Administrative Regulation
Title IX Sexual Harassment Complaint Procedures

AR 4119.12 4219.12, 4319.12
Personnel

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

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

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030 - Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report.

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties, and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.

2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.

If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence
2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30
2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties

2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)
 (cf. 4118 - Dismissal/Suspension/Disciplinary Action)
 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
 (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web

site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites)

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48985 Notices, report, statements and records in primary language

CIVIL CODE

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

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

12950.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1092 Definition of sexual assault

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 34

12291 Definition of dating violence, domestic violence, and stalking

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

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

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

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

106.1-106.82 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

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

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

Reese v. Jefferson School District, (2000, 9th Cir.) 208 F.3d 736

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

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

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

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

Management Resources:

WEB SITES

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

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

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

(7/20) 10/20

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Joy Gabler

FROM: Jaime Martinez

DATE: March 15, 2021

FOR: ☒ Board Meeting
☐ Superintendent's Cabinet

☒ Information
☐ Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **March 24, 2021**

ITEM: Receive the following revised Board Policies for information.

PURPOSE: The following Board Policies are being updated to reflect NEW LAW (AB 1353) which shortens the length of the probationary period for classified employees in non-merit system districts from one year to either six months or 130 days of paid service, whichever is longer.

- BP4216 – Probationary/Permanent Status for Classified employees(revised)
- BP 4315 – Evaluation/Supervision, for Management/ Specialists/Confidential employees (revised)

FISCAL IMPACT: None.

RECOMMENDATION: Consider for adoption at next regular board meeting.

Policy 4216: Probationary/Permanent Status

Status: DRAFT

Original Adopted Date: Pending

Employees newly hired for regular positions in the classified service shall be considered probationary employees until they have satisfactorily completed a period of probationary service not to exceed one year been in paid service with the district for six months or 130 days, whichever is longer. (Education Code 45113, 45301). "Service" shall mean active duty for the period of time prescribed in the collective bargaining agreement, and shall exclude prolonged or repeated absences as provided therein. Upon satisfactorily completing their probationary service, probationary employees shall become permanent classified employees of the district.

Permanent classified employees promoted to a higher classification shall be considered probationary in their new position until they have satisfactorily completed the required probationary service in that position.

Probationary employees shall receive written performance evaluations by their supervisor during the probationary period as provided in administrative regulations and the collective bargaining agreement. These evaluations shall indicate whether the evaluator is satisfied or not satisfied with the employee's ability, performance, and compatibility with the job.

(cf. 4215 - Evaluation/Supervision)

Probationary employees newly hired may be dismissed at any time during their probationary period. A permanent employee who was promoted to a higher classification and fails to satisfactorily complete the probationary period in the new position shall be released from that position during the probationary period and returned to a position in his/her former classification.

(cf. 4218 Dismissal/Suspension/Disciplinary Action)

This policy shall be made available to classified employees and the public.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 45113

Description

[Notification of charges, classified employees](#)

Ed. Code 45240-45320

[Merit system](#)

Management Resources References

Website

Description

[California School Employees Association](#)

Cross References

4112.9

[Employee Notifications](#)

4112.9-E(1)

[Employee Notifications](#)

4161.11

[Industrial Accident/Illness Leave](#)

4161.11

[Industrial Accident/Illness Leave](#)

4212.9

[Employee Notifications](#)

4212.9-E(1)

[Employee Notifications](#)

4215

[Evaluation/Supervision](#)

4215

[Evaluation/Supervision](#)

4261.1

[Personal Illness/Injury Leave](#)

4261.11

[Industrial Accident/Illness Leave](#)

4261.11

[Industrial Accident/Illness Leave](#)

4312.9	Employee Notifications
4312.9-E(1)	Employee Notifications
4361.11	Industrial Accident/Illness Leave
4361.11	Industrial Accident/Illness Leave

Policy 4315: Evaluation/Supervision

Status: DRAFT

Original Adopted Date: 11/07/2001 | **Last Revised Date:** 09/08/2004

A. Certificated and Classified Management Personnel

1. Evaluation Timeline

a. Probationary certificated management employees shall be formally evaluated once during each of the two years of probation. Evaluation conferences shall be conducted not later than February 15th and May 30th of each year.

b. Probationary classified management employees shall be formally evaluated at least twice during the 12 6 months (130 service days) of probation. Evaluation conferences shall be conducted at or about the end of the 5th 3rd month and not later than the end of the 11th 5th month of probation.

c. After successful completion of the probationary period, managers shall be formally evaluated at least once every two years. A manager whose overall performance is assessed as below standard shall be re-evaluated at a time determined by the Superintendent or designee, and at least once every year until such time as the performance meets standards or he/she is separated from service.

2. Evaluation Criteria

Evaluation of employee performance is a continuing process. The periodic formal evaluation of performance and assessment of the competency of management personnel shall summarize the supervisor's ongoing observations during the evaluation period based on the supervisor's observations:

a. The manager's progress toward agreed-upon goals, and objective, professional growth and development, and overall effectiveness of performance

b. Fulfillment of general expectations of professionalism and accountability, support for district programs and services, and compliance with laws, Board of Trustees policies, regulations, and procedures

c. Fulfillment of specific responsibilities and duties established in the manager's job description adopted by the Board

d. Leadership, planning, problem-solving, resource management, and supervision skills

e. Communications skills and effectiveness of working relationship with others, approachability and cooperation, and such additional factors as may be determined by the Superintendent or designee

f. The evaluation shall acknowledge demonstration of special skills, contributions, and achievements, identify areas in need of improvement, and provide guidance and direction for improvement of the employee's effectiveness.

B. Classified Supervisory and Confidential Personnel

1. Timeline

a. Probationary classified supervisors and confidential employees shall be formally evaluated at least twice during their 12 6-month (130 service days) probationary period. Evaluation conferences shall be conducted at or about the end of the 5th 3rd month and not later than at the end of the 11th 5th month of probation. Probationary employees shall be given ongoing training, guidance, and supervision during the evaluation period to ensure a comprehensive and factual assessment of their performance.

b. Permanent classified supervisors and confidential employees shall be formally evaluated at least once every other year. More frequent evaluations shall be conducted if the employee's overall performance does not meet the standards and expectations for his/her position.

2. Evaluation Criteria

Formal evaluation shall address:

a. The competence, diligence, and efficiency with which the employee executes the specific responsibilities and duties of his/her position,

- b. Acknowledge special accomplishments, and general efforts, progress, and contribution,
 - c. Assess the employee's adherence to Board policies, administrative regulations, timelines, and district/department rules and procedures.
 - d. Judge the effectiveness of the employee's working relationships with others, and
 - e. Identify areas in need of improvement, and provide guidance and direction for improvement of the employee's effectiveness
 - f. For supervisor, the evaluation shall also address the employee's ability to solve problems, and to train, assign, direct, and supervise subordinate employees.
 - g. For confidential employees, the evaluation shall include an assessment of the employee's public relations and communications skills, exercise of good judgment, and reliability in maintaining strict confidentiality about labor relations and other privileged communications and personnel matters of a sensitive or confidential nature.
- C. All formal evaluations shall be in written form, signed by the employee and his/her evaluator, and placed in the employee's permanent personnel file. Employees shall be offered an opportunity to respond and have their response attached to the file copy of the evaluation.
- D. The Superintendent or designee shall develop appropriate procedures, forms or formats, and standards of performance for the evaluation of management, supervisory, and confidential personnel, and shall review recommended standards, procedures, and formats with Cabinet-level management staff prior to presentation to the Board for adoption and implementation.
- E. The Superintendent shall ensure that job responsibilities, standards of performance, and general expectations are clearly communicated to all managers, supervisors, and confidential employees and that an effective accountability and communication system exists for the supervision and evaluation of their duties. The Superintendent shall periodically report to the Board on the effectiveness of district management and supervisory employees and shall recommend changes to the evaluation process as needed.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

	Description
Ed. Code 35171	Availability of rules and regulations for evaluation of performance
Ed. Code 44660-44665	Evaluation and assessment of performance of certificated employees
Ed. Code 44670-44671	Principal evaluation
Ed. Code 45113	Notification of charges, classified employees
Gov. Code 3540.1	Public employment definitions
Gov. Code 3543.2	Scope of representation
Gov. Code 3545	Appropriateness of unit; basis

Management Resources References

	Description
Commission on Teacher Credentialing Publication	California Professional Standards for Educational Leaders, February 2014
Website	Commission on Teacher Credentialing
Website	Association of California School Administrators
Website	CSBA
Website	California Department of Education

Cross References

	Description
0000	Vision

0000	Vision
0200	Goals For The School District
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0500	Accountability
2140	Evaluation Of The Superintendent
4000	Concepts And Roles
4112.6	Personnel Files
4112.8	Employment Of Relatives
4112.9	Employee Notifications
4112.9-E(1)	Employee Notifications
4115	Evaluation/Supervision
4115	Evaluation/Supervision
4119.21	Professional Standards
4119.21-E(1)	Professional Standards
4140	Bargaining Units
4212.6	Personnel Files
4212.8	Employment Of Relatives
4219.21	Professional Standards
4219.21-E(1)	Professional Standards
4240	Bargaining Units
4312.1	Contracts
4312.6	Personnel Files
4312.8	Employment Of Relatives
4319.21	Professional Standards
4319.21-E(1)	Professional Standards
4331	Staff Development
4340	Bargaining Units
6020	Parent Involvement
6020	Parent Involvement
6162.5	Student Assessment
6162.5	Student Assessment
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
9000-B	Role Of The Board

HANFORD ELEMENTARY SCHOOL DISTRICT

AGENDA REQUEST FORM

TO: Joy Gabler

FROM: Doug Carlton
DATE: March 1, 2021

For: ☒ Board Meeting
☐ Superintendent's Cabinet

For: ☐ Information
☒ Action

Date you wish to have your item considered: March 24, 2021

ITEM: Consider for approval, the 2020-2021 Updated School Plans for Student Achievement.

PURPOSE: Each school has carefully and thoroughly followed the planning process. School site councils have approved the 2020-2021 school plans. Planning amounts are based on estimated allocations and carryover from the prior school year.

The school plans include funding from Title I Part A, LCFF, CRF, CSI

Fiscal Impact:

School	Title I Funds	LCFF Funds	Coronavirus Relief Funds	CSI Funds	Total School Plan Funds
Hamilton Elementary	\$ 89,922	\$ 13,122	\$ 12,000		\$ 115,044
Hanford CDS	\$ 508	\$ 1,107,217	\$ -	\$ 277,556	\$ 1,385,281
Jefferson	\$ 61,325	\$ 8,737	\$ 12,000		\$ 82,062
Kennedy Jr. High	\$ 131,565	\$ 16,630	\$ 12,000		\$ 160,195
King Elementary	\$ 127,051	\$ 17,912	\$ 12,000		\$ 156,963
Lincoln Elementary	\$ 85,119	\$ 13,155	\$ 12,000		\$ 110,274
Monroe Elementary	\$ 135,534	\$ 18,789	\$ 12,000		\$ 166,323
Richmond Elementary	\$ 93,586	\$ 13,661	\$ 12,000		\$ 119,247
Roosevelt Elementary	\$ 115,607	\$ 16,562	\$ 12,000		\$ 144,169
Simas Elementary	\$ 78,230	\$ 10,761	\$ 12,000		\$ 100,991
Washington Elementary	\$ 98,666	\$ 14,471	\$ 12,000		\$ 125,137
Wilson Jr. High	\$ 119,740	\$ 15,820	\$ 12,000		\$ 147,560
Total	\$ 1,136,853	\$ 1,266,837	\$ 132,000		\$ 2,813,246

RECOMMENDATION: Approve the updated 2020-2021 School Plans

HANFORD ELEMENTARY SCHOOL DISTRICT
Human Resources Department
AGENDA REQUEST FORM

TO: Joy C. Gabler
FROM: Jaime Martinez
DATE: March 15, 2021
RE: (X) Board Meeting
() Superintendent's Cabinet
() Information
(X) Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **March 24, 2021**

ITEM: Consider approval of personnel transactions and related matters.

PURPOSE:

a. Resignations

- Javantae Farmah, READY Program Tutor – 4.5 hrs., Washington, effective 3/5/21

b. Retirement

- Carolyn Hudgins, READY Site Lead – 5.0 hrs., Monroe, effective 6/4/21
- Carolyn Kay Paz, Special Education Aide – 5.0 hrs., Lincoln, effective 6/4/21

c. Job Descriptions

- Assistant Superintendent of Human Resources (revised)
- Assistant Superintendent of Special Services (revised)

RECOMMENDATION: Approve.

HANFORD ELEMENTARY SCHOOL DISTRICT
Job Description

ASSISTANT SUPERINTENDENT OF HUMAN RESOURCES

DEFINITION

The Assistant Superintendent of Human Resources directs and supervises all human resources programs and services; and labor relations between the District and employee associations.

DISTINGUISHING CHARACTERISTICS

The Assistant Superintendent of Human Resources serves as the principal advisor to the Superintendent and Board in the areas of human resources and provides leadership in the development of employment-related goals, policies, programs, and services. The Assistant Superintendent of Human Resources serves as the Chief Negotiator for the District in collective bargaining with the teachers' association (HETA) and the classified employee association (CSEA) and promotes fairness and equity for all employees in accordance with law and the philosophy and policies of the Board of Trustees.

SUPERVISION RECEIVED AND EXERCISED

The Assistant Superintendent of Human Resources, reports directly to the Superintendent; supervises all management and clerical staff assigned to the Human Resources Department, and exercises functional supervision over other District managers to ensure compliance with employment and labor relations laws, policies, regulations, and contract provisions.

ESSENTIAL FUNCTIONS

- Recommends and develops policies and administrative regulations related to human resources programs and services and directs the development of related procedures.
- Directs the development of positions and related job specifications and recommends appropriate placement on salary schedules.
- Oversees the annual certificated and classified staff planning process.
- Oversees the recruitment and selection process for all employment.
- Conducts general employment orientation for new certificated employees and monitors compliance by departments/school with job-specific orientation procedures.

ESSENTIAL FUNCTIONS (Cont.)

- Supervises the preparation of certificated employment contracts in accordance with assignments, approved salary schedules and stipends, placement criteria, and District timelines.
- Directs the preparation of timely and fair employee evaluations based on required standards of performance, collective bargaining agreement procedures, and effective evaluation techniques.
- Reviews teacher evaluation drafts for compliance with evaluation guidelines and procedures and appropriate measures of performance against established standards; provides guidance and recommendations to administrators as needed.
- Serves as Chief Negotiator for the District in contract negotiations with employee associations and enforces collective bargaining agreements.
- Provides training and direction to District managers in the application and interpretation of collective bargaining agreements; employment laws; and effective supervision, evaluation, and discipline practices and procedures.
- Directs the research, planning, negotiation, and contracting of all District health and welfare insurance programs and oversees implementation.
- Provides guidance and assistance to managers in the processing of grievances and complaints arising out of alleged violations of collective bargaining agreements, federal or State law, or District policies and regulations.
- Oversees certification and recertification process for all professional staff.
- Oversees compliance with legal requirements for criminal background checks, pre-employment physicals, pre- and post-employment drug and alcohol testing, tuberculosis testing, and hepatitis vaccinations.
- Monitors legislative developments and case law applicable to public school personnel practices, and advises Superintendent and appropriate managers as needed.
- Directs, and coordinates with legal counsel as needed, all employee discipline, dismissal, grievance arbitration, and litigation; contracts for legal counsel services and monitors legal expenditures.
- Directs classification studies and job audits on Classified positions, evaluates findings, and makes appropriate recommendations.

ESSENTIAL FUNCTIONS (Cont.)

- Directs and oversees staff reductions in accordance with law and the collective bargaining agreements.
- Develops department budget and monitors expenditures.
- Oversees the collection and processing of required staff data to meet legal and District record-keeping and reporting requirements.
- Prepares Human Resources Department agenda for Board consideration/approval of personnel transactions, attends all District Board meetings, makes presentations, and responds to inquiries.
- Participates in conferences and seminars to keep abreast of human resource legal developments and directs appropriate training for other Department staff.
- Serves as a member of Superintendent's Cabinet, Administrative Council, Executive Council and participates in executive planning, strategy development, and resolution of problems.
- Serves as District Complaint Coordinator for investigation and appropriate action related to complaints against employees or involving employees.
- Represents District at meetings of local and State organizations as assigned.
- Directs and participates in regular and special labor relations consultation meetings with employee associations.
- Cooperates with other departments for effective, cooperative interfacing of related functions.
- Provides special assistance, data, reports, and documents related to personnel matters as requested or needed.
- Directs, supervises, and evaluates assigned support staff.
- Serves as HIPPA Coordinator
- Serves as Title IX Coordinator for matters related to employees, interns, volunteers, and job applicants.
- Performs related duties as assigned.

NECESSARY EMPLOYMENT STANDARDS

Knowledge of:

State and Federal laws and regulations pertaining to public school employment, teacher certification, health insurance, and workers' compensation.

Public personnel practices and procedures.

Collective bargaining law and practices in the public school sector.

Recruitment, interviewing, and selection strategies and techniques.

Modern management information systems.

Principles and techniques of employee supervision and evaluation.

Skill and Ability to:

Plan, organize, and direct a comprehensive human resources management system.

Effectively communicate orally and in writing in a clear and concise manner.

Understand and apply complex laws, regulations, and rules.

Analyze cause and effect of employee discipline problems, complaints, and grievances and propose effective and fair immediate and long-term solutions.

Analyze and synthesize a variety of information and develop appropriate conclusions and recommendations.

Develop strategies and successfully negotiate with labor representatives for new or revised collective bargaining agreements, balancing the interests of the District with fair compensation, benefits, and working conditions for employees.

Promote productivity and staff motivation.

Recognize and solve problems with expediency and effectiveness.

Direct, guide, supervise, and evaluate the work of assigned staff.

Skill and Ability to: (continued)

Work cooperatively and effectively with managers, staff, and others contacted in the course of work.

EDUCATION AND EXPERIENCE

Education: Master's Degree.
Formal training in public Human Resources administration.

Licenses: Valid California Teaching Credential.
Valid California Administrative Services Credential.

Experience: A minimum of five years of successful teaching and administrative work experience, including at least one year of work in teacher recruitment and evaluation.

WORKING CONDITIONS

Environment: Office environment.

Physical Abilities: Hearing and speaking to exchange information in person and on the telephone and to make presentations to the Board, Administration, and others; sitting for extended periods of time; and vision sufficient to read and review complex written documentation, financial data, laws and regulations, professional journals, and computer monitor.

Hazards: Possible exposure to contact with dissatisfied or abusive individuals.

Adopted: 10/21/98
Revised: 12/05/01
Revised: 07/21/04
Revised: / 21

HANFORD ELEMENTARY SCHOOL DISTRICT
Job Description

ASSISTANT SUPERINTENDENT OF SPECIAL SERVICES

DEFINITION

Under direction of the Superintendent, the Assistant Superintendent of Special Services provides leadership in special education services, health and guidance programs, directs and coordinates specially funded State and/or Federal grants, after-school child care programs, child welfare and attendance, and student discipline; and monitors District compliance with program goals and objectives.

SUPERVISION RECEIVED AND EXERCISED

The Assistant Superintendent receives general direction from the Superintendent. The Assistant Superintendent supervises the work of certificated and classified staff assigned to the Special Services Department, Child Welfare and Attendance Department, and exercises functional supervision over management, certificated, and classified staff in the areas assigned.

ESSENTIAL FUNCTIONS

- Coordinates and directs the district's special education services, health and guidance programs, after-school childcare programs, and the child welfare and attendance, and student discipline procedures and processes.
- Maintains due process requirements and legal regulations related to student services, coordinates placement of students into and out of programs, and develops and implements inservice training programs appropriate to special education personnel.
- Plans and provides direction to appropriate staff in the implementation of the District's Special Education Master Plan.
- Assists in program selection, implementation, and evaluation at both District and individual levels.
- Establishes effective liaison and, when necessary, inter-agency agreements with other local educational agencies, community services and agencies, and the State Department of Education to coordinate necessary programs and services.

ESSENTIAL FUNCTIONS (continued)

- Keeps informed of funding model and all legal requirements governing special education.
- Assumes responsibility for completing, maintaining, and filing all reports and documents required by the State or federal governments in areas of responsibility.
- Ensures the maintenance of complete and cumulative legal individual records of all children receiving special education services.
- Plans and provides direction to staff regarding the development and monitoring of the district's student conduct policies and procedures.
- Coordinates and monitors the district's after-school childcare programs and ensures compliance with program requirements.
- Interprets the legal requirements for services and programs to the staff, administration, Governing Board, and the public for programs in areas of responsibility.
- Establishes timelines and procedures for planning, implementation, and evaluation of Special Education, Health, and 504 Accommodations.
- Monitors Special Education, Health/Guidance, After-school programs, Grant funding, budget expenditures, and maintains compliance with State and federal regulations.
- Provides school site managers with information and/or training relative to Special Education, Health, Counseling, and 504 Accommodations.
- Maintains close working relationship with school-based and District level administrators to ensure information exchange, coordination of efforts and support for decision making process.
- Addresses and makes presentations to classified and certificated staff, parents, and community groups.
- Supports implementation of District student discipline policy and school sites' Code of Conduct.

ESSENTIAL FUNCTIONS (continued)

- Anticipates problems and designs procedures to address matters of concern and empowers training others to make decisions and carryout responsibilities and facilitate solutions.
- Communicates effectively with a variety of audiences.
- Analyzes statistical data and develops strategies for improvement.
- Plans, organizes, controls, and directs a variety of programs, projects and activities related to Special Education, Health, and Counseling programs.
- Provides technical expertise regarding assigned functions; formulate and develop policies and procedures; develop and evaluate programs for Special Education students.
- Develops and implements long and short-term plans and activities; provide leadership to the goal-setting process.
- Directs the preparation and maintenance of a variety of narrative and statistical reports, records, and files; provide for appropriate research and compile reports for State and federal agencies.
- Communicates with other administrators, District personnel and program personnel to coordinate activities and programs, resolve issues and conflicts, and exchange information; assures proper implementation and communication of program activities with the instructional area personnel.
- Monitors District-wide 504 services and protection.
- Reviews, develops, and communicates health policies to others; provides consultation to personnel regarding health issues.
- Plans, organizes, controls, and directs a variety of programs, projects, and activities related to the administration of Student Services activities and programs; formulates goals and administers regulations.
- Establishes and administers programs and procedures to implement student discipline, expulsion, and exemption actions.
- **Serves at Title IX Coordinator for student related matters.**

NECESSARY EMPLOYMENT STANDARDS

Knowledge of:

- Instructional practices for grades K-8.
- Budget development and management.
- Special programs, policies, and regulations.
- Strategies for improving overall operations of the District.
- Educational leadership strategies for purposes of program improvement.

Skill and Ability to:

- Carry out District policies and regulations in areas assigned.
- Monitor all programs and provide direction for improvement and compliance.
- Manage budgets for assigned programs and areas of responsibility.
- Provide leadership and direction to principals in utilizing support services.

EDUCATION AND EXPERIENCE:

Any combination of education and experience that could likely provide the required knowledge, skills and abilities is qualifying. A typical way to obtain the knowledge, skills and abilities would be:

Education: Masters Degree.

Experience: Four years successful multi-level elementary school teaching experience (K-8), and three years successful administrative experience at school and/or district level.

Licenses and Certificate: A valid California Administrative Services Credential.

WORKING CONDITIONS:

Environment: Office environment.

Physical Abilities: Sitting for extended periods of time, hearing and speaking to exchange information and make presentations, vision sufficient to read complex printed materials and monitor financial data.

Adopted: 07/24/96
Revised: 12/05/01
Revised: 08/23/06
Revised: 10/08/14 (Title change and revision)
Revised: ___/___/21