

# Hanford Elementary School District

## REGULAR BOARD MEETING AGENDA

Wednesday, January 26, 2022

HESD District Office Board Room

714 N. White Street, Hanford, CA

### OPEN SESSION

5:30 p.m.

- Call to Order
- Members Present
- Pledge to the Flag

### OPEN SESSION

- Take action on closed session items

### 1. PRESENTATIONS, REPORTS AND COMMUNICATIONS

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

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

### 2. CONSENT ITEMS

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

- a) Accept warrant listings dated December 10, 2021; December 13, 2021; December 17, 2021; December 27, 2021; January 3, 2022; January 7, 2022 and January 14, 2022.
- b) Approve minutes of Regular Board Meeting held on December 15, 2021.
- c) Approve interdistrict transfers as recommended.

### 3. INFORMATION ITEMS

- a) Receive for information the second quarterly report regarding Williams Uniform Complaints (Gabler)
- b) Receive for information the monthly financial reports for the period of 07/01/2021-12/31/2021 (Endo)
- c) Receive for information the Budget Calendar for the 2022-2023 Budget (Endo)
- d) Receive for information the report from the District Parent Advisory Committee for the meeting held on December 14, 2021 (Meting #1) (Carlton)
- e) Receive for information the report from the District English Learner Advisory Committee for the meeting held on December 16, 2021 (Meting #1) (Gomez)
- f) Receive for information the following rescind/new Administrative Regulation: (Carlton)
  - 1312.4 – Williams Complaints Procedures

- g) Receive for information the following revised Board Policy: (Carlton)
  - 1312.3 – Uniform Complaint Procedures

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

- a) Consider approval of the updated 2021-2022 School Plans for Student Achievement (Carlton)
- b) Consider approval of the California School Accountability Report Cards (SARCs) (Carlton)
- c) Consider approval of the agreement with RMA Geoscience for the modernization at Roosevelt Elementary (Potter)
- d) Consider approval of the contract with Forensic Analytical Consulting Services for the modernization at Roosevelt Elementary (Potter)
- e) Consider approval of the revised Board Policy and Administrative Regulation: (Endo)
  - 3110 – Transfer of Funds
- f) Consider approval of the revised Board Policy and Administrative Regulation: (Endo)
  - 7211 – Developer Fees
- g) Consider approval of the revised Board Policy and Administrative Regulation: (Martinez)
  - 4112.42 / 4212.42 / 4312.42 - Drug and Alcohol Testing for School Bus Drivers
- h) Consider approval of the revised Board Policy: (Martinez)
  - 4131 – Staff Development
- i) Consider approval of the new Board Policy: (Martinez)
  - 4141 / 4241 - Collective Bargaining Agreement
- j) Consider approval of the revised Board Policy and Administrative Regulation: (Martinez)
  - 4158 / 4258 / 4358 - Employee Security

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

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

##### Certificated

- Katherine Sippel, Teacher Probationary I, Washington, effective 1/10/21

##### Classified

- Shelby Alcaraz, Special Education Aide – 5.0 hrs., Wilson, effective 1/10/22
- Yusra Almarush, Yard Supervisor – 3.5 hrs., Simas, effective 1/10/22
- Emily Bush, READY Program Tutor – 4.5 hrs., Washington, effective 1/10/22
- Madison Furtado, READY Program Tutor – 4.5 hrs., Jefferson, effective 1/10/22
- Guadalupe Gonzalez, Yard Supervisor – 1.5 hrs., Roosevelt, effective 1/10/22
- Nathan Harper, READY Program Tutor – 4.5 hrs., Hamilton, effective 1/11/22
- Emily Lerma, Yard Supervisor – 2.5 hrs., Hamilton, effective 1/10/22
- Anahi Linan, Yard Supervisor – 1.5 hrs., Roosevelt, effective 1/10/22
- Esteban Lona Frias, Special Education Aide – 5.0 hrs., Roosevelt, effective 1/10/22
- Kaylyn Strickland, Educational Tutor – 4.5 hrs., Hamilton, effective 1/12/22

##### Classified Temp/Subs

- Nichole Armenta Ferrer, Substitute Yard Supervisor, effective 1/12/22
- Maribel Gonzalez Salas, Substitute Yard Supervisor, effective 1/12/22
- Michael Hernandez, Substitute Custodian I, effective 1/10/22
- Kelvin Shepherd, Athletic Coach, effective 12/6/21
- Elizabeth Steen, Substitute Yard Supervisor, effective 12/6/21
- Biane Teofilo, Substitute Bilingual Clerk Typist II, effective 1/12/22

Promotion/Transfer

- Diego De Alba, from READY Program Tutor – 4.5 hrs., Richmond, to READY Site Lead – 5.0 hrs., King, effective 1/10/22
- Jesse Thompson, from Custodian II – 8.0 hrs., Lincoln, to Lead Custodian – 8.0 hrs., Lincoln, effective 1/3/22

Administrative Transfer

- John Barragan, from Custodian II – 8.0 hrs., King/Monroe Split, to Custodian II – 8.0 hrs., Lincoln, effective 1/10/22
- Salvador Carrasco, from Custodian II – 8.0 hrs., District Office, to Custodian II – 8.0 hrs., King/Monroe Split, effective 1/10/22

Voluntary Transfer

- Arianna Luna, from READY Program Tutor – 4.5 hrs., Hamilton, to READY Program Tutor – 4.5 hrs., Richmond, effective 1/13/22

Voluntary Demotion

- Sherman Royal, from Student Specialist – 8.0 hrs., Richmond, to Custodian II – 8.0 hrs., District Office, effective 1/10/22

Short Term Classified

- Vanessa Chavez, Short-Term Yard Supervisor – 3.25 hrs., Lincoln, effective 1/10/22-4/8/22
- Kevin Chesser, Short-Term Yard Supervisor – 2.5 hrs., Kennedy, effective 1/10/22-4/8/22
- Anthony Diaz, Short-Term Custodian II – 7.0 hrs., Rover, effective 1/10/22-4/8/22
- Silvia Foreman, Short-Term Special Education Aide – 5.75 hrs., Hamilton, effective 1/11/22-4/8/22
- Bertha Martin, Short-Term Bilingual Clerk Typist II – 8.0 hrs., King, effective 1/10/22-3/18/22
- Ayeisha Medina, Short-Term Yard Supervisor – 2.25 hrs., Richmond, effective 1/10/22-4/8/22
- Jeanette Valdez, Short-Term Custodian II – 7.0 hrs., Rover, effective 1/10/22-4/8/22
- Daisy Vargas, Short-Term Yard Supervisor – 3.5 hrs., Roosevelt, effective 1/10/22-4/8/22
- Sandra Virden, Short-Term Yard Supervisor – 3.5 hrs., Simas, effective 1/10/22-4/8/22
- Joseph Williams, Short-Term Yard Supervisor – 1.75 hrs., Monroe, effective 1/10/22-4/8/22

## b) Resignations

- Shelby Alcaraz, Yard Supervisor – 1.0 hrs., Wilson, effective 1/7/22
- Brienne Brieno, READY Site Lead – 5.0 hrs., King, effective 12/17/21
- Jose Ibanez, READY Program Tutor – 4.5 hrs., Richmond, effective 12/17/21
- Anna Mauldin, Substitute READY Program Tutor and Yard Supervisor, effective 9/17/21
- Yvette Mena, Substitute Yard Supervisor, effective 6/4/21
- Jennifer Navarro Rodriguez, Yard Supervisor – 3.5 hrs., Lincoln, effective 1/13/22
- Melanie Pimentel, Substitute Yard Supervisor, effective 12/10/21
- Olga Ramirez, Yard Supervisor – 2.5 hrs., Washington, effective 12/17/21
- Anali Rangel Ramirez, READY Program Tutor – 4.5 hrs., Washington, effective 11/8/21

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

- Demerio Carre, Boys Basketball, Washington, effective 12/6/21-3/12/22
- Antonio Hernandez, Boys Soccer, Wilson, effective 11/8/21-2/9/22
- Michael Quinones, Girls Basketball, Washington, effective 12/6/21-3/12/22
- Kelvin Shepherd, Boys Basketball, Monroe, effective 12/6/21-3/12/22

**6. FINANCIAL (Endo)**

- a) Consider approval of the contract with Sitelogiq for solar generation projects at Hamilton Elementary and Washington Elementary
- b) Consider adoption of Resolution #14-22: Apply for Funding from the Public Benefits Grant – New Alternative Fuel Vehicle Purchase Program
- c) Consider adoption of Resolution #15-22: Kings County Investment Policy

**ADJOURN MEETING**



## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy C. Gabler

FROM: David Endo

DATE: 01/14/2022

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: 01/26/2022

**ITEM:**

Consider approval of warrants.

**PURPOSE:**

The administration is requesting the approval of the warrants as listed on the registers dated: 12/10/21, 12/13/21, 12/17/21, 12/27/21, 01/03/22, 01/07/22 and 01/14/22.

**FISCAL IMPACT:**

See attached.

**RECOMMENDATIONS:**

Approve the warrants.

# Warrant Register For Warrants

## Dated 12/10/2021

Warrant Number	Vendor Number	Vendor Name	Amount
12675152	7768	LARA ALLEN – Reimburse-Mileage	\$157.47
12675153	7786	LORENA ALLEN – Reimburse-Mileage	\$422.69
12675154	6431	AMAZON.COM – Materials/Supplies, Books, Warehouse Inventory	\$13,803.38
12675155	59	ARAMARK UNIFORM & CAREER – Services	\$6,841.20
12675156	6253	AT&T – Telephone Communications	\$88.56
12675157	7778	BOOKPAL LLC – Books	\$434.36
12675158	5806	JASON BRASIL – Reimburse-Materials/Supplies	\$96.27
12675159	7120	KELSEY CANTRELL – Reimburse-Materials/Supplies	\$60.71
12675160	7311	KIMBERLY CARRERA – Reimburse-Materials/Supplies	\$64.15
12675161	6468	NICOLE CARTLEDGE – Reimburse-Materials/Supplies	\$75.37
12675162	7785	ELIZABETH CHAMBERS – Reimburse-Mileage	\$22.40
12675163	7123	CHILD1ST PUBLICATIONS LLC – Materials/Supplies	\$147.35
12675164	7284	LETICIA COLE – Reimburse-Mileage	\$79.95
12675165	7779	SHEILA DIZON – Reimburse-Mileage	\$7.84
12675166	5786	DOCUMENT TRACKING SERVICES – Other Services	\$2,007.75
12675167	7818	ROBERT DUGAN – Reimburse-Mileage	\$104.16
12675168	7830	TERRY DUNCIL – Reimburse-Other Services	\$17.94
12675169	2297	FRESNO ROOFING CO. INC. – Services/Repair	\$16,845.00
12675170	7789	ELIZABETH GARCIA – Reimburse-Mileage	\$8.06
12675171	1393	GAS COMPANY – Utilities	\$5,449.77
12675172	7780	MARIA GRANADO – Reimburse-Mileage	\$242.59
12675173	4300	LESLIE GRIFFITH – Reimburse-Materials/Supplies, Mileage	\$118.03
12675174	620	GRISWOLD LASALLE COBB DOWD – Other Services	\$1,059.17
12675175	647	HANFORD JT. UNION HIGH SCHOOL – Other Services	\$120.12
12675176	2853	LISA HINOJOS – Reimburse-Materials/Supplies	\$355.04
12675177	2188	THE HOME DEPOT PRO – Materials/Supplies	\$232.73
12675178	5264	HOUGHTON MIFFLIN HARCOURT – Books	\$3,241.95
12675179	4882	HUMAN RELATIONS MEDIA – Materials/Supplies	\$659.78
12675180	6573	IXL LEARNING – Other Services	\$11,500.00
12675181	780	GREGORY B. KELLEY – Reimburse-Materials/Supplies	\$52.34
12675182	3962	KINGS COUNTY GLASS – Services/Repair	\$1,619.89
12675183	912	MANGINI ASSOCIATES INC. – Modernization & HVAC Projects	\$147,173.12
12675184	2216	NEIL A. KJOS MUSIC COMPANY – Materials/Supplies	\$447.59
12675185	7788	MARLISA OLIVERA – Reimburse-Mileage	\$166.21
12675186	7787	ESTELLA OROSCO – Reimburse-Mileage	\$40.77
12675187	1087	TRAVIS C. PADEN – Reimburse-Materials/Supplies	\$400.00
12675188	7804	DEBORAH POST – Reimburse-Mileage	\$63.84
12675189	4465	CYNTHIA PURSELL- Reimburse-Materials/Supplies	\$88.00
12675190	7390	QUADIENT INC. – Services/Repair	\$824.36
12675191	5764	QUINN COMPANY – Materials/Supplies	\$454.96
12675192	7831	JULIA RAMOS – Reimburse-Mileage	\$1,196.16
12675193	7827	SERISSA SERNA – Reimburse-Other Services	\$14.00
12675194	7337	JAMEE SERRATO – Reimburse-Materials/Supplies	\$45.68
12675195	3131	SHERWIN-WILLIAMS CO – Materials/Supplies	\$33.92
12675196	7773	WAQUANA SMITH – Reimburse-Mileage	\$332.64
12675197	7774	RAMONA SOLARIO – Reimburse-Mileage	\$141.12
12675198	3800	SONITROL OF FRESNO – Other Services	\$7,596.00
12675199	1392	SOUTHERN CALIFORNIA EDISON CO. – Utilities	\$4,472.47

# Warrant Register For Warrants

## Dated 12/10/2021

Warrant Number	Vendor Number	Vendor Name	Amount
12675200	1403	STANISLAUS FOUNDATION – DENTAL – Health/Welfare Benefits	\$29,027.40
12675201	4381	STAPLES - BUSINESS ADVANTAGE – Materials/Supplies, Warehouse Inv.	\$2,099.15
12675202	7828	ELIZABETH STEEN – Reimburse-Other Services	\$35.00
12675203	2277	BRIAN STONE – Reimburse-Materials/Supplies	\$45.02
12675204	7775	ABELINA SUMAYA – Reimburse-Mileage	\$62.72
12675205	7829	BIANE TEOFILO – Reimburse-Other Services	\$25.00
12675206	1504	TURF STAR INC. – Materials/Supplies	\$631.96
12675207	7380	TWIG EDUCATION INC. – Textbooks	\$1,168.26
12675208	1510	U.S. POSTMASTER-BULK MAIL – Other Services	\$245.00
12675209	1521	UNITED REFRIGERATION INC. – Materials/Supplies	\$1,098.11
12675210	7110	DAISY WALLACE – Reimburse-Mileage	\$65.52
12675211	1575	WALMART COMMUNITY RFCSLLC – Materials/Supplies	\$1,766.37
12675212	4974	WILBOOKS – Books	\$3,571.78
12675213	4152	LAURIE YOUNG – Reimburse-Materials/Supplies	\$63.75
<b>Total Amount of All Warrants:</b>			<b>\$269,331.90</b>



# Credit Card Register For Payments

## Dated 12/10/2021

Document Number	Vendor Number	Vendor Name	Amount
14032302	2	A-Z BUS SALES INC – Materials/Supplies	\$178.69
14032303	509	EWING IRRIGATION PRODUCTS – Materials/Supplies	\$1,014.19
14032304	529	FOLLETT SCHOOL SOLUTIONS – Books, eBooks	\$1,508.03
14032305	599	GOPHER SPORT – Materials/Supplies	\$179.88
14032306	1802	MEDALLION SUPPLY – Materials/Supplies	\$684.34
14032307	1071	ORIENTAL TRADING CO. INC. – Materials/Supplies	\$96.04
14032308	2281	PAR INC. – Materials/Supplies	\$676.08
14032309	1326	SCHOOL SERVICES OF CALIF. INC. – Travel/Conference	\$1,020.00
14032310	1350	SIGN WORKS – Materials/Supplies	\$2,166.45
14032311	5391	STARFALL EDUCATION – Other Services	\$270.00
14032312	1466	TERMINIX INTERNATIONAL – Services	\$778.00
<b>Total Amount of All Credit Card Payments:</b>			<b>\$8,571.70</b>



**Warrant Register For Warrants  
Dated 12/13/2021**

Warrant Number	Vendor Number	Vendor Name	Amount
12675566	1403	STANISLAUS FOUNDATION – DENTAL – Health/Welfare Benefits	\$10,696.97
<b>Total Amount of All Warrants:</b>			<b>\$10,696.97</b>





# Warrant Register For Warrants

## Dated 12/17/2021

Warrant Number	Vendor Number	Vendor Name	Amount
12675657	7255	ACER AMERICA CORPORATION – Materials/Supplies	\$2,166.02
12675658	6271	MARIBEL AGUILERA – Reimburse-Materials/Supplies	\$53.36
12675659	6431	AMAZON.COM – Materials/Supplies	\$2,940.38
12675660	53	AMERICAN MUSIC COMPANY – Materials/Supplies	\$3,138.44
12675661	59	ARAMARK UNIFORM & CAREER – Services	\$3,387.94
12675662	59	ARAMARK UNIFORM & CAREER – Food Services - Services	\$350.39
12675663	5545	CASSANDRA ARCEO – Reimburse-Mileage	\$22.85
12675664	6253	AT&T – Telephone Communications	\$22.68
12675665	7399	BIMBO BAKERIES USA – Food Services-Food	\$1,920.16
12675666	6468	NICOLE CARTLEDGE – Reimburse-Materials/Supplies	\$49.30
12675667	5410	CRUZ CHAVEZ – Reimburse-Materials/Supplies	\$173.04
12675668	5794	APRIL CHENNAULT – Payroll Refund	\$5.80
12675669	4178	COOK'S COMMUNICATION – Materials/Supplies	\$738.88
12675670	405	DASSEL'S PETROLEUM INC. – Materials/Supplies	\$6,761.95
12675671	405	DASSEL'S PETROLEUM INC. – Food Services-Materials/Supplies	\$444.85
12675672	7649	ANTHONY DIAZ – Reimburse-Mileage	\$60.93
12675673	5150	ARIELA DZERIGIAN – Reimburse-Materials/Supplies	\$384.52
12675674	505	ESTRELLITA – Books	\$661.30
12675675	3643	FERGUSON ENTERPRISES LLC #686 – Warehouse Inventory	\$214.50
12675676	3479	FRESNO RACK AND SHELVING CO. INC. – Materials/Supplies	\$6,089.27
12675677	1393	GAS COMPANY – Utilities	\$2,649.04
12675678	591	GOLD STAR FOODS – Food Services-Food	\$14,346.90
12675679	7098	HANFORD CHRISTIAN SCHOOL – Food Services-Other Services	\$1,441.40
12675680	5451	HANFORD ELEMENTARY SCHOOL DISTRICT – Other Services	\$262.50
12675681	647	HANFORD JT. UNION HIGH SCHOOL – Other Services	\$141.00
12675682	4059	BRENT HANKE – Reimburse-Materials/Supplies	\$59.58
12675683	5946	THE HARTFORD – Health/Welfare Benefits	\$1,470.49
12675684	4532	HENRY SCHEIN INC – Warehouse Inventory	\$296.96
12675685	2188	THE HOME DEPOT PRO – Materials/Supplies	\$232.73
12675686	2528	INDUSTRIAL PLUMBING SUPPLY – Materials/Supplies	\$572.28
12675687	6573	IXL LEARNING – Other Services	\$7,954.00
12675688	5648	STACIE JOHNSON – Reimburse-Other Services	\$60.00
12675689	778	KEENAN & ASSOC. MED. EYE SERV. – Health/Welfare Benefits	\$10,911.81
12675690	5828	KINGS COUNTY DEPT OF PUBLIC WORKS – Materials/Supplies	\$24.63
12675691	796	KINGS COUNTY OFFICE OF ED – Other Services	\$48,493.64
12675692	808	KINGS WASTE & RECYCLING – Utilities	\$169.20
12675693	808	KINGS WASTE & RECYCLING – Utilities	\$797.60
12675694	986	LAWNMOWER MAN – Services/Repair, Materials/Supplies	\$490.44
12675695	838	LAWRENCE TRACTOR COMPANY – Materials/Supplies	\$128.68
12675696	7679	LEARNING WITHOUT TEARS – Books	\$610.54
12675697	7260	LOWE'S PRO SERVICES – Materials/Supplies	\$1,094.73
12675698	7101	SHELBY MCWELLS – Reimburse-Materials/Supplies	\$177.28
12675699	7732	METLIFE SMALL MARKET – Health/Welfare Benefits	\$4,530.96
12675700	5510	NEWEGG.COM – Materials/Supplies	\$160.82
12675701	7817	NOREDINK CORP – Other Services	\$2,525.00
12675702	3398	TIM NUANES – Reimburse-Other Services	\$20.00
12675703	1058	OFFICE DEPOT – Materials/Supplies, Warehouse Inventory	\$1,488.07
12675704	977	ORAL MICHAM INC – Richmond Modernization Project	\$251,110.50

# Warrant Register For Warrants

## Dated 12/17/2021

Warrant Number	Vendor Number	Vendor Name	Amount
12675705	1168	PRODUCERS DAIRY PRODUCTS – Food Services-Food	\$8,243.33
12675706	4465	CYNTHIA PURSELL – Reimburse-Materials/Supplies	\$181.41
12675707	1188	QUILL LLC – Warehouse Inventory	\$7,663.33
12675708	2993	TIM REVIOUS – Reimburse-Travel/Conference	\$52.00
12675709	7346	RMA GEOSCIENCE INC. – Roosevelt & Richmond Mod Projects	\$5,268.50
12675710	7751	JOSE ROSAS – Reimburse-Mileage	\$73.30
12675711	5067	RUSSELL SIGLER INC – Materials/Supplies	\$436.51
12675712	1327	SCHOOL SPECIALTY LLC – Warehouse Inventory	\$341.79
12675713	3743	SHRED-IT USA – FRESNO – Services	\$298.55
12675714	1367	SISC III – Health/Welfare Benefits	\$637,181.00
12675715	1392	SOUTHERN CALIFORNIA EDISON CO. – Utilities	\$8,083.37
12675716	773	SPORTS OFFICIATING SERVICE – Other Services	\$10,258.00
12675717	1403	STANISLAUS FOUNDATION – DENTAL – Health/Welfare Benefits	\$10,382.60
12675718	2277	BRIAN STONE – Reimburse-Materials/Supplies	\$224.20
12675719	5622	JOANNA STONE – Reimburse-Mileage	\$156.57
12675720	7092	SUNCREST BANK – Richmond Mod Project	\$13,216.36
12675721	1444	SYSCO FOODSERVICES OF MODESTO – Food Services-Food	\$43,433.11
12675722	1647	VERITIV OPERATING COMPANY – Materials/Supplies	\$96.01
<b>Total Amount of All Warrants:</b>			<b>\$ 1,127,397.28</b>



## Credit Card Register For Payments

### Dated 12/17/2021

Document Number	Vendor Number	Vendor Name	Amount
14032367	415	DELRAY TIRE & RETREADING INC. – Materials/Supplies	\$513.37
14032368	529	FOLLETT SCHOOL SOLUTIONS – Books	\$2,484.79
14032369	5778	HAMERAY PUBLISHING GROUP INC. – Books	\$1,427.40
14032370	3336	HOBART CORPORATION – Food	\$958.71
14032371	708	HOLT LUMBER INC. – Materials/Supplies	\$228.76
14032372	827	LA TAPATIA TORTILLERIA INC. – Food Services-Food	\$1,553.06
14032373	886	LRP PUBLICATIONS INC. – Books	\$84.00
14032374	3620	MENTORING MINDS – Materials/Supplies	\$37.00
14032375	1071	ORIENTAL TRADING CO. INC. – Materials/Supplies	\$125.99
14032376	1121	PERMA-BOUND – Books	\$246.00
14032377	2126	READ NATURALLY – Other Services	\$1,150.00
14032378	1313	SCHOLASTIC TEACHERS STORE – Books	\$597.93
<b>Total Amount of All Credit Card Payments:</b>			<b>\$9,407.01</b>



# Warrant Register For Warrants

## Dated 12/27/2021

Warrant Number	Vendor Number	Vendor Name	Amount
12676107	6253	AT&T – Telephone Communications	\$2,814.91
12676108	3258	BANK OF AMERICA – Travel/Conference, Materials/Supplies, Other Services	\$5,479.76
12676109	6144	KENDRA BANUELOS – Reissue Reimburse-Materials/Supplies	\$16.08
12676110	176	BSN SPORTS – Warehouse Inventory	\$3,360.02
12676111	4021	KELLY BURCHETT – Reissue Reimburse-Materials/Supplies	\$200.00
12676112	7802	JAMES CAMACHO – Reimburse-Mileage	\$21.17
12676113	5799	MIRANDA CANTU – Reimburse-Materials/Supplies	\$29.41
12676114	7834	JENNIFER CARRILLO – Reimburse-Materials/Supplies	\$163.05
12676115	3089	COMMITTEE FOR CHILDREN – Other Services	\$2,630.00
12676116	3973	DANIELLE DARPLI – Reimburse-Materials/Supplies	\$58.11
12676117	528	FOCUS PACKAGING & SUPPLY CO – Warehouse Inventory	\$117.98
12676118	5916	MELANIE GALLAHER – Reissue Reimburse-Mileage	\$27.49
12676119	1393	GAS COMPANY – Utilities	\$1,293.96
12676120	7528	GLOBAL INDUSTRIAL – Materials/Supplies	\$81.49
12676121	506	HAND2MIND INC – Materials/Supplies	\$167.18
12676122	1895	JENNIFER HENDERSON – Reimburse-Materials/Supplies	\$8.10
12676123	6397	KATIE HEUGLY – Reimburse-Materials/Supplies	\$238.38
12676124	4402	JOHNSTONE SUPPLY – Materials/Supplies	\$16.92
12676125	5430	ANDREW MARTINEZ – Reissue Reimburse-Mileage	\$9.99
12676126	7220	JANICE K MILLER – Reissue Refund Payroll	\$11.96
12676127	1058	OFFICE DEPOT – Materials/Supplies	\$11,250.53
12676128	7431	JONATHAN OLIVEIRA – Reimburse-Materials/Supplies	\$38.49
12676129	3905	ORANGE COUNTY DEPT OF ED – Travel/Conference	\$300.00
12676130	3072	JENNIFER PITKIN – Reimburse-Materials/Supplies	\$52.72
12676131	7346	RMA GEOSCIENCE INC. – Richmond Mod, King/Simas Solar	\$1,549.73
12676132	5079	SCHOOL KIDS HEALTHCARE – Warehouse Inventory	\$803.84
12676133	1327	SCHOOL SPECIALTY LLC – Materials/Supplies	\$231.60
12676134	6368	SINCLAIR RESEARCH GROUP – Other Services	\$5,999.99
12676135	1392	SOUTHERN CALIFORNIA EDISON CO. – Utilities	\$18,492.00
12676136	2031	SOUTHWEST SCH & OFFICE SUPPLY – Warehouse Inventory	\$1,959.97
12676137	4064	TULARE COUNTY OFFICE OF ED – Other Services	\$6,125.00
12676138	5373	FRED VARGAS – Reissue Refund Payroll	\$5.95
12676139	1561	CRAIG VIDAL – Reimburse-Materials/Supplies	\$215.26
12676140	2870	WARD'S NATURAL SCIENCE – Materials/Supplies	\$31.27
12676141	3983	WOODROW WILSON PTC – Reissue Materials/Supplies	\$48.00
12676142	1649	LUPE YAETA – Reimburse-Materials/Supplies	\$317.65
12676143	1873	ZEE MEDICAL SERVICE CO. – Materials/Supplies	\$378.22

**Total Amount of All Warrants:**

**\$64,546.18**



**Credit Card Register For Payments**  
**Dated 12/27/2021**

Document Number	Vendor Number	Vendor Name	Amount
14032416	529	FOLLETT SCHOOL SOLUTIONS – Books	\$596.01
14032417	831	LAKESHORE LEARNING MATERIALS – Materials/Supplies	\$183.29
14032418	1313	SCHOLASTIC TEACHERS STORE – Books	\$2,271.78
14032419	1345	SHIFFLER EQUIPMENT SALES INC. – Materials/Supplies	\$247.87
<b>Total Amount of All Credit Card Payments:</b>			<b>\$3,298.95</b>





# Warrant Register For Warrants

## Dated 01/03/2022

Warrant Number	Vendor Number	Vendor Name	Amount
12676631	6253	AT&T – Telephone Communications	\$44.82
12676632	91	AUTOMATED OFFICE SYSTEMS – Services/Repair	\$4,186.27
12676633	7396	CAMERON'S CONCRETE INC. – Services/Repair	\$29,850.00
12676634	4654	CLASSIC SOCCER – Materials/Supplies	\$450.45
12676635	4092	FITNESS FINDERS INC – Materials/Supplies	\$209.00
12676636	1393	GAS COMPANY – Utilities	\$4,468.97
12676637	3656	HANFORD AUTO & TRUCK PARTS – Materials/Supplies	\$1,256.64
12676638	5216	HANFORD ELEMENTARY SCHOOL DISTRICT – Insurance	\$8,505.87
12676639	2188	THE HOME DEPOT PRO – Materials/Supplies	\$1,122.20
12676640	7706	KAWEAH LIFT INC – Materials/Supplies	\$75.84
12676641	3962	KINGS COUNTY GLASS – Services/Repair	\$50.00
12676642	1253	ROBINSON'S INTERIORS INC. – Services/Repair	\$5,698.00
12676643	5067	RUSSELL SIGLER INC – Materials/Supplies	\$205.69
12676644	7644	SIERRA SANITATION INC – Services/Repair	\$483.65
12676645	1356	SILVAS OIL COMPANY INC. – Materials/Supplies	\$878.75
12676646	1374	SMART & FINAL STORES (HFD DO) – Materials/Supplies	\$226.37
12676647	2031	SOUTHWEST SCH & OFFICE SUPPLY – Warehouse Inventory	\$3,618.53
12676648	1603	WESTERN BUILDING MATERIALS – Services/Repair	\$26,795.00
<b>Total Amount of All Warrants:</b>			<b>\$88,126.05</b>



**Credit Card Register For Payments**  
**Dated 01/03/2022**

Document Number	Vendor Number	Vendor Name	Amount
14032440	3599	4IMPRINT INC – Materials/Supplies	\$3,376.49
14032441	415	DELRAY TIRE & RETREADING INC. – Services/Repair	\$56.52
<b>Total Amount of All Credit Card Payments:</b>			<b>\$3,433.01</b>



# Warrant Register For Warrants

## Dated 01/07/2022

Warrant Number	Vendor Number	Vendor Name	Amount
12676803	6431	AMAZON.COM – Materials/Supplies, Books, Warehouse Inventory	\$6,281.63
12676804	3947	ATKINSON ANDELSON LOYA RUUD & ROMO – Other Services	\$9,927.77
12676805	149	BLICK ART MATERIALS – Materials/Supplies	\$562.08
12676806	236	STATE OF CALIFORNIA – Other Services	\$586.00
12676807	3012	CBS DOOR – Materials/Supplies	\$16.92
12676808	3973	DANIELLE DARPLI – Reimburse-Mileage	\$21.62
12676809	1393	GAS COMPANY – Utilities	\$6,384.28
12676810	7835	MARIBEL GONZALEZ SALAS – Reimburse-Other Services	\$35.00
12676811	7592	HANFORD SENTINEL – Other Services	\$788.43
12676812	632	CITY OF HANFORD – Utilities	\$1,510.28
12676813	7457	KG COMMUNICATIONS INC. – Other Services	\$1,174.45
12676814	2909	MARCELA NICOLE NASH – Reimburse-Mileage	\$32.88
12676815	3689	PIONEER VALLEY ED. PRESS – Books	\$9,491.63
12676816	1392	SOUTHERN CALIFORNIA EDISON CO. – Utilities	\$3,874.67
12676817	1404	STANISLAUS FOUNDATION – ADMIN – Health/Welfare Benefits	\$2,781.25
12676818	1403	STANISLAUS FOUNDATION – DENTAL – Health/Welfare Benefits	\$23,296.43
12676819	4381	STAPLES - BUSINESS ADVANTAGE – Materials/Supplies	\$408.62
12676820	7673	STEPHEN L. HAHN INSPECTIONS – Richmond Mod Project	\$3,525.00
12676821	5622	JOANNA STONE – Reimburse-Mileage	\$38.36
12676822	1780	UNITED RENTALS – Services/Repair	\$1,374.74
12676823	2653	VALLEY OXYGEN – Materials/Supplies	\$212.69
12676824	1647	VERITIV OPERATING COMPANY – Materials/Supplies	\$347.32
12676825	1558	VERIZON WIRELESS – Telephone Communications	\$1,096.26
12676826	6943	WEST VALLEY SUPPLY – Materials/Supplies	\$882.85

**Total Amount of All Warrants:**

**\$74,651.16**



**Credit Card Register For Payments**  
**Dated 01/07/2022**

Document Number	Vendor Number	Vendor Name	Amount
14032453	297	CENTRAL SANITARY SUPPLY -Warehouse Inventory	\$1,071.21
14032454	599	GOPHER SPORT – Materials/Supplies	\$1,437.85
14032455	2321	GRAPHIC ENTERPRISES INC. – Materials/Supplies	\$184.43
14032456	1802	MEDALLION SUPPLY – Materials/Supplies	\$14.16
14032457	4550	SCHOOL OUTFITTERS – Materials/Supplies	\$92.11
14032458	1345	SHIFFLER EQUIPMENT SALES INC. – Materials/Supplies	\$572.93
<b>Total Amount of All Credit Card Payments:</b>			<b>\$3,372.69</b>





# Warrant Register For Warrants

## Dated 01/14/2022

Warrant Number	Vendor Number	Vendor Name	Amount
12677119	4787	AKJ WHOLESALE LLC – Books	\$249.48
12677120	7768	LARA ALLEN – Reimburse-Mileage	\$82.88
12677121	7786	LORENA ALLEN – Reimburse-Mileage	\$248.64
12677122	3893	ALLIED ELECTRIC MOTOR SERV INC – Warehouse Inventory	\$32.07
12677123	4566	ALLIED STORAGE CONTAINERS – Services/Repair	\$396.83
12677124	59	ARAMARK UNIFORM & CAREER – Food Services-Services	\$169.78
12677125	149	BLICK ART MATERIALS – Materials/Supplies	\$112.60
12677126	5806	JASON BRASIL – Reimburse-Materials/Supplies	\$21.43
12677127	176	BSN SPORTS – Warehouse Inventory, Materials/Supplies	\$1,297.64
12677128	414	DELL COMPUTER CORPORATION – Materials/Supplies	\$2,229.05
12677129	7840	ARIANA DESOTO – Reimburse-Other Services	\$10.00
12677130	4815	DIGITECH INTEGRATIONS INC – Services/Repair	\$1,700.74
12677131	7779	SHEILA DIZON – Reimburse-Mileage	\$8.62
12677132	5786	DOCUMENT TRACKING SERVICES – Other Services	\$955.27
12677133	7818	ROBERT DUGAN – Reimburse-Mileage	\$62.50
12677134	7833	EMPOWERING EDUCATION – Other Services	\$1,490.00
12677135	7317	FORENSIC ANALYTICAL SERVICES INC. – Roosevelt Mod Project	\$520.00
12677136	5300	FREEWAY TOYOTA OF HANFORD – Materials/Supplies	\$461.28
12677137	3479	FRESNO RACK AND SHELVING CO. INC. – Materials/Supplies	\$2,899.45
12677138	7837	GUS GARCIA – Refund-Payroll	\$36
12677139	576	DANIEL GERBRANDT – Refund-Payroll	\$269.20
12677140	7528	GLOBAL INDUSTRIAL – Materials/Supplies	\$198.87
12677141	591	GOLD STAR FOODS – Food Services-Food	\$1,411.68
12677142	7780	MARIA GRANADO – Reimburse-Mileage	\$114.91
12677143	3253	CORI GRIFFIN – Reimburse-Materials/Supplies	\$195.75
12677144	7794	CHRISTABEL GUERRERO – Reimburse-Materials/Supplies	\$177.00
12677145	641	HANFORD ELEM. REVOLVING FUND – Other Services	\$1,749.37
12677146	632	CITY OF HANFORD – Utilities	\$6,658.84
12677147	5946	THE HARTFORD – Health/Welfare Benefits	\$1,457.00
12677148	7838	ANTONIO HERNANDEZ – Reimburse-Other Services	\$25.00
12677149	7841	JOSEPH HERNANDEZ – Refund-Payroll	\$89.10
12677150	5264	HOUGHTON MIFFLIN HARCOURT – Books, Materials/Supplies	\$3,863.09
12677151	778	KEENAN & ASSOC. MED. EYE SERV. – Health/Welfare Benefits	\$10,812.26
12677152	801	KINGS COUNTY MOBILE LOCKSMITH – Materials/Supplies	\$817.25
12677153	802	KINGS COUNTY PIPE & SUPPLY – Materials/Supplies	\$30.98
12677154	808	KINGS WASTE & RECYCLING – Utilities	\$137.58
12677155	808	KINGS WASTE & RECYCLING – Utilities	\$346.40
12677156	7821	LOW COST EARBUDS – Warehouse Inventory	\$3,831.95
12677157	7732	METLIFE SMALL MARKET – Health/Welfare Benefits	\$4,513.56
12677158	3424	JACQUELINE MONZON – Reimburse-Materials/Supplies	\$190.05
12677159	5510	NEWEGG.COM – Materials/Supplies	\$133.47
12677160	7424	ODELL PLANNING & RESEARCH INC – Other Services	\$3,400.00
12677161	1058	OFFICE DEPOT – Materials/Supplies	\$411.38
12677162	7788	MARLISA OLIVERA – Reimburse-Mileage	\$106.85
12677163	7787	ESTELLA OROSCO – Reimburse-Mileage	\$23.30
12677164	5111	P & R PAPER SUPPLY COMPANY INC – Food Services-Materials/Supplies	\$6,141.21
12677165	3689	PIONEER VALLEY ED. PRESS – Materials/Supplies	\$392.86
12677166	7804	DEBORAH POST – Reimburse-Mileage	\$33.60

# Warrant Register For Warrants

## Dated 01/14/2022

Warrant Number	Vendor Number	Vendor Name	Amount
12677167	1168	PRODUCERS DAIRY PRODUCTS – Food Services-Food	\$5,564.16
12677168	7401	RIVERSIDE INSIGHTS – Materials/Supplies	\$2,375.74
12677169	7346	RMA GEOSCIENCE INC. – Solar Shade Projects, Mod Projects	\$14,115.34
12677170	1253	ROBINSON'S INTERIORS INC. – Services/Repair	\$24,956.00
12677171	5685	SHERMAN ROYAL – Refund-Payroll	\$140.02
12677172	7579	SELMA NISSAN – Equipment	\$37,371.09
12677173	3131	SHERWIN-WILLIAMS CO – Materials/Supplies	\$14.29
12677174	1367	SISC III – Health/Welfare Benefits	\$630,411.00
12677175	1801	SMART & FINAL STORES (HFD KIT) – Food Services-Food	\$176.96
12677176	7774	RAMONA SOLARIO – Reimburse-Mileage	\$78.40
12677177	1392	SOUTHERN CALIFORNIA EDISON CO. – Utilities	\$81,564.62
12677178	1403	STANISLAUS FOUNDATION – DENTAL – Health/Welfare Benefits	\$20,242.20
12677179	7775	ABELINA SUMAYA – Reimburse-Mileage	\$39.42
12677180	1444	SYSCO FOODSERVICES OF MODESTO – Food Services-Food	\$2,864.22
12677181	4581	TIGER SUPPLIES INC – Materials/Supplies	\$3,099.58
12677182	7811	TRAVEL HAVEN MOTEL – Other Services	\$846.72
12677183	3154	UPS – Postage	\$81.61
<b>Total Amount of All Warrants:</b>			<b>\$884,422.50</b>



**Credit Card Register For Payments  
Dated 01/14/2022**

Document Number	Vendor Number	Vendor Name	Amount
14032478	176	BSN SPORTS – Materials/Supplies	\$1,496.92
14032479	529	FOLLETT SCHOOL SOLUTIONS – Books	\$1,525.03
14032480	599	GOPHER SPORT – Materials/Supplies	\$612.31
14032481	5778	HAMERAY PUBLISHING GROUP INC. – Books	\$625.41
14032482	1466	TERMINIX INTERNATIONAL – Food Services-Services	\$40.00
<b>Total Amount of All Credit Card Payments:</b>			<b>\$4,299.67</b>



Hanford Elementary School District  
*Minutes of the Annual Organizational Board Meeting*  
*December 15, 2021*

Minutes of the Annual Organizational Board Meeting of the Hanford Elementary School District Board of Trustees on December 15, 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. Trustees Revious, Hernandez, and Strickland were present. Trustee Garner arrived at 6:26 p.m.

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

**CLOSED SESSION**

**Closed Session** Trustees adjourned to closed session at 5:30 for the purpose of:

- Student Discipline pursuant to Education Code section 48918

**Open Session** Trustees returned to open session at 5:47 p.m.

**Case #22-04, #22-05, #22-07** Trustee Hernandez moved to accept the Findings of Facts and expel Case #22-04, #22-05, #22-07 for the remainder of the 2021-22 school year for violation of Education Code 48900 and/or 48915 as determined by the Administrative Panel at hearings held on December 13, 2021. Parents may apply for readmission on or after June 3, 2022. Trustee Revious seconded; motion carried 4-0:

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

**Case #22-06** Trustee Hernandez moved to accept the Findings of Facts and expel Case #22-06 for the remainder of the 2021-22 school year for violation of Education Code 48900 and/or 48915 as determined by the Administrative Panel at hearings held on December 13, 2021. However, Trustee Hernandez further moved that the expulsion order be immediately suspended and the student return to regular school in probationary status on a Behavior Conditions Plan through June 3, 2022. Trustee Strickland seconded; motion carried 4-0:

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

**Case #22-08** Trustee Hernandez moved to accept the Findings of Facts and Case #22-08 and suspend student from continuation program for the remainder of the 2021-22 school year for violation of Education Code 48900 and/or 48915 as determined by the Administrative Panel at hearings held on December 13, 2021. Parents may apply for Readmission on or after June 3, 2022. Trustee Revious seconded; motion carried 4-0:

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

**Agenda Amendment** Trustee Revious recommended an amendment to the agenda to move the Annual Board Organization above the Financial section. The Board agreed with amendment.

### **PRESENTATIONS, REPORTS AND COMMUNICATIONS**

**Public Comments** None

**Board and Staff Comments** None

**Requests to Address the Board** None

**Dates to Remember** President Garcia reviewed dates to remember: Winter Break – December 20th to January 7th; Holiday-Christmas – December 23rd and 24th; Holiday-New Years – December 30th and 31st; Holiday-MLK Day – January 17th.

### **PUBLIC HEARING**

**Public Hearing: Trustee Area Boundaries** At 5:57 p.m. President Garcia opened the Public Hearing for the Revised Trustee Area Boundaries Pursuant to California Education Code Section 5019.5.

Joy Gabler, Superintendent, introduced Scott Odell to present information on the maps and answer any questions.

Scott Odell stated they prepared two scenarios with the goal of balancing population. The current maps had a deviation of 15.4% which exceeded the guideline of 10%. The adjusting of the maps was not an extensive adjustment. Both scenarios accomplished the goal to balance population and did not dilute the Latino population. Scott reviewed each map and its changes. He finalized by saying either map is perfectly acceptable and would meet all guidelines. Trustee Strickland said he was leaning more towards map 1 but is good with either one. Trustee Revious said he doesn't have a preference.



Superintendent read the comment received by Barbara Castle on December 15, 2021 at 1:26 PM stating: As a resident of area 3, I commend this board in developing 2 maps that create 2 majority Latino trustee areas. While both are acceptable, I believe that scenario 2 best meets the criteria. I noted that the far eastern section of current area 3 is shifted to areas that represent the nearest schools. Straightening the boundaries to Grangeville and Douty St was also appropriate.

Trustee Strickland made a motion to adopt Map #1. Trustee Revious seconded; motion carried 4-0:

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

President Garcia called for questions from the public, and there being none the Public Hearing was closed at 6:10 p.m.

### **TRUSTEE AREA REDISTRICTING**

**Resolution #13-22** a) Trustee Strickland made a motion to approve Resolution #13-22: Approval of Revised Trustee Area Boundaries Pursuant to California Education Code Section 5019.5. Trustee Revious seconded; motion carried 4-0:  
Garcia – Yes  
Garner – Absent  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

### **PUBLIC HEARING**

**Public Hearing:** At 5:53 p.m. President Garcia opened the Public Hearing for the Making Certain Findings for Government Code Section 4217, Approval of Facility Solutions Agreement Between the Hanford Elementary School District and Sitelogiq for the Purpose of Construction, Installation of Energy Efficiency Measures on Selected District Sites.

David Endo, Chief Business Official, stated this resolution will allow for the District to go into an agreement with SitelogIQ for installation of energy efficiency measures at Simas Elementary. They will replace and update HVAC units. If we go into contract now it will allow for SiteloIQ to order parts immediately and lock in the price as they anticipate everything to go up 12%.

President Garcia called for questions from the public, and there being none the Public Hearing was closed at 5:56 p.m.

## CONSENT ITEMS

Trustee Strickland made a motion to take consent items "a" through "f" together.  
Trustee Revious seconded; motion carried 4-0:

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

Trustee Strickland then made a motion to approve consent items "a" through "f".  
Trustee Revious seconded; motion carried 4-0:

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

The items approved are as follows:

- a) Warrant listings dated November 3, 2021; November 5, 2021; November 12, 2021; November 19, 2021; November 29, 2021 and December 3, 2021.
- b) Minutes of Regular Board Meeting held on November 10, 2021.
- c) Interdistrict transfers as recommended.
- d) Donations of clothing, bags and gift cards to Lincoln homeless and foster youth from Griselda Yrigollen, the Felix Family, the Mora Family & Friends in memory of Lupe Felix.
- e) Donation of 12 gift cards valued at \$200.00 each from Foods Co. for families in need at Lincoln Elementary.
- f) Donation of \$1,500.00 from Aaron's Community Outreach Program to Hanford Elementary School District.

## INFORMATION ITEMS

- |   |   |
|---|---|
| <b>Monthly<br/>Financial Report<br/>7/1/21 -<br/>11/30/21</b> | David Endo, Chief Business Official, presented for information the monthly financial reports for the period of 07/01/2021-11/30/2021.<br><br><i>President Garcia commended David Endo and Doug Carlton for all they do.</i> |
| <b>BP/AR 3110</b>   | David Endo, Chief Business Official, presented for information the following revised Board Policy and Administrative Regulation: <ul style="list-style-type: none"><li>• 3110 – Transfer of Funds</li></ul>                 |
| <b>BP/AR 7211</b>   | David Endo, Chief Business Official, presented for information the following revised Board Policy and Administrative Regulation: <ul style="list-style-type: none"><li>• 7211 – Developer Fees</li></ul>                    |

- BP/AR 4112.42 / 4212.42 / 4312.42** Jaime Martinez, Assistant Superintendent to Human Resources, presented for information the following revised Board Policy and Administrative Regulation:
- 4112.42 / 4212.42 / 4312.42 – Drug and Alcohol Testing for School Bus Drivers

- BP 4131** Jaime Martinez, Assistant Superintendent to Human Resources, presented for information the following revised Board Policy:

- 4131 – Staff Development

- BP 4141 / 4241** Jaime Martinez, Assistant Superintendent to Human Resources, presented for information the following new Board Policy:

- 4141 / 4241 – Collective Bargaining Agreement

- BP/AR 4158 / 4258 / 4358** Jaime Martinez, Assistant Superintendent to Human Resources, presented for information the following revised Board Policy and Administrative Regulation:
- 4158 / 4258 / 4358 – Employee Security

### **BOARD POLICIES AND ADMINISTRATION**

- Resolution #10-22** Trustee Revious made a motion to adoption Resolution #10-22: Regarding Absent Board Member Compensation. Trustee Strickland seconded; motion carried 4-0:
- Garcia – Yes
  - Garner – Absent
  - Hernandez – Yes
  - Revious – Yes
  - Strickland – Yes

- Educator Effectiveness Block Grant Expenditure Plan** Trustee Strickland made a motion to adopt the Hanford Elementary School District Educator Effectiveness Block Grant Expenditure Plan. Trustee Hernandez seconded; motion carried 4-0:
- Garcia – Yes
  - Garner – Absent
  - Hernandez – Yes
  - Revious – Yes
  - Strickland – Yes

- BP/AR 5141.52** Trustee Hernandez made a motion to approve the revised Board Policy and Admirative Regulation 5141.52 – Suicide Prevention. Trustee Revious seconded; motion carried 4-0:
- Garcia – Yes
  - Garner – Absent
  - Hernandez – Yes
  - Revious – Yes
  - Strickland – Yes

- BP/AR 6020** Trustee Hernandez made a motion to approve the revised Board Policy and Admirative Regulation 6020 – Parent Involvement. Trustee Strickland seconded; motion carried 4-0:
- Garcia – Yes

Garner – Absent  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

**BP/AR 5145.7** Trustee Revious made a motion to approve the revised Board Policy and Admirative Regulation 5145.7 – Sexual Harassment. Trustee Hernandez seconded; motion carried 4-0:

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

**AR/E 5145.71** Trustee Revious made a motion to approve the revised Administrative Regulation and Exhibit 5145.71 – Title IX Sexual Harassment Complaint Procedures. Trustee Hernandez seconded; motion carried 4-0:

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

## **PERSONNEL**

Trustee Revious made a motion to take Personnel items “a” through “f” together. Trustee Hernandez seconded; the motion carried 4-0:

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

Trustee Revious then made a motion to approve Personnel items “a” through “f”. Trustee Hernandez seconded; the motion carried 4-0:

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

### ***Item “a” – Employment***

The following items were approved:

#### Certificated

- Jose Luis Cruz, Teacher, Probationary I(Intern), Woodrow Wilson, effective 12/6/21

#### Classified Temp/Subs

- Kalea-Marie Bush, Athletic Coach, effective 11/8/21
- Terry Duncil, Athletic Coach, effective 11/8/21

- Tammy Johnson, Substitute Administrative Secretary I, effective 11/9/21
- Adam Medrano, Substitute Custodian I, effective 11/29/21
- Gabriela Perez-Vigil, Substitute READY Program Tutor, effective 11/8/21
- Serissa Serna, Athletic Coach, effective 11/8/21

Short Term Employees

- April Tamayo-Alatorre, Short-Term Clerk Typist I – 7 hrs., effective 11/1/21-12/17/21 REVISED

Administrative Transfer

- Allen Christian Altamirano, from Special Circumstance Aide – 5.75 hrs., Richmond, to Special Circumstance Aide – 5.75, Monroe, effective 10/6/21

***Item "b" – Resignations***

- Juana De La Cruz-Moran, Substitute Food Service Worker I/II, Translator: Oral Interpreter, Translator: Written Translator and Yard Supervisor, effective 6/4/21
- Meriah DeBem, Substitute READY Program Tutor, effective 6/4/21
- Marcelina Espino, Substitute Special Circumstance Aide, effective 11/03/21
- Darius Jackson, Special Education Aide – 5.0 hrs., Roosevelt, effective 12/17/21
- Richard LaRue, Substitute Yard Supervisor, effective 10/29/21
- Carolina Munoz-Gomez, Substitute Special Circumstance Aide, Special Education Aid, READY Program Tutor and Yard Supervisor, effective 6/4/21
- Rosie Ochoa, Substitute Yard Supervisor, effective 10/8/21
- Anali Rangel Ramirez, READY Program Tutor – 4.5 hrs., Washington, effective 11/8/21
- Michelle Ruble, Substitute Yard Supervisor, effective 6/4/21
- Isabella Sanders, READY Program Tutor – 4.5 hrs., Roosevelt, effective 11/5/21
- Laura Terrazas, Substitute Licensed Vocational Nurse, effective 6/4/21
- Colett Vasquez, Substitute Yard Supervisor, effective 6/4/21
- Janell Zendejas, Substitute Bilingual Clerk Typist I, Clerk Typist I, Translator: Oral Interpreter and Written Translator, effective 6/4/21

Resignations (failed to respond to annual notification for substitute/temporary employees)

- Justin Cantu Salcedo, Substitute Yard Supervisor, effective 6/4/21
- Gema Martinez, Substitute Yard Supervisor, effective 6/4/21
- Matthew Nash, Substitute Custodian I, effective 6/4/21
- Jacqueline Tellez, Substitute Yard Supervisor, effective 6/4/21
- Fabiola Varela, Substitute Food Service I/II, effective 6/4/21
- Jade Vasquez, Substitute Yard Supervisor, effective 6/4/21
- Vicky Eversole, Food Service Worker II – 2.5 hrs., Wilson, effective 11/27/20

***Item "c" – Promotion/Transfer***

- Alexander Mejia, from READY Program Tutor – 4.5 hrs., Richmond to READY Program Tutor – 4.5 hrs., Jefferson, effective 11/1/21
- Sydra Montes, from READY Program Tutor – 4.5 hrs. Lincoln, to READY Program Tutor – 4.5 hrs., Richmond, effective 8/18/21

***Item "d" – Retirement***

- Domingo Carrasco, Lead Custodian – 8.0 hrs., Lincoln, effective 12/30/21

*President Garcia thanked Domingo Carrasco for his years of services to HESD.*

**Item "e" –  
Unpaid Leave**

- Maria Calvillo, Counselor, King, Maternity Leave, from 12/02/21-12/17/21

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

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

- Kalea-Marie Bush, Boys 7th Basketball, Wilson, effective 11/8/21-2/16/22
- Terry Duncil, Boys 7th Soccer, Kennedy, effective 11/8/21-2/9/22
- Cristian Moreno, Boys 7th Basketball, Kennedy, effective 11/8/21-2/16/22
- Serissa Serna, Girls 8th Soccer, Kennedy, effective 11/8/21-2/9/22

**ANNUAL BOARD ORGANIZATION**

Secretary of the Board, Superintendent Gabler, conducted the election of officers for 2022.

**Garner elected  
President for  
2022**

Trustee Garcia nominated Trustee Garner and Trustee Strickland nominated Revious for President of the HESD Board of Trustees. Trustee Revious declined nomination and expressed his support for Trustee Garner serving as President. Trustee Strickland withdrew his nomination. There were no other nominations. Trustee Strickland moved that nominations be closed, Trustee Revious seconded, and the motion carried 5-0:

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

Trustees then casted their votes by roll call for Trustee Garner as President of the Board of Trustees:

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

By unanimous vote, Trustee Garner was elected to serve as 2022 President of HESD Board of Trustees.

**Revious elected  
Vice-President  
for 2022**

Trustee Garcia nominated Trustee Revious for Vice-President of the HESD Board of Trustees. There were no other nominations. Trustee Strickland moved that nominations be closed, Trustee Garcia seconded, and the motion carried 5-0:

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

Trustees then casted their vote for Trustee Revious as Vice-President of the Board of Trustees:

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

By unanimous vote, Trustee Revious was elected to serve as 2022 Vice-President of HESD Board of Trustees.

**Hernandez  
elected Clerk for  
2022**

Trustee Revious nominated Trustee Hernandez for Clerk of the Board of Trustees. There were no other nominations. Trustee Garcia moved that nominations be closed, Trustee Garner seconded, and the motion carried 5-0:

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

Trustees then casted their vote for Trustee Hernandez as Clerk of the Board:

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

By unanimous vote Trustee Hernandez was elected to serve as 2022 Clerk for the HESD Board of Trustees.

**Committee  
Appointments**

President Garner appointed Trustees to serve on the following committees for 2021 as follows:

Budget Committee – Garcia and Strickland  
Kings County School Boards Association – Garner  
HESD Educational Foundation – Revious

Trustee Garcia motioned to adopt the appointed Trustees. Trustee Revious seconded; motion carried 5-0:

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

**Board Meeting  
2022 Calendar**

Trustee Strickland motioned to adopt the Board Meeting Calendar for 2022 with the amendment. Trustee Revious seconded; motion carried 5-0:

Garcia – Yes  
Garner – Absent

Hernandez – Yes  
Revious – Yes  
Strickland – Yes

## **FINANCIAL**

- Certification of Signatures** Trustee Garcia made a motion to approval the certification of signatures. Trustee Strickland seconded; motion carried 5-0:  
Garcia – Yes  
Garner – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes
- Kings County Treasurer's Quarterly Compliance Report** Trustee Garcia made a motion to approve the Kings County Treasurer's Quarterly Compliance Report with an interest rate for the quarter of 0.6229%. Trustee Hernandez seconded; motion carried 5-0:  
Garcia – Yes  
Garner – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes
- SchoolWorks – Services Contract** Trustee Garcia made a motion to approve the Contract for Services with SchoolWorks to Conduct a Demographic and Enrollment Study. Trustee Revious seconded; motion carried 5-0:  
Garcia – Yes  
Garner – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes
- Resolution #11-22** Trustee Strickland made a motion to adopt Resolution #11-22, Application for funding to replacement diesel mower with an electric mower through the Clean Green Yard Machine Commercial Voucher Program administered by the San Joaquin Valley Air Pollution Control District. Trustee Garcia seconded; motion carried 5-0:  
Garcia – Yes  
Garner – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes
- Resolution #12-22** David Endo, asked to make an amendment to the agenda request cover sheet, the amount should read \$537,529 instead of \$541,267.
- Trustee Revious made a motion to adopt Resolution #12-22, Facility Solutions Agreement between the Hanford Elementary School District and SitelogIQ for the purpose of construction, installation of energy efficiency measures on selected District sites. Trustee Garcia seconded; motion carried 5-0:  
Garcia – Yes



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

**Adjournment**      There being no further business, President Garner adjourned the meeting at 6:38 p.m.

Respectfully submitted,

Joy C. Gabler,  
Secretary to the Board of Trustees

Approved: \_\_\_\_\_  
Jeff Garner, President

\_\_\_\_\_  
Lupe Hernandez, Clerk

No	A/D	Sch Req'd	Home Sch	Date
I-240	A	Monroe	Pioneer	1/14/2022
I-241	A	Monroe	Pioneer	1/14/2022
I-242	A	Roosevelt	Pioneer	1/14/2022
I-243	A	Roosevelt	Pioneer	1/14/2022
I-244	A	Roosevelt	Pioneer	1/14/2022
I-245	A	Simas	Armona	1/14/2022
I-246	A	Washington	Pioneer	1/14/2022
I-247	A	Hamilton	Armona	1/14/2022
I-248	A	Washinton	Pioneer	1/14/2022
I-249	A	Hamilton	Pioneer	1/14/2022
I-250	A	Kennedy	Pioneer	1/14/2022

No	A/D	Sch Req'd	Home Sch	Date
O-159	A	Kingsburg	Richmond	1/14/2022
O-160	A	Kit Carson	Washington	1/14/2022
O-161	A	Lemoore	Roosevelt	1/14/2022
O-162	A	Lemoore	Roosevelt	1/14/2022

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: January 11, 2022

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☒ Information  
☐ Action

Date you wish to have your item considered: January 26, 2022

**ITEM:** Quarterly report (10/01/21 - 12/31/21) regarding Williams Uniform Complaints. The types of complaints covered in the Williams Uniform Complaint Procedures are:

1. Instructional Materials - Sufficient textbooks and instructional materials
2. Facilities – conditions that pose an emergency or urgent threat to the health or safety of students or staff
3. Teacher vacancy or misassignment

**PURPOSE:** To comply with the requirements Education Code 35186, the Superintendent shall report summarized data on the nature and resolution of all Williams Uniform Complaints to the Board and the County Superintendent of Schools on a quarterly basis.

For the second quarter of 2021-2022 school year there were no Williams Uniform Complaints filed.

**FISCAL IMPACT:** None

**RECOMMENDATIONS:** None

# Quarterly Report on *Williams* Uniform Complaints

[Education Code § 35186(d)]

District: Hanford Elementary School District

Person completing this form: Jessica Valencia Title: Administrative Assistant

Quarterly Report Submission Month/Quarter:  
(check one)

- ☐ October      1<sup>st</sup> Quarter (7/1-9/30)  
☒ January      2<sup>nd</sup> Quarter (10/1-12/31)  
☐ April      3<sup>rd</sup> Quarter (1/1-3/31)  
☐ July      4<sup>th</sup> Quarter (4/1-6/30)

Quarterly Report Submission Year: 2021-2022

Date for information to be reported publicly at governing board meeting: 1/26/2022

Please check the box that applies:



No complaints were filed with any school in the district during the quarter indicated above.



Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	0	0	0
Teacher Vacancy or Misassignment	0	0	0
Facilities Conditions	0	0	0
TOTALS	0	0	0

Joy C. Gabler

Print Name of District Superintendent

Signature of District Superintendent

Date

Please submit to: Genevieve Almanzar, Coordinator  
 Kings County Office of Education  
 Williams Compliance  
 (559) 589-7035  
[info.foundationalservices@kingscoe.org](mailto:info.foundationalservices@kingscoe.org)

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy C. Gabler

FROM: David Endo

DATE: 01/14/2022

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☒ Information  
☐ Action

Date you wish to have your item considered: 01/26/2022

**ITEM:**

Receive for information monthly financial reports for the period of 07/01/2021-12/31/2021.

**PURPOSE:**

Attached are financial summaries for all of the District funds for the period of 07/01/2021-12/31/2021.

**FISCAL IMPACT:**

The financial reports are informational only.

**RECOMMENDATIONS:**

Receive the monthly financial reports.

13 Hanford Elementary School District  
 Fiscal Year: 2022  
 Requested by dendo

## Fiscal Position Report

December 2021

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Fund: 0100 General Fund

		December Amount	YTD Amount	Revised Budget	% of Budget	% Remain
<b>BEGINNING BALANCE</b>						
Net Beginning Balance	9791-9795		\$21,183,330.32	\$21,183,330.32		
<b>REVENUES</b>						
1) LCFF Sources	8010-8099	\$7,995,213.00	\$30,728,153.72	\$66,455,305.00	46.24	53.76
2) Federal Revenues	8100-8299	\$2,507,404.00	\$4,431,495.18	\$11,132,444.10	39.81	60.19
3) Other State Revenues	8300-8599	\$3,081,177.36	\$6,566,712.72	\$9,037,105.47	72.66	27.34
4) Other Local Revenues	8600-8799	\$200,848.44	\$1,159,795.86	\$2,898,827.13	40.01	59.99
<b>5) Total, Revenues</b>		<b>\$13,784,642.80</b>	<b>\$42,886,157.48</b>	<b>\$89,523,681.70</b>	<b>47.90</b>	<b>52.10</b>
<b>EXPENDITURES</b>						
1) Certificated Salaries	1000-1999	\$3,019,162.88	\$16,709,406.39	\$35,485,179.00	47.09	52.91
2) Classified Salaries	2000-2999	\$1,113,627.36	\$7,033,531.27	\$14,306,752.22	49.16	50.84
3) Employee Benefits	3000-3999	\$1,706,067.42	\$8,550,097.31	\$22,898,105.14	37.34	62.66
4) Books and Supplies	4000-4999	\$138,599.60	\$1,602,252.92	\$5,044,323.04	31.76	68.24
5) Services, Oth Oper Exp	5000-5999	\$191,260.66	\$3,024,885.99	\$6,141,995.39	49.25	50.75
6) Capital Outlay	6000-6999	\$459,350.87	\$2,211,452.73	\$4,854,014.51	45.56	54.44
7) Other Outgo(excl. 7300`s)	7100-7499	\$124,572.64	\$437,340.64	\$1,660,258.00	26.34	73.66
8) Direct/Indirect Support	7300-7399	\$0.00	\$0.00	(\$65,000.00)	0.00	100.00
<b>9) Total Expenditures</b>		<b>\$6,752,641.43</b>	<b>\$39,568,967.25</b>	<b>\$90,325,627.30</b>	<b>43.81</b>	<b>56.19</b>
<b>OTHER FINANCING SOURCES/USES</b>						
1) Transfers						
B) Transfers Out	7610-7629	\$0.00	\$100,000.00	\$285,000.00	35.09	64.91
2) Other Sources/Uses						
A) Sources	8930-8979	\$0.00	\$989,260.40	\$1,854,863.35	53.33	46.67
3) Contributions	8980-8999	\$0.00	\$0.00	\$0.00	0.00	100.00
<b>4) Total, Other Financing Sources/Uses</b>		<b>\$0.00</b>	<b>\$889,260.40</b>	<b>\$1,569,863.35</b>	<b>50.90</b>	<b>49.10</b>
<b>NET INCREASE (DECREASE) IN FUND BALANCE</b>		<b>\$7,032,001.37</b>	<b>\$4,206,450.63</b>	<b>\$767,917.75</b>		
<b>ENDING FUND BALANCE</b>			<b>\$25,389,780.95</b>	<b>\$21,951,248.07</b>		

13 Hanford Elementary School District  
 Fiscal Year: 2022  
 Requested by dendo

## Fiscal Position Report

December 2021

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Fund: 0800 Student Activity Special Revenue Fund

		December Amount	YTD Amount	Revised Budget	% of Budget	% Remain
<b>BEGINNING BALANCE</b>						
Net Beginning Balance	9791-9795		\$29,382.29	\$29,382.29		
<b>REVENUES</b>						
4) Other Local Revenues	8600-8799	\$0.00	\$0.00	\$0.00	0.00	100.00
<b>5) Total, Revenues</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>0.00</b>	<b>100.00</b>
<b>EXPENDITURES</b>						
4) Books and Supplies	4000-4999	\$0.00	\$0.00	\$0.00	0.00	100.00
5) Services, Oth Oper Exp	5000-5999	\$0.00	\$0.00	\$0.00	0.00	100.00
<b>9) Total Expenditures</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>0.00</b>	<b>100.00</b>
<b>NET INCREASE (DECREASE) IN FUND BALANCE</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>		
<b>ENDING FUND BALANCE</b>			<b>\$29,382.29</b>	<b>\$29,382.29</b>		

13 Hanford Elementary School District  
 Fiscal Year: 2022  
 Requested by dendo

## Fiscal Position Report

December 2021

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Fund: 0900 Charter Schools Fund

		December Amount	YTD Amount	Revised Budget	% of Budget	% Remain
<b>BEGINNING BALANCE</b>						
Net Beginning Balance	9791-9795		\$1.73	\$1.73		
<b>REVENUES</b>						
3) Other State Revenues	8300-8599	\$0.00	\$1,697.00	\$0.00	0.00	100.00
<b>5) Total, Revenues</b>		<b>\$0.00</b>	<b>\$1,697.00</b>	<b>\$0.00</b>	<b>0.00</b>	<b>100.00</b>
<b>NET INCREASE (DECREASE) IN FUND BALANCE</b>						
		<u><b>\$0.00</b></u>	<u><b>\$1,697.00</b></u>	<u><b>\$0.00</b></u>		
<b>ENDING FUND BALANCE</b>						
			<u><b>\$1,698.73</b></u>	<u><b>\$1.73</b></u>		



13 Hanford Elementary School District  
 Fiscal Year: 2022  
 Requested by dendo

## Fiscal Position Report

December 2021

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Fund: 1300 Cafeteria Fund

		December Amount	YTD Amount	Revised Budget	% of Budget	% Remain
<b>BEGINNING BALANCE</b>						
Net Beginning Balance	9791-9795		\$1,604,481.74	\$1,604,481.74		
<b>REVENUES</b>						
2) Federal Revenues	8100-8299	\$378,871.88	\$711,720.57	\$2,758,770.00	25.80	74.20
3) Other State Revenues	8300-8599	\$23,509.10	\$44,508.81	\$178,681.00	24.91	75.09
4) Other Local Revenues	8600-8799	\$1,237.20	\$3,835.80	\$112,176.00	3.42	96.58
<b>5) Total, Revenues</b>		<b>\$403,618.18</b>	<b>\$760,065.18</b>	<b>\$3,049,627.00</b>	<b>24.92</b>	<b>75.08</b>
<b>EXPENDITURES</b>						
2) Classified Salaries	2000-2999	\$105,232.45	\$559,585.19	\$1,241,071.00	45.09	54.91
3) Employee Benefits	3000-3999	\$42,157.80	\$208,499.27	\$521,927.00	39.95	60.05
4) Books and Supplies	4000-4999	\$102,872.61	\$609,741.62	\$1,606,101.00	37.96	62.04
5) Services, Oth Oper Exp	5000-5999	(\$415.61)	\$4,429.18	(\$19,987.00)	(22.16)	122.16
8) Direct/Indirect Support	7300-7399	\$0.00	\$0.00	\$65,000.00	0.00	100.00
<b>9) Total Expenditures</b>		<b>\$249,847.25</b>	<b>\$1,382,255.26</b>	<b>\$3,414,112.00</b>	<b>40.49</b>	<b>59.51</b>
<b>NET INCREASE (DECREASE) IN FUND BALANCE</b>		<b>\$153,770.93</b>	<b>(\$622,190.08)</b>	<b>(\$364,485.00)</b>		
<b>ENDING FUND BALANCE</b>			<b>\$982,291.66</b>	<b>\$1,239,996.74</b>		

13 Hanford Elementary School District  
 Fiscal Year: 2022  
 Requested by dendo

## Fiscal Position Report

December 2021

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Fund: 1400 Deferred Maintenance Fund

		December Amount	YTD Amount	Revised Budget	% of Budget	% Remain
<b>BEGINNING BALANCE</b>						
Net Beginning Balance	9791-9795		\$101,995.22	\$101,995.22		
<b>REVENUES</b>						
1) LCFF Sources	8010-8099	\$0.00	\$300,000.00	\$300,000.00	100.00	0.00
4) Other Local Revenues	8600-8799	\$0.00	\$386.26	\$3,000.00	12.88	87.12
<b>5) Total, Revenues</b>		<b>\$0.00</b>	<b>\$300,386.26</b>	<b>\$303,000.00</b>	<b>99.14</b>	<b>0.86</b>
<b>EXPENDITURES</b>						
5) Services, Oth Oper Exp	5000-5999	\$0.00	\$0.00	\$104,995.22	0.00	100.00
6) Capital Outlay	6000-6999	\$0.00	\$3,311.64	\$130,000.00	2.55	97.45
<b>9) Total Expenditures</b>		<b>\$0.00</b>	<b>\$3,311.64</b>	<b>\$234,995.22</b>	<b>1.41</b>	<b>98.59</b>
<b>NET INCREASE (DECREASE) IN FUND BALANCE</b>		<b>\$0.00</b>	<b>\$297,074.62</b>	<b>\$68,004.78</b>		
<b>ENDING FUND BALANCE</b>			<b>\$399,069.84</b>	<b>\$170,000.00</b>		

13 Hanford Elementary School District  
 Fiscal Year: 2022  
 Requested by dendo

## Fiscal Position Report

December 2021

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Fund: 1500 Pupil Transportation Equip

		December Amount	YTD Amount	Revised Budget	% of Budget	% Remain
<b>BEGINNING BALANCE</b>						
Net Beginning Balance	9791-9795		\$193,177.05	\$193,177.05		
<b>REVENUES</b>						
4) Other Local Revenues	8600-8799	\$0.00	\$376.35	\$2,000.00	18.82	81.18
<b>5) Total, Revenues</b>		<b>\$0.00</b>	<b>\$376.35</b>	<b>\$2,000.00</b>	<b>18.82</b>	<b>81.18</b>
<b>OTHER FINANCING SOURCES/USES</b>						
1) Transfers						
A) Transfers In	8910-8929	\$0.00	\$100,000.00	\$100,000.00	100.00	0.00
<b>4) Total, Other Financing Sources/Uses</b>		<b>\$0.00</b>	<b>\$100,000.00</b>	<b>\$100,000.00</b>	<b>100.00</b>	<b>0.00</b>
<b>NET INCREASE (DECREASE) IN FUND BALANCE</b>		<b>\$0.00</b>	<b>\$100,376.35</b>	<b>\$102,000.00</b>		
<b>ENDING FUND BALANCE</b>			<b>\$293,553.40</b>	<b>\$295,177.05</b>		

13 Hanford Elementary School District  
 Fiscal Year: 2022  
 Requested by dendo

## Fiscal Position Report

December 2021

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Fund: 2000 SPECIAL RESERVE FUND FOR OTHER POSTE

		December Amount	YTD Amount	Revised Budget	% of Budget	% Remain
<b>BEGINNING BALANCE</b>						
Net Beginning Balance	9791-9795		\$7,541,190.61	\$7,541,190.61		
<b>REVENUES</b>						
4) Other Local Revenues	8600-8799	\$0.00	\$11,827.30	\$110,000.00	10.75	89.25
<b>5) Total, Revenues</b>		<b>\$0.00</b>	<b>\$11,827.30</b>	<b>\$110,000.00</b>	<b>10.75</b>	<b>89.25</b>
<b>OTHER FINANCING SOURCES/USES</b>						
1) Transfers						
A) Transfers In	8910-8929	\$0.00	\$0.00	\$185,000.00	0.00	100.00
<b>4) Total, Other Financing Sources/Uses</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$185,000.00</b>	<b>0.00</b>	<b>100.00</b>
<b>NET INCREASE (DECREASE) IN FUND BALANCE</b>		<b>\$0.00</b>	<b>\$11,827.30</b>	<b>\$295,000.00</b>		
<b>ENDING FUND BALANCE</b>			<b>\$7,553,017.91</b>	<b>\$7,836,190.61</b>		

13 Hanford Elementary School District  
 Fiscal Year: 2022  
 Requested by dendo

## Fiscal Position Report

December 2021

1/13/2022 9:51:30AM

Fund: 2120 Building Funds - Local 2

		December Amount	YTD Amount	Revised Budget	% of Budget	% Remain
<b>BEGINNING BALANCE</b>						
Net Beginning Balance	9791-9795		\$6,522,506.38	\$6,522,506.38		
<b>REVENUES</b>						
4) Other Local Revenues	8600-8799	\$0.00	\$9,344.21	\$40,000.00	23.36	76.64
<b>5) Total, Revenues</b>		<b>\$0.00</b>	<b>\$9,344.21</b>	<b>\$40,000.00</b>	<b>23.36</b>	<b>76.64</b>
<b>EXPENDITURES</b>						
6) Capital Outlay	6000-6999	\$0.00	\$0.00	\$0.00	0.00	100.00
<b>9) Total Expenditures</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>0.00</b>	<b>100.00</b>
<b>OTHER FINANCING SOURCES/USES</b>						
1) Transfers						
B) Transfers Out	7610-7629	\$1,000,000.00	\$3,500,000.00	\$5,057,471.13	69.20	30.80
<b>4) Total, Other Financing Sources/Uses</b>		<b>(\$1,000,000.00)</b>	<b>(\$3,500,000.00)</b>	<b>(\$5,057,471.13)</b>	<b>69.20</b>	<b>30.80</b>
<b>NET INCREASE (DECREASE) IN FUND BALANCE</b>		<b>(\$1,000,000.00)</b>	<b>(\$3,490,655.79)</b>	<b>(\$5,017,471.13)</b>		
<b>ENDING FUND BALANCE</b>			<b>\$3,031,850.59</b>	<b>\$1,505,035.25</b>		

13 Hanford Elementary School District  
 Fiscal Year: 2022  
 Requested by dendo

## Fiscal Position Report

December 2021

1/13/2022 9:51:30AM

Fund: 2500 CapitalFacilities Fund

		December Amount	YTD Amount	Revised Budget	% of Budget	% Remain
<b>BEGINNING BALANCE</b>						
Net Beginning Balance	9791-9795		\$489,322.39	\$489,322.39		
<b>REVENUES</b>						
4) Other Local Revenues	8600-8799	\$38,103.96	\$98,916.42	\$169,000.00	58.53	41.47
<b>5) Total, Revenues</b>		<b>\$38,103.96</b>	<b>\$98,916.42</b>	<b>\$169,000.00</b>	<b>58.53</b>	<b>41.47</b>
<b>EXPENDITURES</b>						
5) Services, Oth Oper Exp	5000-5999	\$0.00	\$117,504.00	\$165,000.00	71.21	28.79
<b>9) Total Expenditures</b>		<b>\$0.00</b>	<b>\$117,504.00</b>	<b>\$165,000.00</b>	<b>71.21</b>	<b>28.79</b>
<b>NET INCREASE (DECREASE) IN FUND BALANCE</b>		<b>\$38,103.96</b>	<b>(\$18,587.58)</b>	<b>\$4,000.00</b>		
<b>ENDING FUND BALANCE</b>			<b>\$470,734.81</b>	<b>\$493,322.39</b>		

13 Hanford Elementary School District  
 Fiscal Year: 2022  
 Requested by dendo

## Fiscal Position Report

December 2021

1/13/2022 9:51:30AM

Fund: 3500 SCHOOL FACILITY PROGRAM

		December Amount	YTD Amount	Revised Budget	% of Budget	% Remain
<b>BEGINNING BALANCE</b>						
Net Beginning Balance	9791-9795		\$227,412.88	\$227,412.88		
<b>REVENUES</b>						
4) Other Local Revenues	8600-8799	\$0.00	\$895.89	\$0.00	0.00	100.00
<b>5) Total, Revenues</b>		<b>\$0.00</b>	<b>\$895.89</b>	<b>\$0.00</b>	<b>0.00</b>	<b>100.00</b>
<b>EXPENDITURES</b>						
5) Services, Oth Oper Exp	5000-5999	\$91.16	\$182.32	\$0.00	0.00	100.00
6) Capital Outlay	6000-6999	\$416,091.34	\$2,395,130.80	\$5,222,151.49	45.86	54.14
<b>9) Total Expenditures</b>		<b>\$416,182.50</b>	<b>\$2,395,313.12</b>	<b>\$5,222,151.49</b>	<b>45.87</b>	<b>54.13</b>
<b>OTHER FINANCING SOURCES/USES</b>						
1) Transfers						
A) Transfers In	8910-8929	\$1,000,000.00	\$3,500,000.00	\$5,057,471.13	69.20	30.80
<b>4) Total, Other Financing Sources/Uses</b>		<b>\$1,000,000.00</b>	<b>\$3,500,000.00</b>	<b>\$5,057,471.13</b>	<b>69.20</b>	<b>30.80</b>
<b>NET INCREASE (DECREASE) IN FUND BALANCE</b>		<b>\$583,817.50</b>	<b>\$1,105,582.77</b>	<b>(\$164,680.36)</b>		
<b>ENDING FUND BALANCE</b>			<b>\$1,332,995.65</b>	<b>\$62,732.52</b>		

13 Hanford Elementary School District  
 Fiscal Year: 2022  
 Requested by dendo

## Fiscal Position Report

December 2021

Page 11 of 12  
 1/13/2022 9:51:30AM

Fund: 4000 Special Reserve - Capital Outlay

		December Amount	YTD Amount	Revised Budget	% of Budget	% Remain
<b>BEGINNING BALANCE</b>						
Net Beginning Balance	9791-9795		\$2,142,270.95	\$2,142,270.95		
<b>REVENUES</b>						
4) Other Local Revenues	8600-8799	\$0.00	\$3,359.85	\$21,000.00	16.00	84.00
<b>5) Total, Revenues</b>		<b>\$0.00</b>	<b>\$3,359.85</b>	<b>\$21,000.00</b>	<b>16.00</b>	<b>84.00</b>
<b>NET INCREASE (DECREASE) IN FUND BALANCE</b>		<b>\$0.00</b>	<b>\$3,359.85</b>	<b>\$21,000.00</b>		
<b>ENDING FUND BALANCE</b>			<b>\$2,145,630.80</b>	<b>\$2,163,270.95</b>		



13 Hanford Elementary School District  
 Fiscal Year: 2022  
 Requested by dendo

## Fiscal Position Report

December 2021

Page 12 of 12  
 1/13/2022 9:51:30AM

Fund: 6720 Self-Insurance/Other

		December Amount	YTD Amount	Revised Budget	% of Budget	% Remain
<b>BEGINNING BALANCE</b>						
Net Beginning Balance	9791-9795		\$603,651.46	\$603,651.46		
<b>REVENUES</b>						
4) Other Local Revenues	8600-8799	\$63,458.75	\$295,675.89	\$753,000.00	39.27	60.73
<b>5) Total, Revenues</b>		<b>\$63,458.75</b>	<b>\$295,675.89</b>	<b>\$753,000.00</b>	<b>39.27</b>	<b>60.73</b>
<b>EXPENDITURES</b>						
5) Services, Oth Oper Exp	5000-5999	\$52,888.22	\$232,828.48	\$749,000.00	31.09	68.91
<b>9) Total Expenditures</b>		<b>\$52,888.22</b>	<b>\$232,828.48</b>	<b>\$749,000.00</b>	<b>31.09</b>	<b>68.91</b>
<b>NET INCREASE (DECREASE) IN FUND BALANCE</b>		<b>\$10,570.53</b>	<b>\$62,847.41</b>	<b>\$4,000.00</b>		
<b>ENDING FUND BALANCE</b>			<b>\$666,498.87</b>	<b>\$607,651.46</b>		

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy C. Gabler

FROM: David Endo

DATE: 01/17/2022

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☒ Information  
☐ Action

Date you wish to have your item considered: 01/26/2022

**ITEM:**

Receive the Budget Calendar for the 2022-2023 budget.

**PURPOSE:**

Attached is the timeline the District will follow for the preparation of the 2022-2023 school district budget.

**FISCAL IMPACT:**

None.

**RECOMMENDATIONS:**

Receive the Budget Calendar.

<b>2022</b>		
January	11	Site Allocation Planning. Determine School/Department planning figures for 2022-23 Personnel and Supply allocations
	18	Parent Advisory Committee Meeting (including LCAP Consultation)
	20	DELAC meeting (including LCAP consultation)
	26	Budget and Local Control Accountability Plan (LCAP) calendar presented to Board of Trustees
February	4	Send 2022-23 Staff Classified Allocation to S.O.O./Managers/HR
	23	LCAP Supplement presented to Board of Trustees
	25	Parent surveys to be returned
	25	Annual Staff Planning – Meeting #1
	25	Distribute budget materials to Schools and Departments (Pupil Allocation). Potential budget memos for next year
March	1-30	Superintendent to review Department budgets with managers at briefings. Review budget memos with managers
	1-30	Principals/Department Heads develop budgets
	1	LCAP consultation at HETA Meet & Consult
	4	Annual Staff Planning – Meeting #2
	14	Annual Staff Planning – ADA/enrollment projections for calculation of income (Exec. Council)
	14	Review Personnel (Exec. Council)
	15	Parent Advisory Committee Meeting (including LCAP Consultation)

March continued	17	DELAC meeting (including LCAP consultation)
	18	Annual Staff Planning – Meeting #3 (if needed)
	21	LCAP consultation at CSEA Meet & Consult
	23	LCAP Student Focus Group (5th- 8th grade students) to be held at JFK Jr. High School
	23	Student Surveys to be returned
	23	2022-23 Certificated Pre-Staffing
	25	2022-23 General Purpose, Categorical, Food Services and Special Ed budgets due to Fiscal Services
	30	2022-23 Certificated Staffing
April	6	Establish Budget Committee
	22	Review 2022-23 proposed income and expenditures. Make any necessary adjustments to balance
	26	2022-23 Annual Staff Planning – Classified
	27	HESD sets dates for Public hearings for proposed 2022-23 LCAP and Budget. Superintendent notifies members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP
May	3	LCAP consultation at HETA Meet & Consult including preview of Draft 2022-23 LCAP
	16	LCAP consultation at CSEA Meet & Consult including review of the Draft 2022-23 LCAP
	20	Superintendent review of school plans (EC 64001) to ensure that the specific actions included in the LCAP are consistent with strategies included in the school plans

May continued	25	Public Notice re: 2022-23 LCAP and Budget (at least 14 days prior to hearing)
	24	Parent Advisory Committee Meeting including presentations of Draft LCAP for review and comment. The Superintendent will respond in writing to any comments received
	26	Tentative Budget Committee meeting
	26	DELAC meeting including presentation of Draft LCAP for review and comment. The Superintendent will respond in writing to any comments received
	27	Release Draft of LCAP for public review and comment and submit to KCOE for review
June	8	Board Meeting Public Hearings to solicit recommendations and comments of members of the public regarding 2022-23 LCAP and Budget
	22	Board Meeting Review local indicators ADOPT 2022-23 LCAP and Budget
	23	Post LCAP on District's website
August	10 <i>(deadline dependent on budget signing)</i>	Adopt within 45 days after the Governor signs the budget, revisions to reflect changes in income or expenditures stemming from the State budget legislation

**HANFORD ELEMENTARY SCHOOL DISTRICT**  
**AGENDA REQUEST FORM**

TO: Joy Gabler

FROM: Doug Carlton

DATE: December 29, 2021

For: ☒ Board Meeting  
☐ Superintendent's Cabinet

For: ☒ Information  
☐ Action

Date you wish to have your item considered: January 26, 2022

**ITEM:** Receive for information a report from the District Parent Advisory Committee for the meeting held on December 14, 2021 (For PAC Meeting #1)

**PURPOSE:** The PAC advises the board on the educational programs and services included in the Local Control Accountability Plan.

**FISCAL IMPACT:** PAC is a requirement of the Local Control Funding Formula.

# #1 Hanford Elementary School District

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## Hanford Elementary School District (HESD) Parent Advisory Committee Report to the Board

Date of Meeting: December 14, 2021

Starting Time: 9:00a.m.

Location: Zoom

*Purpose of the Meeting: To consult, review, and comment on the Hanford Elementary Local Control Accountability Plan.*

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The Parent Advisor Committee received information on the following topics:

- BP6020: Parent Involvement
  - The Local Control Accountability Plan
    - Introduction to the Local Control Accountability Plan
    - Introduction to the California School Dashboard including State and Local Indicators
      - Sufficiency of Instructional Materials
      - Facilities meeting the “Good Repair” standard
    - Teacher Credentialing/Misassignments
    - Teacher Experience
    - The HESD Parent Survey
    - Federal COVID Funding (ESSER)
- 

The Parent Advisory Committee Made the Following Recommendations:

- The PAC recommends that the board approve BP6020 Parent Involvement
  - The PAC recommends that the district continue to ensure that all students have the required instructional materials.
  - The PAC recommends that school hallways and bathrooms should have positive affirmations in the form of signs, paint, and/or murals for students.
  - The PAC recommends that the district should continue working to get ineffective and out of field teachers certified as quickly as possible.
    - All teachers should have the proper certifications.
    - The district should work to provide and support these teachers to become certified as quickly as possible.
  - The PAC believes that there many good teachers who are in military families who come to us as excellent teachers with substantial experience. We do not want to lose these teachers because of specific California related credential requirements. The PAC recommends that we hire these teachers and provide them with the support and training to finalize their California specific requirements in a timely manner.
  - The PAC recommends that the district ensure sure that staff hired under temporary conditions (with one-time COVID funds) know that their funding/employment may run out.
  - The PAC recommends that the district have a plan in place, to the degree possible, to keep staff on permanently that have been hired with COVID funds.
  - The PAC recommends that school sites have a safe, private location for students to meet with counselors.
- 

The Superintendent Responds:

- The Superintendent supports the recommendation that the board approve BP6020 Parent Involvement.
- The Superintendent supports the recommendation that the district continue to ensure that all students have the required instructional materials.
- The Superintendent supports the recommendation that school hallways should have positive affirmations in the forms of signs and adds that the individual school sites are the ones to best determine the positive affirmations or positive reinforcements to be posted which will be best suited for their students.
- The Superintendent supports the recommendation that the district should continue working to get ineffective (term used by the federal government) and out of field teachers credentialed as quickly as possible.

The Superintendent further supports the recommendations that:

- All teachers should have the proper credentials.
- The district should work to provide and support these teachers to become certified as quickly as possible.
- The Superintendent agrees with the statements, “there many good teachers who are in military families who come to us as excellent teachers with substantial experience. We do not want to lose these teachers because of specific

California related credential requirements.” The Superintendent supports the recommendation that we hire these teachers and provide them with the support and training to finalize their California specific requirements in a timely manner.

- The Superintendent supports the recommendation that the district ensure sure that staff hired under temporary conditions (with one-time COVID funds) know that their funding/employment may run out.
- The Superintendent supports the recommendation that the district have a plan in place, to the degree possible, to keep staff on as long as possible that have been hired with COVID funds.
- The Superintendent supports the recommendation that school sites have a safe, private location for students to meet with counselors.



**HANFORD ELEMENTARY SCHOOL DISTRICT****AGENDA REQUEST FORM**

TO: Joy Gabler

FROM: Doug Carlton

DATE: December 29, 2021

For: ☒ Board Meeting  
☐ Superintendent's Cabinet

For: ☒ Information  
☐ Action

Date you wish to have your item considered: January 26, 2022

**ITEM:** Receive for information a report from the District English Learner Advisory Committee for the meeting held on December 16, 2021 (For DELAC Meeting #1)

**PURPOSE:** The DELAC advises the board on the educational programs and services for English Learners including services that are part of the Local Control Accountability Plan.

**FISCAL IMPACT:** PAC is a requirement of the Local Control Funding Formula and several Federally funded programs.

# Hanford Elementary School District

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## Hanford Elementary School District (HESD) District English Learner Advisory Committee Report to the Board

Date of Meeting: December 16, 2021

Purpose of the Meeting: To advise the board on:

- Development of an LEA master plan, including policies, per the State Board of Education (SBE) EL Roadmap Policy, guiding consistent implementation of EL educational programs and services that takes into consideration the SPSAs.
- Conducting of an LEA-wide needs assessment on a school-by-school basis.
- Establishment of LEA program, goals, and objectives for programs and services for ELs per the SBE-adopted EL Roadmap Policy.
- Development of a plan to ensure compliance with any applicable teacher and instructional aide requirements.
- Review and comment on the LEA's reclassification procedures.
- Review and comment on the written notifications required to be sent to parents and guardians. (5 CCR Section 11308)

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The DELAC received information on the following topics:

- The HESD Parent Involvement Policy (BP/AR 6020)
- The 2021-2022 Winter CARS (Consolidated Application for Funding)
- Teacher credentialing and experience
- The district's programs and services for English learners
- Federal COVID Funding (ESSER III)

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The DELAC made the following recommendations:

- Approve BP 6020 Parent Involvement.
- Continue working to ensure all students have qualified and credentialed teachers.
- Continue working to ensure all teachers have CLAD and those that teach in the dual immersion program have BCLAD.
- Continue to support teachers who are working on their credential, CLAD or BCLAD.
- Continue working to support our new (inexperienced) teachers.
- Provide support to teachers who are new to the district but not necessarily new to the teaching profession.
- Continue to support English learners with designated and integrated ELD programs.
- Continue to provide English learners with additional services including after-hours instruction/tutoring.
- Provide families with information on the importance of having their children participate in TK.
- Continue to provide social and emotional supports for students and work to continue these supports after the COVID funds expire.
- Ensure that any employees hired on a temporary basis understand that this is a condition of their employment.
- Provide parents and students with information/education on the safe/responsible use computers and social media.
- Expand/improve our educational programs around digital literacy (for parents and students).
- Provide staff with training on the impacts of social media on children/students and how to teach students to interact responsibly with social media.

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The Superintendent Responds:

- The Superintendent supports the recommendation that the board approve BP6020 Parent Involvement.
- The Superintendent supports the recommendation to continue working to ensure all students have qualified and credentialed teachers.
- The Superintendent supports the recommendation to continue working to ensure all teachers have CLAD and those that teach in the dual immersion program have BCLAD.
- The Superintendent supports the recommendation to continue to support teachers who are working on their credential, CLAD or BCLAD.
- The Superintendent supports the recommendation to continue working to support our new (inexperienced) teachers.
- The Superintendent supports the recommendation to provide support to teachers who are new to the district but not necessarily new to the teaching profession.
  
- The Superintendent supports the recommendation to continue supporting English learners with designated and integrated ELD programs.
- The Superintendent supports the recommendation to continue providing English learners with additional services including after-hours instruction/tutoring.
- The Superintendent supports the recommendation to provide families with information on the importance of having their children participate in TK.
  
- The Superintendent supports the recommendation to continue providing social and emotional supports for students and work to continue these supports after the COVID funds expire (to the degree possible).
- The Superintendent supports the recommendation to ensure that any employees hired on a temporary basis understand that this is a condition of their employment.
- The Superintendent supports the recommendation to provide parents and students with information/education on the safe/responsible use computers and social media.
- The Superintendent supports the recommendation to expand/improve our educational programs around digital literacy (for parents and students).
- The Superintendent supports the recommendation to provide staff with training on the impacts of social media on children/students and how to teach students to interact responsibly with social media.

# HANFORD ELEMENTARY SCHOOL DISTRICT

## AGENDA REQUEST FORM

TO: Joy Gabler

FROM: Doug Carlton

DATE: December 15, 2021

For: ☒ Board Meeting  
☐ Superintendent's Cabinet

For: ☒ Information  
☐ Action

Date you wish to have your item considered: January 26, 2022

**ITEM:** Receive for Information:

- AR 1312.4 Williams Complaint Procedures (RESCIND)
- AR 1312.4 Williams Complaint Procedures (NEW)

**PURPOSE:**

AR 1312.4 contains rules and instructions about the filing, investigation and resolution of a Williams complaint regarding alleged deficiencies related to instructional materials, the condition of a facility that is not maintained in a clean or safe manner or in good repair, and teacher vacancy or misassignment. The California Department of Education recommends using their sample AR to ensure compliance during Federal Program Monitoring (FPM).

**FISCAL IMPACT:** The district receives a series of state and federal grants which are impacted by this regulation.

**RECOMMENDATION:** Receive AR 1312.4 (rescind) and AR 1312.4 (new) for Information.

## Regulation 1312.4: Williams Uniform Complaint Procedures

Status: ADOPTED

Original Adopted Date: 02/09/2005 | Last Revised Date: 12/18/2019 | Last Reviewed Date: 12/18/2019

### Types of Complaints

The district shall use the procedures described in this administrative regulation only to investigate and resolve the following:

1. ~~Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that: (Education Code 35186; 5 CCR 4681)~~
  - ~~a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state or district-adopted textbooks or other required instructional materials to use in class.~~
  - ~~b. A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.~~
  - ~~c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.~~
  - ~~d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.~~
2. ~~Complaints regarding teacher vacancy or misassignment, including any complaint alleging that: (Education Code 35186; 5 CCR 4682)~~
  - ~~a. A semester begins and a teacher vacancy exists.~~
  - ~~b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.~~
  - ~~c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.~~

~~Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester. (Education Code 35186; 5 CCR 4600)~~

~~Beginning of the year or semester means the first day classes necessary to serve all the students enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day students attend classes for that semester. (5 CCR 4600)~~

~~Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186; 5 CCR 4600)~~

3. ~~Complaints regarding the condition of school facilities, including any complaint alleging that: (Education Code 35186; 5 CCR 4683)~~

- ~~a. A condition poses an emergency or urgent threat to the health or safety of students or staff.~~

~~Emergency or urgent threat means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; or any other condition deemed appropriate. (Education Code 17592.72)~~

- ~~b. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5.~~

~~Clean or maintained school restroom means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers. (Education Code 35292.5)~~

~~Open restroom means the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when the temporary closing of the restroom is necessary for student safety or to make repairs. (Education Code 35292.5)~~

~~In any district school serving any of grades 6-12 in which 40 percent or more of the students in the school or school attendance area are from low-income families, as defined in 20 USC 6314, a complaint may be filed alleging noncompliance with the requirement of Education Code 35292.6 to stock, at all times, at least half of the restrooms in the school with feminine hygiene products and to not charge students for the use of such products.~~

### **Forms and Notices**

~~The Superintendent or designee shall ensure a Williams complaint form is available at each school. However, complainants need not use the district's complaint form in order to file a complaint. (Education Code 35186; 5 CCR 4680)~~

~~The Superintendent or designee shall ensure that the district's complaint form specifies the location for filing a complaint and contains a space to indicate whether the complainant desires a response to the complaint. A complainant may add as much text to explain the complaint as desired. (Education Code 8235.5, 35186; 5 CCR 4680)~~

~~The Superintendent or designee shall post in each K-8 classroom in each school a notice containing the components specified in Education Code 35186. In each license-exempt CSPP classroom, a notice containing the components specified in Education Code 8235.5 shall be posted. (Education Code 8235.5, 35186)~~

### **Filing of Complaint**

~~A complaint alleging any condition(s) specified in the section "Types of Complaints" above shall be filed with the principal or designee, or the preschool administrator or designee as appropriate, at the school in which the complaint arises. A complaint about problems beyond the authority of the principal or preschool administrator shall be forwarded to the Superintendent or designee in a timely manner, but not to exceed 10 working days. Complaints may be filed anonymously. (Education Code 8235.5, 35186; 5 CCR 4680)~~

## Investigation and Response

The principal/preschool administrator or a designee of the Superintendent shall make all reasonable efforts to investigate any problem within their authority. (Education Code 8235.5, 35186; 5 CCR 4685)

Investigation of a complaint regarding preschool health or safety issues shall begin within 10 calendar days of receipt of the complaint. (Education Code 8235.5)

The principal/preschool administrator or Superintendent's designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 8235.5, 35186; 5 CCR 4685)

If the complainant has indicated on the complaint form—a desire to receive a response to the complaint, the principal /preschool administrator or Superintendent's designee shall report the resolution of the complaint to the complainant within 45 working days of the initial filing of the complaint. If the principal/preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 8235.5, 35186; 5 CCR 4680, 4685)

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (Education Code 8235.5, 35186)

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board of Trustees at a regularly scheduled meeting. (Education Code 8235.5, 35186; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in item #3a or #4 in the section "Types of Complaints" above, a complainant who is not satisfied with the resolution proffered by the principal/preschool administrator or Superintendent or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code 8235.5, 35186; 5 CCR 4687)

All complaints and written responses shall be public records. (Education Code 8235.5, 35186; 5 CCR 4686)

## Reports

On a quarterly basis, the Superintendent or designee shall report, to the Board at a regularly scheduled public Board meeting and to the County Superintendent of Schools, summarized data on the nature and resolution of all complaints. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. (Education Code 8235.5, 35186; 5 CCR 4686)

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**Regulation 1312.4: Williams Uniform Complaint Procedures**

**Status:** DRAFT

**Original Adopted Date:** 02/09/2005 | **Last Revised Date:** 12/18/2019 | **Last Reviewed Date:** 12/15/2021

Hanford Elementary School District  
714 N. White St.  
Hanford, CA 93230  
559-585-3600

This document contains rules and instructions about the filing, investigation and resolution of a Williams complaint regarding alleged deficiencies related to instructional materials, the condition of a facility that is not maintained in a clean or safe manner or in good repair, and teacher vacancy or misassignment.

The Hanford Elementary School District (LEA) adopted the Uniform Complaint Procedures (UCP) process in accordance with Chapter 5.1 (commencing with Section 4680) of the *California Code of Regulations*, Title 5, to resolve Williams complaints. This document presents information about how we process complaints concerning Williams Settlement issues. A UCP complaint is a written and signed statement by a complainant alleging a violation of state laws or regulations. A complainant is any individual, including a person's duly authorized representative or an interested third party, public agency, or organization who files a written complaint alleging violation of state laws or regulations, regarding alleged deficiencies related to instructional materials, the condition of a facility that is not maintained in a clean or safe manner or in good repair, and teacher vacancy or misassignment. If a complainant is unable to put the complaint in writing, due to a disability or illiteracy, we shall assist the complainant in the filing of the complaint.

### **The Responsibility of the Hanford Elementary School District**

The Hanford Elementary School District is required to have local policies and procedures that enable Williams Complaints to be handled through our UCP process, to post a classroom notice informing parents, guardians, pupils, and teachers of their rights to file a Williams complaint in each classroom in each school, and to provide a complaint form for Williams complaints regarding alleged deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, and teacher vacancy or misassignment.

If a response is requested by the complainant, the response will go to the mailing address of the complainant indicated on the complaint.

If *Education Code* Section 48985 is applicable and 15 percent or more of the pupils in grades K – 12 enrolled in our district speak a language other than English, the Williams Complaint Classroom Notice and the Williams Complaint Form shall be written in English and in the primary language of the complainant. The complaint response, if requested, and final report shall be written in English and the primary language in which the complaint was filed. A Williams Complaint about problems beyond the authority of the school principal shall be forwarded in a timely manner, but will not exceed 10 working days, to the appropriate school district official for resolution.

The principal or the designee of the district superintendent, as applicable, shall make all reasonable efforts to investigate any problem within his or her authority.

The principal, or, where applicable, district superintendent or his or her designee shall remedy a valid complaint within a reasonable time period but not to exceed 30 working days from the date the complaint was received.

The principal, or where applicable, district superintendent or his or her designee, shall report to the complainant the resolution of the complaint within 45 working days of the initial filing, if complainant identifies himself or herself and requested a response.

The principal makes this report; the principal shall also report the same information in the same timeframe to the district superintendent or his or her designee.

The school district shall report summarized data on the nature and resolution of all complaints on a quarterly basis to the county superintendent of schools and the governing board of the school district.

The summaries shall be publicly reported on a quarterly basis at a regularly scheduled meeting of the governing board of the school district.

The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints.

The complaints and responses shall be available as public records.

### **The Williams Complaint Classroom Notice**

We make sure that the Williams Complaint Classroom Notice is posted in each classroom in each school in the district and includes:

- The parents, guardians, pupils, and teachers,
- a statement proclaiming sufficient textbooks and instructional materials,



- (For there to be sufficient textbooks and instructional materials each pupil, including English Learners, must have a textbook or instructional materials, or both, to use in class and to take home)
- a statement that school facilities must be clean, safe, and maintained in good repair,
- a statement that there should be no teacher vacancies or misassignments, and

the location at which to obtain a form to file a complaint in case of a shortage.

(Posting a notice downloadable from the Web site of the CDE shall satisfy this requirement.)

### **The Williams Complaint Form**

We make sure that the Williams Complaint form is available for parents, guardians, pupils, and teachers to use.

Every school in our district shall have a complaint form available for such Williams complaints.

The Williams Complaint form shall include:

- A section to indicate if a response is requested,
- a section for contact information including mailing address if a response be requested.
- a statement that a pupil, including an English Learner, does not have standards - aligned textbooks or instructional materials or state adopted or district adopted textbooks or other required instructional materials to use in class.
- a statement that a pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each pupil.
- a statement that textbooks or instructional materials are in poor or unusable condition, having missing pages, or are unreadable due to damage.
- a statement that a pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.
- a statement that a condition poses an urgent or emergency threat to the health or safety of pupils or staff, including: gas leaks, nonfunctioning heating, ventilation, fire sprinklers or air - conditioning systems, electrical power failure, major sewer line stoppage, major pest or vermin infestation, broken windows or exterior doors or gates that will not lock and that pose a security risk, abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff, structural damage creating a hazardous or uninhabitable condition, and any other emergency conditions the school district determines appropriate.
- a statement that a school restroom has not been maintained or cleaned regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, and towels or functional hand dryers.
- a statement that the school has not kept all restrooms open during school hours when pupils are not in classes, and has not kept a sufficient number of restrooms open during school hours when pupils are in classes. This does not apply when temporary closing of the restroom is necessary for pupil safety or to make repairs.
- a statement that a semester begins and a teacher vacancy exists. (A position to which a single designated certificate employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one - semester course, a position of which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester).
- a statement that a teacher who lacks credentials or training to teach English Learners is assigned to teach a class with more than 20 percent English Learners pupils in the class.
- a statement that a teacher is assigned to teach a class for which the teacher lacks subject matter competency.
- a section to identify the location of the school in which the alleged violation took place,
- a section to identify the course or grade level, if applicable,
- a section where the complainant describes the specific nature of the complaint in detail,
- a statement that the complainant may include as much text as the complainant feels is necessary, and
- a statement identifying the place to file the complaint that includes the office and address of the principal or his/her designee of the school in which the alleged violation took place.

### **Filing a Williams Complaint with the Hanford Elementary School District**

A Williams complaint shall be filed with the principal of the school or his or her designee, in which the complaint arises.

A Williams complaint may be filed anonymously.

The complainant need not use the Williams Complaint form to file a complaint.

### **How to Appeal a Williams Complaint**

A complainant who is not satisfied with the resolution of the principal or the district superintendent or his or her

designee, involving deficiencies related to instructional materials, the condition of a facility that is not maintained in a clean or safe manner or in good repair, and teacher vacancy or misassignment, has the right to describe the complaint to the governing board of the school district at a regularly scheduled meeting of the governing board. A complainant who is then not satisfied with the resolution proffered by the principal, or the district superintendent or his or her designee, involving a condition of a facility that poses an emergency or urgent threat, as defined in paragraph (1) of subdivision (c) of EC Section 17592.72, has the right to file an appeal to the State Superintendent of Public Instruction at the California Department of Education (CDE) within 15 days of receiving the report. Conditions that pose an emergency or urgent threat (not cosmetic or nonessential) to the health and safety of pupils or staff while at school include the following:

- Gas leaks.
- Nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems.
- Electrical power failure.
- Major sewer line stoppage.
- Major pest or vermin infestation.
- Broken windows or exterior doors or gates that will not lock and that pose a security risk.
- Abatement of hazardous materials previously undiscovered that pose an immediate threat to pupil or staff.
- Structural damage creating a hazardous or uninhabitable condition.

In regards to the resolution proffered by the principal, or the district superintendent or his or her designee, involving a condition of a facility that poses an emergency or urgent threat, the complainant shall comply with the appeal requirements of 5 CCR Section 4632.

A complainant may appeal the Decision of an emergency or urgent threat to the CDE by filing a written appeal within 15 days of receiving the Decision.

The complainant shall specify the basis for the appeal of the Decision and whether the facts are incorrect and/or the law is misapplied.

The appeal shall be accompanied by:

1. A copy of the original locally filed complaint; and
2. A copy of our Decision of this original locally filed complaint.

### **State Laws Cited:**

California Education Code Sections 1240, 17592.72, 35186, 35292.5, 48985.  
California Code of Regulations, Title 5 [5 CCR] Sections 4600–4694

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**HANFORD ELEMENTARY SCHOOL DISTRICT****AGENDA REQUEST FORM**

TO: Joy Gabler

FROM: Doug Carlton

DATE: December 15, 2021

For: ☒ Board Meeting  
☐ Superintendent's Cabinet

For: ☒ Information  
☐ Action

Date you wish to have your item considered: January 26, 2022

**ITEM:** Receive for Information BP 1312.3

**PURPOSE:**

**Board Policy 1312.3 Uniform Complaint Procedures**

Policy updated to add medical condition as a characteristic that is protected from discrimination, reflect NEW LAW (SB 75, 2019) which extends the use of uniform complaint procedures (UCP) to complaints alleging noncompliance with the physical education instructional minutes requirement for grades 7-12, and add an item indicating the use of the UCP for complaints regarding health and safety in a license-exempt California State Preschool Program (CSPP) consistent with CDE's Federal Program Monitoring Instrument.

**FISCAL IMPACT:** The district receives a series of state and federal grants which are impacted by this policy.

**RECOMMENDATION:** Receive BP 1312.3 for Information.

Board Policy Manual  
Hanford Elementary School District

**Policy 1312.3: Uniform Complaint Procedures**

Status: ~~ADOPTED~~DRAFT

| Last Revised Date: 01/27/2021 | Last Reviewed Date: ~~07/12/15/~~2021

Hanford Elementary School District

714 N. White St Hanford

CA 93230

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

This document contains rules and instructions about the filing, investigation and resolution of a Uniform Complaint Procedures (UCP) complaint regarding an alleged violation by the Hanford Elementary School District (here and after "The District") of federal or state laws or regulations governing educational programs.

This document presents information about how we process UCP complaints concerning particular programs or activities that are subject to the UCP.

A UCP complaint is a written and signed statement alleging a violation of federal or state laws or regulations, which may include an allegation of unlawful discrimination, harassment, intimidation or bullying. A signature may be handwritten, typed (including in an email) or electronically generated. Complaints may be filed anonymously. A UCP complaint filed on behalf of an individual student may only be filed by that student or that student's duly authorized representative.

A complainant is any individual, including a person's duly authorized representative or an interested third party, public agency, or organization who files a written complaint alleging violation of federal or state laws or regulations, including allegations of unlawful discrimination, harassment, intimidation or bullying in programs and activities funded directly by the state or receiving any financial assistance from the state. If the complainant is unable to put the complaint in writing, due to a disability or illiteracy, we shall assist the complainant in the filing of the complaint.

~~The~~The Hanford Elementary School District developed the Uniform Complaint Procedures (UCP) process with policies and procedures adopted by the board.

According to state and federal codes and regulations, the programs and ~~activities~~activities subject to the UCP are:

- ~~Accommodations for Pregnant and Parenting Pupils~~
- ~~Adult Education~~
- ~~After School Education and Safety~~
- ~~Agricultural Career Technical Education~~
- ~~Career technical and technical education and career technical and technical training programs~~
- ~~Child care and development programs~~
- ~~Compensatory Education~~
- ~~Consolidated categorical aid programs~~
- ~~Course Periods without Educational Content~~
- ~~Discrimination, harassment, intimidation, or bullying against any protected group as identified under Education Code (EC) sections 200 and 220 and Government Code Section 11135, including any actual or perceived characteristic as set forth in Penal Code Section 422.55, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by an educational institution, as defined in EC Section 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance.~~

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- ~~Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families military families and pupils formerly in Juvenile Court now enrolled in a school district~~

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- ~~Local control and accountability plans (LCAP)~~

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- ~~Migrant Education~~

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- ~~Physical Education Instructional Minutes~~

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- ~~Pupil Fees~~

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- ~~Reasonable Accommodations to a Lactating Pupil~~

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- ~~Regional Occupational Centers and Programs~~

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- ~~School Plans for Student Achievement~~

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- ~~Schoolsite Councils~~

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- ~~State Preschool~~

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- ~~State Preschool Health and Safety Issues in LEAs Exempt from Licensing~~

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~~And any other state or federal educational program the State Superintendent of Public Instruction (SSPI) of the California Department of Education (CDE) or designee deems appropriate.~~

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~~The programs and activities subject to the UCP in which *The District* operates are:~~

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- ~~Accommodations for Pregnant and Parenting Pupils~~

- ~~After-School Education and Safety~~

- ~~Child care and development programs~~

- ~~Compensatory Education~~

- ~~Consolidated categorical aid programs~~

- ~~Discrimination, harassment, intimidation, or bullying against any protected group as identified under *Education Code (EC)* sections 200 and 220 and *Government Code* Section 11135, including any actual or perceived characteristic as set forth in *Penal Code* Section 422.55, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by an educational institution, as defined in *EC* Section 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance.~~

- ~~Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families and pupils formerly in Juvenile Court now enrolled in a school district~~

- ~~Every Student Succeeds Act~~

- ~~Local control and accountability plans (LCAP)~~

- ~~Migrant Education~~

- ~~Physical Education Instructional Minutes~~

- ~~Pupil Fees~~

- ~~Reasonable Accommodations to a Lactating Pupil~~

- ~~School Plans for Student Achievement~~

- ~~School Safety Plans—Schoolsite Councils~~

And any other state or federal educational program the State ~~Superintendent~~ of Public Instruction (SSPI) of the California Department of Education (CDE) or designee deems appropriate.

The following complaints shall be referred to the specified agencies for appropriate resolution and are not subject to the ~~our~~ UCP complaint procedures set forth in this document:

- (a) Allegations of child abuse shall be referred to the applicable County Department of Social Services (DSS), Protective Services Division or appropriate law enforcement agency.
- (b) Health and safety complaints regarding licensed facilities operating a Child Development Program shall be referred to DSS.
- (c) Employment discrimination complaints shall be sent to the State Department of Fair Employment and Housing (DFEH). The complainant shall be notified in writing in a timely manner of any DFEH transferal.

### The Responsibilities of ~~The~~ The Hanford Elementary School District

We shall have the primary responsibility to ensure compliance with applicable state and federal laws and regulations. We shall investigate and seek to resolve, in accordance with our approved UCP process, complaints alleging failure to comply with applicable state and federal laws and regulations including, but not limited to, allegations of discrimination, harassment, intimidation, or bullying or noncompliance with laws relating to all programs and activities we implement that are subject to the UCP.

### The UCP Annual Notice

We disseminate on an annual basis the UCP Annual Notice which is a written notice of ~~the~~ our approved UCP complaint procedures.

~~This notice may be made available on our website and shall include the following:~~

~~addresses to~~ all of our students, employees, parents or guardians of its students, school and district advisory committee members, appropriate private school officials or representatives, and other interested parties;

~~This notice may be made available on our website and shall include the following:~~

- information regarding allegations about discrimination, harassment, intimidation, or bullying;
- the list of all federal and state programs within the scope of the UCP;
- the title of the position whose occupant is responsible for processing complaints, and the identity(ies) of ~~the person~~ the person(s) currently occupying that position, if known;
- a statement that the occupant responsible for processing complaints is knowledgeable about the laws and programs and programs that they are assigned to investigate;

### Filing UCP Complaints

All UCP complaints shall be filed no later than one year from the date the alleged violation occurred.

Complaints within the scope of the UCP are to be filed with the person responsible for processing complaints;

Superintendent

PO Box 1067

Hanford, CA 93230

559-585-3600

A pupil fee includes a purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

A pupil fees complaint may be filed with the principal of a school or with our ~~superintendent~~ or their designee. A pupil fees complaint may be filed anonymously, that is, without an identifying signature, if the

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complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

For complaints relating to Local Control and Accountability Plans (LCAP), the date of the alleged violation is the date when the reviewing authority approves the LCAP or annual update that we adopted. An LCAP complaint may be filed anonymously, that is, without an identifying signature, if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

We advise complainants of the right to pursue civil law remedies that may be available under state or federal discrimination, harassment, intimidation or bullying laws, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may also be available to complainants.

### Investigating UCP Complaints

The UCP complaint investigation is our administrative process for the purpose of gathering data regarding the complaint. We provide an opportunity for complainants and/or representatives to present evidence or information. Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

Refusal by ~~the~~The Hanford Elementary School District to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

We ensure that complainants are protected from retaliation.

We investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group. Unlawful discrimination, harassment, intimidation or bullying complaints shall be filed no later than six months from the date the alleged discrimination, harassment, intimidation or bullying occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

### UCP Complaint Resolution

We will thoroughly investigate the UCP complaint and issue a written Investigation Report to the complainant within 60 calendar days from the date of the receipt of the complaint, unless the complainant agrees in writing to an extension of time.

This Investigation Report will contain the following elements:

- ~~the~~ findings of fact based on the evidence gathered;
- ~~a~~ conclusion that provides a clear determination for each allegation as to whether we are in compliance with ~~the relevant~~therelevant law;
- ~~corrective~~ actions if we find merit in a complaint:
- ~~includingfor~~ complaints ~~of~~regarding Pupil Fees; LCAP; Physical Education Instructional Minutes, or Course Periods without Educational Content, the remedy shall go to all affected pupils, parents, and guardians,
- for all other complaints within the scope of the Uniform Complaint Procedures the remedy shall go to the affectedpupil,
- With respect to a ~~pupil fees~~Pupil Fees complaint, corrective actions shall include ~~a remedy where in good faith, by engaging inreasonable~~reasonable efforts, ~~an attempt~~to identify and fully reimburseensure fullreimbursement to all pupils, parents and guardians who paid a pupil fee within one year prior to the filing of the complaint;
- ~~a~~ notice of the complainant's right to appeal our Investigation Report to the Department of Education (CDE); and-

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- the procedures to be followed for initiating an appeal to the CDE.

### UCP Complaint Appeal Process

An appeal is a written and signed request by the complainant to the CDE seeking review of an LEA Investigation Report that was issued in response to a properly-filed complaint. A signature may be handwritten, typed (including in an email) or electronically-generated.

The complainant may appeal our Investigation Report of a UCP complaint to the CDE by filing a written appeal within 30 calendar days of the date. In order to request an appeal, the complainant must specify and explain the basis for the appeal, including at least one of the following: ~~The District failed to follow its complaint procedures, and/or~~

- ~~The Hanford Elementary School District failed to follow its complaint procedures, and/or~~
- the Investigation Report lacks material findings of fact necessary to reach a conclusion of law, and/or
- ~~the material findings of fact in the Investigation Report are not supported by substantial evidence, and/or~~
- ~~the legal conclusion in the Investigation Report is inconsistent with the law, and/or~~
- ~~in a case in which we were found in noncompliance, the corrective actions fail to provide a proper remedy.~~

The appeal shall be sent with: (1) a copy of the locally filed complaint; and (2) a copy of the LEA Investigation Report. ~~All complaints and responses are public records.~~

### Legal References

20 United States Code [20 U.S.C.] Section 6301 et seq.

34 Code of Federal Regulations [34 CFR] Sections 106.8, 34 CFR 299.10-11

California Education Code [EC] Sections 200, 201, 210.1, 210.3, 220, 221.1, 222, 234.1, 260, 3031, 8200-8498,

8235.5, 8235-8239.1, 8261, 8482-8484.65, 8500-8538, 17002(d), 17592.72, 32280-32289, 32289,

33126(b)(5)

(A), 33126(b)(5)(B), 33315, 35161, 35186, 46015, 48645.7, 48853, 48853.5, 48987, 49010-49013,

49069.5, 49531, 49556, 51210, 51222, 51223, 51225.1-3, 51228.1-51228.3, 52059, 52075, 52300-52462,

52334.7,

52355, 52451, 52460-52462, 52500-52617, 54440-54445, 54445, 56100(a), 56100(j), 60010, 64001,

65000.

California Government Code [GC] Sections 11135, 11136, 12960

California Penal Code [PC] Section 422.55, 11166

California Code of Regulations Title 5 (5 CCR) Sections 4600-4640,

4690-4694

**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 11023

5 CCR 15580-15584

5 CCR 3200-3205

5 CCR 4600-4670

5 CCR 4680-4687

### Description

Harassment and discrimination prevention and correction -

<https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==>

Child nutrition programs complaint procedures

Special education compliance complaints

Uniform complaint procedures

Williams uniform complaint procedures

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5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs	Formatted: Line spacing: single
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs	Formatted: Line spacing: single
Ed. Code 200-262.4	Educational equity; prohibition of discrimination on the basis of sex <a href="https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbNL6kKkgxQ==">https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbNL6kKkgxQ==</a>	Formatted: Line spacing: single
Ed. Code 18100-18203	School libraries	Formatted: Line spacing: single
Ed. Code 32221.5	Insurance for athletic team members	Formatted: Line spacing: single
Ed. Code 32280-32289	School safety plans	Formatted: Line spacing: single
Ed. Code 35186	Williams uniform complaint procedures	Formatted: Line spacing: single
Ed. Code 46015	Parental leave for students	Formatted: Line spacing: single
Ed. Code 48853-48853.5	Foster youth	Formatted: Line spacing: single
Ed. Code 48985	Notices in language other than English	Formatted: Line spacing: single
Ed. Code 49010-49014	Student fees	Formatted: Line spacing: single
Ed. code 49060-49079	Student records	Formatted: Line spacing: single
Ed. Code 49069.5	Records of foster youth	Formatted: Line spacing: single
Ed. Code 49490-49590	Child nutrition programs	Formatted: Line spacing: single
Ed. Code 49701	Interstate Compact on Educational Opportunity for Military Children	Formatted: Line spacing: single
Ed. Code 51210	Courses of study grades 1-6	Formatted: Line spacing: single
Ed. Code 51222	Physical education	Formatted: Line spacing: single
Ed. Code 51223	Physical education, elementary schools	Formatted: Line spacing: single
Ed. Code 51225.1-51225.2	Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements	Formatted: Line spacing: single
Ed. Code 51226-51226.1	Career technical education	Formatted: Line spacing: single
Ed. Code 51228.1-51228.3	Course periods without educational content	Formatted: Line spacing: single
Ed. Code 52059.5	Statewide system of support	Formatted: Line spacing: single
Ed. Code 52060-52077	Local control and accountability plan	Formatted: Line spacing: single
Ed. Code 52075	Complaint for lack of compliance with local control and accountability plan requirements	Formatted: Line spacing: single
Ed. Code 52300-52462	Career technical education	Formatted: Line spacing: single
Ed. Code 52500-52616.24	Adult schools	Formatted: Line spacing: single
Ed. Code 54400-54425	Compensatory education programs	Formatted: Line spacing: single
Ed. Code 54440-54445	Migrant education	Formatted: Line spacing: single
Ed. Code 54460-54529	Compensatory education programs	Formatted: Line spacing: single
Ed. Code 59000-59300	Special schools and centers	Formatted: Line spacing: single
Ed. Code 64000-64001	Consolidated application process; school plan for student achievement	Formatted: Line spacing: single
Ed. Code 65000-65001	School site councils	Formatted: Line spacing: single
Ed. Code 8200-8498	Child care and development programs	Formatted: Line spacing: single
Ed. Code 8500-8538	Adult basic education	Formatted: Line spacing: single
Gov. Code 11135	Nondiscrimination in programs or activities funded by state	Formatted: Line spacing: single
Gov. Code 11135	Discrimination - <a href="https://simbli.eboardsolutions.com/SU/PcUFWeMcJnzBrKAL0EtfQ==">https://simbli.eboardsolutions.com/SU/PcUFWeMcJnzBrKAL0EtfQ==</a>	Formatted: Line spacing: single
Gov. Code 12900-12996	Fair Employment and Housing Act	Formatted: Line spacing: single
H&S Code 1596.792	California Child Day Care Act; general provisions and definitions	Formatted: Line spacing: single
H&S Code 1596.7925	California Child Day Care Act; health and safety regulations	Formatted: Line spacing: single
Pen. Code 422.55	Definition of hate crime	Formatted: Line spacing: single

Pen. Code 422.6

Civil rights; crimes

#### Federal References

#### Description

20 USC 1221

Application of laws

20 USC 1232g

Family Educational Rights and Privacy Act (FERPA) of 1974

20 USC 1681-1688

Title IX of the Education Amendments of 1972

20 USC 6301-6576

Title I Improving the Academic Achievement of the Disadvantaged

20 USC 6801-7014

Title III language instruction for limited English proficient and immigrant students

28 CFR 35.107

Nondiscrimination on basis of disability; complaints

29 USC 794

Rehabilitation Act of 1973, Section 504

34 CFR 100.3

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

34 CFR 104.7

Designation of responsible employee for Section 504

34 CFR 106.1-106.82

Nondiscrimination on the basis of sex in education programs

34 CFR 106.8

Designation of responsible employee for Title IX

34 CFR 106.9

Notification of nondiscrimination on basis of sex

34 CFR 110.25

Notification of nondiscrimination on the basis of age

34 CFR 99.1-99.67

Family Educational Rights and Privacy Act

42 USC 11431-11435

McKinney-Vento Homeless Assistance Act

42 USC 12101-12213

Title II equal opportunity for individuals with disabilities

42 USC 2000d-2000e-17

Title VI and Title VII Civil Rights Act of 1964, as amended

42 USC 2000h-2-2000h-6

Title IX of the Civil Rights Act of 1964

42 USC 6101-6107

Age Discrimination Act of 1975

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Uniform Complaint Procedure 2020-21 Program Instrument

California Department of Education  
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Sample UCP Board Policies and Procedures

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Publication

Dear Colleague Letter, September 22, 2017

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Dear Colleague Letter: Responding to Bullying of Students with Disabilities,  
October 2014  
Revised Sexual Harassment Guidance: Harassment of Students by  
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Employees, Other Students, or Third Parties, January 2001

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California Department of Education -

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CSBA -

Website

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#### Cross References

#### Description

0410 <https://simbli.eboardsolutions.com/SU/TahleBitslshsbndeS7rVJAg==> Nondiscrimination In District Programs And Activities -

School Plans/Site Councils -

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Charter School Oversight -

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Comprehensive Local Plan For Special Education -

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Comprehensive Safety Plan -

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Local Control And Accountability Plan -

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COVID-19 Mitigation Plan -

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Communication With The Public -

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District And School Web Sites -

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District And School Web Sites -

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Citizen Advisory Committees -

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Citizen Advisory Committees -

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1312.2 Complaints Concerning Instructional Materials -  
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1312.4 Williams Uniform Complaint Procedures -  
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3260 Fees And Charges -  
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4212.9 Employee Notifications -

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Sexual Harassment -

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Interdistrict Attendance -

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Student Records -

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Student Records -

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Tobacco -

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Positive School Climate -

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Child Abuse Prevention And Reporting -

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5148	Child Care And Development -	Formatted: Indent: Hanging: 0.01"
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6145	Extracurricular And Cocurricular Activities -	Formatted: Indent: Hanging: 0.01"
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Procedural Safeguards And Complaints For Special Education -
- 6159.1 <https://simbli.eboardsolutions.com/SU/mQtClXDEKpxo8uENBC67OQ==>  
Procedural Safeguards And Complaints For Special Education -
- 6159.2 <https://simbli.eboardsolutions.com/SU/Y4JIsv5cOn9KmMktAypktw==>  
Nonpublic, Nonsectarian School And Agency Services For Special Education -
- 6159.2 <https://simbli.eboardsolutions.com/SU/R1hs3OCe48bSs5geWGVLMa==>  
Nonpublic, Nonsectarian School And Agency Services For Special Education -
- 6159.3 <https://simbli.eboardsolutions.com/SU/COZPD5l6SqN6LoWTL4lz7A==>  
Appointment Of Surrogate Parent For Special Education Students -
- 6159.3 <https://simbli.eboardsolutions.com/SU/xGPm9Ja5iHNKe9Hf9bAHig==>  
Appointment Of Surrogate Parent For Special Education Students -
- 6164.4 <https://simbli.eboardsolutions.com/SU/SuslshwZaGBGCFaCjRcyJuOKw==>  
Identification And Evaluation Of Individuals For Special Education -
- 6164.4 <https://simbli.eboardsolutions.com/SU/Mfslh5plusjp8CjGgOTO8IYFA==>  
Identification And Evaluation Of Individuals For Special Education -
- 6171 <https://simbli.eboardsolutions.com/SU/BNPb9AbWLPd8Ksmtjdr5Mw==>  
Title I Programs -
- <https://simbli.eboardsolutions.com/SU/DcaRKiZii3nxNZBY0cgfg==>  
Title I Programs 6171
- 6173 <https://simbli.eboardsolutions.com/SU/ziLY6jh8GJTX7M1sR08cbw==>  
Education For Homeless Children -
- 6173 <https://simbli.eboardsolutions.com/SU/LslshovvKSDP51HPXYeFDbFzA==>  
Education For Homeless Children -
- 6173.1 <https://simbli.eboardsolutions.com/SU/eVhicNplus5GaKuXjDnh3LfrQ==>  
Education For Foster Youth -
- 6173.1 <https://simbli.eboardsolutions.com/SU/9zSYbslshmj955fIW8slshWtTCLw==>  
Education For Foster Youth -
- 6173.2 <https://simbli.eboardsolutions.com/SU/KH4ab7brXUqsqOL5JlicFA==>  
Education Of Children Of Military Families -
- Education Of Children Of Military Families -

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- 6173.2 <https://simbli.eboardsolutions.com/SU/iGiLCqplusjhgePoer5hCHSuA==>  
Education For Juvenile Court School Students -
- 6173.3 <https://simbli.eboardsolutions.com/SU/HgMqKqogel5dy54S6ujO6Q==>  
Migrant Education Program -
- 6175 <https://simbli.eboardsolutions.com/SU/3CZSEioKUpGLHu0yUJDwew==>  
Migrant Education Program -
- 6175 <https://simbli.eboardsolutions.com/SU/yTUCOQj3HdeY92mXtHslshOgg==>  
Role Of The Board -
- 9000  
<https://simbli.eboardsolutions.com/SU/NA2meCbJWoCoA6XkibraCg==>  
Disclosure Of Confidential/Privileged Information -
- 9011 <https://simbli.eboardsolutions.com/SU/iPslsh49wfl7rplus6FxQf3IM70A==>  
Board Member Electronic Communications -
- 9012 <https://simbli.eboardsolutions.com/SU/10YwZYZuyBC3eCwYASVayQ==>  
Attorney -
- 9124 <https://simbli.eboardsolutions.com/SU/7yB3IazhrkbPhYV9u78nQ==>  
Limits Of Board Member Authority -
- 9200 <https://simbli.eboardsolutions.com/SU/t8SiURwUcGcsGXslsh4LhcSlw==>  
Agenda/Meeting Materials -
- 9322  
<https://simbli.eboardsolutions.com/SU/xe0zAnoLaAkgciBqslsh8T57Q==>

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**HANFORD ELEMENTARY SCHOOL DISTRICT**  
**AGENDA REQUEST FORM**

TO: Joy Gabler

FROM: Doug Carlton

DATE: December 29, 2021

For: ☒ Board Meeting  
☐ Superintendent's Cabinet

For: ☐ Information  
☒ Action

Date you wish to have your item considered: January 26, 2022

**ITEM:** Consider for approval, the updated 2021-2022 School Plans for Student Achievement.

**PURPOSE:** Each school has carefully and thoroughly followed the planning process. School site councils have approved the updated 2021-2022 school plans. The primary updates in this revision are setting of Expected Outcomes for student achievement and school climate.

**Fiscal Impact:**

The school plans detail planned expenditures at each school site for Title I, and LCFF funds.

**RECOMMENDATION:** Consider for approval the updated 2021-2022 School Plans

# HANFORD ELEMENTARY SCHOOL DISTRICT

## AGENDA REQUEST FORM

TO: Joy Gabler

FROM: Doug Carlton

DATE: January 10, 2022

For: ☒ Board Meeting  
☐ Superintendent's Cabinet

For: ☐ Information  
☒ Action

Date you wish to have your item considered: January 26, 2022

### ITEM:

Receive for action: The California School Accountability Report Cards (SARCs)

Hamilton Elementary	Roosevelt Elementary
Jefferson Academy	Simas Elementary
Martin Luther King Elementary	Washington Elementary
Lincoln Elementary	John F. Kennedy Jr. High
Monroe Elementary	Woodrow Wilson Jr. High
Lee Richmond Elementary	Community Day School

### PURPOSE:

California schools annually provide information to the community to allow public comparison of schools for student achievement, environment, resources & demographics. Additionally, the SARCs contain information that is reported on the California School Dashboard's *Local Indicators*.

SARCS are available to the public online at the district's website, each individual school's website, and at the California Department of Education website. Paper copies of SARCS are available in the school office or at the district office upon request.

### FISCAL IMPACT:

Providing information to the community in the form of SARCS is a requirement of receiving funding under the Local Control Funding Formula

### RECOMMENDATION: APPROVE SARCS

## HANFORD ELEMENTARY SCHOOL DISTRICT

**Agenda Request Form**

**TO:** Joy C. Gabler  
**FROM:** Bill Potter  
**DATE:** January 14, 2022  
**FOR:** (X) Board Meeting  
( ) Superintendent's Cabinet  
**FOR:** ( ) Information  
(X) Action

Date you wish to have your item considered: January 26, 2022

**ITEM**

Consider Ratification of contract for construction inspection and testing services agreement with RMA Geoscience for the Modernization at Roosevelt Elementary School

**PURPOSE**

Services to be performed includes construction inspection and testing services in accordance with DSA project requirements.

**FISCAL IMPACT**

The estimated fee for this agreement is \$8,465.00

**RECOMMENDATION**

Ratify construction inspection and testing services agreement with RMA Geoscience for the Modernization at Roosevelt Elementary School.



Proposal No: 21G-0682-P

December 15, 2021

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

Attention: Bill Potter

Subject: Proposal to Provide Construction Inspection and Testing Services  
Roosevelt Elementary School - Mod  
870 Davis St  
Hanford, CA

Dear Bill Potter,

In response to your request, we propose to provide construction inspection and testing services for the Roosevelt Elementary School - Mod project.

### **PROJECT UNDERSTANDING**

We understand that the project will consist of Alterations to 4-Classroom Buildings, 1-Library / Office Building. Based on our review of plans, specs and DSA 103, we understand that construction inspection and testing services will be required during construction.

### **SCOPE OF WORK**

#### **Time and Materials**

This scope of services will consist of providing on call as needed services on an hourly and / or test rate basis in accordance with the attached schedule of fees.



## TERMS

We propose to perform the previously described services on an hourly or test rate basis in accordance to the attached fee schedule. Our estimate is based on information given to RMA GeoScience AOR and the following assumed construction durations. Our estimate of charges for the proposed services is as follows:

### Construction Activity

Time and Materials		\$8,465.00
	<b>TOTAL</b>	<b>\$8,465.00</b>

Our estimate may vary due to circumstances that may develop during the course of the work or due to extended construction duration. If a change in the scope of work becomes necessary due to unforeseen conditions, which will increase the charges, we will obtain your authorization before proceeding.

Invoices for our services will be rendered at the completion of the work and upon completion of the report. Invoices are due and payable upon presentation. Should the duration of the job exceed one month, monthly invoices will be presented for services performed.

## PROFESSIONAL INSURANCE

We maintain the following insurance coverage. Certificates of insurance will be provided upon request. However, our professional liability insurance carrier (errors and omissions) will not name any additional insured.

General liability	\$1,000,000.00 limit
Professional Liability	\$1,000,000.00 limit
Workmen's Compensation	\$1,000,000.00 limit

## CLOSURE

RMA GeoScience does not guarantee the performance of the contractor(s) by performing these services. RMA GeoScience's performance of these services shall not relieve the contractor(s) of his obligation to perform the work in conformity with the drawings and specifications and in a workmanlike manner; shall not make RMA GeoScience an insurer of the contractor's performance; and shall not impose on RMA GeoScience any obligation to see that the work is performed in a safe manner.

Thank you for the opportunity to submit this proposal. We look forward to working with you on this project and can begin our work upon receipt of your notice to proceed and receipt of a signed copy of this proposal authorizing us to perform these professional services. If you have any questions regarding this proposal please contact the undersigned Project Manager.



Authorized By:

Bill Potter Jr.

(Signature)

Bill Potter Jr.

(Print or Type Name)

Director of Facilities & Operations

(Title)

12/20/21

(Date)

Submitted By:

**RMA GeoScience**

Gary Blomgren

Gary Blomgren

Regional Manager



## ESTIMATE WORKSHEET

## Time and Materials

Item	Quantity	Unit	Unit Price	Total
T&M	1	EA	\$8465.00	\$8465.00
Subtotal:				\$8465.00



## Schedule of Fees and General Terms

### Personnel Charges - Professional Staff

Product Name	Units	Rate (\$)
Project Engineer - Laboratory	HR	\$165.00
Principal Engineer - Office	HR	\$175.00
Administrative	HR	\$60.00
Principal Engineer - Expert Witness	HR	\$175.00
Principal Engineer - Field	HR	\$175.00
Principal Engineer - Consultation	HR	\$175.00
Principal Engineer - Job Conference	HR	\$175.00
Project Engineer - Consultation	HR	\$165.00
Principal Engineer - Court Appearance	HR	\$175.00
Project Engineer - Office	HR	\$165.00
Project Engineer - Field	HR	\$165.00
Project Engineer - Job Conference	HR	\$165.00
Project Manager - Job Conference	HR	\$155.00
Staff Engineer - Office	HR	\$135.00
Staff Engineer - Field	HR	\$135.00
Drafting	HR	\$85.00
Project Manager - Office	HR	\$155.00
Project Manager - Field	HR	\$155.00
Principal Geologist - Job Conference	HR	\$175.00
Principal Geologist - Office	HR	\$175.00
Principal Geologist - Field	HR	\$175.00
Principal Geologist - Consultation	HR	\$175.00
Principal Geologist - Expert Witness	HR	\$175.00
Project Geologist - Consultation	HR	\$165.00
Principal Geologist - Court Appearance	HR	\$175.00
Project Geologist - Office	HR	\$165.00
Project Geologist - Field	HR	\$165.00
Project Geologist - Job Conference	HR	\$165.00
Staff Geologist - Office	HR	\$135.00
Staff Geologist - Field	HR	\$135.00

### Personnel Charges - Field Staff

Product Name	Units	Rate (\$)
Soils Engineering Technician	HR	\$99.00
Soils Technician Compaction Testing	HR	\$99.00
Soils Technician Rough Grading	HR	\$99.00
Soils Technician Retesting	HR	\$99.00
Public Works Inspector	HR	\$107.00
Public Works Technician	HR	\$105.00
Public Works Inspector - Asphalt Paving	HR	\$107.00
Public Works Inspector - Asphalt Plant	HR	\$107.00
Public Works Inspector - Concrete Paving	HR	\$107.00
Public Works Inspector - Concrete Plant	HR	\$107.00
Public Works Technician - Asphalt	HR	\$105.00
Public Works Technician - Concrete	HR	\$105.00
Laboratory Technician - Field Lab	HR	\$85.00
Building Inspector	HR	\$110.00
Special Inspector (ICC)	HR	\$101.00
Mechanical   Electrical Inspector	HR	\$110.00
Special Inspector Reinforced Concrete	HR	\$101.00

Hanford Elementary School District  
 Roosevelt Elementary School - Mod  
 Hanford, CA

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## Schedule of Fees and General Terms

Special Inspector Prestressed Concrete	HR	\$101.00
Special Inspector Concrete Batch Plant	HR	\$101.00
ACI Concrete Technician	HR	\$99.00
Pick-up and Delivery of Test Specimens	HR	\$65.00
ID Reinforcing or Structural Steel	HR	\$101.00
Special Inspector Fire Proofing	HR	\$101.00
Special Inspector Post Installed Anchors	HR	\$101.00
Special Inspector Masonry	HR	\$101.00
Special Inspector Roofing/Waterproofing	HR	\$101.00
Special Inspector Masonry (DSA)	HR	\$110.00
Special Inspector Shotcrete	HR	\$101.00
Special Inspector Post Tensioned Conc.	HR	\$101.00
Special Inspector Fire Stopping	HR	\$101.00
AWS Certified Welding Inspector- Field	HR	\$101.00
AWS Certified Welding Inspector- Shop	HR	\$98.00
Special Inspector Structural Steel	HR	\$101.00
Special Inspector High Strength Bolting	HR	\$101.00
Special Inspector Wood Construction	HR	\$100.00
Non Destructive Testing ASNT Level II	HR	\$105.00
Special Inspector Coatings (NACE)	HR	\$105.00
Special Inspector Fiber Wrap	HR	\$101.00
Pull   Torque Testing Technician	HR	\$99.00
Project Inspector (IOR)	HR	\$110.00
Concrete Coring Technician	HR	\$98.00
Asphalt Coring Technician	HR	\$98.00
Field Supervisor	HR	\$110.00
Field Supervisor	HR	\$110.00
Field Supervisor	HR	\$110.00
Quality Control Manager	HR	\$135.00
Mix Design Review	HR	\$330.00

### Laboratory Tests - Steel

Product Name	Units	Rate (\$)
ASTM E605 Spray Applied Fireproofing Den	EA	\$95.00
ASTM A370 Rebar Tension up to #8	EA	\$40.00
ASTM A370 Rebar Tension #9 to #11	EA	\$50.00
ASTM A370 Rebar Tension #14	EA	\$80.00
ASTM A370 Rebar Tension #18	EA	\$120.00
ASTM A370 Bend Test Rebar up to #8	EA	\$30.00
ASTM A370 Bend Test Rebar #9 to #11	EA	\$40.00
ASTM A370 Bend Test Rebar #14	EA	\$80.00
ASTM A370 Bend Test Rebar # 18	EA	\$120.00
ASTM A370 Headed Bar Prod. Lot up to #8	LOT	\$200.00
ASTM A370 Headed Bar Prod. Lot #14	LOT	\$380.00
ASTM A370 Headed Bar Prod. Lot #9 to #11	LOT	\$250.00
ASTM A370 Headed Bar Prod. Lot #18	LOT	\$500.00
ASTM A416 Stress-Strain Analysis	EA	\$175.00
ASTM A416 Tensile Test Only	EA	\$125.00
ASTM A370 Tensile Up to 100K lbs (Each)	EA	\$50.00
ASTM A370 Tensile Up to 200K lbs (Each)	EA	\$55.00
ASTM A370 Tensile Up to 300K lbs (Each)	EA	\$65.00
ASTM A370 Tensile Up to 400K lbs (Each)	EA	\$110.00

Hanford Elementary School District  
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Hanford, CA

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## Schedule of Fees and General Terms

ASTM A370 Tensile 400K - 500K lbs (Each)	EA	\$300.00
ASTM A370 Tensile Stress-Strain Percent	EA	\$150.00
AWS Weld: Macroetch	EA	\$75.00
AWS Weld: Fracture	EA	\$50.00
AWS Bend Test	EA	\$50.00
ASTM A370 Rockwell Hardness (Each)	EA	\$75.00
Steel Chemical Analysis	EA	\$150.00
ASTM F606 Bolt Axial Tensile to 7/8"	EA	\$40.00
ASTM F606 Bolt Wedge Tensile to 7/8"	EA	\$55.00
ASTM F606 Bolt: Axial 7/8" - 1 1/2"	EA	\$60.00
ASTM F606 Bolt Wedge Tens 7/8" to 1 1/2"	EA	\$75.00
ASTM F606 Bolt: Proof Load up to 7/8"	EA	\$65.00
ASTM F606 Bolt: Proof Load up to 1 1/2"	EA	\$85.00
ASTM F606 Nut: Proof Load up to 7/8"	EA	\$45.00
ASTM F606 Nut: Proof Load up to 1 1/2"	EA	\$65.00

### Laboratory Tests - Soil

Product Name	Units	Rate (\$)
ASTM D4318 Plasticity Index of Soils	EA	\$250.00
ASTM D1883 California Bearing Ratio	EA	\$450.00
ASTM D2435 Consolidation	EA	\$200.00
ASTM D3080 Direct Shear, Consol&Drained	EA	\$325.00
ASTM D2435 Consolidation with Time Rate	EA	\$250.00
ASTM D2166 Unconfined Comp Strength	EA	\$250.00
ASTM D4829 Expansion Index of Soils	EA	\$175.00
ASTM D2050 Tri-Axial Shear Strength	EA	\$350.00
ASTM D5333 Hydro Collapse Potential	EA	\$175.00
ASTM D2937 In-Place Density, Drive Cyl	EA	\$45.00
ASTM D2216 Soil Moisture Content by Mass	EA	\$25.00
ASTM D698 Maximum Density Std Effort	EA	\$210.00
ASTM D1557 Max Density Optimum Moisture	EA	\$210.00
ASTM D4972 pH of Soils	EA	\$80.00
ASTM D2974 Moisture, Ash, Organic Matter	EA	\$75.00
ASTM D2844 R-Value & Expansive Pressures	EA	\$325.00
ASTM D2419 Sand Equivalent	EA	\$120.00
ASTM D2434 Const Head Permeability Test	EA	\$350.00
ASTM D422 Sieve Analysis of Soil	EA	\$250.00
ASTM D1140 Materials Finer than #200	EA	\$100.00
ASTM D422 Hydrometer Analysis	EA	\$175.00
ASTM D854 Specific Gravity of Soils	EA	\$195.00
ASTM D4546 Swell Potential	EA	\$175.00
ASTM D4943 Shrinkage Factor by Resin	EA	\$190.00
ASTM D559 Soil Cement Sample Preparation	EA	\$100.00
ASTM D558 Soil-Cement Maximum Density	EA	\$275.00
ASTM D1633 Compression Test Soil Cement	EA	\$75.00
AASHTO T100 Specific Gravity of Soils	EA	\$200.00

### Laboratory Tests - Masonry

Product Name	Units	Rate (\$)
ASTM C140 Block Compressive Strength	SET	\$65.00
ASTM C140 Block Moisture & Absorption	SET	\$75.00
ASTM C140 Block Unit Wt & Dimensions	SET	\$195.00

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## Schedule of Fees and General Terms

ASTM C426 Block Linear Shrinkage	SET	\$275.00
ASTM C90 Masonry Block Conformance	SET	\$550.00
ASTM C67 Brick Compressive Strength	SET	\$85.00
ASTM C67 Brick Moisture & Absorption	SET	\$75.00
ASTM C67 Brick 5 Hour Boil	EA	\$95.00
ASTM C67 Brick Modulus of Rupture	EA	\$95.00
ASTM C1019 Grout Prism Compression	EA	\$30.00
ASTM C780 Mortar Cylinder Compression	EA	\$30.00
ASTM C1314 Masonry Core Shear Str 8" Max	EA	\$75.00
ASTM C1314 Masonry Core Comp Str 8" Max	EA	\$65.00
ASTM E519 Assemblage Comp Str 12" Block	EA	\$100.00
ASTM E519 Assemblage Comp Str 8" Block	EA	\$85.00
ASTM E519 Assemblage Comp Str 16" Block	EA	\$125.00
ASTM C109 Compressive Strength 2" Cube	EA	\$30.00

### Laboratory Tests - Concrete

Product Name	Units	Rate (\$)
ASTM C39 Concrete Cyl Cured or Tested	EA	\$25.00
ASTM C42 Compressive Strength, Core	EA	\$65.00
ASTM C39 Cyl Tested out of Sequence	EA	\$35.00
ASTM C495 Lightweight Concrete Strength	EA	\$45.00
ASTM C78 Flexural Strength, Beam	EA	\$85.00
ASTM C1140 Shotcrete Panel Test	SET	\$250.00
ASTM C649 Concrete Modulus of Elasticity	EA	\$150.00
ASTM C138 Unit Weight of Concrete	EA	\$55.00
ASTM C157 Concrete Shrinkage (Set of 3)	SET	\$450.00
ASTM C496 Splitting Tensile Test	EA	\$90.00
AASHTO T336 Coefficient of Thermal Exp	EA	\$500.00
ASTM C495 Density - Lightweight Concrete	EA	\$175.00

### Laboratory Tests - Caltrans

Product Name	Units	Rate (\$)
CT202 Sieve Analysis, Combined Agg	EA	\$180.00
CT202 Sieve Analysis, Fine Agg	EA	\$150.00
CT202 Sieve Analysis, Coarse Agg	EA	\$135.00
CT205 Percentage Crushed Particles	EA	\$150.00
CT235 Flat and Elongated Particles	EA	\$285.00
CT206 Specific Gravity, Coarse Aggregate	EA	\$125.00
CT208 Apparent Specific Gravity of Fines	EA	\$200.00
CT207 Specific Gravity, Fine Aggregate	EA	\$165.00
CT234 Angularity & Voids, Fine Agg	EA	\$195.00
CT229 Durability Index	EA	\$300.00
CT227 Cleaness Value	EA	\$285.00
CT211 Abrasion, Los Angeles Rattler	EA	\$250.00
CT213 Organic Impurities in Sand	EA	\$95.00
CT214 Soundness by Sodium Sulfate	EA	\$375.00
CT226 Moisture Content by Oven Drying	EA	\$25.00
CT217 Sand Equivalent	EA	\$120.00
CT308(A) Core Density Paraffin Coated	EA	\$50.00
CT308(C) Core Density SSD	EA	\$45.00
CT303 Approximate Bitumen Ratio	EA	\$250.00
CT304/308(A) LTMD Kneading Compactor	EA	\$325.00

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## Schedule of Fees and General Terms

CT308(A)/366 Stability and Density	EA	\$325.00
CT305 Swell of Bituminous Mixtures	EA	\$350.00
CT366 Stabilometer Value	EA	\$265.00
CT308(C)/366 Stability and Density	EA	\$325.00
CT309 Maximum Theoretical Density	EA	\$200.00
CT370 Moisture Content by Microwave	EA	\$75.00
CT379 Asphalt Content Nuclear Gauge	EA	\$200.00
CT382 Ignition Oven Correction Factor	EA	\$300.00
CT371 Tensile Strength Ratio	EA	\$1,100.00
CT382 Asphalt Content by Ignition	EA	\$185.00
CT302 Film Stripping	EA	\$250.00
CT521 Concrete Cyl Compressive Strength	EA	\$25.00
CT523 Concrete Flexural Strength, Beam	EA	\$85.00
CT531 Length of Drilled Concrete Cores	EA	\$45.00
CT550 Surface Abrasion of Concrete	EA	\$400.00
CT534 Water Retention, Liq Curing Compnd	EA	\$425.00
CT524 RSC Flexural Strength, Beam	EA	\$85.00
CT521 Compressive Strength LCB	EA	\$25.00
CT515 Relative Mortar Strength, PCC Sand	EA	\$600.00
CT670 Tensile Strength #8 - #11	EA	\$75.00
CT670 Tensile Strength up to #8	EA	\$50.00
CT670 Tensile Strength #14	EA	\$100.00
CT670 Tensile Strength #18	EA	\$150.00
CT 52-1-08C Slip Test	EA	\$150.00
CT670 Operator Qualification #9 - #11	LOT	\$400.00
CT670 Operator Qualification up to #8	LOT	\$350.00
CT670 Operator Qualification #18	LOT	\$850.00
CT670 Operator Qualification #14	LOT	\$600.00
CT670 Operator Qualification #9 - #11	EA	\$350.00
CT670 Operator Qualification up to #8	EA	\$300.00
CT670 Operator Qualification #14	EA	\$450.00
CT670 Production Lot up to #8 (Service)	LOT	\$250.00
CT670 Operator Qualification #18	EA	\$600.00
CT670 Production Lot #9 to #11 (Service)	LOT	\$300.00
CT670 Production Lot #14 (Service)	LOT	\$400.00
CT670 Production Lot #18 (Service)	LOT	\$550.00
CT670 Production Lot up to #8 (Ultimate)	LOT	\$300.00
CT670 Production Lot #9 to #11 (Ultimate)	LOT	\$350.00
CT670 Production Lot #14 (Ultimate)	LOT	\$550.00
CT670 Production Lot #18 (Ultimate)	LOT	\$750.00
CT204 Plasticity Index, Atterberg	EA	\$225.00
CT209 Specific Gravity of Soil	EA	\$200.00
CT216 CA Impact Max Density	EA	\$225.00
CT301 Resistance R-Value Stabilometer	EA	\$320.00
CT216 CA Impact, Rock Correction	EA	\$45.00
CT417 Soluble Sulfates	EA	\$95.00
CT422 Chloride Content	EA	\$80.00
CT643 Resistivity and pH	EA	\$95.00

### Laboratory Tests - Asphalt

Product Name	Units	Rate (\$)
ASTM D2726 Core Density (SSD)	EA	\$45.00

Hanford Elementary School District  
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Hanford, CA

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## Schedule of Fees and General Terms

ASTM D1188 Core Density Parafilm Coated	EA	\$50.00
ASTM D6926 Lab Max Density Marshall	EA	\$250.00
ASTM D6927 Marshal Stability and Flow	EA	\$325.00
ASTM D1561 LTMD Kneading Compactor	EA	\$260.00
ASTM D1560 Hveem Stability and Density	EA	\$325.00
ASTM D1560 Hveem Stability	EA	\$225.00
ASTM D2041 Maximum Theoretical Density	EA	\$195.00
ASTM D6307 Ignition Oven Calibration	EA	\$300.00
ASTM D6307 Asphalt Content by Ignition	EA	\$185.00
ASTM D2172 Asphalt Content by Solvents	EA	\$275.00
ASTM D4125 Asphalt Content Nuclear Gauge	EA	\$250.00
ASTM D5444 Gradation of Extracted Agg	EA	\$200.00
ASTM D244 Emulsion Residue Evaporation	EA	\$175.00
ASTM D244 Emulsion Sieve Analysis	EA	\$115.00
ASTM D3910 Wet Track Abrasion	EA	\$150.00
AASHTO T324 Hamburg Wheel Tracking Test	EA	\$900.00
AASHTO T283 Tensile Strength Ratio	EA	\$1,100.00
AASHTO T312/T275 LTMD Gyratory Compactor	EA	\$325.00
AASHTO T209 Theoretical Maximum Density	EA	\$195.00
AASHTO T308 Asphalt Content by Ignition	EA	\$185.00
AASHTO T308A AC Correction Factor	EA	\$350.00
AASHTO T324 Hamburg Wheel Tracking RHMA	EA	\$900.00
AASHTO T283 Tensile Strength Ratio RHMA	EA	\$1,100.00
AASHTO T312/T275 LTMD Gyratory Comp RHMA	EA	\$325.00

### Laboratory Tests - Aggregates

Product Name	Units	Rate (\$)
ASTM C131 Abrasion, Los Angeles Rattler	EA	\$250.00
ASTM C40 Organic Impurities in Fine Agg	EA	\$95.00
ASTM C127 Specific Gravity, Coarse Agg	EA	\$150.00
ASTM C1252 Angularity & Voids, Fine Agg	EA	\$175.00
ASTM C128 Specific Gravity, Fine Agg	EA	\$175.00
ASTM C566 Moisture Content by Drying	EA	\$20.00
ASTM C117 Materials Finer than No. 200	EA	\$100.00
ASTM C289 Alkali-Silica Reactivity	EA	\$500.00
ASTM D2419 Sand Equivalent	EA	\$120.00
ASTM D4791 Flat & Elongated Particles	EA	\$275.00
ASTM D5821 Percent Fractured Particles	EA	\$150.00
ASTM C123 Percent Lightweight Particles	EA	\$200.00
ASTM C88 Soundness by Sodium Sulfate	EA	\$400.00
ASTM C136 Sieve Analysis, Combined Agg	EA	\$175.00
ASTM C136 Sieve Analysis, Fine Agg	EA	\$150.00
ASTM C136 Sieve Analysis, Coarse Agg	EA	\$135.00
ASTM C142 Clay Lumps & Friable Particles	EA	\$190.00
AASHTO T304 Angularity & Voids in Fines	EA	\$165.00
AASHTO T84 Specific Gravity, Fine Agg	EA	\$175.00
AASHTO T85 Specific Gravity, Coarse Agg	EA	\$150.00
AASHTO T96 Abrasion, Los Angeles Rattler	EA	\$250.00
AASHTO T27 Sieve Analysis, Combined Agg	EA	\$175.00
AASHTO T27 Sieve Analysis, Fine Agg	EA	\$150.00
AASHTO T27 Sieve Analysis, Coarse Agg	EA	\$135.00
AASHTO T335 Crushed Particles	EA	\$150.00

Hanford Elementary School District  
Roosevelt Elementary School - Mod  
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## Schedule of Fees and General Terms

AASHTO T176 Sand Equivalent	EA	\$120.00
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### Equipment Charges

Product Name	Units	Rate (\$)
Stationary Laboratory Trailer & Testing Equipment	MO	\$450.00
Portable Drilling Equipment w/ Operator	HR	\$400.00
Mobile Laboratory Trailer & Testing Equipment	DAY	\$450.00
Mileage	MILE	Quote
Diamond Bit Core Rig and Generator	DAY	\$400.00
Nuclear Density Test Gauge	DAY	\$25.00
Hand Held Turbidity Meter	DAY	\$20.00
Ultrasonic Test Unit and Consumables	DAY	\$50.00
Torque Wrench	DAY	\$50.00
Magnetic Particle Test Unit	DAY	\$50.00
Skidmore	DAY	\$50.00
Schmidt Hammer	DAY	\$50.00
Proof Load Testing Equipment	DAY	\$100.00
Drilling Equip Mobilization / De-Mob	EA	\$600.00
ASTM C1028 Coefficient of Friction	DAY	\$350.00
Misc Permits	LS	Quote
Mini Environmental Quality Meter	DAY	\$250.00
Inertial Profiler	DAY	\$1,800.00
Materials / Supplies	LS	Quote
Blueprinting	EA	Quote
Misc Fees	HR	Quote
Misc Subconsultant	LS	Quote
Set of Aerial Photographs	EA	Quote
Dutch Cone Penetrometer with Operator	HR	\$250.00
Hollow Stem Auger Drill Rig w/ Operator	HR	\$350.00
Portable Drilling Equipment w/ Operator	HR	\$400.00
Bucket Auger Drill Rig with Operator	HR	\$450.00
Air Rotary Drill Rig with Operator	HR	\$500.00
Rotary Wash Drill Rig with Operator	HR	\$500.00
Per Diem	DAY	\$135.00



## Schedule of Fees and General Terms

### TERMS AND CONDITIONS

#### GENERAL CHARGES

RMA GeoScience requires twenty-four (24) hour prior notification for scheduling inspectors and/or technicians.

All inspection hours will be billed portal to portal in the following increments:

There will be a minimum two (2) hour charge for any RMA GeoScience employee presence on site.

Two (2) hour increments thereafter.

When personnel are required to work in excess of 5 hours without an uninterrupted meal period of 30 minutes, due to project constraints, ½ hour will be charged at double time rates in addition to any applicable hours worked.

Rates are valid through June 30, 2022. Rates for personnel will increase by 3% per year on July 1st of each subsequent year.

Certified Payroll Reports will be prepared upon request. There will be a \$75.00 charge for each certified payroll report.

Outside services will be billed at cost plus 15% unless billed directly to and paid for by Client.

Requests made by client for management attendance at meetings at the project site will be charged at standard rate.

Administrative/clerical support will be charged at 3% of the monthly direct charges.

#### OVERTIME CHARGES

Work performed in excess of 8 hours per day and / or up to eight (8) hours on Saturdays will be billed at 1.50 times the unit rate.

Work performed on Sunday, recognized holidays, or in excess of eight (8) hours on Saturdays will be billed at 2.00 times the unit rate.

A 20% surcharge will be applied for laboratory tests performed on a Saturday or Sunday.

#### PER DIEM AND TRAVEL CHARGES

An \$185.00 charge per day will be applied when our personnel are required to stay overnight at remote locations.

Time will be billed at the unit rate while traveling to a remote location or if a location requires an overnight stay

Mileage for travel outside a 50 mile radius from either the project site or the nearest RMA facility whichever is closest, will be charged at a rate of \$0.55 per mile.

#### NIGHT WORK

A \$10.00 per hour surcharge will be added to all personnel rates for work performed during night shifts.

## HANFORD ELEMENTARY SCHOOL DISTRICT

**Agenda Request Form**

**TO:** Joy C. Gabler  
**FROM:** Bill Potter  
**DATE:** January 14, 2022  
**FOR:** (X) Board Meeting  
( ) Superintendent's Cabinet  
**FOR:** ( ) Information  
(X) Action

Date you wish to have your item considered: January 26, 2022

**ITEM**

Consider Ratification of contract for Environmental Health Consulting Services with Forensic Analytical Consulting Services (FACS) for the Modernization at Roosevelt Elementary School

**PURPOSE**

Provide asbestos abatement and project oversight.

**FISCAL IMPACT**

The estimated fee for this agreement is \$15,550.00

**RECOMMENDATION**

Ratify the agreement with FACS for the Modernization at Roosevelt Elementary School.





December 16, 2021

TO	Bill Potter, Director Facilities and Operations Hanford Elementary School District 714 North White Street Hanford, CA 93230	<a href="mailto:wpotter@hanfordesd.org">wpotter@hanfordesd.org</a> Phone: 559-585-3628
FROM	Chris Chipponeri, Local Director Forensic Analytical Consulting Services, Inc. 371 E. Bullard Avenue, Suite 109 Fresno, CA 93710	<a href="mailto:cchipponeri@forensicanalytical.com">cchipponeri@forensicanalytical.com</a> Phone: 559-436-0277
RE	<b>Proposal for Project Oversight – Roosevelt Elementary School Modernization Project Oversight (FACS#PJ68404)</b>	

Forensic Analytical Consulting Services, Inc. (FACS) is pleased to present this proposal to provide environmental health consulting services to Hanford Elementary School District (Client) for project management and oversight during the removal of asbestos-containing and lead-based materials as part of the modernization project at Roosevelt Elementary School, located at 870 Davis Street in Hanford, California.

## Client Objectives

Based on our correspondence, the following summarizes our understanding of your objectives:

- To ensure the proper handling of hazardous material during the project to protect workers and prevent the creation of a hazard onsite.
- To seek a trusted environmental expert, as a partner, to protect public health and reduce risk and liability.

## Scope of Work

Subject to the attached Fee Schedule (Attachment A), General Terms and Conditions (Attachment B), and the other provisions of this proposal, FACS will provide the following services (together referred to as the project):

### 1. *Provide asbestos abatement project oversight.*

- a. FACS personnel will provide project oversight from the setup and commencement of asbestos abatement through the removal of final containment area.
- b. As part of project oversight, FACS personnel will collect daily ambient air samples for airborne asbestos fibers. The air samples will be analyzed by phase contrast microscopy.
- c. At the conclusion of asbestos abatement and detail cleaning, FACS personnel will perform a detailed visual inspection of the containment area to verify all materials have been removed and the work area is clean of all dust and debris.
- d. For interior containment areas, clearance air samples will be collected by FACS the following work day after passage of the final visual inspection.
- e. Based on the amount of materials to be removed, clearance air samples will be analyzed by either phase contrast microscopy or transmission electron microscopy to meet AHERA requirement. These samples will be analyzed on a rush basis to limit delay between completion of abatement and reentry by general trades.

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- f. At the conclusion of work, FACS will issue a project closeout document that includes project daily logs, air sampling results, other applicable documents generated on the project by FACS, contractor project submittals and a final report. If desired by the client, this information can be provided electronically.

## 2. Quality assurance and quality control.

- a. FACS provides Quality Assurance and Quality Control (QA/QC) during the timeframe of the project. FACS strives to deliver accurate and contextually appropriate technical data, which is limited in scope and context in accordance with the Limitations section, below. FACS's leading subject matter experts develop FACS's QA/QC programs. Technical oversight, including review of the Scope of Work and work product, is provided by team members who have the requisite subject matter experience in FACS's QA/QC program.

## 3. Additional items.

- a. FACS will engage in communication, coordination and research activities as required in order to complete the above Scope of Work.
- b. Conditions may arise that significantly change the scope of work during the course of the project. The cost of any changes to the scope of work will be priced individually and agreed to by FACS and Client before additional work is performed. The additional amount will be added to the original project cost.
- c. If during the course of the project FACS employee(s) will be physically on site, FACS employee(s), as a minimum standard, will adhere to FACS' internal COVID-19 safe work practices. FACS will comply with Client's COVID-19 policy if the Client's policy is more stringent than FACS's policy. Client provides documentation of its COVID-19 protocols/procedures that apply to the site being visited at least one business day prior to the site visit to ensure FACS's proper preparedness.
- d. FACS reserves the right to invoice on a monthly basis for projects that will exceed 30 days in length.

## Timeframe

FACS can proceed with any assistance on this project with receipt of written authorization to proceed. For project oversight, FACS would need at least 48 hours notice to mobilize onsite to guarantee coverage.

## Cost

The project, as defined by the Scope of Work, will be charged on a time and materials basis according to the attached Fee Schedule (Attachment A). Total cost not-to-exceed \$15,550. A table providing the cost breakdown of services is provided below.

COST BREAKDOWN			
DESCRIPTION	QUANTITY	RATE	TOTAL
Project Coordinator	2	\$90	\$180
Project Oversight	80	\$95	\$7,600
Daily Ambient Air Sample – PCM Analysis (2-Day TAT)	10	\$14	\$140
Point Count Analysis	4	\$125	\$500
Clearance Air Sample – PCM Analysis (Rush TAT)	4	\$120	\$480
Clearance Air Sample – TEM Analysis (Rush TAT)	4	\$1,400	\$5,600
Generate Final Report	8	\$95	\$760
Project Review by Technical Oversight	2	\$145	\$290
		<b>TOTAL</b>	<b>\$15,550</b>

## Limitations

The proposed Scope of Work is limited by the conditions and practices observed by FACS in preparation of the proposal, if any, and information made available by Client to FACS. The methods, conclusions, and recommendations provided are based on judgment, experience and the standard of practice for professional environmental health consulting services. They are subject to the limitations and variability inherent in the methodology employed. As with all environmental investigations, this investigation is limited to the defined scope and does not purport to set forth all hazards, nor indicate that other hazards do not exist.

This proposal is valid for a period of 60 days from the date of the proposal.

Please contact me if you have any questions regarding the information provided. If this proposal is acceptable, please sign your acceptance below and return to our office by email (see above). Upon signing and return to our office, this proposal, in conjunction with the Fee Schedule and Terms and Conditions, attached as Attachment A and Attachment B, shall become a binding agreement between FACS and Client. Thank you again for your time and consideration.

Respectfully,  
FORENSIC ANALYTICAL CONSULTING SERVICES, INC.

By:  \_\_\_\_\_

Name: Chris Chipponeri

Title: Local Director, Central Valley Offices

Attachment A: Fee Schedule (2020 CV)

Attachment B: General Terms and Conditions

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**ACCEPTANCE**

Proposal #:      Proposal for Project Oversight – Roosevelt Elementary School Modernization  
PJ68404      Project Oversight

The terms and conditions set forth in the above proposal, Fee Schedule (Attachment A) and General Terms and Conditions (Attachment B) are hereby accepted.

Hanford Elementary School District

By: Bill Potter  
Name: Bill Potter  
Title: Director of Facilities & Operations  
Date: 12/20/21  
Purchase/  
Work Order #: \_\_\_\_\_



## ATTACHMENT A

### Fee Schedule



Forensic Analytical Consulting Services

www.forensicanalytical.com

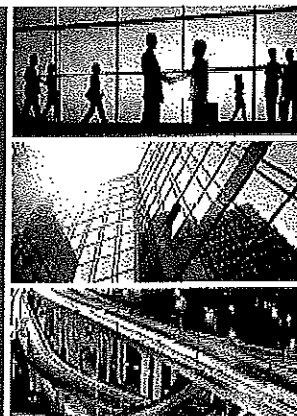
## LABOR RATES

DESIGNATION	HOURLY RATE
Senior CIH	\$285
CIH/Principal Scientist	\$260
Professional Geologist	\$260
Senior Project Manager	\$160
Project Manager	\$145
Project Specialist	\$115
Senior Technician	\$105
Technician	\$95
Project Coordinator	\$90
Administrative Support	\$60

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## LABORATORY ANALYTICAL RATES (PER SAMPLE)

ANALYSIS	TURNAROUND TIME*					
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ASBESTOS	Same Day	1 Day	2 Days	3 Days	4 Days	5 Days
PCM (air)	\$24	\$22	\$20	\$18	\$16	\$14
PLM (bulk - standard)	\$35	\$32	\$28	\$25	\$22	\$20
PLM (bulk - complex)	\$65	\$50	\$45	\$40	\$36	\$34
TEM (air)	\$280	\$200	\$175	\$150	\$125	\$100
Point Count – 400	\$125	\$100	\$90	\$80	\$75	\$70
Point Count – 1000/Gravimetry	\$250	\$200	\$180	\$160	\$150	\$140

OTHER	Same Day	1 Day	2 Days	3 Days	4 Days	5 Days
Lead – Atomic Absorption	\$60	\$50	\$40	\$30	\$25	\$20
Silica	\$253	\$236	\$206	\$177	\$148	\$130

MICROBIOLOGY	Same Day	1 Day	2 Days	3 Days	4 Days	>7 Days
Non-Viable Air	\$175	\$140	\$125	\$75		
Non-Viable Bulk	\$125	\$115	\$75	\$55		
Total Coliform & E. Coli (MUG)		\$160	\$125	\$90		
Legionella Viable Culture						\$175

\*Turnaround time = total business days to receive laboratory results after sample submission

## MISCELLANEOUS

Mileage: Cost plus 15%  
 Reimbursables: Cost plus 15%  
 Equipment and Consumables: Cost plus 15%  
 Off-Hours Lab Opening Fee: \$400

Deposition/Testimony: Labor Rate x 1.5  
 Emergency Response: Labor Rate x 2  
 Overtime: Labor Rate x 1.5

**2020 Central Valley Fee Schedule**  
 Please contact us for a complete list of services.

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## Attachment B

### GENERAL TERMS AND CONDITIONS

ALL ORDERS FOR SERVICES SET FORTH IN FORENSIC ANALYTICAL CONSULTING SERVICES, INC'S SCOPE OF WORK (THE "SERVICES") SHALL BE COVERED BY THE FOLLOWING EXPRESS TERMS AND CONDITIONS WHICH SHALL CONSTITUTE THE ENTIRE CONTRACT (THE "CONTRACT") BETWEEN FORENSIC ANALYTICAL CONSULTING SERVICES, INC. ("FACS") AND THE CLIENT ("CLIENT").

1. **TERMS AND CONDITIONS.** All terms and conditions relating to the rendering of services by FACS are set forth herein. The Proposal, including its Attachments, (the "Proposal") contains the final and complete agreement between the parties and there are no representations or warranties, expressed or implied, with respect to services, except as specifically set forth herein. No waiver by FACS of any default shall be deemed a waiver of any subsequent default. Failure of FACS to object to provisions contained in any order or other communication from the Client shall not be construed as a waiver of any right or remedy of FACS hereunder, nor an acceptance of any such provisions.
2. **INDEMNIFICATION.** The Client waives any claim against FACS and its directors, officers, employees, and agents, and agrees to defend, indemnify and hold FACS harmless from any claim or liability for injury or loss, including all attorney fees and defense costs, arising or allegedly arising from or in any way connected with FACS' services under this Contract, except where such claim or liability is caused by the gross negligence or willful misconduct of FACS. The Client also agrees to defend, indemnify and hold FACS and its directors, officers, employees, and agents harmless from any claim or liability, injury or loss, including all attorney fees and defense costs, arising in whole or in part from the negligent act or omission, and/or strict liability of the Client or anyone directly or indirectly employed or contracted by the Client. FACS does not guarantee the completion of performance of any contract between Client and other parties, nor is it responsible for those third parties' acts of omissions. FACS does not warranty or guaranty the safety of any place FACS provides its services.
3. **COMPENSATION.** The compensation for services will be billed in accordance with the rates stated in this Proposal. The rates are subject to change upon notification provided by FACS at its sole discretion. Time spent traveling, when in the interest of the Project, as defined herein, will be charged to the Client. Reimbursable expenses will be charged at cost plus 15%.
4. **PAYMENT TERMS.** Payment terms are Net 30 days unless FACS and Client have agreed in writing to different payment terms. FACS may, at any time, suspend performance of any service, withhold written reports, or require payment in cash, security or other adequate assurance satisfactory to FACS when, in FACS' sole opinion, the financial condition of Client or other grounds for insecurity warrant such action. FACS reserves the right to assess late charges on accounts past due at a rate of 18% per annum. Any attorney fees or other costs incurred in collecting any delinquent amount shall be paid by the Client.  
  
For projects that will exceed 30 days in length, FACS reserves the right to invoice on a monthly basis.
5. **TAXES.** All sales taxes or use taxes, whether now existing or hereinafter imposed or modified, or taxes or duties of any nature whatsoever which may be assessed, shall be paid by the Client. In the event FACS is required to pay any such tax, the Client shall reimburse FACS upon demand. In lieu of such payment, the Client shall provide FACS with exemption certificates or other documents acceptable to taxing or customs authorities upon execution of this Proposal.
6. **CREDIT.** This Proposal is provided and accepted subject to FACS' approval of the Client's credit, determinable at any time and from time to time by FACS in its sole judgment, affecting the whole or any unfulfilled portion of this contract.
7. **LEGAL ENFORCEMENT OF GENERAL CONDITIONS.** If any portion of this Contract is found to be unenforceable, the remaining portions of the Contract shall remain in full force and effect.
8. **MODIFICATION OF AGREEMENT.** The foregoing conditions may be modified only by written agreement and signed by a duly authorized representative of FACS and the Client.

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy C. Gabler

FROM: David Endo

DATE: 01/14/2022

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☒ Information  
☐ Action

Date you wish to have your item considered: 01/26/2022

**ITEM:**

Consider adoption of the following Board Policy/Administrative Regulation:  
 BP/AR 3110 – Transfer of Funds

**PURPOSE:**

Policy added to reflect NEW LAW (SB 98, 2020) which authorizes, for the 2020-21 and 2021-22 fiscal years if the state defers any payments owed to districts, the temporary transfer of up to 85 percent of the maximum amount held in any fund or account for the payment of obligations. Item #4 revised to clarify requirements for transfers from special reserve funds for capital outlay or other purposes into the general fund for general operating purposes of the district.

Regulation deleted as it contains the same information as the Board Policy.

**FISCAL IMPACT:**

None.

**RECOMMENDATIONS:**

Adopt the following Board Policy/Administrative Regulation:  
 BP/AR 3110 – Transfer of Funds



**Policy 3110: Transfer Of Funds**

**Status:** ADOPTED

**Original Adopted Date:** 07/01/2009 | **Last Revised Date:** 03/01/2021 | **Last Reviewed Date:** 03/01/2021

The Governing Board recognizes its responsibility to monitor the district's fiscal practices to ensure accountability regarding the expenditure of public funds and compliance with legal requirements.

The total amount budgeted by the district for each major classification of expenditures, as listed in the California Department of Education's budget forms, shall be the maximum amount which the district may expend for that classification for the school year. (Education Code 42600)

However, when it is in the best interest of the district, the Board may:

1. At any time, adopt a written resolution providing for transfers from the designated fund balance or the unappropriated fund balance to any expenditure classification or between classifications. The resolution shall be filed with the County Superintendent of Schools and the County Auditor. (Education Code 42600)
2. Direct the temporary transfer of monies held in any district fund or account to another fund or account as necessary for the payment of obligations. Such borrowing shall occur only when the fund or account receiving the money will earn sufficient income during the current fiscal year to repay the amount transferred. No more than 75 percent of the maximum amount held in any fund or account during the current fiscal year may be transferred. Amounts transferred shall be repaid in the same fiscal year, or in the following fiscal year if the transfer takes place within the final 120 calendar days of a fiscal year. (Education Code 42603)

For the 2020-21 and 2021-22 fiscal years only, if the state defers any payments owed to districts, the Board may direct the temporary transfer of up to 85 percent of the maximum amount held in any fund or account during the current fiscal year for the payment of obligations. Such borrowing shall occur only when the fund or account receiving the money will earn sufficient income during the current fiscal year to repay the amount transferred. Prior to exercising this authority, the Board shall hold a public hearing and adopt a resolution authorizing such transfer. (Education Code 42603.1)

3. At the close of a school year, request that the County Superintendent make transfers between the designated fund balance or the unappropriated fund balance and any expenditure classification(s), or balance any expenditure classifications of the district budget as necessary for the payment of obligations incurred during that school year. (Education Code 42601)
4. If any special reserve funds that are maintained for capital outlay or other purposes pursuant to Education Code 42842 are not actually encumbered for ongoing expenses, transfer those monies into the general fund for the general operating purposes of the district. If any monies remain in the special reserve fund at the conclusion of a project, the Board may submit a written request to the County Superintendent, Auditor, and Treasurer to discontinue the special reserve fund and transfer those monies to the district's general fund. (Education Code 42841-42843)
5. Transfer monies between other funds or accounts when authorized by law.

**Board Policy Manual**  
**Hanford Elementary School District**

**Regulation 3110: Transfer Of Funds**

**Status: ADOPTED**

**Original Adopted Date:** 05/16/2001

~~Transfers may be made from the designated fund balance or the unappropriated fund balance to any expenditure classification or between expenditure classifications by the Board of Trustees on adoption of a resolution by a majority vote.~~

~~The resolution must be approved by the County Superintendent of Schools and filed with the county auditor. (Education Code 42600)~~

~~End of the Year Procedures~~

~~At the close of the school year, the County Superintendent of Schools may, with the consent of the Board, identify and make transfers between the designated fund balance or the unappropriated fund balance and any expenditure classification(s) or balance any budget expenditure classifications as necessary to permit the payment of obligations incurred by the district during that school year. (Education Code 41301, 42601)~~

~~Temporary Transfers Between Classifications~~

~~The Board may direct that monies held in any fund or account may be temporarily transferred from one or more of these accounts to another fund or account to be used for the payment of obligations of the district, with limitations as set by Education Code 42603. The transfer shall be accounted for as temporary borrowing and shall not be available for appropriation or be considered income to the borrowing fund or account. (Education Code 42603) Special Reserve Funds~~

~~Upon resolution of the Board, a special reserve fund may be established for such purpose(s) as specified in the resolution. A copy of the resolution shall be filed with the County Superintendent of Schools, as well as the county auditor and treasurer. As necessary, the Board may amend the resolution to specify additional purposes or to withdraw any previously designated purpose. (Education Code 42841)~~

~~The Board may expend the money in the special reserve fund for capital outlay for the purpose specified in the resolution. In addition, unless encumbered for ongoing expenses, the Board may expend money in the fund for the general operating purposes of the district. Any money in a special reserve fund that is maintained for purposes other than capital outlay must be transferred into the district's general fund before it is expended. (Education Code 42842) Deferred Maintenance Funds~~

~~Funds deposited in the district's deferred maintenance fund may be received from any source and shall only be expended for maintenance purposes as provided for in Education Code 17582. (Education Code 17582)~~

~~Upon resolution of the Board, excess local funds deposited in the deferred maintenance fund may be transferred to other expenditure classifications when state funds provided pursuant to Education Code 17584 and 17585 are insufficient to fully match the local funds. The resolution shall be approved by a two-thirds vote of the Board and filed with the County Superintendent of Schools and the county auditor. (Education Code 17583)~~

~~State School Building Funds~~

~~The Board shall transfer to the district state school building fund all funds which are required to be expended for the project for which the apportionment was made. (Education Code 16095)~~

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy C. Gabler

FROM: David Endo

DATE: 01/14/2022

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☒ Information  
☐ Action

Date you wish to have your item considered: 01/26/2022

**ITEM:**

Consider adoption of the following Board Policy/Administrative Regulation:  
 BP/AR 7211 – Developer Fees

**PURPOSE:**

Policy updated to include material formerly in the AR pertaining to responsibilities of the board with respect to levying developer fees, such as conducting a fee justification study, holding a public hearing, and adopting a board resolution. Policy also clarifies the applicability of Government Code 65997, which became operative due to the failure of state bond measure Proposition 13 in March 2020 and gives districts the flexibility to deny or refuse a legislative act involving the planning, use, or development of real property, other than requiring a fee in excess of the fee imposed by law. Policy addresses factors that must be included in the fee justification study based on recent court decision.

Regulation revised to delete board responsibilities pertaining to the imposition of developer fees, now addressed in the BP, and to require the superintendent or designee to provide specified information regarding capital facilities accounts to the board as well as the public.

**FISCAL IMPACT:**

None.

**RECOMMENDATIONS:**

Adopt the following Board Policy/Administrative Regulation:  
 BP/AR 7211 – Developer Fees

## Policy 7211: Developer Fees

Status: ADOPTED

Original Adopted Date: ~~05/16/2001~~ 02/01/1999 | Last Revised Date: 06/01/2021  
| Last Reviewed Date: 06/01/2021

In order to finance the construction or reconstruction of school facilities needed to accommodate ~~students coming~~ increased student enrollment resulting from new development, the Governing Board of Trustees may establish, levy, and collect developer fees on residential, commercial, and industrial construction within the district, subject to restrictions specified by law.

### Level 1 Fees: Residential, Commercial and ~~administrative regulation~~ Industrial Construction

#### ~~Appeals Process for Protests by Developers~~

~~The Superintendent or designee shall establish an appeals process for the handling of protests by developers.~~

~~{Education Code 17621}~~

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Before taking action to establish, increase, or impose Level 1 developer fees, the Board shall conduct a fee justification study which: (Government Code 66001)

1. Identifies the purpose of the fee and the use to which the fee will be put
2. Determines a reasonable relationship between the fee's use and the type of development project for which the fee is imposed
3. Determines a reasonable relationship between the need for the facility and the type of development project for which the fee is imposed
4. Determines a reasonable relationship between the amount of the fee and the cost of the facility or portion of the facility attributed to the development for which the fee is imposed

Before levying developer fees or prior to increasing an existing fee, the Board shall hold a public hearing. The Superintendent or designee shall mail notice of the time and place of the meeting at which a public hearing shall occur, including a general explanation of the matter to be considered and a statement that the required data are available, at least 14 days prior to the meeting to any interested party who has requested such information. Any written request for mailed notices shall be valid for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for mailed notices shall be filed on or before April 1 of each year. The district may charge a fee reasonably related to the cost of providing these materials. (Government Code 66016)

Information on the anticipated amount of fees, other available funds and funding sources, and the estimated cost of planning, land acquisition, and school construction shall be made available to the public at least 10 days before the hearing. (Government Code 66016)

At the hearing, the Board shall adopt a resolution for the levying of the developer fees. (Government Code 66016)

The resolution shall set forth:

1. The purpose of the fee, the use to which the fee is to be put, and the public improvement(s) that the fee will be used to finance (Government Code 66001, 66006)

2. The Board's findings of reasonable relationship which justify the fees pursuant to Government Code 66001

3. If the district requires payment of the fee at a time earlier than the date of final inspection or the issuance of a certificate of occupancy, the district's determination of either of the following conditions which allow collection of the fees at the time when building permits are issued: (Government Code 66007)

a. That the fees are to reimburse the district for previous expenditures

b. That the fees shall be collected for public improvements or facilities for which an account has been established, funds have been appropriated, and the district has adopted a proposed construction schedule or plan

In the case of any commercial or industrial development, the Board shall make findings on either an individual project basis or on the basis of categories of commercial or industrial development. Those categories may include, but are not limited to, the following uses: office, retail, transportation, communications and utilities, light industrial, heavy industrial, research and development, and warehouse. The Board shall also conduct a study to determine the impact of the increased number of employees anticipated to result from the commercial or industrial development upon the cost of providing school facilities within the district. (Education Code 17621)

## **Level 2 Fees: Residential Construction**

In order to impose Level 2 residential construction fees within the limits of Government Code 65995.5, the Board shall, in addition to fulfilling the requirements above for Level 1 fees, undertake the following: (Government Code 65995.5)

1. Make a timely application to the State Allocation Board (SAB) for new construction funding and be determined to be eligible by SAB
2. Conduct and adopt a school facility needs analysis pursuant to Government Code 65995.6
3. Satisfy at least two of the requirements set forth in Government Code 65995.5(b)(3)(A-D)

At least 45 days prior to completion of the school facility needs analysis, the Board shall notify and provide copies of the analysis to the planning commission or agency of the city or county with land use jurisdiction within the district. Upon request of either party, the Board and city or county shall meet within 15 days following notification. (Government Code 65352.2)

The Board shall adopt the school facility needs analysis by resolution at a public hearing. (Government Code 65995.6)

This analysis shall not be adopted until the analysis, in its final form, has been made available to the public for a period of not less than 30 days. Prior to its adoption, the public shall have the opportunity to review and comment on the analysis and the Board shall respond to written comments it receives regarding the analysis. (Government Code 65995.6)

Not less than 30 days prior to the hearing, notice of the time and place of the hearing, including the location and procedure for viewing or requesting a copy of the proposed analysis, shall be published in at least one newspaper of general circulation within the jurisdiction of the district. If there is no paper of general circulation, the notice shall be posted in at least three conspicuous places within the district's jurisdiction not less than 30 days prior to the hearing. (Government Code 65995.6)

In addition, the Superintendent or designee shall mail a copy of the needs analysis not less than 30 days prior to the hearing to any person who has made a written request if the written request was made 45

days prior to the hearing. The district may charge a fee reasonably related to the cost of providing these materials. (Government Code 65995.6)

During the period of public review, the analysis shall be provided to the local agency responsible for land use planning for its review and comment. (Government Code 65995.6)

The school facility needs analysis may be revised at any time. The revision is subject to the same conditions and requirements applicable to the adoption of the analysis. The existing school building capacity shall be recalculated as part of any revision to the needs analysis. (Government Code 65995.6)

The fees authorized by Government Code 65995.6 and 65995.7 shall be adopted by resolution as part of the adoption or revision of the school facilities needs analysis. The fees shall take effect immediately upon adoption of the resolution and may not be effective for more than one year. (Government Code 65995.6)

### **Level 3 Fees: Residential Construction**

When Level 3 fees are authorized by law and the district qualifies for Level 2 fees pursuant to Government Code 65995.5, the Board may assess a fee on residential construction pursuant to Government Code 65995.7.

The notice and hearing requirements, resolution requirement, and term of effectiveness for Level 3 fees shall be the same as the requirements for Level 2 fees as specified above. (Government Code 65995.7)

### **Use of Fees**

The Board shall review information provided by the Superintendent or designee pursuant to Government Code 66006 regarding each account or fund into which developer fees have been deposited, at the first regularly scheduled public Board meeting which occurs 15 days after the information is made available to the public. Fifteenday prior notice of this meeting shall be mailed to any parties filing a written request pursuant to Government Code 66006. (Government Code 66006)

In addition to discharging its public disclosure duties regarding the levying of developer fees, the Board shall, for the fifth fiscal year after the first deposit into the account or fund and every five years thereafter, make all of the following findings with respect to the portion of the account or fund that remains unexpended, whether committed or uncommitted: (Government Code 66001)

1. Identify the purpose to which the fee is to be put
  2. Demonstrate a reasonable relationship between the fee and the purpose for which it is charged
  3. Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements originally identified
  4. Designate the approximate dates on which the funding referred to in item #3 is expected to be deposited into the appropriate account or fund
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## Regulation 7211: Developer Fees

Status:  
ADOPTED

Original Adopted Date: ~~05/16/2004~~02/01/1999 | Last Revised Date: 06/01/2021 | Last Reviewed Date: 06/01/2021

### ~~Level 1 Funding: Residential, Commercial and Industrial Construction~~

~~Before taking action to establish, increase or impose developer fees, the Board of Trustees shall: (Government Code 66001)~~

- ~~1. Identify the purpose of the fee and the use to which the fee will be put~~
- ~~2. Determine a reasonable relationship between the fee's use and the type of development project for which the fee is imposed~~
- ~~3. Determine a reasonable relationship between the need for the public facility and the type of development project for which the fee is imposed~~
- ~~4. Determine a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributed to the development for which the fee is imposed~~

### ~~Level 1 Funding: Notice and Hearing Requirements~~

~~Before levying developer fees or prior to increasing an existing fee, the Board shall schedule a public hearing. Information on the anticipated amount of fees, other available funds and funding sources, and the estimated cost of planning, land acquisition and school construction shall be made available to the public at least 10 days before the hearing. Notice of the hearing shall be given as required by law. (Government Code 66016)~~

~~At the hearing, the Board shall adopt a resolution for the levying of the developer fees. (Government Code 66016) The resolution shall set forth:~~

- ~~1. The purpose of the fee and the public improvement(s) that the fee will be used to finance (Government Code 66006)~~
- ~~2. The Board's findings of reasonable relationship which justify the fees pursuant to Government Code 66001~~
- ~~3. The district's determination of either of the following conditions which allow collection of the fees at the time when building permits are issued: (Government Code 66007)~~
  - ~~a. That the fees are to reimburse the district for previous expenditures, or~~
  - ~~b. That the fees shall be collected for public improvements or facilities for which an account has been established, funds have been appropriated and the district has adopted a proposed construction schedule or plan~~

### ~~Level 2 Funding: Residential Construction~~

~~In order to impose residential construction fees within the limits of Government Code 65995.5, the Board shall:~~

~~(Government Code 65995.5)~~

- ~~1. Make a timely application to the State Allocation Board for new construction funding for which it is eligible~~
- ~~2. Conduct and adopt a school facility needs analysis pursuant to Government Code 65995.6~~

~~The needs analysis shall determine the need for school facilities for unhoused students that are attributable to projected enrollment growth from the development of new residential units over the next five years. The needs analysis shall: (Government Code 65995.6)~~

- ~~a. Project the number of unhoused elementary, middle and high school students generated by new residential units, in each category of students enrolled in the district. This projection shall be based on a historical generation rate from the prior five years.~~
- ~~b. Calculate the existing school building capacity pursuant to Education Code 17071.10-17071.40.~~

In addition, when determining the funds necessary to meet its facility needs, the Board shall do each of the following:

(Government Code 65995.6)

a. Identify and consider any surplus property owned by the district that can be used as a school site or that is available for sale to finance school facilities

b. Identify and consider the extent to which projected enrollment growth may be accommodated by excess capacity

in existing facilities

c. Identify and consider local sources other than fees, charges, dedications or other requirements imposed on residential construction available to finance the construction or reconstruction of school facilities needed to accommodate any growth in enrollment attributable to the construction of new residential units

3. Satisfy at least two of the requirements set forth in Government Code 65995.5(b)(3)(A-D).

(Government Code 65995.5)

Level 2 Funding: Notice and Hearing Requirements

The Board shall adopt the school facility needs analysis by resolution at a public hearing. (Government Code 65995.6)

This analysis may not be adopted until the analysis, in its final form, has been made available to the public for a period of not less than 30 days. Prior to its adoption, the public shall have the opportunity to review and comment on the analysis and the Board shall respond to written comments it receives regarding the analysis. (Government Code 65995.6)

During the period of public review, the analysis shall be provided to the local agency responsible for land use planning for its review and comment. (Government Code 65995.6)

No less than 30 days prior to the hearing, notice of the time and place of the hearing, including the location and procedure for viewing or requesting a copy of the proposed analysis, shall be published in at least one newspaper of general circulation within the jurisdiction of the district. If there is no paper of general circulation, the notice shall be posted in at least three conspicuous places within the district's jurisdiction not less than 30 days prior to the hearing.

(Government Code 65995.6)

In addition, the Board shall mail a copy of the needs analysis not less than 30 days prior to the hearing to any person who has made a written request if the written request was made 45 days prior to the hearing. The Board may charge a fee reasonably related to the cost of providing these materials. (Government Code 65995.6)

The school facility needs analysis may be revised at any time. The revision is subject to the same conditions and requirements applicable to the adoption of the analysis. The existing school building capacity shall be recalculated as part of any revision to the needs analysis. (Government Code 65995.6)

The fees authorized by Government Code 65995.5 (Level 2) and Government Code 65995.7 (Level 3) shall be adopted by resolution as part of the adoption or revision of the school facilities needs analysis. The fees shall take effect immediately upon adoption of the resolution and may not be effective for more than one year. (Government Code 65995.6)

Level 3 Funding: Residential Construction

If the State Allocation Board is no longer making apportionments for new construction and the district qualifies for Level 2 funding pursuant to Government Code 65995.5, the Board may assess a fee on residential construction pursuant to the requirements of Government Code 65995.7.

Pursuant to Government Code 65995.7, the notice and hearing requirements for Level 3 funding shall be the same as the notice and hearing requirements for Level 2 funding as specified above.

All Developer Funding Fees: Additional Requirements

The district shall send a copy of any Governing Board resolution adopting or increasing Level 1, 2, or 3 developer fees to the city and county, accompanied by all relevant supporting documentation and a map indicating the boundaries of the area subject to the fee. (Education Code 17621)

In cooperation with local governmental agencies issuing building permits, the Superintendent or designee shall establish a means by which all of the following shall be accomplished:



1. The project applicant shall receive a written statement of the amount of the fees and notification that the ~~90-day approval~~90day approval period during which the applicant may protest has begun. (Government Code 66020)
2. The Superintendent or designee shall receive and retain acknowledgment that the above notification ~~was received~~was received.
3. Before a permit is issued and upon the payment of the applicable fee or requirement, the Board shall ~~immediately certify~~immediately certify that the fee has been paid or that the district has determined that the fee does not apply to the development project. (Education Code 17620)

Developer fees shall be deposited, invested, accounted for, and expended pursuant to Government Code 66006. Developer fees shall be deposited in a separate capital facilities account, except for temporary investments allowed by law, and shall be used only for the purpose for which they were collected. Interest income earned by the capital facilities account shall also be deposited in that account and used only for the purpose for which the fee was originally collected. (Government Code 66006)

For each separate account so established, the Superintendent or designee shall, within 180 days after the last day of each fiscal year, make available to the public and the Board the following information for the fiscal year: (Government Code 66006) ~~1. A brief description of the type of fee in the account or fund~~

1. A brief description of the type of fee in the account or fund

2. The amount of the fee
3. The beginning and ending balance of the account or fund
4. The amount of the fees collected and the interest earned
5. An identification of each public improvement on which fees were expended and the amount of the ~~expenditures on~~expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees
6. An identification of an approximate date by which the construction of the public improvement will commence ~~if the~~if the district determines that sufficient funds have been collected to complete financing on an incomplete public improvement
7. A description of each interfund transfer or loan made from the account or fund, including the public ~~improvement on~~improvement on which the transferred or loaned fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid, and the rate of interest that the account or fund will receive on the loan
8. The amount of refunds made pursuant to Government Code 66001(e) and any allocations made pursuant to Government Code 66001(f)

~~The Board shall review the above information at the first regularly scheduled public Board meeting which occurs 15 days after the information is made available to the public. Fifteen-day prior notice of this meeting shall be mailed to any parties filing a written request pursuant to Government Code 66006. (Government Code 66006)~~

~~In addition to discharging its public disclosure duties regarding the levying of developer fees, the Board shall, for the fifth fiscal year after the first deposit into the account or fund and every five years thereafter, make all of the following findings with respect to the portion of the account or fund that remains unexpended, whether committed or uncommitted: (Government Code 66001)~~

~~1. Identify the purpose to which the fee is to be put~~

~~2. Demonstrate a reasonable relationship between the fee and the purpose for which it is charged~~

~~3. Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements originally identified~~

~~4. Designate the approximate dates on which the funding referred to in item #3 is expected to be deposited into the appropriate account or fund~~

When sufficient funds have been collected to complete the financing of public improvements but such improvements remain incomplete, the district shall, within 180 days of the date that a determination of sufficient funding was made, either identify an approximate date by which construction will begin or refund the unexpended revenues in accordance with Government Code 66001. (Government Code 66001)

### **Appeals Process for Protests by Developers**

The Superintendent or designee shall establish an appeals process for the handling of protests by developers.

(Education Code 17621)

Developers of residential, commercial, and industrial projects who claim that the developer fee has been inappropriately levied shall use the following procedures: (Government Code 66020)

1. The developer shall tender any required payment in full or provide satisfactory evidence of arrangements to ~~pay the~~ pay the fee when due or ensure performance of the conditions necessary to meet the requirements of the imposition.
2. The developer shall serve written notice to the Board. ~~This notice~~ which shall include:
  - a. A statement that the required payment is tendered or will be tendered when due, or that any conditions ~~which have~~ which have been imposed are provided for or satisfied, under protest.
  - b. A statement informing the Board of the factual elements of the dispute and the legal theory forming the basis ~~for the~~ for the protest.
3. The protest shall be filed at the time of approval or conditional approval of the development or within 90 ~~days after~~ days after the date of the imposition of the fees.

~~4.~~ At the time of the imposition of the fee, the Superintendent or designee shall provide each project applicant written notice that the 90-day period in which the applicant may initiate a protest has begun. The developer may file an action to attack, review, set aside, void, or annul the imposition of the fees imposed ~~on the~~ on the development project within 180 days of delivery of the notice. (Government Code 66020)

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## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy Gabler

FROM: Jaime Martinez

DATE: 1/14/22

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: January 26, 2022

**ITEM:** BP/AR 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers (REVISED)

**PURPOSE:** Board Policy updated to clarify the obligation of drivers to submit to drug and alcohol testing as required under federal law. Section on "Consequences Based on Test Results" updated to (1) add the agency responsible for reviewing and approving district requests to temporarily remove a driver from safety-sensitive functions before drug test results are verified by a certified medical review officer and (2) describe consequences that will be imposed on drivers based on findings of specific concentrations of alcohol. Policy also clarifies the requirement to ensure that a driver who is offered an opportunity to return to work following a violation first receive an evaluation by a qualified substance abuse professional and successfully comply with the evaluation recommendations.

Administrative Regulation updated to clarify that marijuana remains an illegal drug under the federal Controlled Substances Act and use of it by a driver remains a violation of federal drug testing regulations. Definition of "alcohol concentration" revised to delete information regarding consequences for drivers based on specific alcohol concentrations, now addressed in the BP. Regulation also expands the responsibilities of the designated employer representative pursuant to federal regulations, clarifies requirements pertaining to pre-employment testing including the requirement to conduct a pre-employment query using the Commercial Driver's License Drug and Alcohol Clearinghouse, and reflects additional requirements related to post-accident testing. New section reflects federal regulations which require districts to report any violation of federal drug and alcohol regulations to the Clearinghouse and conduct inquiries of the Clearinghouse's online database for all drivers employed by the district on an annual basis and before hiring any driver.

**FISCAL IMPACT:** Unknown.

**RECOMMENDATIONS:** Approve.

**Policy 4112.42/4212.42/4312.42: Drug And Alcohol Testing For School Bus Drivers**

Status: DRAFT

**Original Adopted Date:** Pending

The Governing Board desires to ensure that district-provided transportation is safe for students, staff, and the public. To that end, the Superintendent or designee shall establish a drug and alcohol testing program designed to prevent the operation of buses or the performance of other safety-sensitive functions by a driver who is under the influence of drugs or alcohol, including a driver of a school bus, student activity bus, or other school transportation vehicle or any other employee who holds a commercial driver's license which is necessary to perform duties related to district employment.

~~{cf. 3540—Transportation}~~

~~{cf. 3542—School Bus Drivers}~~

~~{cf. 3543—Transportation Safety and Emergencies}~~

~~{cf. 4020—Drug and Alcohol-Free Workplace}~~

~~{cf. 4112.41/4212.41/4312.41—Employee Drug Testing}~~

A driver shall not report for duty or remain on duty when ~~he/she~~the driver has used any drug listed in 21 CFR 1308.11. A driver is also prohibited from reporting for duty or remaining on duty when ~~he/she~~the driver has used any drug listed in 21

CFR 1308.12-1308.15, unless ~~he/she~~the driver is using the drug under the direction of a physician who has advised ~~him/her~~the driver that the substance will not adversely affect the driver's ability to safely operate a bus. (49 CFR 382.213)

In addition, a driver shall not consume alcohol while on duty and/or performing safety-sensitive functions, or for four hours prior to on-duty time. (49 CFR ~~382.201~~, 382.209205, 382.213207)

Drivers shall submit to drug and alcohol testing as required under federal law and specified in the accompanying administrative regulation. The district's testing program for drivers shall include pre-employment drug testing and reasonable suspicion, random, post-accident, return-to-duty, and follow-up drug and alcohol testing of drivers. (49 USC 31306; 49 CFR 382.301-382.311)

The Board shall contract for testing services upon verifying that the personnel are appropriately qualified and/or certified and that testing procedures conform to federal regulations.

Except as otherwise provided by law, the Superintendent or designee shall not release individual test results or medical information about a driver to a third party without the driver's specific written consent. (49 CFR 40.321) **Consequences Based on Test Results**

~~Any driver who refuses to take a required drug or alcohol test, tests positive for drugs, or is found to have a blood alcohol concentration level that exceeds the levels specified in law shall be removed from performing safety-sensitive functions in accordance with 49 CFR 40.23 and 382.211.~~

No driver shall be temporarily removed from the performance of safety-sensitive functions based only on a laboratory report of a confirmed positive test for a drug or drug metabolite before the certified medical review officer has completed verification of the test results, unless the district has obtained a waiver. ~~(49 CFR from the Federal Motor Carrier Safety Administration. (49 CFR 40.3, 40.21, 382.107, 382.119)~~

Any driver for whom the district receives a verified positive drug test result or who is found to have a blood alcohol concentration of 0.04 or higher shall be immediately removed from performing safety-sensitive functions in accordance with 49 CFR 40.23 and 382.211. An alcohol concentration between 0.02 and 0.04 requires temporary removal of the bus driver for a 24-hour period following the test. Any driver

who refuses to take a required drug or alcohol test shall not be permitted to perform or continue to perform safety-sensitive functions. (49 CFR 40.23, 382.211)

Not later than five days after receiving notification of the test result or refusal to comply, the Superintendent or designee shall report any refusal, failure to comply, or positive test result to the California Department of Motor Vehicles (DMV) using a form approved by the DMV. (Vehicle Code 13376)

~~Any driver who refuses, fails to comply, or has a positive test result may be referred to an education and treatment program that meets the requirements of 49 CFR 40.281-40.313. If the substance abuse professional recommends that ongoing services are needed to assist the driver to maintain sobriety or abstinence from drug use, the Superintendent or designee shall require the driver to participate in the recommended services as part of a return-to-duty agreement and shall monitor his/her compliance. Any drop from a rehabilitation or return-to-duty program or a~~

~~subsequent positive test result shall be reported to the DMV. (Vehicle Code 13376; 49 CFR 40.285, 40.287, 40.303, 382.605)~~

~~(cf. 4159/4259/4359—Employee Assistance Programs)~~

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

~~(cf. 4161.9/4261.9/4361.9—Catastrophic Leave Program)~~

~~(cf. 4261.1—Personal Illness/Injury Leave)~~

A driver who has violated federal drug and alcohol regulations may be subject to disciplinary action up to and including dismissal in accordance with law, administrative regulations, and the district's collective bargaining agreement.

Any driver provided with an opportunity to return to a safety-sensitive duty following a violation shall be evaluated by a qualified substance abuse professional and complete the evaluation recommendations before returning to such duty. (49 CFR 40.289)

If the substance abuse professional recommends that further and ongoing services are needed to assist the driver to maintain sobriety or abstinence from drug use, the Superintendent or designee shall require the driver to participate in the recommended services as part of a return-to-duty agreement and shall monitor the driver's compliance. Any drop from a rehabilitation or return-to-duty program or a subsequent positive test result shall be reported to the DMV. (Vehicle Code 13376; 49 CFR 40.285, 40.287, 40.303, 382.605)

~~(cf. 4118—Dismissal/Suspension/Disciplinary Action)~~

~~(cf. 4218—Dismissal/Suspension/Disciplinary Action)~~

### **Voluntary Self-Identification**

Whenever a driver admits to alcohol or drug misuse under the district's voluntary self-identification program, the Superintendent or designee shall ensure all of the following: (49 CFR 382.121)

1. No adverse action shall be taken against the driver by the district.
2. The driver shall be allowed sufficient opportunity to seek evaluation, education, or treatment to establish ~~controlover his/her~~control over the drug or alcohol problem.
3. The driver shall be permitted to participate in safety-sensitive functions only after:
  - a. Successfully completing an education or treatment program, as determined by a drug and alcohol abuse ~~evaluation expert~~evaluation expert, such as an employee assistance professional, substance abuse professional, or qualified drug and alcohol counselor

- b. Undergoing a return-to-duty test with a result indicating an alcohol concentration of less than 0.02 and/or ~~averified~~ verified negative result for drug use

A driver who admits to alcohol or drug misuse shall not be subject to federal requirements related to referral, evaluation, and treatment, provided that ~~he/she~~ the driver does not self-identify in order to avoid drug or alcohol testing, makes the admission prior to performing a safety-sensitive function, and does not perform a safety-sensitive function until ~~he/she~~ the driver has been evaluated and has successfully completed education or treatment requirements in accordance with program guidelines. (49 CFR 382.121)

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**Regulation 4112.42/4212.42/4312.42: Drug And Alcohol Testing For School Bus Drivers**

Status: DRAFT

Original Adopted Date: Pending

**This regulation is adopted to implement the Definitions**

For purposes of drug and alcohol testing requirements of the Omnibus required by the U.S. Department of Transportation

Employer Testing Act of 1991 (Title (DOT), drugs include marijuana, cocaine, amphetamines, phencyclidine (PCP), and opioids. (49 CFR) and the California Regulations placing drivers out of service (Title 13 40.3, 40.85, 382.107)

CCR 1213.1) as fully adopted by the Hanford Elementary School District pursuant to Board Policy 4112.42/4212.42/4312.42.

**A. Employees Subject To Drug And Alcohol Testing**

The district's drug and alcohol testing program applies to Alcohol concentration (or content) means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test. (49 CFR 40.3, 382.107)

Safety-sensitive function means all employees (covered employees) who are required to possess a commercial drivers' license (Class A or B) or who as part of their duties for the district perform safety-sensitive functions while operating a commercial motor vehicle, including any vehicle designed to transport 16 or more passengers. This includes all regular bus drivers, substitute, on-call or occasional drivers, and drivers who return to work after a long term of absence or after layoff if the employee was removed time from the random testing program during the period of absence or layoff. Candidates and current employees of the district seeking safety-sensitive positions involving the driving of a school bus or other commercial vehicle are subject to the controlled substance testing as a condition of employment or promotion/reassignment.

Safety-sensitive functions include all on-duty functions performed from the time a covered employee the driver begins to work or is required to be ready in readiness to work until he/she the time the driver is relieved from work and all responsibility for performing work. It includes driving Safety-sensitive functions include, but are not limited to, all time driving or otherwise in the bus or other school transportation vehicle; waiting at a district facility to be dispatched; inspecting and, servicing, or conditioning the vehicle or vehicle equipment; loading or unloading the vehicle; supervising, performing or assisting in the loading and/or unloading; of the vehicle; and repairing or, obtaining and waiting for help with assistance, or remaining in attendance upon a disabled vehicle; performing driver requirements related to accidents; and performing any other work for the district or paid work for any other entity. (49 CFR 382.107) It also includes any time spent on compliance with drug or alcohol testing requirements, including travel time to/from testing sites.

**Types Of Drug And Alcohol Testing****B. Pre-Employment Testing**

1. A pre-employment drug test shall be required of an applicant only after a conditional offer of employment. Tests shall be conducted before the first time a covered employee performs any safety-sensitive function for the district.

(cf. 4212 – Conditions of Employment)

**Exceptions may be made for candidates who have Designated Employer Representative**

The Superintendent or designee shall identify a designated employer representative who is authorized to take immediate action to remove drivers from safety-sensitive functions and to make required decisions in the testing and evaluation processes. The designated employer representative shall also be responsible



for receiving test results and other communications. The name and telephone number of the designated employer representative shall be provided to the testing contractor to contact about any problems or issues that may arise during the testing process. (49 CFR 40.35, 40.215)

### **Pre-employment Testing**

When hiring a new driver, the Superintendent or designee shall, with the driver's written consent, conduct a preemployment query using the Commercial Driver's License Drug and Alcohol Clearinghouse to obtain information about whether the driver has committed a violation of federal drug or alcohol regulations. (49 CFR 382.701)

The Superintendent or designee shall also, with the driver's consent, request the driver's past drug and alcohol testing record, as specified in 49 CFR 40.25 and 382.413, from any employer who has employed the driver at any time during the previous three years. To the extent practicable, the Superintendent or designee shall obtain and review such information before the driver first performs safety-sensitive functions. In addition, the Superintendent or designee shall ask the driver if there was a positive test, or a refusal to test, on any pre-employment drug or alcohol test that was administered during the past two years in the course of applying for another safety-sensitive transportation position that was not obtained. (49 CFR 40.25, 382.413)

The driver shall not be permitted to perform safety-sensitive functions if the driver refuses to provide consent to obtain the information from previous employers or from the Clearinghouse; the information from previous employers is not received within 30 days of the date on which the driver first performed safety-sensitive functions for the district; or the driver, the Clearinghouse, or a previous employer reports a violation of a drug or alcohol regulation without subsequent completion of the return-to-duty process. (49 CFR 40.25, 382.413, 382.701, 382.703)

A driver whom the district intends to hire or use shall undergo testing for drugs and receive a verified negative test result prior to the first time the driver performs safety-sensitive functions for the district. This testing requirement may be waived if all of the following conditions exist: (49 CFR 382.301)

1. The driver has participated in ~~the~~ a qualified drug testing program of another agency subject to federal drug testing laws within the previous 30 days and while.
2. While participating in ~~this~~ the program ~~were~~, the driver either was tested for controlled substances and/or alcohol within the past six months, ~~prior to~~ from the date of application or participated in a random drug testing program for a position at the district, the previous 12 months from the date of application.
3. No prior employer ~~verified that there is no record of a~~ of the driver of whom the district has knowledge has records of the driver's violation of ~~the controlled substance rule~~ federal drug testing regulations within the previous six months and provided that the District has been able to make all verifications.

The Superintendent or designee shall contact the testing program(s) in which the driver has participated and obtain information about the program and the driver's participation as specified in 49 CFR 382.301.

In addition, the Superintendent or designee shall require the driver to undergo pre-employment alcohol testing in accordance with the procedures in 49 CFR 40.1-40.605 and to receive a test result indicating an alcohol concentration of less than 0.04. (49 CFR 382.301)

### **Post-Accident Testing**

As soon as practicable following an accident involving a school bus or student activity bus, the Superintendent or designee shall ensure that the driver involved is tested for alcohol and/or drugs under either of the following conditions: (49 CFR 382.303)

1. The accident involved loss of human life.

2. The driver receives a citation for a moving traffic violation within eight hours of the accident and the accident involved bodily injury to a person who required by law immediate medical treatment away from the scene of the accident and/or disabling damage to one or more vehicles requiring towing.

The Superintendent or designee shall attempt to administer a required alcohol test up to eight hours following the accident and/or a drug test up to 32 hours following the accident. The results of an alcohol or drug test conducted by federal, state, or local officials having independent authority for the test shall be considered to meet this requirement. If the alcohol test is not administered within two hours following the accident, or the test for drugs is not administered within 32 hours following the accident, the Superintendent or designee shall make a record stating the reasons the test was not promptly administered. (49 CFR 382.303)

No driver required to take a post-accident alcohol test pursuant to 49 CFR 382.303 shall use alcohol for eight hours following the accident or until the driver undergoes a post-accident alcohol test, whichever occurs first. (49 CFR 382.209)

~~3. A candidate who accepts a conditional offer of employment shall be required to sign a consent form for preemployment drug testing and a form authorizing previous employers to release drug testing information to the district. Applicants for substitute bus driver positions shall also, as a condition for employment, sign a form authorizing the district to release drug testing information and results to other school districts at which the candidate has applied for bus driving positions.~~

### **A candidate Random Testing**

The Superintendent or designee shall ensure that random, unannounced drug and alcohol tests of bus drivers are conducted on testing dates reasonably spread throughout the year.

Such tests shall be unannounced and conducted during, immediately before, or immediately after the performance of safety-sensitive functions. (49 CFR 382.305)

The Superintendent or designee shall ensure that the percentage of district drivers randomly tested for drugs and alcohol meets or exceeds the minimum annual percentage rates specified in 49 CFR 382.305 or subsequently published in the Federal Register.

~~4. Each driver selected for whom previous drug testing information is not obtained shall be tested prior to employment in accordance with this section.~~

~~5. A candidate who fails to report for controlled substance testing as scheduled, who refuses to submit to the controlled substance test, refuses to consent to release of previous employers' testing records, whose previous employers' records contain adverse information related to controlled substance use or controlled substance testing, or whose pre-employment test results indicate a verified positive result for a controlled substance shall not be employed; the conditional offer of employment shall be withdrawn.~~

~~Refuse to submit means that the candidate fails to provide adequate urine for controlled substance testing without a valid medical explanation or engages in conduct that clearly obstructs the testing schedule or process.~~

~~6. All costs associated with pre-employment testing for controlled substances shall be borne by the candidate.~~

~~7. District employees who are candidates for promotion or reassignment to a safety-sensitive position, and employees returning from layoff if they were removed from the random testing pool during the layoff period, shall not be eligible for employment in such positions if they refuse to consent to, or to undergo, the required testing, or if their tests for controlled substances indicate a verified positive result.~~

~~8. District employees returning from extended leave periods if they were removed from the random testing pool during the leave of absence period, shall not be eligible for re-employment in the safety-sensitive position if they refuse to consent to, or to undergo, the required testing, or if their tests for controlled substances indicate a verified positive result and shall be subject to the disciplinary consequences of prohibited conduct.~~

### C. Post-Employment Testing

All covered employees performing safety sensitive functions for the district are subject to the following testing requirements for alcohol and controlled substances: unannounced random testing, post accident testing, reasonable suspicion testing, and return to duty testing as directed.

#### 1. Random Tests (Post-Employment Testing)

a. Alcohol and drug tests shall be conducted on a random basis at unannounced times throughout the year. All employees in covered positions are subject to unannounced drug and alcohol testing based on random selection. Covered employees shall be selected by a scientifically valid random process, and each covered employee shall have an equal chance of being tested each time selections are made. Tests for alcohol shall be conducted just before, during, or just after the performance of safety-sensitive functions.

(49 CFR 382.305)

Each driver who is selected for testing shall proceed to the test site immediately or, if performing a safety-sensitive function other than driving a bus, then as soon as possible after ceasing that function. (49 CFR 382.305)

### Reasonable Suspicion Testing

A driver shall be required to submit to a drug or alcohol test whenever the Superintendent or designee has reasonable suspicion that the driver has violated the prohibitions against the use of drugs or alcohol. Such reasonable suspicion shall be based on specific, contemporaneous, articulable observations, conducted during, immediately before, or immediately after the performance of safety-sensitive functions, concerning the driver's appearance, behavior, speech, and/or body odors. Reasonable suspicion of drug use may also include indications of the chronic and withdrawal effects of drugs. (49 CFR 382.307)

b. The number of random alcohol and drug tests shall be at least equal to those required by federal regulations. The number of random drug tests shall be at least 50% of the average number of covered employees. The number of random alcohol tests shall be at least 25% of the average number of covered employees.

c. Covered employees who are notified of selection for random testing shall cease to perform safety-sensitive functions and shall immediately proceed to the testing site.

d. Covered employees not at work due to leave or vacation shall be informed that they remain subject to random testing. Employees drawn for such testing during their absence from work shall be notified and tested as soon as practicable after they return to duty.

e. Covered employees who do not proceed with random testing as directed may be deemed to have refused testing. Failure to submit to a test will result in disciplinary action up to and including termination.

### D. Post-Accident Tests

1. Alcohol and controlled substance tests shall be conducted as soon after an accident as possible on any covered employee in a covered position:

a. who was performing safety-sensitive functions with respect to the vehicle, if the accident involves/involved loss of human life. (49 CFR 382.303)

b. who receives a citation under state or local law for a moving traffic violation arising from the accident, (49 CFR 382.303 if the accident involves either an injury requiring medical attention away from the scene of the accident or damage to any motor vehicle or property.

2. Covered employees shall make themselves readily available for immediate testing, absent the need for immediate medical attention, or shall be deemed to have refused testing. (49 CFR 382.303)

~~3. No such covered employee shall use alcohol for eight (8) hours after the accident, or until after he/she undergoes a post-accident alcohol test, whichever occurs first. The person who makes the required observations for reasonable suspicion testing for drugs or alcohol shall be (49 CFR 382.209)~~

~~4. If an alcohol test is not administered within two (2) hours of the accident or if a drug test is not administered within 32 hours, the district shall prepare and maintain records explaining why the test was not conducted. Tests shall not be given if not administered within eight (8) hours after the accident for alcohol or within 32 hours for drugs. (49 CFR 382.303)~~

~~5. The results of breath or blood tests, for detecting the use of alcohol, or urine tests, for detecting the use of controlled substances, that have been conducted by authorized federal, state or local officials will fulfill post-accident testing requirements provided they conform to applicable legal requirements and the results of the tests are~~

~~obtained by the District (49 CFR 382.303)~~

~~6. If a covered employee who is subject to post accident testing is conscious, able to provide specimen in the opinion of the medical professional, and refuses to be tested, the employee may be disciplined up to and including termination.~~

~~7. If a covered employee is unconscious or otherwise unable to evidence consent to the procedure, the district will wait until the treating physician determines the covered employee is able to understand a request to provide a sample and consents to provide one.~~

#### ~~E. Reasonable Suspicion Tests~~

~~1. An alcohol or drug test shall be conducted if a supervisor or other district official trained in accordance with law has reasonable suspicion that the covered employee has engaged in conduct prohibited by the district's drug and alcohol policy. This reasonable suspicion must be based on specific, contemporaneous, objective observations concerning the covered employee's appearance, behavior, speech or body odors. The observations may include indications of chronic or withdrawal effects of controlled substances. 49 CFR 382.603. The person who makes the determination that (49 CFR 382.307)~~

~~2. Alcohol tests based on reasonable suspicion are permitted only if the required observations are made during, just before or just after the period of the work day when the covered employee must comply with alcohol prohibitions. If exists to conduct an alcohol test is not administered within two (2) hours of determination of reasonable suspicion, the district shall prepare and maintain a record explaining why the test was not administered. Attempts to conduct alcohol tests shall terminate after eight (8) hours; the reason shall be documented. shall not be the same person who conducts the alcohol test. (49 CFR 382.307)~~

~~3. A supervisor or other trained district official who makes observations leading to a reasonable suspicion for a controlled substance test shall make and sign a written record of his/her observations within Within 24 hours of the observed behavior or before the results of the drug or alcohol test are released, whichever is earlier. If the controlled substance test is not administered within 32 hours following the-, a written record of the observations leading to a reasonable suspicion, attempts to administer the test shall cease be made and the reason shall be documented. signed by the person who made the observations. (49 CFR 382.307)~~

~~4. Any covered employee who is notified of a An alcohol test required as a result of reasonable suspicion shall immediately cease to perform safety sensitive functions and shall proceed to the testing site. Covered employees who do not proceed with the testing as directed may be deemed to have refused testing and will be subject to disciplinary action up to and including dismissal.~~

~~5. The Superintendent or designee shall ensure that an employee under administered within eight hours following the determination of reasonable suspicion is transported to the designated collection or testing site.~~

#### ~~F. Prohibited Conduct/Positive Tests~~

~~Alcohol Use Controlled Substance (Drug) Use:~~

1. ~~1. No covered employee shall report to work or remain at work while having an alcohol concentration of 0.01 or greater. If the district has actual knowledge that a covered employee has an alcohol concentration of 0.01 or greater, such covered employee will not be permitted to perform or continue to perform any safety-sensitive functions.~~

2. ~~2. No covered employee shall report for duty or remain. If the test is not administered within two hours, the Superintendent or designee shall prepare and maintain on duty while underfile a record stating the reasons the influence or impaired by alcohol as shown by behavioral, speech, and performance indicators of alcohol misuse. The district shall not knowingly permit a covered employee under the influence of or impaired by alcohol to perform his/her job duties until the covered employee has been tested for alcohol and such test shows an alcohol concentration of less than 0.01 or at least 24 hours have elapsed from the time the district reached a determination that the covered employee was under the influence or impaired by alcohol. test was not promptly administered. (49 CFR 382.307)~~

3. ~~3. No covered employee shall possess alcohol while on duty. If the district has actual knowledge that a covered employee is in possession of alcohol while on duty, the district will not permit the covered employee to perform or continue to perform his/her job duties. This includes the possession of medicines containing alcohol (prescription or over the counter), unless the packaging seal is unbroken.~~

~~No covered employee shall perform In the absence of a reasonable suspicion alcohol test, the district shall take no action against a driver based solely on the driver's behavior and appearance, except that the driver shall not be allowed to report for or remain on safety-sensitive functions until an alcohol test is administered and the results show a concentration less than 0.02 or 24 hours have elapsed following the determination of reasonable suspicion. (49 CFR 382.307)~~

### **Return-to-Duty Testing**

~~Note: Pursuant to 49 CFR 40.305, the district may return a driver to safety-sensitive functions within four (4) hours after using alcohol. If the district has actual knowledge that a covered employee has consumed the driver completes required education and treatment services as described in the accompanying Board policy and a return-to-duty drug or alcohol test. Such personnel decisions may be subject to collective bargaining or other legal requirements.~~

~~The Superintendent or designee may permit a driver who has violated federal drug or alcohol regulations to return to safety-sensitive functions after the driver has successfully complied with the education and treatment services prescribed by a substance abuse professional and has taken a return-to-duty drug or alcohol test. The driver shall not resume performance of safety-sensitive functions unless the drug test shows a negative result and/or the alcohol test shows a concentration of less than 0.02. (49 CFR 40.305, 382.309)~~

### **Follow-Up Testing**

~~within four (4) hours prior to performing Upon receiving a written follow-up testing plan from a substance abuse professional, the Superintendent or designee shall determine the actual dates for follow-up testing consistent with those recommendations and shall ensure that such tests are unannounced and follow no discernable pattern as to their timing. No additional tests beyond those included in the plan shall be imposed by the district. (49 CFR 40.307-40.309, 382.111)~~

### **Mandatory Reporting and Annual Queries to the Drug and Alcohol Clearinghouse**

~~The Superintendent or designee shall report to the Clearinghouse any violation of federal drug and alcohol regulations, any refusal to test, and other required information by the close of the third business day following the date on which the information was obtained. (49 CFR 382.705)~~

~~The Superintendent or designee shall conduct a query using the Clearinghouse at least once a year for all drivers to determine whether information exists in the Clearinghouse about the drivers. (49 CFR 382.701)~~

4. ~~In lieu of a full query, the Superintendent or designee may obtain the individual driver's consent to conduct a limited query that is effective for more than one year and informs the district about whether there is information about the driver in the Clearinghouse without releasing that information to the district. If the limited query shows that information exists in the Clearinghouse about the individual~~



driver, the Superintendent or designee shall conduct a full query within 24 hours of conducting the limited query. If a full query is not conducted within 24 hours, the driver may not perform any safety-sensitive function, until the district will not permit results from a full query confirm that the covered employee to driver may perform his/her job duties. such functions. (49 CFR 382.701)

~~A covered employee who is tested and found to have an~~ A driver may not perform any safety-sensitive function if the results of a Clearinghouse query demonstrate that the driver has committed a violation of federal drug or alcohol regulations. (49 CFR 382.701) **Notifications**

5. ~~—The Superintendent or designee shall provide each driver with materials explaining the federal regulations and the district's policy and procedure related to drug and alcohol concentration of .01 or greater but less than .04 may not perform or continue to perform safety-sensitive functions until the start of the covered employee's next regularly scheduled duty period, but not less than 24 hours after the test was administered, and only after a followup test results in an alcohol concentration of less than .01.~~

6. ~~—Any covered employee whose alcohol test indicates an alcohol concentration of .04 or greater and any covered employee who tests positive for a controlled substance, shall be immediately suspended from duty and shall be subject to disciplinary action up to, and including, dismissal.~~

7. ~~—No covered employee who has been required to take a post-accident alcohol test, as set forth above, shall use alcohol for eight (8) hours following the accident or until he/she has completed the required alcohol test, whichever occurs first.~~

8. ~~—Covered employees shall immediately inform their supervisor if at any time they are using a therapeutic drug that contains alcohol or controlled substances. No covered employee shall report for duty or remain on duty when the covered employee uses any controlled substance, except when the use of such controlled substance is pursuant to the instructions of a physician who has advised the district, in writing, that the substance does not adversely affect the covered employee's ability to operate a commercial vehicle or safety-sensitive functions. If the district has actual knowledge that a covered employee has used a controlled substance, the district will not permit such covered employee to perform his/her job duties.~~

9. ~~—No covered employee who tests positive for a controlled substance(s) as defined in DOT Final Rule 49 CFR 40 (as amended) shall perform his/her job duties.~~

10. ~~—No covered employee shall refuse to submit to any test required by law, policy or this regulation. Refusal to submit to an alcohol or controlled substance test is when a driver fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement of breath testing, fails to provide adequate urine for controlled substances testing without a valid medical explanation after he or she has received notice of the requirement for urine testing, or engages in conduct that clearly obstructs the testing schedule or process or fails to report for the test as directed. Failure to submit to a test will result in disciplinary action up to and including termination.~~

11. ~~—Failure to disclose to the district the use of a drug containing alcohol or a controlled substance for therapeutic purposes may result in disciplinary action up to, and including, termination.~~

12. ~~—Any covered employee who violates any portion of this regulation shall be subject to discipline, up to and including dismissal. Disciplinary action for a violation of this regulation shall be implemented in accordance with Board Policy and Administrative Regulation 4118/4218/4318 and the applicable Collective Bargaining Agreement.~~

13. ~~—Covered employees identified as needing help in resolving a drug or alcohol problem shall be evaluated by a substance abuse professional to determine that he/she has properly followed the prescribed rehabilitation program and shall be subject to unannounced follow-up tests after returning to duty. Failure to submit to test will result in disciplinary action up to and including termination.~~

#### **G. Return To Duty Testing/testing and shall notify representatives of employee Follow-Up Testing**

1. ~~—An alcohol and/or controlled substance test shall be administered to a covered employee who has been found to be in violation of this policy and regulation prior to permitting the covered employee to return to work.~~

2. — All return to duty and follow-up drug testing administered to an employee who has been found in violation of this policy and regulation will require observed collections under DOT Final Rule (49CFR40; effective 10/1/10)

3. — A covered employee whose conduct involved violations of the controlled substance provisions of this policy and regulation shall not be permitted to return to duty until he/she submits to a controlled substance test and that such test results in a negative result for controlled substances.

4. — A covered employee, who violates the provision of this policy and regulation and is allowed to return to work and is subsequently identified by a substance abuse professional as needing assistance in resolving problems associated with alcohol misuse and/or use of controlled substances shall be subject to unannounced alcohol and/or controlled substance testing. Such testing shall be conducted only when the covered employee is on duty, just before beginning of the covered employee's work shift, or just after the completion of the covered employee's work shift.

5. — If a covered employee is returned to safety-sensitive duties, follow-up testing shall consist of at least six tests in the first 12 months following the driver's return to duty. A substance abuse professional may terminate the followup testing at any time after the first six tests if he/she determines that testing is no longer needed. Testing shall not occur beyond 60 months from the date of the covered employee's return to duty.

#### H. Testing Services Procedures

The Superintendent or designee shall contract with appropriate, certified organizations for the collection of testing samples and testing services, and shall ensure that testing procedures and facilities used for alcohol or controlled substance testing conform to federal and state standards and regulations.

#### I. POSITIVE RESULTS

1. — A positive test for alcohol must be a confirmation test by an evidential breath testing device capable of printout and sequential numbering and must show an alcohol concentration of 0.01 grams of alcohol per 210 liters of breath or greater. Such a test is positive even if that concentration is caused by prescribed medication.

2. — A positive test for controlled substances must be a confirmation by gas chromatography/mass spectrometry techniques and must show at least one of the following minimum test levels:

a. 15 ng/ml (nanograms per millileter) marijuana metabolite;

b. 100 ng/ml of cocaine metabolite;

c. 2000 ng/ml of either morphine or codeine;

d. 25 ng/ml of phencyclidine

e. 250 ng/ml of amphetamine or methamphetamine; and, the medical review officer must conclude there is no legitimate explanation, such as prescribed medication, for a result.

f. 10 ng/ml of acetylmorphine; or

g. 250 ng/ml of MDMA, MDA, MDEA

3. No positive test for controlled substances shall be reported to the employer until after:

a. — The medical review officer has contacted the covered employee directly on a confidential basis, and given the covered employee an opportunity to discuss the test results and the covered employee's medical history, including medication, in confidence.

b. — The medical review officer has given the covered employee, within 72 hours of the covered employee's notification that the test was positive, an opportunity to request that the split sample be tested by a different forensic laboratory, certified by the Department of Health and Human Services at the covered employee's expense and

c. — The remainder of the split sample has been tested and found to be positive, or no timely request for such a test is made by the covered employee.

d.—— If the medical review officer concludes that there is a legitimate explanation for the positive test, such as prescription or over-the-counter medication or a negative result in the test of the remainder of the split sample, the medical review officer must report the test to the employer as a negative test.

e.—— The medical review officer shall be a licensed physician (medical doctor or doctor of osteopathy who is Medical Review Officer (MRO)-certified) responsible for receiving laboratory results generated by an employer's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with his/her medical history and any other relevant biomedical information. The MRO's specific responsibilities are outlined in the U.S. Department of Health and Human Resources (DHHS).

## **J. Maintenance of Records**

The District shall maintain all records as required pursuant to 49 CFR, part 382.401.

1.—— The Transportation supervisor shall be responsible for maintaining employee drug and alcohol test results and records under strict confidentiality and in accordance with law. Except as required by law, the district shall not release information relating to alcohol and controlled substance testing performed in accordance with this policy and regulation or any records required by law.

2.—— A covered employee is entitled, upon written request to the district, to obtain copies of any records pertaining to the covered employee's use of alcohol or controlled substances, including any records pertaining to his/her alcohol or controlled substance test.

3.—— Records shall be made available to a subsequent employer or other identified persons only as expressly authorized in writing by the covered employee.

{cf. 4119.23/4219.23/4319.23—Confidential/Privileged Information}

## **K. NOTIFICATIONS**

The Transportation supervisor shall ensure that each covered employee receives educational materials that explain the requirements of the Code of Federal Regulations, (CFR) Title 49, Part 382, together with a copy of the district's policy and regulations for meeting these requirements. Representatives of employee organizations shall be notified of the availability of this information. The This information shall identify all include a detailed discussion of at least the following: (49 CFR 382.113, 382.303, 382.601)

1. The identity of the person or persons designated by the district to answer covered employees' driver questions about the materials
2. The categories of covered employees drivers who are subject to the Code of Federal Regulations, Title 49, Part 382 and this policy drug and regulatory alcohol testing
3. Sufficient information about the safety-sensitive functions performed by covered employees that those drivers to make clear what period what period of the work day work day the covered employee driver is required to comply with Part 382 be in compliance
4. Specific information concerning covered employee conduct that is prohibited by Part 382 driver conduct
5. The circumstances under which a covered employee driver will be tested for drugs and/or alcohol under Part 382, including post-accident testing
6. The procedures that will be used to test for the presence of drugs and alcohol, protect the covered employee and the driver and the integrity of the testing processes, safeguard the validity of the test results, and ensure that test those results are attributed to the correct covered employee driver
7. The requirement that a covered employee driver submit to drug and alcohol tests administered in accordance with Part 382



8. An explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences
9. The consequences for ~~covered employees~~drivers found to have violated the ~~drug and alcohol prohibitions of Part 382, against drug or alcohol use,~~ including the ~~requirement that the employee~~circumstances under which drivers will be removed immediately from safety-sensitive functions and the ~~procedures~~requirements for ~~referral, evaluation and education,~~ treatment, ~~and return-to-duty testing~~
10. The consequences for ~~covered employees~~drivers found to have ~~an~~ a blood alcohol concentration of ~~.01 or greater but less than between 0.02 and 0.04~~
- ~~The~~
11. Information concerning the effects of ~~drugs~~drug and alcohol use on an individual's health, work, and personal life; signs and symptoms of a drug ~~or alcohol~~or alcohol problem (the ~~employee's~~driver's or a ~~coworker's~~co-worker's); and available methods of intervening when a drug or alcohol problem is suspected, including confrontation, referral to ~~a substance abuse rehabilitation~~any employee assistance program, and/or referral to management
- ~~12. Other legal requirements, district policies and disciplinary consequences related to the use of alcohol and drugs.~~
12. The requirement that personal information collected and maintained pursuant to 49 CFR 382 shall be reported to the Clearinghouse

Each ~~covered employee~~driver shall sign a statement certifying ~~that he/she has received receipt of~~ a copy of the above materials.

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

~~13. Before any covered employee operates~~ The Superintendent or designee shall maintain the original of the signed certificate and may provide a commercial motor vehicle, the Transportation Supervisor shall provide him/her with post-accident procedures that will make it possible to comply with post-accident testing requirements copy of the certificate to the driver.  
(49 CFR 382.601)

In addition, prior to administering each alcohol or drug test, the driver shall be notified that the test is required pursuant to Title 49, Part 382, of the Code of Federal Regulations. (49 CFR 382.113)

The driver shall be notified of the results of drug and alcohol tests in accordance with 49 CFR 382.411.

## Records

~~14. Before drug and alcohol tests are performed pursuant to 49 CFR 382, the Transportation Supervisor shall inform the covered employees that the tests are required by these regulations.~~

~~The district shall notify covered candidates of the results of a pre-employment drug test if the covered candidate requests such results within 60 calendar days of being notified of the disposition of his/her employment application (49 CFR 382.411)~~

~~The district shall notify a covered employee of the results of random, reasonable suspicion and post-accident drug tests if the test results are positive. The district shall also tell the covered employee which controlled substance(s) were verified as positive. Every covered employee who tests positive for alcohol and/or controlled substances shall be advised of the resources available to that covered employee in evaluating and resolving problems associated with the abuse of alcohol or controlled substances. (49 CFR 382.411)~~

~~L. Training~~

The Department of Facilities and Operations shall ensure professional training of appropriate supervisory and management staff authorized to make reasonable suspicion determinations in detecting symptoms of alcohol and controlled substance use. The training shall be in accordance with federal regulations and must include at least 60 minutes each on alcohol and drug misuse including physical, behavioral, speech, and performance indicators.

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The Superintendent or designee shall maintain records of the district's drug and alcohol testing program in accordance with 49 CFR 40.333 and 382.401. Such records shall be maintained in a secure location with controlled access and shall be disclosed only in accordance with 49 CFR 382.405.

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## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy Gabler

FROM: Jaime Martinez

DATE: 1/14/22

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: January 26, 2022

**ITEM:** Board Policy 4131 - Staff Development (REVISED)

**PURPOSE:** Policy updated to incorporate concepts of student well-being and social-emotional development and learning as it relates to professional development, to clarify that the development of the staff development program includes creating, reviewing and amending the program, to reflect the State Board of Education's California Digital Learning Integration and Standards Guidance regarding staff development in the use of technologies, to reference NEW LAW (AB 130, 2021) regarding requirements for districts offering technology-based instruction pursuant to an independent study program, and to expand the list of characteristics that are included in diverse student populations as related to staff development in meeting the needs of such students. Policy also updated to enhance staff development regarding school climate to include acceptance, civility, and positive behavioral interventions and supports, and staff development regarding student's mental and physical health to include social-emotional learning and trauma-informed practices.

**FISCAL IMPACT:** Unknown.**RECOMMENDATIONS:** Approve.

## Policy 4131: Staff Development

Status: ADOPTED

Original Adopted Date: 01/12/2005 | Last Revised Date: 10/14/2015

The Governing Board believes that, in order to maximize student learning ~~and~~, achievement, and well-being, certificated staff members must be continuously learning and improving ~~their~~ relevant skills. The Superintendent or designee shall develop a program of ongoing professional development which includes opportunities for teachers to enhance their instructional and classroom management skills ~~and~~, become informed about changes in pedagogy and subject matter, and strengthen practices related to social-emotional development and learning.

~~{cf. 6111 – School Calendar}~~

The Superintendent or designee shall involve teachers, site and district administrators, and others, as appropriate, ~~in the development of~~ when creating, reviewing, and amending the district's staff development program. ~~He/she~~ The Superintendent or designee shall ensure that the district's staff development program is aligned with district priorities for student learning, achievement and well-being, school improvement objectives, the local control and accountability plan, and other district and school plans.

~~{cf. 0000 – Vision}~~

~~{cf. 0200 – Goals for the School District}~~

~~{cf. 0420 – School Plans/Site Councils}~~

~~{cf. 0460 – Local Control and Accountability Plan}~~

~~{cf. 0520.2 – Title I Program Improvement Schools}~~

~~{cf. 0520.3 – Title I Program Improvement Districts}~~

The district's staff development program shall assist certificated staff in developing knowledge and skills, including, but not limited to:

1. 1. Mastery of subject-matter knowledge, including current state and district academic standards.

~~{cf. 6011 – Academic Standards}~~

~~{cf. 6142.1 – Sexual Health and HIV/AIDS Prevention Instruction}~~

~~{cf. 6142.2 – World/Foreign Language Instruction}~~

~~{cf. 6142.3 – Civic Education}~~

~~{cf. 6142.5 – Environmental Education}~~

~~{cf. 6142.6 – Visual and Performing Arts Education}~~

~~{cf. 6142.7 – Physical Education and Activity}~~

~~{cf. 6142.8 – Comprehensive Health Education}~~

~~{cf. 6142.91 – Reading/Language Arts Instruction}~~

~~{cf. 6142.92 – Mathematics Instruction}~~

~~{cf. 6142.93 – Science Instruction}~~

~~{cf. 6142.94 – History Social Science Instruction}~~

2. Use of effective, subject-specific teaching methods, strategies, and skills.
3. Use of technologies to enhance instruction and learning, including face-to-face, remote, or hybrid instruction

~~{cf. 0440 – District Technology Plan}~~

~~{cf. 4040 – Employee Use of Technology}~~

~~{cf. 6163.4 – Student Use of Technology}~~

4. Sensitivity to and ability to meet the needs of diverse student populations, including, but not limited to, ~~studentsof various racial and ethnic groups, students with disabilities, English learners, economically disadvantaged students, foster youth, gifted and talented students, and at-risk~~

~~students~~students with characteristics specified in Education Code 200 and/or 220, Government Code 11135, and/or Penal Code 422.55

~~{cf. 4112.22 – Staff Teaching English Language Learners}~~  
~~{cf. 4112.23 – Special Education Staff}~~  
~~{cf. 5147 – Dropout Prevention}~~  
~~{cf. 6141.5 – Advanced Placement}~~  
~~{cf. 6171 – Title I Programs}~~  
~~{cf. 6172 – Gifted and Talented Student Program}~~  
~~{cf. 6173 – Education for Homeless Children}~~  
~~{cf. 6173.1 – Education for Foster Youth}~~  
~~{cf. 6174 – Education for English Language Learners}~~  
~~{cf. 6175 – Migrant Education Program}~~

5. Understanding of how academic and career technical instruction can be integrated and implemented to increase student learning

5.6. Knowledge of strategies that encourage parents/guardians to participate fully and effectively in their ~~children's education~~ children's education

~~{cf. 1240 – Volunteer Assistance}~~  
~~{cf. 5020 – Parent Rights and Responsibilities}~~  
~~{cf. 6020 – Parent Involvement}~~

6.7. Effective classroom management skills and strategies for establishing a climate that promotes respect, fairness, ~~tolerance~~ acceptance, and ~~discipline~~ civility, including conflict resolution ~~and~~, hatred prevention, and positive behavioral interventions and supports

~~{cf. 5131 – Conduct}~~  
~~{cf. 5131.2 – Bullying}~~  
~~{cf. 5137 – Positive School Climate}~~  
~~{cf. 5138 – Conflict Resolution/Peer Mediation}~~  
~~{cf. 5145.9 – Hate-Motivated Behavior}~~

7.8. Ability to relate to students, understand their various stages of growth and development, and motivate them ~~to learn~~ to learn

8.9. Ability to interpret and use data and assessment results to guide instruction

~~{cf. 5121 – Grades/Evaluation of Student Achievement}~~  
~~{cf. 6162.5 – Student Assessment}~~

9. Knowledge of topics related to student mental and physical health, safety, and welfare

~~{cf. 0450 – Comprehensive Safety Plan}~~  
~~{cf. 5030 – Student Wellness}~~  
~~{cf. 5131.6 – Alcohol and Other Drugs}~~  
~~{cf. 5131.63 – Steroids}~~

10. ~~{cf. 5141.21 – Administering Medication, which may include social-emotional learning and Monitoring Health Conditions}~~ trauma-informed practices

~~{cf. 5141.4 – Child Abuse Prevention and Reporting}~~  
~~{cf. 5141.52 – Suicide Prevention}~~  
~~{cf. 5145.3 – Nondiscrimination/Harassment}~~  
~~{cf. 5145.7 – Sexual Harassment}~~

10.11. Knowledge of topics related to employee health, safety, and security

~~{cf. 3514.1 – Hazardous Substances}~~  
~~{cf. 4119.11/4219.11/4319.11 – Sexual Harassment}~~

~~{cf. 4119.42/4219.42/4319.42 – Exposure Control Plan for Bloodborne Pathogens}~~

~~{cf. 4119.43/4219.43/4319.43 – Universal Precautions}~~

~~{cf. 4157/4257/4357 – Employee Safety}~~

~~{cf. 4158/4258/4358 – Employee Security}~~

The Superintendent or designee shall, in conjunction with teachers, interns, and administrators, as appropriate, develop an individualized program of professional growth to increase competence, performance, and effectiveness in teaching and classroom management and, as necessary, to assist them in meeting state or federal requirements to be fully qualified for their positions.

~~{cf. 4112.2 – Certification}~~

~~{cf. 4112.21 – Interns}~~

~~{cf. 4112.24 – Teacher Qualifications Under the No Child Left Behind Act}~~

~~{cf. 4131.1 – Teacher Support and Guidance}~~

Professional learning opportunities offered by the district shall be evaluated based on the criteria specified in Education Code 44277. Such opportunities may be part of a coherent plan that combines school activities within a school, including lesson study or co-teaching, and external learning opportunities that are related to academic subjects taught, provide time to meet and work with other teachers, and support instruction and student learning. Learning activities may include, but are not limited to, mentoring projects for new teachers, extra support for teachers to improve practice, and collaboration time for teachers to develop new instructional lessons, select or develop common formative assessments, or analyze student data. (Education Code 44277)

The district's staff evaluation process may be used to recommend additional individualized staff development for individual employees.

~~{cf. 4115 – Evaluation/Supervision}~~

The Board may budget funds for actual and reasonable expenses incurred by staff who participate in staff development activities. ~~{cf. 3100 – Budget}~~

~~{cf. 3350 – Travel Expenses}~~

The Superintendent or designee shall provide a means for continual evaluation of the benefit of staff development activities to both staff and students and shall regularly report to the Board regarding the effectiveness of the staff development program. Based on the Superintendent's report, the Board may revise the program as necessary to ensure that the staff development program supports the district's priorities for student achievement. ~~{cf. 0500 – Accountability}~~ and well-being.

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## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy Gabler

FROM: Jaime Martinez

DATE: 1/14/22

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: January 26, 2022

**ITEM:** Board Policy 4141/4241 - Collective Bargaining Agreement (NEW)

**PURPOSE:** Board Policy reflects court decision holding that a provision in a collective bargaining agreement that directly conflicts with the Education Code cannot be enforced. Policy also contains language clarifying that, whenever a law conflicts with a provision in the collective bargaining agreement, the law will prevail.

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

**Policy 4141/4241: Collective Bargaining Agreement**

Status: In Progress

The Governing Board recognizes that collective bargaining agreements are legally binding, bilateral agreements with the exclusive representatives of employees pertaining to terms and conditions of employment. The Board is committed to carrying out the provisions of each agreement and expects the agreements to be consistently and uniformly administered.

Following adoption of the collective bargaining agreement, the Superintendent or designee shall review related Board policies and recommend to the Board any action needed to maintain consistency with the agreement. Whenever a Board policy conflicts with a provision in the collective bargaining agreement, the agreement shall be binding for those employees covered by the terms of the agreement. Whenever a law conflicts with a provision in the collective bargaining agreement, the law will prevail as to those employees for whom the law applies.

Upon request by the Public Employment Relations Board, the Superintendent or designee shall provide, within 15 days of the request, a copy of the written agreement and any amendments. (8 CCR 32120)

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## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy Gabler

FROM: Jaime Martinez

DATE: 1/14/22

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: January 26, 2022

**ITEM:** Board Policy/Administrative Regulation 4158/4258/4358 - Employee Security (REVISED)

**PURPOSE:** Board Policy/Administrative Regulation updated to reflect law authorizing a district to petition, on behalf of an employee, for a gun violence restraining order prohibiting a person from owning, purchasing, possessing, or receiving a firearm. Policy also reflects law requiring a district to provide reasonable accommodations, upon request, to an employee who is a victim of domestic violence, sexual assault, or stalking. Policy adds a requirement of law to inform administrators and counselors, along with teachers, regarding certain crimes and offenses committed by students. Regulation updated to more directly reflect law requiring a report to law enforcement of any attack, assault, or physical threat made against an employee by a student. Material in section on "Notice Regarding Student Offenses" reorganized to clarify the required notifications that must be made to staff pertaining to (1) student offenses that are grounds for suspension or expulsion and (2) any report received from a court that a student has been found to have committed a felony or misdemeanor involving specified offenses.

**FISCAL IMPACT:** None.

**RECOMMENDATIONS:** Approve.

**Policy 4158/4258/4358: Employee Security**

Status: In Progress

~~A-~~ The Governing Board of Trustees desires to provide a safe and orderly work environment for all employees. As part of the district's comprehensive safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing ~~them with~~ necessary assistance and support when emergency situations occur.

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

~~(cf. 3515 – Campus Security)~~

~~(cf. 5131.4 – Student Disturbances)~~

Any person who threatens the safety of others at any district facility may be removed by the Superintendent or designee in accordance with AR 3515.2 - Disruptions.

~~1-~~ Any employee against whom violence or any threat of violence has been directed in the workplace shall notify ~~the Superintendent~~ the Superintendent or designee immediately. ~~The As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. In addition, the Superintendent or designee may initiate legal proceedings against any individual to recover damages for injury caused by the willful misconduct of that individual to the person or property of an employee or another person on district premises. Such measures may include seeking a temporary restraining order on behalf of the employee pursuant to Code of Civil Procedure 527.8 and/or a gun violence restraining order pursuant to Penal Code 18150 and 18170.~~

~~(cf. 3320 – Claims and Actions Against the District)~~

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

~~The Superintendent or designee shall ensure~~ Upon request by an employee who is a victim of domestic violence, sexual assault, or stalking, the Superintendent or designee shall provide reasonable accommodations in accordance with Labor Code 230-230.1 and the accompanying administrative regulation to protect the employee's safety while at work.

The Superintendent or designee may pursue legal action on behalf of an employee against a student or the student's parent/guardian to recover damages for injury to the employee's person or property caused by the student's willful misconduct that employees are trained occurred on district property, at a school or district activity, or in retaliation for lawful acts of the employee in the performance of the employee's duties. (Education Code 48904, 48905)

~~2-~~ The Superintendent or designee shall provide staff development in crisis prevention and intervention techniques in order to protect themselves and students. Staff development intervention techniques, which may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

~~(cf. 4131 – Staff Development)~~

~~(cf. 4231 – Staff Development)~~

~~(cf. 4331 – Staff Development)~~

~~3-~~ ~~The~~ In accordance with law, the Superintendent or designee ~~also shall ensure that employees are informed, in accordance with law, inform teachers, administrators, and/or counselors~~ of crimes and offenses committed by students who may pose a danger in the classroom. (Education Code 48201, 49079; Welfare and Institutions Code 827)

4. The Superintendent or designee may make available at appropriate locations, including, but not limited to, ~~district and~~ district and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur. <sup>151</sup>

~~{cf. 5141—Health Care and Emergencies}~~

#### **B. Reporting of Injurious Objects**

~~The Board required employees to~~ Employees shall take immediate action upon being made aware that any person is in possession of ~~ana~~ a weapon or unauthorized injurious object on school grounds or at a school-related or school-sponsored activity. ~~The employee~~ Employees shall ~~use his/her own~~ exercise their best judgment as to the potential danger involved and, ~~based upon this analysis,~~ shall do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action
3. Immediately call 911 and the principal

~~{cf. 5131.7—Weapons and Dangerous Instruments}~~

~~{cf. 5144—Discipline}~~

~~{cf. 5144.1—Suspension and Expulsion/Due Process}~~

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

When informing the principal about the possession or seizure of a weapon or dangerous device, ~~the an~~ employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

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**Regulation 4158/4258/4358: Employee Security**

Status: In Progress

An employee may use reasonable and necessary force for ~~his/her~~ self-defense, or defense of another person, ~~or protection of property;~~ to quell a disturbance threatening physical injury to others; or damage to property, or to obtain possession of weapons or other dangerous objects within the control of a student. (Education Code 44807, 49001) ~~(cf. 5131.7—Weapons and Dangerous Instruments)~~

~~(cf. 5144—Discipline)~~

~~Employees~~An employee shall promptly report to the principal or other immediate supervisor any attack, assault, or physical threat made against ~~them by a student~~ the employee by a student or by any other individual in relation to the performance of the employee's duties, and any action the employee took in response. Reports of an attack, assault, or threat shall be forwarded immediately to the Superintendent or designee.

~~Both~~In addition, the employee and the principal or other immediate supervisor shall promptly report ~~such instances to the appropriate~~ to local law enforcement agency. ~~(Education Code 44014)~~  
~~In addition, employees shall promptly report to the principal or supervisor, and may report to law enforcement, any authorities an~~ attack, assault, or physical threat made against ~~them on school grounds~~ the employee by any other individual a student. (Education Code 44014)

~~(cf. 3512.2—Disruptions)~~

~~Reports of attack, assault, or threat shall be forwarded immediately to the Superintendent or designee.~~

~~(cf. 3320—Claims and Actions Against the District)~~

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

~~(cf. 3530—Risk Management/Insurance)~~

**Notice Regarding Student Offenses** ~~Committed While Under School Jurisdiction~~

When a student commits certain offenses that may endanger staff or others, the following procedures shall be implemented to notify staff members as appropriate:

1. Acts That Are Grounds for Suspension or Expulsion

- a. The Superintendent or designee shall inform the teacher(s) of each student who ~~has engaged in, or is reasonably suspected of, any act,~~ during the previous three school years ~~which could constitute grounds for suspension or expulsion under Education Code 48900, with the exception of,~~ has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, ~~or Education Code 48900.2, 48900.3, 48900.4, or 48900.7 that would constitute a ground for suspension or expulsion as specified in AR 5144.1 -~~ Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

~~(cf. 5125—Student Records)~~

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

- b. Upon receiving a transfer student's record regarding acts committed by the student that resulted in ~~his/her~~ suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from ~~his/her~~ the former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)

~~(Education Code 48201)~~

- c. Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)

Notice Regarding Student

Offenses ~~Committed While Outside School Jurisdiction~~

~~When a minor student has been found by a court of competent jurisdiction Reported to have illegally used, sold, or possessed a controlled substance or committed specified crimes involving serious acts of violence, the district police or security department may provide written notification to the Superintendent. (Welfare and Institutions Code 828).~~

2. (cf. 3515.3—District Police/Security Department) by a Court

- a. When informed by ~~the~~ court that a minor student has been found by ~~a~~the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall ~~so inform~~expeditiously notify the school principal. ~~(Welfare and Institutions Code 827)~~  
Code 827)
- b. The principal shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress. ~~The principal also may inform and to any teacher or administrator he/she directly supervising or reporting on the student's behavior or progress whom the principal~~ thinks may need the information ~~so as in order~~ to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. ~~(Welfare and Institutions Code 827)~~
- c. Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. ~~(Welfare and Institutions Code 827)~~
- d. When a student is removed from school as a result of ~~his/her~~an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. ~~(Welfare and Institutions Code 827)~~  
(Welfare and Institutions Code 827)
- e. Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. ~~(Welfare and Institutions Code 827)~~

Procedures to Maintain Confidentiality of Student Offenses

In order to maintain confidentiality when providing information about student offenses to ~~counselors and teachers of classes/programs to which a student is assigned~~a counselor or teacher, the principal or designee shall ~~inform~~send the staff member a written notification that ~~one of his/her students~~a student has committed an offense that requires ~~his/her~~review of a student's file in the school office. This notice shall not name or otherwise identify the student.

The staff member shall initial the notification and shall also initial the student's file when reviewing it in the school office. ~~Once the district has made a good faith effort to comply with the notification requirement of Education Code 49079 and Welfare and Institutions Code 827, an employee's failure to review the file constitutes district compliance with the requirement to provide notice to the teacher.~~

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Accommodations for Victims of Domestic Violence, Sexual Assault, or Stalking

When requested by an employee who is a victim of domestic violence, sexual assault, or stalking, the district shall provide the employee reasonable accommodations which may include the implementation of safety measures, including: (Labor Code 230)

1. A transfer, reassignment, or modified schedule

2. A changed work telephone or work station

3. An installed lock

4. Assistance in documenting domestic violence, sexual assault, stalking, or other crime that occurs in the workplace

5. Referral to a victim assistance organization

6. Another safety procedure or adjustment to a job structure, workplace facility, or work requirement in response to domestic violence, sexual assault, stalking, or other crime

The Superintendent or designee shall engage in a timely, good faith, and interactive process with the employee to determine effective reasonable accommodations that do not pose an undue hardship on the district. In determining whether an accommodation is reasonable, the Superintendent or designee shall consider any exigent circumstance or danger facing the employee. (Labor Code 230)

Upon the request of the Superintendent or designee, an employee requesting a reasonable accommodation shall provide a written statement, signed by the employee or an individual acting on the employee's behalf, certifying that the accommodation is for an authorized purpose. The Superintendent or designee may also request that the employee provide certification of the employee's status as a victim of domestic violence, sexual assault, or stalking.

Such certification may include: (Labor Code 230)

1. A police report indicating that the employee was a victim

2. A court order protecting or separating the employee from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney that the employee has appeared in court

3. Documentation from a licensed medical professional or health care provider, domestic violence or sexual assault counselor, victim advocate, or counselor that the employee was undergoing treatment or receiving services for physical or mental injuries or abuse resulting in victimization from the crime or abuse

4. Any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or by an individual acting on the employee's behalf

Any verbal or written statement, police or court record, or other documentation identifying an employee as a victim shall be confidential and shall not be disclosed by the district except as required by federal or state law or as necessary to protect the employee's safety in the workplace. The employee shall be notified before any authorized disclosure. (Labor Code 230)

Every six months after the date of the certification, the Superintendent or designee may request recertification of the employee's status as a victim of domestic violence, sexual assault, or stalking or ongoing circumstances related to the crime or abuse. The employee shall notify the Superintendent or designee if, due to changing circumstances, the employee needs a new accommodation or no longer needs an accommodation. (Labor Code 230)

The district shall not retaliate against an employee because of the employee's status as a victim of crime or abuse or for requesting a reasonable accommodation, regardless of whether the request was granted. (Labor Code 230)

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HANFORD ELEMENTARY SCHOOL DISTRICT  
**Human Resources Department**  
**AGENDA REQUEST FORM**

**TO:** Joy C. Gabler

**FROM:** Jaime Martinez

**DATE:** January 14, 2022

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

**DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED:** **January 26, 2022**

**ITEM:** Consider approval of personnel transactions and related matters.

**PURPOSE:**

**a. Employment**

**Certificated**

- Katherine Sippel, Teacher Probationary I, Washington, effective 1/10/21

**Classified**

- Shelby Alcaraz, Special Education Aide – 5.0 hrs., Wilson, effective 1/10/22
- Yusra Almarush, Yard Supervisor – 3.5 hrs., Simas, effective 1/10/22
- Emily Bush, READY Program Tutor – 4.5 hrs., Washington, effective 1/10/22
- Madison Furtado, READY Program Tutor – 4.5 hrs., Jefferson, effective 1/10/22
- Guadalupe Gonzalez, Yard Supervisor – 1.5 hrs., Roosevelt, effective 1/10/22
- Nathan Harper, READY Program Tutor – 4.5 hrs., Hamilton, effective 1/11/22
- Emily Lerma, Yard Supervisor – 2.5 hrs., Hamilton, effective 1/10/22
- Anahi Linan, Yard Supervisor – 1.5 hrs., Roosevelt, effective 1/10/22
- Esteban Lona Frias, Special Education Aide – 5.0 hrs., Roosevelt, effective 1/10/22
- Kaylyn Strickland, Educational Tutor – 4.5 hrs., Hamilton, effective 1/12/22

### **Classified Temp/Subs**

- Nichole Armenta Ferrer, Substitute Yard Supervisor, effective 1/12/22
- Maribel Gonzalez Salas, Substitute Yard Supervisor, effective 1/12/22
- Michael Hernandez, Substitute Custodian I, effective 1/10/22
- Kelvin Shepherd, Athletic Coach, effective 12/6/21
- Elizabeth Steen, Substitute Yard Supervisor, effective 12/6/21
- Biane Teofilo, Substitute Bilingual Clerk Typist II, effective 1/12/22

### **Promotion/Transfer**

- Diego De Alba, from READY Program Tutor – 4.5 hrs., Richmond, to READY Site Lead – 5.0 hrs., King, effective 1/10/22
- Jesse Thompson, from Custodian II – 8.0 hrs., Lincoln, to Lead Custodian – 8.0 hrs., Lincoln, effective 1/3/22

### **Administrative Transfer**

- John Barragan, from Custodian II – 8.0 hrs., King/Monroe Split, to Custodian II – 8.0 hrs., Lincoln, effective 1/10/22
- Salvador Carrasco, from Custodian II – 8.0 hrs., District Office, to Custodian II – 8.0 hrs., King/Monroe Split, effective 1/10/22

### **Voluntary Transfer**

- Arianna Luna, from READY Program Tutor – 4.5 hrs., Hamilton, to READY Program Tutor – 4.5 hrs., Richmond, effective 1/13/22

### **Voluntary Demotion**

- Sherman Royal, from Student Specialist – 8.0 hrs., Richmond, to Custodian II – 8.0 hrs., District Office, effective 1/10/22

### **Short Term Classified**

- Vanessa Chavez, Short-Term Yard Supervisor – 3.25 hrs., Lincoln, effective 1/10/22-4/8/22
- Kevin Chesser, Short-Term Yard Supervisor – 2.5 hrs., Kennedy, effective 1/10/22-4/8/22
- Anthony Diaz, Short-Term Custodian II – 7.0 hrs., Rover, effective 1/10/22-4/8/22
- Silvia Foreman, Short-Term Special Education Aide – 5.75 hrs., Hamilton, effective 1/11/22-4/8/22
- Bertha Martin, Short-Term Bilingual Clerk Typist II – 8.0 hrs., King, effective 1/10/22-3/18/22
- Ayeisha Medina, Short-Term Yard Supervisor – 2.25 hrs., Richmond, effective 1/10/22-4/8/22
- Jeanette Valdez, Short-Term Custodian II – 7.0 hrs., Rover, effective 1/10/22-4/8/22
- Daisy Vargas, Short-Term Yard Supervisor – 3.5 hrs., Roosevelt, effective 1/10/22-4/8/22



- Sandra Virden, Short-Term Yard Supervisor – 3.5 hrs., Simas, effective 1/10/22-4/8/22
- Joseph Williams, Short-Term Yard Supervisor – 1.75 hrs., Monroe, effective 1/10/22-4/8/22

**b. Resignations**

- Shelby Alcaraz, Yard Supervisor – 1.0 hrs., Wilson, effective 1/7/22
- Brianne Brieno, READY Site Lead – 5.0 hrs., King, effective 12/17/21
- Jose Ibanez, READY Program Tutor – 4.5 hrs., Richmond, effective 12/17/21
- Anna Mauldin, Substitute READY Program Tutor and Yard Supervisor, effective 9/17/21
- Yvette Mena, Substitute Yard Supervisor, effective 6/4/21
- Jennifer Navarro Rodriguez, Yard Supervisor – 3.5 hrs., Lincoln, effective 1/13/22
- Melanie Pimentel, Substitute Yard Supervisor, effective 12/10/21
- Olga Ramirez, Yard Supervisor – 2.5 hrs., Washington, effective 12/17/21
- Anali Rangel Ramirez, READY Program Tutor – 4.5 hrs., Washington, effective 11/8/21

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

- Demerio Carre, Boys Basketball, Washington, effective 12/6/21-3/12/22
- Antonio Hernandez, Boys Soccer, Wilson, effective 11/8/21-2/9/22
- Michael Quinones, Girls Basketball, Washington, effective 12/6/21-3/12/22
- Kelvin Shepherd, Boys Basketball, Monroe, effective 12/6/21-3/12/22

**RECOMMENDATION:** Approve.

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy C. Gabler

FROM: David Endo

DATE: 01/14/2022

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: 01/26/2022

**ITEM:**

Consider ratification of the contract for services with Sitlogiq to develop and provide utility interconnection applications for solar generation projects at Hamilton Elementary and Washington Elementary.

**PURPOSE:**

The administration is requesting the ratification of an agreement with Sitlogiq to provide utility interconnection applications for solar generation projects prior to the adoption of NEM-3 (Net Energy Metering) by the California Public Utilities Commission (CPUC) as early as January 27, 2022. NEM-3 encourages energy storage by lowering the value of energy exported to the grid which would decrease the savings to school districts that export energy in the summer when school is not in session. Should the District be successful in obtaining another California Energy Commission loan, these applications will allow the District to continue under the NEM-2 guidelines that allow for a higher value of energy exportation.

A newsletter describing the change has been included for review.

**FISCAL IMPACT:**

The cost of the agreement is \$5,000.

**RECOMMENDATIONS:**

Ratify the contract for services with Sitlogiq to develop and provide utility interconnection applications for solar generation projects at Hamilton Elementary and Washington Elementary.



December 28, 2021

Dave Endo  
 Chief Business Official  
 Hanford Elementary School District  
 714 North White St.  
 Hanford, CA 93230-4029

**RE: Solar Generation Project Interconnect Application Letter of Agreement**

Dear Mr. Endo:

Thank you for allowing us to provide the District with preliminary assessments regarding the potential of further solar generation within the District.

This Letter of Agreement (LOA) is intended to briefly describe the manner in which SiteLogIQ and the Hanford Elementary School District will work together during the project development process, as well as the obligations of each party with respect to the development process.

**Facility Location(s):** The following facilities will be included in the Phase II project development process.

- Hamilton Elementary, 1269 Leland Way
- George Washington Elementary, 2245 North Fairmont

**Area of Focus:**

SiteLogIQ will develop and provide utility interconnection applications for solar generation projects at the above sites.

**Scope of Services:**

- A. SiteLogIQ will utilize California Government Code Section 4217.12 to implement the project(s) in a design-build manner, expediting project implementation and minimizing project initial and ongoing operational costs.
- B. SiteLogIQ will work with the District to finalize all preliminary solar designs and ensure all stakeholder feedback is incorporated into the final designs for each campus the District wishes to include in a solar generation program.
- C. SiteLogIQ will conduct a site visit to the Facility(ies) to perform a physical audit and collect data. The District will cooperate and collaborate with SiteLogIQ during this phase by providing copies of requested data, including (if available): Site and/or system drawings, historical operating data produced or recorded by existing controls or meters, manual logs, and any other data that may



be pertinent to this evaluation.

- D. The District will make operational personnel available at reasonable times for in-person and telephone interviews with SitelogIQ to answer questions about existing facilities conditions, operating profile and existing equipment operation.
- E. Where operational data is not available to support the analysis, SitelogIQ will utilize standard engineering practices and assumptions to provide a conservative analysis on the potential energy savings from installing the energy conservation measures.
- F. For each of the targeted Energy Conservation Measures (ECMs), estimated (projected) operating costs will be calculated and then compared to existing operating costs. Existing conditions will be evaluated using data-logged or stipulated and mutually agreed operational schedules.
- G. SitelogIQ will prepare a return on investment analysis (consistent with the District's preferred evaluation methods based on agreed upon Economic Criteria noted below).
- H. SitelogIQ will provide construction costs estimates and a summary Scope of Work for all recommended ECMs. Cost estimates will represent a "turnkey" solution. Refer to Attachment A for the list of discussed potential ECM's to be evaluated.
- I. The results will be presented to District as a recommended Scope of Work and a financial proforma (such as a Cash Flow) which will include costs and energy savings for the next 25 years with escalation of no more than 4% and including future maintenance & repair costs. As a result, True Cost of Ownership is presented to the District for their review and consideration.

#### **District Responsibilities:**

In order for SitelogIQ to provide the services described in this LOA, the District agrees to provide (or cause its energy suppliers to provide) SitelogIQ with the data requested in Attachment B.

#### **Development Efforts:**

The District acknowledges that SitelogIQ will incur considerable expense in developing the Project. This expense includes the cost to provide professional services by SitelogIQ's project development team, the cost to visit the sites, and the cost to prepare the deliverables.

#### **Ownership of Work:**

All work products, including all reports, schedules, and scope of work documentation provided by SitelogIQ, will only become the property of the District upon (i) District's payment to SitelogIQ of the Development Fee, or (ii) upon execution of a binding, irrevocable contract between the District and SitelogIQ for the implementation of the ECMs proposed by SitelogIQ. Notwithstanding the foregoing, to the extent that any tangible work documentation produced by SitelogIQ contains SitelogIQ's pre-existing



materials (including but not limited to templates, forms, and other SitelogIQ -created materials), SitelogIQ will remain the sole and exclusive owner of all such pre-existing materials.

**Development Fee:**

SitelogIQ will develop the Project for the firm, fixed fee/rate as listed below:

Fee/Rate of: **\$5,000.**

Depending on the utility and available capacity, the utility may charge additional interconnection fees of between \$300 - \$2500 (not included in Development Fee) per application if a system impact study is required. Client will be given the opportunity to pay the utility directly.

In the event that the District enters into a contract with SitelogIQ for the implementation of the District's desired ECMs within 90 days after presenting the Proposal, then SitelogIQ's cost to develop the Proposal will be waived. If the District enters into a contract with SitelogIQ at a later date, the Development Fee paid by the District will be credited toward the project's total implementation cost.

**Economic Criteria:**

The District has represented to SitelogIQ that District agrees to move forward with the project if the project is shown to reduce the operational expenses at the site over the useful life of the project. The main financial objectives of the project are as follows:

1. Successfully apply for utility interconnection permits for solar generation at the selected sites prior to the NEM 2.0 grandfathered deadline period.
2. Provide various financial solutions for the implementation of solar generation. Any final projects and financing mechanisms will be chosen by the District.
3. Provide options for any other energy conservation/management measures determined to assist Criteria Number 1 by providing additional energy savings and reducing District capital requirements.

This LOA shall be construed and enforced in accordance with the laws of the State of California without regard to principles of conflicts of law.




If you agree with the provisions set forth in this LOA, please approve the LOA below and return one fully-executed copy to my attention. Thank you again for providing SiteLogIQ with the opportunity to work with the Hanford Elementary School District on this important initiative.

### **Acceptance of Letter of Agreement**

**This agreement is between the Hanford Elementary School District and SiteLogIQ, Inc.**

Hanford Elementary School District

SiteLogIQ

  
 Name: DAVID GUDO

Title: CHIEF BUSINESS OFFICER

Date: 12/28/21

Name:

Title:

Date:



**Attachment A:**  
**Potential Facility Improvement, Energy Conservation and Energy Generation**  
**Measures to be considered**

1. Solar Generation Designs at:
  - a. Hamilton Elementary, 1269 Leland Way
  - b. George Washington Elementary, 2245 North Fairmont



### Attachment B:

#### Pre-audit Information Request

#	Must Have	Nice to Have
<b>Utility Information</b>		
1	Electric, Gas, Water, Oil, Other: Utility supplier and contact	all data in excel format; 3 to 5 years. District Access through Utility API.
2	Summary of monthly usage and cost (1 year minimum, 3 years preferred)	Utility Rate structures
3	Copies of actual Utility bills for one year	Kilo Watt (kW) and Kilo Volt Amp (kVA) Data: Monthly Peaks & 15-minute interval
4	What are the interconnection or other major electrical codes that we need to be aware of, e.g., for islanding from the utility, for connecting to a substation, etc.	Utility Meters: main & sub-meters- layout drawing, locations, areas they feed
5	What is the power rating of equipment (Volts, Amps, Hz)?	
<b>Facility Information</b>		
1	Age, Total building area (sq. feet.), Conditioned Area, window area, number of rooms, common facilities	Roof type & age, window type & age, any window films, etc?
2	Operation schedule, monthly occupancy data	
3	Complete set of building plans (original & as-builts); at a minimum, overall architectural plan, main mechanical schedule, electrical single-line diagram;	Please scan & pdf all the building as-built drawings.
4	Any problems regarding guest comfort (humidity, hot/cold areas, mold, etc.)	Equipment Maintenance logs & schedule (indicate recurring problems)
5	Any major renovation projects in the last 3 years? Or plans to renovate	Air balance report, Facility Assessment Plan



## NEM 3.0 Update for Municipal, University, School and Hospital (MUSH) Markets

December 28, 2021

### Summary

The California Public Utilities Commission (CPUC) released its [Proposed Decision](#) (Decision) for its newest Net Energy Metering (NEM 3.0) tariff on December 13<sup>th</sup>, 2021. The proposal will bring dramatic changes to Net Energy Metering program that will significantly reduce the value of solar PV energy. The Decision could be approved as soon as January 27, 2022, with the new NEM 3.0 tariff becoming effective approximately four months later. This NEM 3.0 tariff will only apply to the customers of the three regulated utilities, Pacific Gas & Electric (PG&E), Southern California Edison (SCE), and San Diego Gas & Electric (SDGE).

NEM 3.0 will result in a steep reduction in the value of energy produced by municipal, university, school, hospital (MUSH) and commercial solar PV systems in California, on the order of 15 to 50 percent. Those impacted will include current solar PV systems grandfathered under NEM 1.0 or 2.0 who would see their grandfathering decreased from 20 to 15 years, transitioning them to NEM 3.0 sooner than anticipated. This would greatly affect the economics of those legacy systems since their systems still have plenty of life and many may still be paying off loans and power purchase agreements (PPAs). The Decision would also affect customers who want to expand their systems, which would bump them to NEM 3.0 (if installed on the same meter as the existing system).

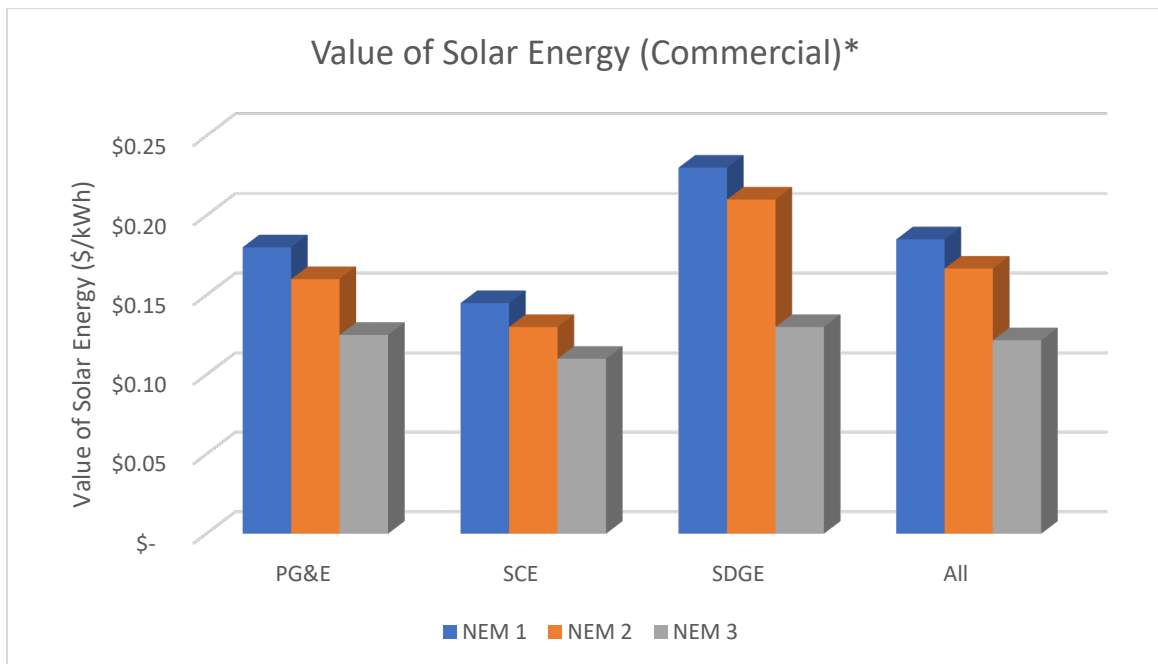
Due to the loss of value associated with NEM 3.0, any planned or anticipated California solar project should do everything possible to be grandfathered under the current NEM 2.0 rules. The following must be done to safely grandfather a solar project under NEM 2.0:

1. By January 27, 2022 - Choose a solar design and submit an interconnection application.
2. By May 27, 2022 – Execute a construction or financing contract with your preferred contractor.

The NEM 3.0 proceeding is not a foregone conclusion. The Decision was released on December 13, which started a minimum 30-day public comment period. Due to the CPUC Commission meeting schedule, the earliest the Decision could be adopted by the CPUC would be January 27, 2022. This leaves 45 days for the public to comment on the proceeding and the CPUC to make changes to the Decision or for one of the commissioners to introduce an Alternate Proposed Decision. We encourage you to make your voice heard by submitting letters to the CPUC.

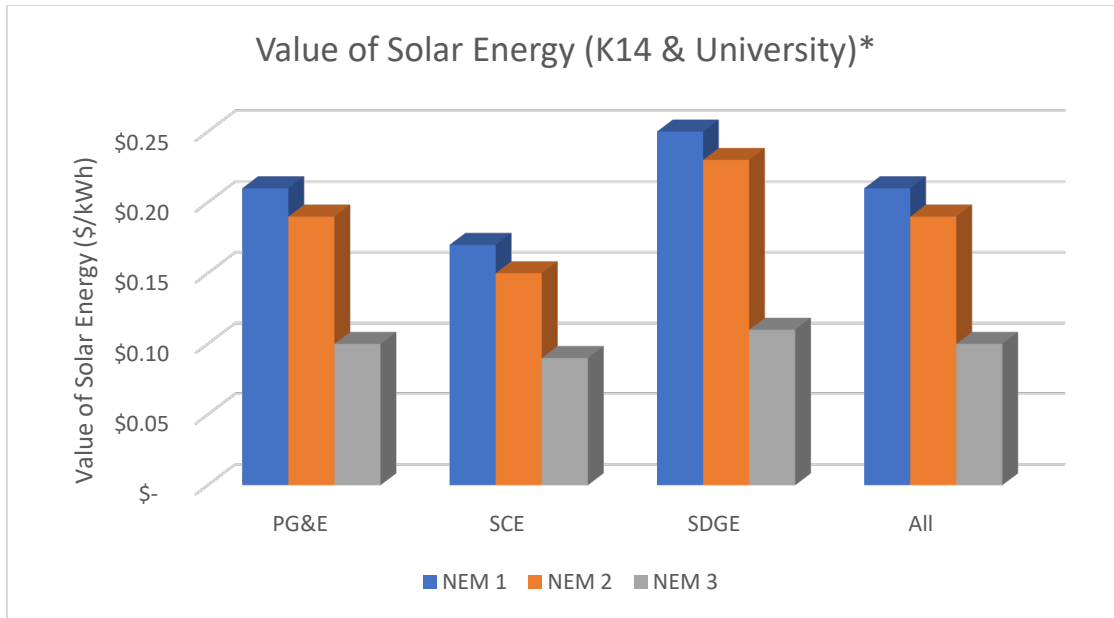
## Impacts of NEM 3.0 on Solar PV Energy Value

Depending on the customer's existing rates, usage pattern, location, and the final NEM 3.0 rate structure, the customer could see a mild to dramatic loss to their solar PV energy value. The impact is greatly influenced by the amount of solar energy the customer exports back to the utility and the time of day and season that export is taking place. This will be especially hurtful to schools and universities that are not in session during the summer months when the solar is producing the greatest amount of energy. SitelogIQ completed some modeling for a typical commercial, municipal, or hospital (Commercial) customer assuming a 90% annual offset of their energy load with operations during the summer months. As shown in the graph below, those customers would see a loss in solar energy value of 15% - 30%



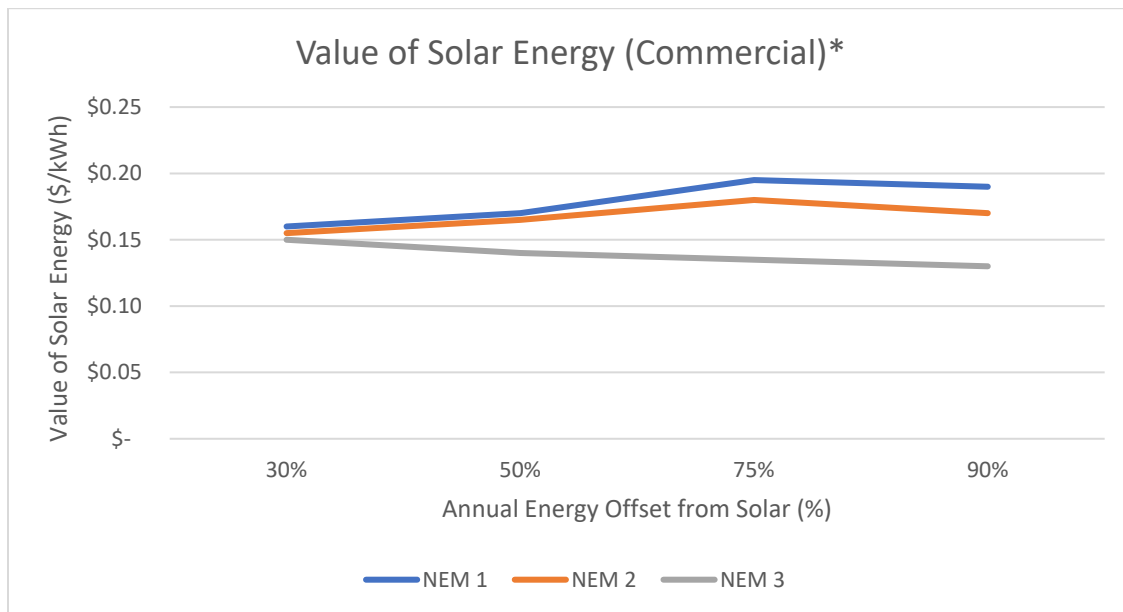
\* Represented sample of systems installed in SDG&E, PG&E, and SCE. Results may vary.

K-12 Schools, Junior Colleges, and Universities (K14 & University), under the similar design conditions, would see a much greater loss in the value of solar energy with losses of 25% - 50%.



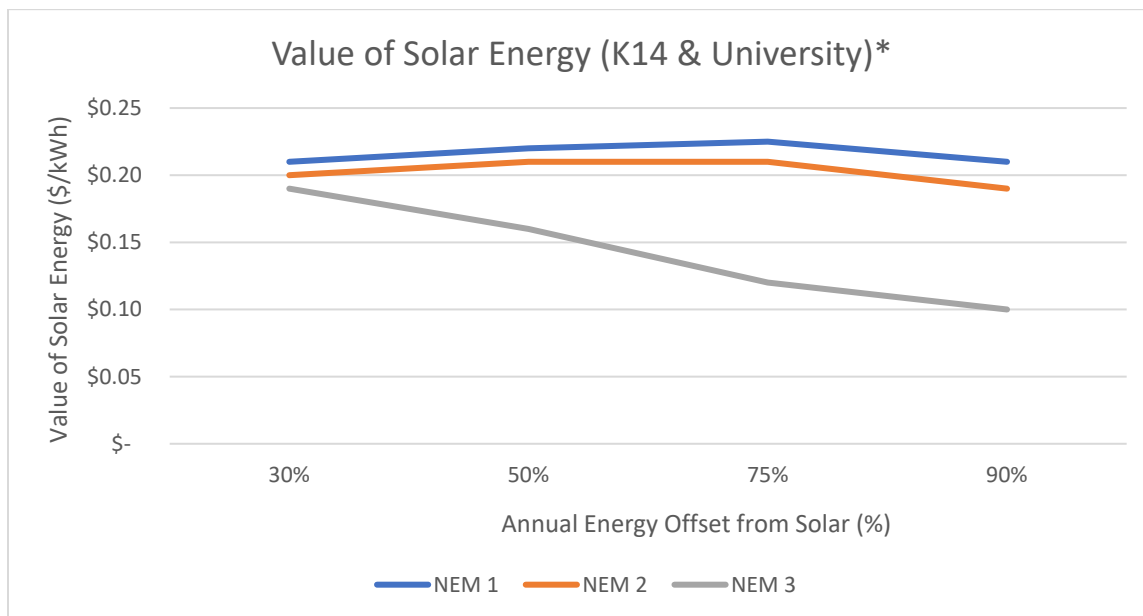
\* Represented sample of systems installed in SDG&E, PG&E, and SCE. Results may vary.

The Decision states that the CPUC is trying to incentivize solar-plus-storage systems by reducing the value of solar energy exported to the grid. This means solar-only systems will have to be much smaller to maximize the value of solar, negating any cost efficiencies of scale and/or higher installed costs. Unfortunately, the Decision does not propose any incentives or tariff changes that would improve the economics of installing energy storage systems. Therefore, it is unclear how NEM 3.0 will incentivize solar-plus-storage, as it claims.



\* Represented sample of systems installed in SDG&E, PG&E, and SCE. Results may vary.

The impact is much more pronounced in school and university installations due to the reduced demand in the summer.



\* Represented sample of systems installed in SDG&E, PG&E, and SCE. Results may vary.

The steep reduction in solar energy value will make it much more challenging for smaller PV systems to provide positive financial returns; especially in school and university installations.

### Proposed NEM 3.0 Tariff Structure

It should be noted that the Decision now wants to refer to this new tariff as the “Net Billing” tariff, rather than the term NEM 3.0 that we used throughout this document. This new term helps paint a clearer picture as to how the successive tariff will be applied.

The CPUC proposes to decouple the retail rate of electricity from the value of exported solar energy by instead using the Avoided Cost Calculator (ACC) to determine the compensation to customers for all exported solar energy. The ACC rate can be described as cost for the utilities to otherwise generate or procure the electricity at any given time. In practice, the ACC rate varies by hour, by month, by climate zone, by utility, and whether it is a weekend or holiday versus a weekday. While this could result in thousands of different compensation rates with large ranges of values, the Decision proposes to lock in the calculated ACC rate at the time of installation for the first 5 years. After this time, the ACC rate will be calculated and applied in January of each year. It should be noted that the average ACC rate proposed for 2022 is expected to range between \$0.05/kWh - \$0.06/kWh depending on the variables discussed above. This results in a 50% - 80% reduction in the value of exported solar energy as compared to NEM 2.0.

## Timeline and Grandfathering

The Proposed Decision was released on December 13, 2021, with the final vote on the Decision scheduled for January 27, 2022. The new tariff will take effect approximately four months after the final vote.

If a customer is planning a NEM solar project in PG&E, SCE, or SDG&E territory in the next two years or so, we advise they submit an interconnection application prior to January 27, 2022 to secure NEM 2.0 for the project. The customer must also have a signed installation, lease, or PPA project contract by the sunset date of NEM 2.0 (currently May 27, 2022) to guarantee this grandfathering. The customer will likely have up to two years to complete the construction of the system. This leaves little time for delay; customers must act quickly.

The Decision also changed the length of time both new and existing NEM 1.0 and NEM 2.0 projects could be grandfathered. The length of time has been reduced from 20 years down to 15 years from the date of initial operation. This could affect the economics of many of the solar installations that were installed over the last 15 years. Please contact SitelogIQ if you are interested in an evaluation of your existing solar PV project.

## Questions and Answers

### **Q: How can I guarantee my system gets grandfathered on NEM 2.0?**

A: Work with SitelogIQ to submit an interconnection application before January 27, 2022 and enter a contract to install the system by May 27, 2022.

### **Q: Do I need to use the same contractor for both the interconnection application and installation contract?**

A: While the Decision did not specifically require the same contractor be used for both the interconnection application and installation contract, it is recommended that the customer do so. The Utilities have been requiring customers to submit new interconnection applications when there are significant changes to the system components or design. Since contractors use different equipment and designs, it is recommended to use the same contractor. If you must use different contractors, we recommend that you apply for a larger system size in the interconnection application. You can always reduce the system size without having to re-apply. But you cannot increase it.

### **Q: What can I do to prevent or fight against NEM 3.0 from getting approved?**

A: You can get involved with a pro-solar advocacy group or submit a written letter or public comment on the CPUC website. Below are some links.

CPUC Public Comments : <https://www.cpuc.ca.gov/nemrevisit>

The main pro-solar advocacy groups are the [Solar Energy Industries Association](#) (SEIA), state operations such as the [California Solar + Storage Association](#) (CalSSA), the [Smart Electric Power Alliance](#) (SEPA), [Vote Solar](#), [Citizens for Responsible Energy Solutions](#), and the [Environmental Law and Policy Center](#), among others.

## References

1. “NEM 3.0 Update No. 4” published by Sage Energy Consulting, December 16, 2021, <https://www.sagerenew.com/nem>
2. CPUC proposed decision, <https://www.cpuc.ca.gov/nemrevisit>

***If you are interested in completing a solar project, adding additional solar, or would like an analysis of your existing solar project, please contact your current SitelogIQ customer representative.***

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy C. Gabler

FROM: David Endo

DATE: 01/14/2022

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: 01/26/2022

**ITEM:**

Consider adoption of Resolution #14-22, which allows the District to apply for funding from the Public Benefits Grant – New Alternative Fuel Vehicle Purchase Program.

**PURPOSE:**

The San Joaquin Valley Air Pollution Control District is accepting Public Benefits Grant – New Alternative Fuel Vehicle Purchase Program applications. This program provides funding for public agencies for electric vehicles which would be deployed in the Facilities and Food Service department replacing the need for those individuals to use their personal vehicles.

**FISCAL IMPACT:**

There will be upfront costs associated with the purchase of new electric vehicles with up to \$100,000 (\$20,000/vehicle) being reimbursed by the San Joaquin Air Pollution Control District.

**RECOMMENDATIONS:**

Adopt Resolution #14-22, which allows the District to apply for funding from the Public Benefits Grant – New Alternative Fuel Vehicle Purchase Program.

**RESOLUTION# 14-22**  
**Hanford Elementary School District**  
**Public Benefits Grant**  
**New Alternative Fuel Vehicle Purchase Program**

**WHEREAS**, the Hanford Elementary School District recognizes the importance of improving air quality in the San Joaquin Valley of California; and

**WHEREAS**, the Public Benefit Grant Program has been designed to meet the needs and challenges faced by valley public entities and provides a wide variety of clean-air public benefit programs which will provide a direct benefit to valley residents; and

**WHEREAS**, use of electric vehicles improve air quality; and

**WHEREAS**, the San Joaquin Valley Air Pollution Control District (SJVAPCD) is currently accepting applications from public entities located within the boundaries of the SJVAPCD requesting funding for new electric school vehicles; and

**WHEREAS**, the Hanford Elementary School District Board authorizes the submittal of the application(s) for the Public Benefits Grant – New Alternative Fuel Vehicle Purchase Program.

**NOW, THEREFORE, BE IT RESOLVED** that effective the 26<sup>th</sup> day of January, 2022 that the Hanford Elementary School District appoints Hanford Elementary School District Chief Business Official, David Endo the contract signing authority, as the duly authorized official to make financial decisions and the individual authorized to implement the Public Benefits Grant – New Alternative Fuel Vehicle Purchase Program.

**I HEREBY CERTIFY THAT THE FOREGOING RESOLUTION** was duly passed and adopted this 26<sup>th</sup> day of January, 2022.

Ayes:

Noes:

Absent:

\_\_\_\_\_  
Jeff Garner, President



## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy C. Gabler

FROM: David Endo

DATE: 01/14/2022

FOR: ☒ Board Meeting  
☐ Superintendent's Cabinet

FOR: ☐ Information  
☒ Action

Date you wish to have your item considered: 01/26/2022

**ITEM:**

Consider adoption of Resolution No. 15-22: Kings County Investment Policy.

**PURPOSE:**

The Hanford Elementary School District is required to annually adopt the Director of Finance's investment policy. This resolution approves the investment parameters set forth by the investment policy and delegates the District's investment authority to the Kings County Director of Finance. The policy has been reviewed and approved by the County Treasury Oversight Committee and the Board of Supervisors.

**FISCAL IMPACT:**

None.

**RECOMMENDATIONS:**

Adopt Resolution No. 15-22: Kings County Investment Policy.

BEFORE THE BOARD OF TRUSTEES OF THE  
HANFORD ELEMENTARY SCHOOL DISTRICT  
COUNTY OF KINGS, STATE OF CALIFORNIA

\*\*\*\*\*

IN THE MATTER OF APPROVING  
THE KINGS COUNTY DIRECTOR OF  
FINANCE'S STATEMENT OF INVESTMENT  
POLICY AND DELEGATING  
INVESTMENT AUTHORITY TO THE  
KINGS COUNTY DIRECTOR OF FINANCE  
UNDER CALIFORNIA GOVERNMENT CODE  
SECTIONS 53607, 53646 AND 53684 /

RESOLUTION NO. 15-22

WHEREAS, under Government Code section 53646, the Kings County Director of Finance ("Treasurer") may render an annual statement of investment policy to the Kings County Board of Supervisors and to the governing board of any local agency which has funds on deposit in the Kings County Treasury; and

WHEREAS, on December 14, 2021 the Kings County Board of Supervisors approved the Director of Finance's Statement of Investment Policy dated January 1, 2022 ("Investment Policy"); and

WHEREAS, the Investment Policy has been submitted to the District Board of Trustees ("District Board") for approval under Government Code section 53646; and

WHEREAS, under Government Code section 53646, the Treasurer may render a quarterly report ("Quarterly Report") to each local agency which has funds on deposit in the County Treasury and for which the Treasurer has made investments; and

WHEREAS, the Hanford Elementary School District ("District") has funds on deposit with the Kings County Director of Finance ("Treasurer"); and

WHEREAS, when keeping, holding, depositing and investing District funds on the District's behalf, the Treasurer acts as the "ex-officio" treasurer of the District; and

WHEREAS, the District Board has authority under Government Code sections 53607 and 53684 to delegate authority to the Treasurer to deposit and invest District funds under the provisions of Government Code sections 53601 and 53635; and

WHEREAS, the District Board now wishes to approve the Director of Finance's Statement of Investment Policy and to delegate investment authority to the Kings County Director of Finance ("Treasurer") for the ensuing twelve-month period.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Pursuant to Government Code section 53646, the District Board hereby approves the Investment Policy.
2. Pursuant to Government Code section 53646, the District Board acknowledges and approves the procedures utilized by the Treasurer in rendering and submitting each Quarterly Report, under the provisions of which the Treasurer shall render each such report. Under the provisions of Government Code section 53607, the Treasurer shall prepare a monthly report and maintain it on file in his/her office for review and inspection by the District Board, staff and designated agents.
3. Pursuant to Government Code sections 53607 and 53684, and subject to the requirements of Government Code sections 53601 and 53635, the District Board hereby delegates to the Kings County Director of Finance ("Treasurer") the discretionary authority to deposit, invest or reinvest the funds of the District in the County Treasury commencing on the date of approval of this resolution and continuing for the ensuing twelve months. Without limiting his discretion in any way, the Treasurer is hereby expressly authorized to invest such District funds in the Treasurer's Pooled Investment Portfolio.
4. The District Board hereby delegates to the Treasurer the discretionary authority to determine which District funds on deposit in the Kings County Treasury are monies which are sinking funds or money not required for immediate use within the meaning of Government Code section 53601 and which monies are excess funds within the meaning of Government Code section 53684.
5. The Treasurer shall assume full responsibility for such deposit and investment transactions until such time as the District Board revokes this delegation of authority or until the date which is twelve months from the date of approval of this resolution, unless renewed on or before that date by the District Board.

The foregoing resolution was adopted upon motion by Trustee \_\_\_\_\_, seconded by Trustee \_\_\_\_\_, at a regular meeting held on the 26<sup>th</sup> day of January, 2022, by the following vote:

AYES: Trustees  
 NOES: Trustees  
 ABSENT: Trustees

\_\_\_\_\_  
 President of the Board of Trustees  
 Hanford Elementary School District

WITNESS my hand and seal of said Board of Trustees this 26<sup>th</sup> day of January, 2022.

\_\_\_\_\_  
 Clerk of said Board of Trustees

DATE: December 20, 2021  
TO: Kings County School Districts  
FROM: Tammy Phelps, Assistant Director of Finance -Treasury  
SUBJECT: 2022 Director of Finance's Investment Policy

I am sending a copy of the 2022 Investment Policy. The Policy was reviewed and approved by the County Treasury Oversight Committee on December 2, 2021 and the Board of Supervisors on December 14, 2021. Also included is a sample district resolution approving the Statement of Investment Policy and delegating investment authority to the Kings County Director of Finance. Annually, your District Board must act on the resolution. For your convenience, the Office of Education is distributing these documents electronically via email. Please return approved resolutions to the Office of Education.

The changes to the 2022 Director of Finance's Statement of Investment Policy are as follows:

**The only changes to the 2022 Director of Finance's Statement of Investment Policy are the deletion of Jefferies LLC on Schedule 1 – Statement of Authorized Firms and the addition of Cantor Fitzgerald & Co. on Schedule 1 – Statement of Authorized Firms.**

If you have any questions, please feel free to call me at 852-2462.

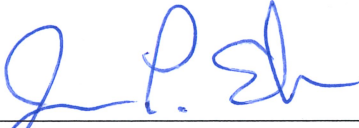
**COUNTY OF KINGS**

**DIRECTOR OF FINANCE'S**

**STATEMENT OF**

**INVESTMENT POLICY**

**JANUARY 1, 2022**

  
\_\_\_\_\_  
James P. Erb, CPA  
Director of Finance

Approved by CTOC    December 2, 2021  
Approved by BOS    December 14, 2021

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## **I. AUTHORITY**

Kings County Ordinance No.557, adopted on January 14, 1997 as an urgency ordinance, delegated to the County Director of Finance the authority to continue to invest or reinvest the funds of the County and the funds of other depositors in the County treasury, pursuant to Section 53600 et seq., inclusive of Section 53684, of the California Government Code. The County Director of Finance, as agent of the county, trustee, and fiduciary, assumes full responsibility for the investment program. The Board of Supervisors shall annually review the Director of Finance's performance and may annually renew this delegation of authority for a one-year period pursuant to Government Code 53607. The Board of Supervisors may also revoke the investment authority by County ordinance.

## **II. POLICY STATEMENT**

Annually, the County Director of Finance shall prepare an Investment Policy, pursuant to G.C. 27133 and G.C. 53646, that will be reviewed by the County Treasury Oversight Committee and rendered for approval to the Board of Supervisors and local agencies.

The purpose of this Statement of Investment Policy (Policy) is to establish cash management and investment guidelines for the County Director of Finance, who is responsible for the stewardship of the Kings County Investment Pool. Each transaction and the entire portfolio must comply with California Government Code Section 53601 et seq., Section 53635 et seq., and this policy. All portfolio activities will be judged by the Standard of Prudence and ranking of investment objectives. Those activities which violate its spirit and intent will be deemed to be contrary to the policy.

## **III. POOLED INVESTMENT FUND OVERSIGHT COMMITTEE**

In accordance with California Government Code Section 27130 et seq., the Board of Supervisors, in consultation with the County Director of Finance, has created a County Treasury Oversight Committee (Resolution No. 95-081, December 5, 1995) to allow local agency representatives participation in the policies that guide the investment of depositor funds. The primary responsibilities of the committee include: (a) to review and monitor the County Director of Finance's Statement of Investment Policy, (b) to cause an annual audit to be conducted to determine the County Treasury's compliance, and (c) to establish criteria for depositor withdrawal of funds for the purpose of investing or depositing outside the County Treasury pool. The meeting of the Oversight Committee shall be open to the public and subject to the Ralph M. Brown Act.

A member of the Oversight Committee may not be employed by an entity that has contributed to the campaign for any member of a legislative body of any local agency that has deposited funds into the county treasury, in the previous three years or during the period that the employee is a member of the committee. While serving on the Oversight Committee, a member may not directly or indirectly raise money for any member of a legislative body of any local agency that has deposited funds into the county treasury. Finally, a member may not secure employment with, or



be employed by, bond underwriters, bond counsel, security brokerages or dealers, or a financial services firms, with whom the Director of Finance is doing business during the period that the person is a member of the committee or for one year after leaving the committee.

The Oversight Committee is not allowed to direct individual investment decisions, select individual investment advisors, brokers, or dealers, or impinge on the day-to-day operations of the County treasury and investment operations.

#### IV. INVESTMENT OBJECTIVES

The Pooled Investment Fund shall be prudently invested in order to earn a reasonable return, while awaiting application for governmental purposes. The specific objectives for the Pooled Investment Fund are ranked in order of importance.

**A. SAFETY OF PRINCIPAL** - The preservation of principal is the primary objective. Each transaction shall seek to ensure that capital losses are avoided, whether they are from securities default or erosion of market value. The objective will be to mitigate credit risk and interest rate risk.

**1. Credit Risk** is the risk of loss due to the failure of the security issuer or backer. Credit risk is mitigated by: (a) limiting investments to the safest types of securities; (b) pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisors with which the Treasury will do business; and (c) diversifying the investment portfolio so that potential losses on individual securities will be minimized.

**2. Interest Rate Risk** is the risk that the market value of securities in the portfolio will fall due to changes in general interest rates. Interest rate risk is mitigated by: (a) structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity, and (b) by investing operating funds primarily in shorter-term securities.

**B. LIQUIDITY** - As a second objective, the Pooled Investment Fund should remain sufficiently flexible to enable the County Director of Finance to meet all operating requirements which may be reasonably anticipated in any depositor's fund. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). No more than 35% of the portfolio may be invested in securities maturing in three to five years and during peak tax collection no more than 30%. Percent restrictions shall be applicable only for the date of purchase. Any future percent deviations due to cash flow demands reducing the total investment portfolio shall not be considered out of compliance. Furthermore, since all possible cash demands cannot be anticipated, the portfolio shall consist largely of securities with active secondary or resale markets (dynamic liquidity).

**C. PUBLIC TRUST** - In managing the Pooled Investment Fund, the County Director of Finance and the authorized investment staff should avoid any transactions that might impair public confidence in Kings County and the participating local agencies. Investments should be made

with precision and care, considering the probable safety of the capital as well as the probable income to be derived.

**D. MAXIMUM RATE OF RETURN** - As the fourth objective, the Pooled investment Fund is designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objectives described above. The core of investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. Securities can be sold prior to maturity for the following reasons: (1) a declining credit security to minimize loss of principal; (2) a security swap to improve the quality, yield, or target duration in the portfolio; (3) the liquidity needs of the portfolio require that the security be sold; (4) a call notification of a make-whole bond which, given unfavorable market conditions, could deteriorate the price of the bond on the redemption date, or (5) to realize a profit. If there is a realized loss of principal, the loss will first be allocated against the interest earned in the current quarter on the sold security. If the security's current interest is not sufficient to cover the loss, then the Director of Finance may allocate the loss against a profit realized from selling a security in the same quarter, and/or the total current and future portfolio interest earnings. In the event of an imminent loss of principal for which the security's interest would not be sufficient to cover the loss, the Director of Finance may withhold from the total current and future portfolio interest earnings to reserve against a future maximum anticipated actual loss.

## **V. STANDARD OF CARE**

**A. PRUDENCE** - The County Director of Finance, as a trustee and therefore a fiduciary, is subject to the Prudent Investor Standard-which states, "When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, the county treasurer shall act with care, skill, prudence, and diligence under the circumstances then prevailing, specifically including, but not limited to, the general economic conditions and the anticipated needs of the county and other depositors, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the county and the other depositors." The standard of prudence to be used by investment staff shall be the "prudent person" standard, which provides, "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital, liquidity needs, as well as the probable income to be derived." This standard shall be applied in the context of managing an overall portfolio.

When investing, reinvesting, purchasing, acquiring, exchanging, selling and managing public funds the County Director of Finance shall act with the care, skill, prudence and diligence to meet the aims of the investment objectives listed in order in Section IV., Investment Objectives. Investment staff acting in accordance with written procedures and this Policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or

market price changes, provided deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of this policy.

**B. ETHICS AND CONFLICT OF INTEREST** - Treasury staff involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. The investment staff shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. The investment staff shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the treasury.

Pursuant to Government Code Section 27133(d), the County Director of Finance, individual Treasury employees, or any member of the County Treasury Oversight Committee may not accept honoraria, gifts, and gratuities from advisors, brokers, dealers, bankers, or other persons with whom the County Treasury conducts business in an amount exceeding \$50.00.

**C. DELEGATION OF AUTHORITY** - Authority to manage the investment program is granted to the County Director of Finance by the Kings County Board of Supervisors. The moneys invested will be actively managed by the Director of Finance and his/her staff, who shall carry out established written procedures and internal controls for the operation of the investment program consistent with this Policy. No person may engage in an investment transaction except as provided under the terms of this Policy and the procedures established by the Director of Finance. The Director of Finance shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate staff. (See also Safekeeping and Custody, Internal Controls VI B. below). The authority to execute investment transactions for the portfolio shall be limited to the Assistant Director of Finance - Treasury, the Treasury Manager, and in the absence of the Treasury Manager, the Accounting Specialist-Treasury Operations.

## **VI. SAFEKEEPING AND CUSTODY**

**A. DEPOSITORY INSTITUTIONS** – As far as possible, all money belonging to, or in the custody of the County Director of Finance shall be deposited for safekeeping in state or national banks selected by the Director of Finance, or may be invested as set forth in Section VII. To be eligible to receive funds, the bank shall have received an overall rating of not less than “satisfactory” in its most recent evaluation by the appropriate federal financial supervisory agency of its record of meeting the credit needs of California’s communities pursuant to Section 2906 of Title 12 of the United States Code.

**B. AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS** - Schedule 1- Statement of Authorized Firms, on page 15, is a list of County Director of Finance approved financial institutions and broker/dealers authorized to provide investment services to the Treasury. Authorized firms can be added or deleted only with the Director of Finance’s approval. Any changes will result in modification to Schedule 1, but will not be considered a revision to this policy. Changes to authorized firms shall be reported to the County Treasury Oversight Committee and Board of Supervisors within two (2) weeks. The authorized parties include

"primary" dealers or divisions of a primary dealers, selected on the basis of creditworthiness, capital adequacy, availability of investment inventory, and experience in trading in authorized investments. Firms utilized for money market mutual funds must either attain the highest ranking or the highest letter and numerical rating provided by not less than two of the three largest nationally recognized statistical-rating organizations (NRSRO) OR have retained an investment adviser registered or exempt from registration with the Securities and Exchange Commission with not less than five years experience (i) investing in the securities and obligations as authorized in G.C. 53601, or (ii) managing money market mutual funds; and have assets under management in excess of five hundred million dollars (\$500,000,000). All financial institutions and broker/dealers who desire to become qualified firms for County Treasury investment transactions must supply the audited financial statements, proof of National Association of Securities Dealers (NASD) certification, proof of State registration, completed broker/dealer questionnaire, and certification of having read the Kings County Investment Policy. An annual review of the financial condition of qualified firms will be conducted by the Assistant Director of Finance - Treasury.

The Treasury shall not do any investment business with any broker, brokerage, dealer, or securities firm that has, within any consecutive 48-month period following January 1, 1996, made a political contribution, in an amount exceeding the limitations contained in Rule G-37 of the Municipal Securities Rulemaking Board, to any member of the Board of Supervisors or any candidate for those offices. Firms must provide corporate policy statements regarding compliance with political contributions limitations of Rule G-37.

**C. INTERNAL CONTROLS** - The County Director of Finance is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the investment portfolio are protected from loss, theft, or misuse. The internal control structure is designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

Daily, or when next available, the County Director of Finance or designee will

(1) Review and initial all Investment Purchase Orders to verify compliance with the overall Policy, Investment Parameters, and Authorized Institutions.

(2) Review and initial the "Daily Balance Sheet" to insure continuous compliance of portfolio investments (percentage distribution ) to the Policy and Investment Parameters.

Weekly, the County Director of Finance or designee will verify that the Portfolio Percentage Report by investment type is balanced to the Daily Balance Sheet.

Monthly, all funds maintained by the County Director of Finance, including cash in treasury, deposits in transit, Kings County Department of Finance's checking account balance, and investment holdings will be audited by the County Department of Finance – Accounting Division.

Quarterly, the County Director of Finance or designee will report compliance of the investment portfolio to the Director of Finance's Statement of Investment Policy. (See Section IX. Reporting Methods on page 12)

Annually, the County Treasury Oversight Committee shall hire an external auditor to conduct an independent review to assure compliance of the Director of Finance's investment activities with the Statement of Investment Policy.

**D. SAFEKEEPING** - All securities purchased either outright or on repurchase agreements shall be held in safekeeping by a third party bank trust department acting as agent for the County under terms of a custody agreement executed by the bank and the Director of Finance. The only exceptions authorized are purchases from Local Agency Investment Fund (LAIF), collateralized time deposits, collateralized bank money market accounts, and investments in money market mutual funds.

**E. VOLUNTARY DEPOSITORS** - If a local agency determines the agency has excess funds which are not required for immediate use and with the consent of the County Director of Finance, the legislative or governing body may, by resolution or minute order, authorize the deposit of excess funds into the County Treasury for the purpose of investment pursuant to Government Code Section 53635. At no time will the County Treasury accept deposits of personal funds unless by Court order.

The County Director of Finance shall, on a case by case basis, determine the terms and conditions under which a city, public district, or any public or municipal corporations located within Kings County, and not required to deposit their funds in the County Treasury, may voluntarily deposit funds for investment purposes. The County Director of Finance shall evaluate each proposed deposit request prior to approving the deposit into the Treasury. The County Director of Finance must make a finding that the proposed deposit will not adversely affect the interests of the other depositors in the County Investment pool, prior to approving the deposit.

**F. WITHDRAWAL OF FUNDS FOR EXTERNAL INVESTMENT** - The County Treasury Oversight Committee's approved policy statement on "Treasury Restrictions on Withdrawal for External Investment" establishes the terms and conditions for Treasury depositors withdrawing funds for investment outside the County investment pool. (See Appendix A on page 17 and 18)

Any local agency, public entity, or public official that has funds on deposit in the County Treasury investment pool and that seeks to withdraw funds for the purpose of investing or depositing those funds outside the County Treasury pool, shall submit a resolution or minute order approved by the legislative or governing body requesting the withdrawal of the funds. Funds withdrawn shall become the responsibility of the requesting legislative body, and the Director of Finance will be held harmless from liability.

The County Director of Finance shall evaluate each proposed withdrawal for its consistency with the County Treasury Oversight Committee policy prior to approving the withdrawal. The County Director of Finance must also make a finding that the proposed withdrawal will not adversely affect the interests of the other depositors in the County Treasury pool, prior to approving the withdrawal.

## **VII. SUITABLE AND AUTHORIZED INVESTMENTS**

**A. INVESTMENT TYPES** - The County treasury may invest money among the following authorized investments and within the limits imposed by Government Code 53601 et seq. or 53635 et seq., or as more further restricted in Schedule 2-Investment Parameters on page 16:

- 1. United States Treasury Bills, Notes, Bonds, and Certificates of Indebtedness**, or those for which the full faith and credit of the United States are pledged for the payment of principal and interest.
- 2. Registered state warrants or treasury notes or bonds of the State of California**, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the State or by a department, board, agency, or authority of the State.
- 3. Registered treasury notes or bonds of any of the other 49 states** including bonds payable solely out of the revenues from revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 states, in addition to California.
- 4. Bonds, notes, warrants, or other evidences of indebtedness of any local agency within the State of California**, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency, or by a department, board, agency, or authority of the local agency.
- 5. Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments**, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises.
- 6. Banker's Acceptances (BA)** otherwise known as Bills of Exchange or Time Drafts, both domestic and foreign, drawn on and accepted by a commercial bank.
- 7. Commercial Paper (CP)** of "prime" quality issued by corporations that are organized and operating within the United States and having total assets in excess of five hundred million dollars (\$500,000,000).

**8. Negotiable Certificates of Deposit** issued by a nationally or state chartered bank or a savings association or federal association, or by a federally- or state-licensed branch of a foreign bank.

**9. Certificates of Deposit Account Registry Service (CDARS)** placed with a local CDARS member. CDARS are fully insured as to principal and interest that may be accrued by the Federal Deposit Insurance Corporation (FDIC) or the National Credit Union Administration (NCUA).

**10. Collateralized Time Deposits** issued by a nationally or state-chartered bank or savings and loan association within the State of California with an overall rating of not less than “satisfactory” in its most recent evaluation by the appropriate federal financial supervisorial agency of its record of meeting the credit needs of California’s communities pursuant to Section 2906 of Title 12 of the United States Code.

**11. Repurchase Agreements or Reverse Repurchase Agreements, or Securites Lending Agreement** purchased in compliance with the Government Code 53601(j). Repurchase agreements must be issued by nationally or state-chartered banks or primary security dealers with whom the County Director of Finance has entered into a Master Repurchase Agreement.

**12. Medium Term Corporate Notes (MTN)**, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States.

**13. Shares of Beneficial Interest** issued by diversified management companies (1) that invests in the securities and obligations as authorized by subdivision (a) to (k), inclusive, or subdivisions (m) to (o) inclusive of Government Code 53601, and that comply with the investment restrictions of Article 2 of the Government Code (commencing with Section 53630), or (2) that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940. (15 U.S.C. Sec 80a-l, and following.)

**14. Local Agency Investment Fund (LAIF)** an investment pool created by Government Code 16429.1 in which the State Treasurer invests pooled political subdivision funds.

**15. Notes, Bonds, or other obligations** secured by a valid first priority security interest in eligible securities listed in Section 53651 having a market value at least equal to that required by Section 53652.

**16. Shares of beneficial interest issued by a joint powers authority** organized pursuant to Section 6509.7 that invests in the securities and obligations authorized in subdivisions (a) to (q), inclusive. Each share shall represent an equal proportional interest in the underlying pool of securities owned by the joint powers authority. To be eligible under this section, the joint powers authority issuing the shares shall have retained an investment adviser that meets all of the following criteria:

(1) The adviser is registered or exempt from registration with the Securities and Exchange Commission.

(2) The adviser has not less than five years of experience investing in the securities and obligations authorized in subdivisions (a) to (q), inclusive.

(3) The adviser has assets under management in excess of five hundred million dollars (\$500,000,000).

**17. Supranational Debt Obligations** United States dollar-denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development (IBRD), International Finance Corporation (IFC), or Inter-American Development Bank (IADB) only, eligible for purchase and sale within the United States. Authorized by CGC 53601 (q) and this policy.

**B. RESTRICTIONS ON AUTHORIZED INVESTMENTS-** In accordance with G.C. 53601.6, the County Treasury shall not invest any funds in inverse floaters, range notes, or mortgage derived interest-only strips. Additionally, no funds shall be invested in any security that could result in zero interest accrual if held to maturity. No funds shall be invested in Medium Term Corporate Notes with a make-whole call provision that, at time of purchase, are priced at a premium. No shares of beneficial interest will be purchased where the principal dollars invested are subject to daily net asset value (NAV) adjustments of the fund's portfolio except for the CalTrust. The Treasury shall not invest in financial options and futures contracts directly, but may purchase authorized investments of callable securities with imbedded call provisions. The Treasury will not purchase an authorized investment below the credit quality restriction of Schedule 2 - Investment Parameters, but may elect to hold an instrument to maturity that has been later downgraded by the nationally recognized statistical-rating organization i.e. Moody's, Standard and Poors, or Fitch.

**C. COMPETITIVE BIDDING -** Bids for investment products shall be taken from a minimum of three authorized institutions. Awards will be made giving consideration to safety, liquidity, a balanced portfolio, and diversification. Exceptions to the above would involve repurchase agreements, securities possessing unique characteristics which would make competitive bidding impractical, or market circumstances in which competitive bidding could be adverse to the best interest of the Director of Finance's investment program.

**D. COLLATERALIZATION -** In accordance with California Government Code 53652, 53601 (j) full collateralization of public deposits is required for collateralized time deposits, collateralized bank money market accounts, and repurchase agreements. The Director of Finance may waive collateralization for that portion of any deposit that is fully insured by the FDIC per Government Code 53653.

## **VIII. INVESTMENT PARAMETERS**

**A. DIVERSIFICATION -** The investments will be diversified by security type and institution within the percent restrictions of Government Code 53601, 53601.8, 53635, 53635.2, and 53635.8 or as further defined in Schedule 2, Investment Parameters. Percent restrictions shall be applicable only for the date of purchase. Any future percent deviations due to cash flow demands reducing the total investment portfolio shall not be considered out of compliance.



Maximum investment amounts in any issuer name shall be limited as provided in the Investment Parameters on page 16.

**B. MAXIMUM MATURITIES** - Maturity limitations for each instrument type shall be restricted as provided in Government Code 53601, 53601.8, 53635, and 53635.8 or as further defined in Schedule 2 - Investment Parameters on page 16. No investment shall be made in any security, other than a security underlying a repurchase agreement authorized in this policy, which at the time of investment has a term remaining to maturity in excess of five years, unless a legislative body has granted express authority to make that investment either specifically or as part of an investment program approved by that legislative body no less than three months prior to the investment.

## **IX. REPORTING**

**A. METHODS** - The County Director of Finance or designee shall prepare an investment report at least quarterly, including a succinct management summary that provides a clear picture of the status of the investment portfolio. This summary will be prepared in a manner, which will allow the reader to ascertain whether investment activities have conformed to the investment policy.

The report will be provided within 30 days following the end of the quarter covered by the report and submitted to the County Board of Supervisors, County Administrative Officer, Finance Director, other members of the County Treasury Oversight Committee, and pool participants.

The report will include the following:

1. A Statement of Compliance with the Investment Policy.
2. A listing of individual securities and moneys held at the end of the reporting period to include:
  - (a) The type of instrument.
  - (b) The name of the issuer.
  - (c) Purchase date, maturity date, and days to maturity.
  - (d) Issuers rating.(Long term or short term, as appropriate)
  - (e) Par and dollar amount invested in each security.
  - (f) The current market value of securities as of the date of the report and the source of the valuation.
3. A statement estimating the ability of the County Treasury to meet its pool's expenditure requirement for the next six months.
4. A statement of the method of interest accounting used.
5. Portfolio Sector Allocation and Quality Allocation graphs.
6. A Statement of Interest Earnings Report for the Quarter.

7. If applicable, a description of any of the local agency's funds, investments, or programs, that are under the management of contracted parties, but excluding funds deposited into the Local Agency Investment Fund administered by the State Treasurer.

**B. QUARTERLY INTEREST CALCULATION AND APPORTIONMENT** - Gross interest for the quarter is the total interest earned on an accrual basis on the Treasury portfolio investments for that quarter. Administrative expenses pursuant to G.C. 27013 are deducted to arrive at net interest to be apportioned. Administrative expenses consist of audit expenses, direct banking expenses, not otherwise recovered directly from Treasury depositors, safekeeping fees, plus actual quarterly Treasury operational expenses. The net earnings for the quarter are divided by the Treasury's total average daily balance creating an "interest allocation factor" or "daily interest factor" for each average dollar invested. Multiply the "interest allocation factor" by the quarterly average daily balance of each fund to determine the interest earnings for each fund. Interest is apportioned quarterly to all depositors in the Treasury pool. The "interest allocation factor" can be converted into the annualized quarterly interest rate; multiply the factor by the number of days in the year, and divide that answer by the number of days in the quarter.

## **X. POLICY EXCEPTIONS & REVISIONS**

**A. EXEMPTION** - Any previously legal investments, that settled prior to the effective date and that no longer meet the current guidelines of this Policy, shall be exempted from the new requirements. At maturity or liquidation, such moneys shall be reinvested only as provided by this Policy.

Moneys held by a trustee or fiscal agent and pledged to the payment or security of bonds or other indebtedness, or obligations under a lease, installment sale, or other agreement of a local agency, or certificates of participation in those bonds, indebtedness, or lease installment sale, or other agreements, may be invested in accordance with the statutory provisions governing the issuance thereof. The proceeds of sales, or funds set aside for the repayment, of any notes or other indebtedness issued shall not be invested for a term that exceeds the term of the notes.

**B. AMENDMENTS** - This policy shall be reviewed at least on an annual basis. Any changes shall be submitted by the Director of Finance to the County Treasury Oversight Committee for consideration and comments, and the Board of Supervisors for review and approval.

**KINGS COUNTY DIRECTOR OF FINANCE'S  
SCHEDULE 1 - STATEMENT OF AUTHORIZED FIRMS**

The Treasury is authorized to conduct investment security transactions with the following investment firms and broker/dealers, designated by the Federal Reserve Bank as primary government dealers or divisions of primary dealers. Security transactions with firms, other than those appearing on this list, are prohibited.

- A. Firms designated by the Federal Reserve Bank as Primary Government Dealers or a division of a Primary Dealer:

UBS Financial Services Inc., an affiliate of UBS Securities LLC  
RBC Capital Markets, LLC  
Wells Fargo Securities, LLC  
Cantor Fitzgerald & Co.

- B. Firms designated for the purchase of money market mutual funds pursuant to G.C. 53601 (l) and (p):

BlackRock  
Bank of the West  
CalTRUST

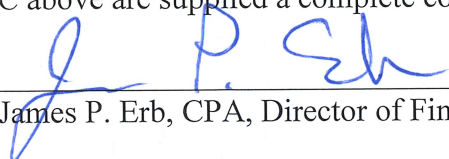
- C. Firms designated for repurchase agreements with Master Repurchase Agreements on file:

UBS Financial Services Inc., an affiliate of UBS Securities LLC

- D. State of California, Local Agency Investment Fund

- E. Purchases directly from major issuers of commercial paper, bankers acceptances, negotiable certificates of deposit, or collateralized time deposits, meeting the requirements set forth in section 53635, 53601(g), 53601(i), 53601(n), respectively, and 53635.2 of the California Government Code.

To ensure compliance with the County Director of Finance's Investment Policy, firms designated in A and C above are supplied a complete copy of the policy and must certify having read it.

  
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James P. Erb, CPA, Director of Finance

Dated: January 1, 2022

SCHEDULE 2 – INVESTMENT PARAMETERS (Revised 11/18/15)

AUTHORIZED INVESTMENTS	DIVERSIFICATION	PURCHASE RESTRICTIONS	MATURITY	CREDIT QUALITY (NRSRO)
U.S. Treasury notes, bills, bonds or other certificates of indebtedness	95% Max.	None	Max. 5 years	N/A
Notes, participations, or obligations issued by Federal agencies or United States government-sponsored enterprises (GSE)	85% Max.	None	Max. 5 years	N/A
Bonds, notes, warrants or certificates of indebtedness issued by the State of California or local agencies or County of Kings or any other State	20% or \$20mm Max.	None	Max. 5 years unless prior BOS approval	L/T rating A or A2 or better
Bankers Acceptances	40% Max.	Max. \$5mm any one name	Max. 180 days	S/T rating A-1 or P-1 L/T rating (if Out-standing) AA- or Aa3 or better
Commercial paper of corporations organized and operating within the U.S. with total assets exceeding \$500 mm	40% Max.	Max. 10% in any one name, No Extendable CP	Max. 270 days.	S/T rating A-1 or P-1 L/T rating (if Out-standing) AA- or Aa3 or better
State of California Local Agency Investment Fund	Max. Dollars allowed by State Treasurer	Max. Transactions allowed by State Treasurer	Overnight liquidity	N/A
Negotiable CD's issued by National or State chartered banks or a federally- or state- licensed branch of a foreign bank	25% Max. (CDs + CDARS)	G.C. 53638 policy restrictions	Max. 3 years	L/T rating AA- or Aa3 or better
Certificates of Deposit Account Registry Service (CDARS)	25% Max (CDs + CDARS)	G.C. 53601.8 & 53635.8 conditions apply	Max. 3 years	100% FDIC/NCUA insured as to Principal and Interest
Collateralized Time Deposits.	10% Max.	Collateral policy restrictions G.C. 53601(n)	Max. 24 months	
Repurchase Agreements with collateral restricted to U. S. Treasury, Federal Agencies, or United States government-sponsored enterprises (GSE)	10% Max.	Master Repurchase and Tri-Party Custodial Agreements to be on file. 102% haircut	Max. 1 year	
Reverse Repurchase Agreements or Securities Lending on U.S. Treasury & Federal Agency Securities in portfolio	10% Max with approval of the Director of Finance	G.C. 53601(j) Reverse Repurchase and Securities Lending restrictions	Max. 92 days unless guaranteed spread	
Corporate Notes on U.S. Corp or U.S. Subsidiary of a foreign corp.	30% Max.	Max. \$15mm any one name Make - Whole Call Restrictions	Max. 5 years	L/T rating AA- or Aa3 or better
Asset Backed Securities on U.S. Corp.	0% Max.	Not authorized	Not authorized	Not Authorized
Money Market mutual funds that invest in eligible securities meeting Government Code requirements.	20% Max.	Fund 5 years or more old NAV pricing <b>restriction</b> No front or back loads	Overnight liquidity	L/T rating: Highest rating from two NRSRO, i.e. AAA, Aaa, etc. Retain Investment Advisor per G.C. 53601(l) & (p)
Supranationals – Washington dollar denominated IBRD, IFC or IADB	10% per fund 20% Max. 10% per Name	Max. 10% in any one name	Max. 5 years	L/T rating: Highest rating from two NRSRO, i.e. AAA, Aaa, etc.

## APPENDIX A

### COUNTY TREASURY OVERSIGHT COMMITTEE

Policy Statement and Authorized Practice Approved March 4, 1996

#### Treasury Restrictions on Withdrawal for External Investment

Authorization: Pursuant to Government Code Section 27130 and Kings County Board of Supervisor's Resolution No. 95-081, dated December 5, 1995, the Kings County Treasury Oversight Committee is authorized to establish criteria on the withdrawal of funds on deposit in the County Treasury investment pool for the purpose of investing or depositing those funds outside the County Treasury pool.

Request for Withdrawal: Any local agency, public entity, or public official that has funds on deposit in the County Treasury investment pool and that seeks to withdraw funds for external deposit or investment, shall first submit a request by resolution or minute order approved by the legislative or governing body for withdrawal of the funds.

Assessment of Withdrawal Impact: The County Director of Finance shall evaluate all requests for withdrawal to determine if the interests of the other Treasury depositors in the County Treasury pool will be adversely affected. If the County Director of Finance determines that the combined number of requests or total dollar amount requested is sufficient to constitute a "run on the treasury", no withdrawal requests shall be processed until the County Treasury Oversight Committee has reviewed the treasury financial position and assists the Director of Finance in establishing an action plan.

Approval or Disapproval: The County Director of Finance shall approve all requests upon the finding that other Treasury depositors will not be adversely affected. If other Treasury depositors are perceived to be adversely impacted, the County Director of Finance may postpone action on any withdrawal request until the County Treasury Oversight Committee has reviewed the situation.

Approved Withdrawal Criteria: Approved withdrawals will be processed dependent on availability of funds, the type of investments required to be liquidated, market conditions, settlement periods, and dollar amounts to be withdrawn. The following are target goals for withdrawals:

- a. If adequate liquidity exists in short term investments and requires minimal liquidation and settlement, withdrawals of amounts up to \$1,000,000.00 shall be processed immediately upon the County Director of Finance's approval.
- b. If the County Treasury liquidity position is such as to require liquidation of more difficult investment(s), the below processing times shall apply based on the withdrawal dollar amounts and market factors.
  - (1). If the withdrawal amount is less than \$1,000,000.00, and favorable market conditions exist, requests shall be processed within three workdays.

- (2). If the withdrawal amount is greater than \$1,000,000.00, or unfavorable market conditions exist, requests shall be processed within five workdays.

Disclaimer of Liability: Any and all funds withdrawn from the County Treasury investment pool for the purpose of investing or depositing such funds outside the pool shall become the responsibility of the legislative body requesting the action. The County Director of Finance or County of Kings shall in no manner be held responsible or liable for withdrawn funds or investments purchased with said funds. The request of any legislative body, by resolution or minute order, authorizing the withdrawal of funds for deposit or investment outside the County Treasury investment pool must provide a disclaimer of liability. The Director of Finance shall not honor any such withdrawal request if a disclaimer clause is not provided.

## GLOSSARY OF TERMS

**AGENCIES OR FEDERAL AGENCIES:** Federal sponsored agency securities including discount notes, or interest bearing notes, and bonds. The agencies were created by Congress to reduce the cost of capital for certain borrowing sectors of the economy deemed to be important enough to warrant assistance, such as farmers, homeowners, and students.

**ASKED PRICE:** The lowest price at which a dealer is willing to sell a security.

**BANKERS ACCEPTANCES (BA'S):** A time draft or bill of exchange that is accepted payment by banks engaged in financing of international trade. The accepting institution guarantees payment of the bill as well as the issuer.

**BID:** Price at which someone is willing here and now to purchase a security.

**BOOK VALUE:** The value at which a security is carried on the inventory list or other financial records of an investor. The Book Value may differ significantly from the security's current value in the market.

**BROKER:** Person or firm acting as intermediary between buyer and seller.

**CALLABLE BOND:** A bond issue in which all or part of its outstanding principal amount may be redeemed before maturity by the issuer under specified conditions.

**CERTIFICATES OF DEPOSIT (CD'S):** A time deposit with a specific maturity evidenced by a certificate. They are issued in two forms negotiable and collateralized.

**Negotiable Certificates of Deposit:** May be sold by one holder to another prior to maturity. The issuing bank agrees to pay the amount of the deposit plus interest earned to the BEARER of the certificate at maturity.

**Collateralized Time Deposits:** These certificates are collateralized and are not money market instruments since they cannot be traded in the secondary market. They are issued on a fixed maturity basis and fixed payee.

**CERTIFICATE OF DEPOSIT ACCOUNT REGISTRY SERVICES (CDARS):** Certificates of Deposit that are placed by a member bank with commercial banks, savings banks, savings and loan associations, or credit unions, such that the principal and all accrued interest during the term of the certificate are fully insured by either the FDIC OR NCUA.

**COLLATERAL:** Securities pledged by a bank to secure deposits of public funds, or an asset pledged by a borrower to a lender.

**COMMERCIAL PAPER:** An unsecured short-term promissory note issued by corporations with maturities ranging from 2 to 270 days.

**COUNTY TREASURY OVERSIGHT COMMITTEE:** A committee established by Board of Supervisors Resolution No. 95-081, dated December 5, 1995 to allow local agency representatives participation in the policies that guide the investment of depositor funds. The primary responsibilities include: (1) review and monitor the County Director of Finance's investment policy, (2) cause an annual audit to be conducted to determine the county treasury's compliance, and (3) establish criteria for depositor withdrawal of funds for the purpose of investing or depositing outside the county treasury pool.

**COUPON RATE:** The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value.

**DEALER:** A dealer, as opposed to a broker, acts as a principal in all transaction, buying and selling for his own account.

**DEBENTURE:** A longer-term debt instrument issued by a corporation that is unsecured by other collateral. Hence, only the good faith and credit standing of the issuer backs the security.

**DELIVERY VERSUS PAYMENT:** There are two methods of delivery of securities: delivery vs. payment and delivery vs. receipt. Delivery vs. payment is delivery of securities with an exchange of money for the securities. Delivery vs. receipt is delivery of securities with an exchange of a signed receipt for the securities.

**DISCOUNT:** The difference between the cost price of a security and its maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

**DISCOUNT SECURITIES:** Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, e.g. U.S. Treasury Bills

**DIVERSIFICATION:** A process of investing assets among a range of security types by sector, maturity, and quality rating.

**DOLLAR WEIGHTED AVERAGE MATURITY:** The sum of the amount of each outstanding investment multiplied by the number of days to maturity, divided by the total amount of outstanding investments.

**FEDERAL CREDIT AGENCIES:** Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g. S&L's, small business firms, students, farmers, farm cooperatives, and exporters.

**FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC):** A federal agency that insures bank deposits, currently up to \$250,000 per deposit.

**FEDERAL FARM CREDIT BANKS (FFCB):** is a nationwide system of lending institutions that provide credit and related services to farmers, ranchers, producers and harvesters of agricultural products, and other farm related businesses.



**FEDERAL FUNDS RATE:** The rate of interest at which Fed funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

**FEDERAL HOME LOAN BANKS (FHLB):** The institutions that regulate and lend to savings and loan association. The Federal Home Loan Banks play a role analogous to that played by the Federal Reserve Banks vis-à-vis member commercial banks.

**FEDERAL HOME LOAN MORTGAGE CORPORATION (FHLMC) :** is a federally chartered and stockholder-owned corporation. Freddie Mac purchases mortgage loans from qualified financial institutions and resales these loans in the form of guaranteed mortgage securities.

**FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA):** FNMA, like GNMA was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development (HUD). It is the largest single provider of residential mortgage funds in the United States. Fannie Mae, as the corporation is called, is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable mortgages and second loans, in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

**FEDERAL OPEN MARKET COMMITTEE (FOMC):** Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member, while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

**FEDERAL RESERVE SYSTEM:** The central bank of the United States created by Congress and consisting of a seven member Board of Governors in Washington, D.C., 12 regional Federal Reserve Banks, their 24 branches, and all national and state banks that are members of the system.

**FLOATER:** A derivative that has its coupon determined by using the yield of other securities.

**FUTURES:** Futures contracts are the units of trading at a commodity exchange. They are legally binding agreements made within the confines of an exchange trading area. All futures contracts call for the purchase or sale of a physical commodity of financial instrument on dates from one month to more than two years in the future.

**GOVERNMENT NATIONAL MORTGAGE ASSOCIATION (GNMA or Ginnie Mae)** Securities influencing the volume of bank credit guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loan associations, and other institution. Security holder is protected by full faith and credit of the U.S. Government. Ginnie MAE securities are backed by the FHA, VA, or FMHM mortgages. The term "passthroughs" is often used to describe Ginnie Maes.

**GOVERNMENT-SPONSORED ENTERPRISES (GSE):** General term for several privately owned, publicly chartered agencies created to reduce borrowing costs for certain sectors of the economy such as farmers, homeowners and students. The GSEs that issue debt instruments include: Federal Home Loan Banks, Federal National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Farm Credit System, Federal Agricultural Mortgage Corporation, and the Student Loan Marketing Association.

**LIQUIDITY:** A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable sales can be done at those quotes.

**LOCAL AGENCY INVESTMENT FUND (LAIF):** The aggregate of all funds from political subdivisions that are placed in the custody of the California State Treasurer for investment and reinvestment.

**MARKET RISK:** The risk that the value of a security will rise or decline as a result of changes in market conditions.

**MARKET VALUE:** The price at which a security is trading and could presumably be purchased or sold.

**MASTER REPURCHASE AGREEMENT:** A written contract covering all future transactions between the parties to repurchase--reverse repurchase agreements that establishes each party's rights in the transaction. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller-borrower.

**MATURITY:** The date upon which the principal or stated value of an investment becomes due and payable.

**MONEY MARKET:** The market in which short-term debt instruments (bills, commercial paper, banker's acceptances, etc.) are issued and traded.

**MONEY MARKET MUTUAL FUND:** Mutual funds that invest solely in money market instruments (short-term debt instruments, such as Treasury bills, commercial paper, bankers' acceptances, etc.).

**NATIONALLY RECOGNIZED STATISTICAL-RATING ORGANIZATION (NRSRO)** Independent credit rating agencies which are utilized to analyze and rate the quality of the issuers underlying debt.

**OFFER:** The price asked by a seller of securities. (When you are buying securities, you ask for an offer.)

**OPEN MARKET OPERATIONS:** Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary policy tool.

**OPTIONS:** The buyer of a call option has the right to buy the underlying security at fixed price. The option seller is obligated to sell the security if the buyer chooses to exercise the option.

**PORTFOLIO:** Collection of securities held by an investor.

**PRIMARY DEALER:** A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC)-registered securities broker-dealer, banks and a few unregulated firms.

**PRUDENT PERSON RULE:** An investment standard. In California the law requires that a fiduciary, such as a trustee, may invest money only in a list of securities approved by the State, the authorized investments. The trustee may invest in a security if it is one, which would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

**QUALIFIED PUBLIC DEPOSITORIES:** A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.

**RATE OF RETURN:** The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

**REINVESTMENT RISK:** The risk that a fixed-income investor will be unable to reinvest income proceeds from a security holding at the same rate of return currently generated by that holding.

**REPURCHASE AGREEMENT (RP or REPO):** A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RP extensively to finance their positions. Exception: When the Fed is said to be doing RP, it is lending money, this is increasing bank reserves.

**REVERSE REPURCHASE AGREEMENT:** A dealer of securities buys securities from an investor with an agreement to sell them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" or "investor" money for the period of the agreement, and the terms of the agreement are structured to compensate the dealer for this. Investors use reverse-repos to meet temporary cash shortages without liquidating the investments.

**SAFEKEEPING:** A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection.

**SECONDARY MARKET:** A market made for the purchase and sale of outstanding issues following the initial distribution.

**SECURITY:** Any investment instrument authorized for purchase under Government Code 53601 or 53635.

**SECURITIES AND EXCHANGE COMMISSION (SEC):** Agency created by Congress to protect investor in securities transactions by administering securities legislation.

**SECURITIES LENDING AGREEMENT:** An agreement under which a local agency agrees to transfer securities to a borrower who, in turn, agrees to provide collateral to the local agency. During the term of the agreement, both the securities and the collateral are held by a third party. At the conclusion of the agreement, the securities are transferred back to the local agency in return for the collateral.

**SUPRANATIONALS:** An international organization, or union, whereby member states transcend national boundaries or interests to share in the decision-making and vote on issues pertaining to the wider grouping.

**SURPLUS FUNDS:** All moneys are not required to meet the banks demands on the treasury to redeem check warrants on any given day are considered "surplus funds" for investments.

**TREASURY BILLS:** A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

**TREASURY NOTES:** A interest bearing security issued by the U.S. Treasury to finance the Federal debt with a maturity range of from zero to ten years.

**TREASURY BOND:** Long-term U.S. Treasury securities having initial maturities between ten to thirty years.

**TRI-PARTY CUSTODIAL AGREEMENT:** A third party custodian bank agrees to safekeep the repo collateral in a segregated custody account for the client. The custodian bank independently prices the collateral and ensures that the collateral is properly securitized.

**UNIFORM NET CAPITAL RULE (SEC RULE 15C3-1):** Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one-reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

**YIELD:** The rate of annual income return on an investment expressed as a percentage. (a) INCOME YIELD is obtained by dividing the current dollar income by the current market price for the security. (b) NET YIELD or YIELD TO MATURITY is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period of the date of purchase to the date of maturity of the bond.

**YIELD-TO-CALL (YTC):** The rate of return an investor earns from a bond assuming the bond is redeemed (called) prior to its nominal maturity date.

**YIELD CURVE:** A graphic representation that depicts the relationship at a given point in time between yields and maturity for bonds that are identical in every way except maturity. A normal yield curve may be alternatively referred to as a positive yield curve.

**YIELD-TO-MATURITY:** The rate of return yielded by a debt security held to maturity when both interest payments and the investor's potential capital gain or loss are included in the calculation of return.