

**KINGSBURG ELEMENTARY CHARTER SCHOOL DISTRICT  
GOVERNING BOARD MEETING**

**May 30, 2023**

**Kingsburg Elementary Charter School District Professional Development Building  
1310 Stroud Avenue  
Kingsburg, California 93631**

**4:00 p.m. – PUBLIC SESSION**

**5:00 p.m. – CLOSED SESSION**

**6:00 p.m. – PUBLIC SESSION**

(Please note: Designated times are approximate)

**AGENDA**

*In compliance with the Americans with Disabilities Act, if you need special assistance to access the Board meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact the Superintendent's Office at 897-2331. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting.*

*Public records relating to a public session agenda item of a regular meeting that are distributed within 72 hours prior to the meeting will be available for public inspection at the District Office, 1310 Stroud Avenue, Kingsburg, California.*

**PUBLIC SESSION AND PUBLIC COMMENT ON AGENDIZED AND NON-AGENDIZED ITEMS**

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Moment of Contemplative Silence
4. Approval of Agenda

**DISCUSSION**

5. Superintendent's Report
  - 5.1. Communications/Recognitions
6. Assistant Superintendent's Report
7. Chief Business Official's Report
8. Board Member Reports

**ADJOURN FOR PUBLIC HEARING**

**PUBLIC HEARING**

Local Control Accountability Plan (LCAP)

2023-24 Proposed Budget

**RECONVENE PUBLIC SESSION**

**ACTION**

**NOTICE TO PUBLIC – CONSENT AGENDA**

*All matters listed under the Consent Agenda are considered to be routine or sufficiently supported by prior or accompanying reference materials and information as to not require additional discussion. A motion will enact all consent agenda items. There will be no separate discussion of these items prior to the time the Board of Trustees votes on the motion unless members of the board, staff or public request specific items to be discussed or moved from the consent agenda for separate action. The district administration recommends approval of the following consent agenda items:*

9. Consent Agenda

9.1. Consider Approval of Minutes – May 15, 2023 Board Meeting

**BUSINESS SERVICES**

10. Consider Approval of Proposal from Amparan Flooring for Carpet at Washington School

11. Consider Approval of CSPP Program Self-Evaluation (PSE)

**SPECIAL EDUCATION/STUDENT SERVICES**

12. Consider Approval of Contract with Metamorphosis Therapy Group for Preschool/TK Speech and Language Pathologist Sub Coverage

13. Consider Approval of Agreement with E-Therapy for Speech and Language Pathologist for Grades 6-8 and Central Valley Home School

**HUMAN RESOURCES**

14. Consider Approval of New/Revised Job Descriptions

14.1. Community Schools Coordinator- NEW

14.2. Library/Media Tech I and II- REVISED

**ADMINISTRATIVE SERVICES**

15. Consider Approval of Board Policies/Administrative Regulations/Exhibits

15.1. Revised AR 5131.41: Use of Seclusion and Restraint

15.2. Revised BP/AR 5141: Health Care and Emergencies

15.3. Revised AR 5141.4: Child Abuse Prevention and Reporting

15.4. Revised AR 5144.1: Suspension and Expulsion/Due Process

15.5. Revised AR 6115: Ceremonies and Observances

15.6. Revised BP/AR 6173: Education for Homeless Children

15.7. Revised BP/AR 6173.1: Education for Foster Youth

**PUBLIC COMMENT**

**PUBLIC COMMENT**

*The Public Comment portion of the agenda provides an opportunity for the public to address the Governing Board on items within the Board's jurisdiction and which are not already on the agenda. The Board of Education is prohibited by law from taking action on matters discussed that are not on the Agenda, and no adverse conclusions should be drawn if the Board does not respond to public comment at this time. Concerns will be referred to the Superintendent's office for review and response. Our policy states that during the public comment portion of the Board meeting, speakers should limit their comments to three (3) minutes with a total of fifteen (15) minutes per issue allowed. That policy will be enforced for all speakers. Any person who wishes to speak during this time should rise; state their name, and the subject of their remarks.*

16. Public Comment on Agendized and Non-Agendized Items

17. Set Date, Time, and Location of Next Regularly Scheduled Board Meeting: Monday, June 12, 2023, 4:00 p.m., Professional Development Building

## **CLOSED SESSION**

### **REVIEW OF PERSONNEL MATTERS PURSUANT TO GOVERNMENT CODES 11126 AND 54957**

*Review of personnel matters is limited to consideration of the appointment, employment, evaluation of performance, change of status, or dismissal of a public employee; or to hear "complaints or charges brought against such employee by another person or employee unless the employee requests a public session."*

18. Public Employee Discipline/Dismissal/Release/Complaint (Government Code Section 54957)
19. Anticipated Litigation (Government Code Section 54956.9(b))
20. Student Discipline and Other Confidential Student Matters (Education Code Sections 35146, Ed. Code, §48900 et seq.)
21. Public Employee Employment
- 21.1. Certificated Personnel
- 21.1.1. Consider Approval of Request to Hire: 6<sup>th</sup> Grade Teacher, Reagan Elementary
- 21.1.2. Consider Approval of Request to Hire: 6<sup>th</sup> Grade Teacher, Reagan Elementary
- 21.2. Classified Personnel
- 21.2.1. Consider Acceptance of Resignation: Paraprofessional- General, Island Community Day School
- 21.2.2. Consider Acceptance of Resignation: Assistant Secretary, Washington School
- 21.2.3. Consider Approval of Request to Hire: Paraprofessional- EL, Reagan Elementary
22. Pupil Personnel
- 22.1. Consider Interdistrict Transfer Requests (Pursuant to Education Code 48204, 35146)
- 22.1.1. Consider Approval of 2023-24 New Attendance Requests – Site-Based Program
- 22.1.2. Consider Approval of 2023-24 New Attendance Requests – Central Valley Home School
- 22.1.3. Consider Approval of 2023-24 Renewal Attendance Requests – Site-Based Program
- 22.1.4. Consider Approval of 2023-24 Renewal Attendance Requests – Central Valley Home School

## **RECONVENE PUBLIC SESSION**

## **ACTION**

23. Report of Actions Taken in Closed Session
24. Adjourn



# KINGSBURG

## ELEMENTARY CHARTER SCHOOL DISTRICT

WESLEY SEVER, ED.D.  
Superintendent  
MATT STOVALL  
Assistant Superintendent  
BOBBY RODRIGUEZ  
Chief Business Official  
CAROL BRAY  
Director, Human Resources  
ERIN PASILLAS  
Director, Special Education,  
Student Services

## Notice of Public Hearing

The Kingsburg Elementary Charter School District hereby gives notice that a Public Hearing will be held during a regularly scheduled Board meeting as follows:

TOPICS: Local Control Accountability Plan (LCAP)  
and 2023-24 Proposed Budget  
HEARING DATE: May 30, 2023  
TIME: 4:00 p.m.  
LOCATION: Kingsburg Elementary Charter School District  
Professional Development Building  
1310 Stroud Avenue  
Kingsburg, CA 93631

Copies of the LCAP and budget may be inspected at the district office during normal business hours or on the district website 72 hours prior to the hearing. All interested parties are encouraged to attend this meeting. The Final LCAP and Budget for 2023-2024 will be adopted on Monday, June 12, 2023.

Dr. Wesley Sever, Superintendent  
Kingsburg Elementary Charter School District  
County of Fresno  
State of California

Posted on May 17, 2023  
Locations of Posting:  
District Office, School Sites, and District Website

**KINGSBURG ELEMENTARY CHARTER SCHOOL DISTRICT  
GOVERNING BOARD MEETING**

**May 15, 2023**

**Kingsburg Elementary Professional Development Building  
1310 Stroud Avenue  
Kingsburg, California 93631**

**4:00 p.m.**

**MINUTES**

**PUBLIC SESSION AND PUBLIC COMMENT ON AGENDIZED AND NON-AGENDIZED ITEMS**

1. Call to Order and Roll Call  
Board President, Brad Bergstrom, called the meeting to order at 4:00 p.m.

**Board Members Present:**

Brad Bergstrom, President  
Frank Yanes, Clerk  
Reverend Edward Ezaki, Member  
Constance Lunde, Member  
Karyll Smith Quinn, Member

**District Office Administrators Present:**

Wesley Sever, Ed.D., Superintendent  
Matt Stovall, Assistant Superintendent  
Bobby Rodriguez, Chief Business Official  
Carol Bray, Director, Human Resources  
Erin Pasillas, Director of Special Education and Student Services

2. Pledge of Allegiance
3. Moment of Contemplative Silence
4. Approval of Agenda:  
  
Moved: Mr. Yanes; Seconded: Mrs. Lunde

Approved: Mr. Bergstrom – Yes; Mrs. Lunde – Yes; Vacant – Absent; Mrs. Smith Quinn – Yes;  
Mr. Yanes – Yes  
Motion Carried: 4-0

5. Swearing in of Board Member Reverend Edward Ezaki

**DISCUSSION**

6. Superintendent's Report
  - 6.1. The Governing Board recognized parents or community members chosen by each site who have gone above and beyond the call of duty for the students and staff of Kingsburg Elementary this year. Each principal or director introduced their chosen parent or community member, spoke about their volunteerism, and presented them with a plaque. Thank you for all of your hard

work this year and for the impact you have made with our students and staff. We could not do what we do without you. You are appreciated!

- Washington- Helga Avedikian, Linda Richardson
- Roosevelt- Sammy Eknoian
- Lincoln- Connie Leon Hurtado
- Reagan- Mark Curtis
- Rafer- Rob Gong
- CVHS/Island- John/Margaret Palms
- Dr. Sever also presented "Our Hero" awards to Principals Amy Winchell, Shawn Marshall, Lauren Galli, Kerry Pickrell, Melody Lee, Lisa Regier, and Executive Assistant Sarah Ballard.

- 6.2. Home-to-School Transportation Funding – Home-to-school Transportation Reimbursement was implemented by Assembly Bill (AB)181 (Chapter 52, Statutes of 2022) and amended by AB 185 (Chapter 571, Statutes of 2022). It provides reimbursement funding for school districts and county offices of education (COEs) based on prior year eligible transportation expenditures and prior year Local Control Funding Formula transportation related add-on funding. There are a total of eight charter school districts in the State, which were denied funding. A letter was written and signed by four Districts, all in Senator Melissa Hurtado's District. After meeting with Senator Hurtado and explaining why our Districts should be included in this funding, we received notice of funding which is \$400,000.
  - 6.3. We have officially received the Community Schools Grant- \$7.8 million over five years. Thank you to Mr. Stovall, Mr. Rodriguez, and Mrs. Sembritzki for their hard work on this opportunity for our students and community.
  - 6.4. Dr. Sever shared the Parent Survey Comment Review from each school site with the Board.
  - 6.5. The 2022-2023 Second Interim Report received a Positive Certification from the County Office. Dr. Sever thanked Mr. Rodriguez and the team for all their work on this.
  - 6.6. The Retirement Celebration at Reagan Elementary, hosted by CVHS, was well done and a great event to honor our soon-to-be retirees! Thank you to the CVHS staff for your time in putting this event together.
  - 6.7. We celebrated Staff Appreciation Week and sent cakes to the school sites to thank our staff for being "champions". In addition, students, parents, and parent clubs throughout the week honored staff.
  - 6.8. The Art Show at Rafer Johnson Jr. High took place on May 4<sup>th</sup>. A huge "THANK YOU" to the committee who made this a well-attended and successful event- Mrs. Simmons, Mrs. Kiser, Mrs. Dedini, Mrs. Armstrong, Mrs. Lee, and Mr. Vega-Montoya.
  - 6.9. Dr. Sever reviewed Mrs. Lee's Rafer Promotion details for the Board Members. Rafer Johnson Jr. High will promotion will take place on Wednesday, May 31, at 7:30 pm at the KHS Bowl.
7. Assistant Superintendent's Report
    - 7.1. We have been awarded the Community Schools Grant which will be \$7.8 million over five years. We will be hiring several positions, including:
      - 1 – Director
      - .4 – Counselor @ Reagan
      - 1 – Counselor @ Washington
      - 1 – Counselor @ Roos/CVHS
      - 1 – School Psychologist- BCBA
      - 1 – Family Engagement Assistant
      - 4 – Family Liaisons = 1 @ each school site
      - School Resource Officer – KPD

- 7.2. These funds will also be used for curriculum through Parenting Partners, transportation- vans, and contracts with KCAPS and ERC.
  - 7.3. A community school is a public school that serves prekindergarten through grade eight (or higher) and has community partnerships that support improved academic outcomes, whole-child engagement, and family development. Community school partnership strategies include integrated support services, extended learning time, and collaborative leadership and practices for educators and administrators.
  - 7.4. Community schools can increase equitable student learning outcomes by addressing the conditions for teaching and learning. Community schools support the needs of the whole child by strengthening family and community foundations with approaches that sustain mental and behavioral health through healing-centered practices, social-emotional learning, and restorative justice.
  - 7.5. Community schools also ensure that students, families, and community members are embraced as full partners in every aspect of decision-making that affects the conditions for teaching and learning. Community schools use this community-driven shared decision-making approach to increase access to nurses, counselors, and social workers. This creates campuses that are community hubs where students and families have easy access to the services needed to close opportunity gaps.
  - 7.6. Central Valley Home School will adopt a new science curriculum from Houghton Mifflin Harcourt to be current with science standards for their students and families.
  - 7.7. To encourage PE at our school sites, we will provide our teachers with the Gopher Sports Spark PE curriculum and the equipment packs accompanying the program. We believe this will help encourage our students to stay healthy physically and mentally.
8. Chief Business Official's Report
    - 8.1. Mrs. McNulty and Mrs. LeBoeuf recognized their staff for School Lunch Hero Day.
    - 8.2. Food Services is testing some new packaging at Rafer for some menu items.
    - 8.3. The grounds are looking great. We will be purchasing some new gas powered equipment as we hold out for battery-powered equipment to improve. We can hold off on moving to battery-powered for about four years. There may be incentives for us down the road.
    - 8.4. A maintenance gate was put in at the preschool. They will be able to store all the trikes and equipment in this new outdoor storage space.
    - 8.5. The windows will be arriving at Lincoln School on June 5th. Mr. McIntyre, Mr. Rodriguez, and the window company are meeting to review the schedule and will let Roosevelt and Washington know their approximate start dates.
    - 8.6. CSPP Summary of Findings 2022-2023 – Mr. Rodriguez informed the Governing Board of how well our California State Preschool Program is performing and provided an opportunity for feedback from the Governing Board on what they would like to see implemented and/or improved for the 2023-2024 school year. Provided documents included: overall QRIS rating, Pre-K Class Assessment, DRDP, Parent Survey Summary of Findings, and the Environment Rating Scale.
    - 8.7. May Revise- In January, the Governor projected a deficit of \$22 billion, and now we're at \$31 billion. The hope is that all the tax receipts will come in, and we won't have to worry about being in a deficit. We have \$42 billion that he's anticipating coming in with those tax receipts, \$28.4 billion of it being personal income tax. As the months have passed since January, the outlook has gotten progressively worse. The Governor has proposed to fund the 8.22% COLA using one-time money. Our Learning Recovery Block Grant for our district would be \$3.3 million. He's going to cut that by a third and use some of that money to put back into funding the COLA. For us, that would mean a hit of \$1 million. The Arts Music Instructional Materials Grant was cut by a third already this year when he presented in January; he wants not to provide the second quarter payment and keep that for the State. So instead of having \$900,000 for the Arts Music Instructional Materials Grant, we will only get what we've already received, which is the \$717,000. We will continue to watch those taxes and play

conservatively. As we get closer to August/September, we will see how much money has been collected in taxes before deciding on salary increases, if any. Districts around us may be presenting different things, but our job is to ensure that we're all here and can continue to be here, so we will play that a little bit more conservatively. If things improve, we want to do as much as we can afford and be responsible for. Last year, we were able to give an 8% raise, while other districts around us gave about a 10-11% raise. We were the first to announce an increase and later received another 3% of funding this year. Our balance is terrific right now, but we want to take the time to make an informed decision. We have seen things go haywire very quickly, but it looks like we will be able to give some type of raise that would be retroactive.

9. Board Member Reports

- 9.1. Mr. Yanes and Mrs. Lunde attended the retirement event at Reagan Elementary. It was well done, and a lot of staff were in attendance to honor our retirees. Great job, CVHS.
- 9.2. The Aladdin Play at the KHS Little Theater was a wonderful event. The Rafer Drama students did a fantastic job!

10. First Reading: Board Policies/Administrative Regulations/Exhibits

- 10.1. Revised AR 5131.41: Use of Seclusion and Restraint
- 10.2. Revised BP/AR 5141: Health Care and Emergencies
- 10.3. Revised AR 5141.4: Child Abuse Prevention and Reporting
- 10.4. Revised AR 5144.1: Suspension and Expulsion/Due Process
- 10.5. Revised AR 6115: Ceremonies and Observances
- 10.6. Revised BP/AR 6173: Education for Homeless Children
- 10.7. Revised BP/AR 6173.1: Education for Foster Youth

No changes were made to the policies as submitted. They will be brought back to the next Board meeting for approval.

**ACTION**

11. Consent Agenda

- 11.1. Consider Approval of Minutes – April 17, 2023 Board Meeting
- 11.2. Consider Approval of Minutes – May 4, 2023 Special Board Meeting
- 11.3. Consider Approval of Cash Balances
- 11.4. Consider Approval of Budget Report
- 11.5. Consider Approval of Accounts Payable Report
- 11.6. Consider Approval of Request to Surplus Equipment
- 11.7. Consider Approval of Agreement with Alliant University for Internship Program
- 11.8. Consider Approval of Revised 2023-2024 Stipend Schedule
- 11.9. Consider Approval of Legal Services Agreement with Atkinson, Andelson, Loya, Ruud & Romo
- 11.10. Consider Approval of Contract for New Life Physical Therapy Services
- 11.11. Consider Approval of Renewal Contract with Medical Billing Technologies
- 11.12. Consider Approval of MOU with CSU-Fresno, Kremen School of Education for Student Teaching
- 11.13. Consider Approval of Services Agreement with the Fresno County Superintendent of Schools for Digital Portal Online Teaching Sources and Content Management System

Items 11.1. – 11.13.:

Moved: Mr. Yanes; Seconded: Mrs. Lunde

Approved: Mr. Bergstrom – Yes; Mrs. Lunde – Yes; Rev. Ezaki – Yes; Mrs. Smith Quinn – Yes;  
Mr. Yanes – Yes

Motion Carried: 5-0



## **BUSINESS SERVICES**

12. Consider Approval of Purchase with Executive Business Products for Office Furniture at Washington School

Moved: Mr. Yanes; Seconded: Mrs. Smith Quinn

Approved: Mr. Bergstrom – Yes; Mrs. Lunde – Yes; Rev. Ezaki – Yes; Mrs. Smith Quinn – Yes;  
Mr. Yanes – Yes  
Motion Carried: 5-0

13. Consider Approval of Quote from CDW for Student Chromebooks

Moved: Mrs. Smith Quinn; Seconded: Rev. Ezaki

Approved: Mr. Bergstrom – Yes; Mrs. Lunde – Yes; Rev. Ezaki – Yes; Mrs. Smith Quinn – Yes;  
Mr. Yanes – Yes  
Motion Carried: 5-0

14. Consider Approval of Quote from Sound Contracting for Lighting in the Rafer Johnson Jr. High Gym

Moved: Mrs. Smith Quinn; Seconded: Mrs. Lunde

Approved: Mr. Bergstrom – Yes; Mrs. Lunde – Yes; Rev. Ezaki – Yes; Mrs. Smith Quinn – Yes;  
Mr. Yanes – Yes  
Motion Carried: 5-0

15. Consider Approval of Quote from CDW for HP 2930F PoE Switches

Moved: Mr. Yanes; Seconded: Rev. Ezaki

Approved: Mr. Bergstrom – Yes; Mrs. Lunde – Yes; Rev. Ezaki – Yes; Mrs. Smith Quinn – Yes;  
Mr. Yanes – Yes  
Motion Carried: 5-0

16. Consider Approval of Quote from AMS.net for Fortinet Firewall

Moved: Mr. Yanes; Seconded: Mrs. Smith Quinn

Approved: Mr. Bergstrom – Yes; Mrs. Lunde – Yes; Rev. Ezaki – Yes; Mrs. Smith Quinn – Yes;  
Mr. Yanes – Yes  
Motion Carried: 5-0

## **CURRICULUM & INSTRUCTION**

17. Consider Approval of Proposal from Houghton Mifflin Harcourt for Science Curriculum Adoption for Central Valley Home School

Moved: Rev. Ezaki; Seconded: Mr. Yanes

Approved: Mr. Bergstrom – Yes; Mrs. Lunde – Yes; Rev. Ezaki – Yes; Mrs. Smith Quinn – Yes;  
Mr. Yanes – Yes

Motion Carried: 5-0

18. Consider Approval of Quote from California Teaching Fellows for Central Valley Home School

Moved: Mrs. Lunde; Seconded: Mr. Yanes

Approved: Mr. Bergstrom – Yes; Mrs. Lunde – Yes; Rev. Ezaki – Yes; Mrs. Smith Quinn – Yes;  
Mr. Yanes – Yes

Motion Carried: 5-0

19. Consider Approval of MOU for Participation in the 2023-2024 CTEIG (Career Technical Education Incentive Grant) with VROP (Valley Regional Occupational Program)

Moved: Mr. Yanes; Seconded: Rev. Ezaki

Approved: Mr. Bergstrom – Yes; Mrs. Lunde – Yes; Rev. Ezaki – Yes; Mrs. Smith Quinn – Yes;  
Mr. Yanes – Yes

Motion Carried: 5-0

20. Consider Approval of Quote from Gopher Sport for PE Curriculum and Equipment for Grades K-6

Moved: Mrs. Lunde; Seconded: Mr. Yanes

Approved: Mr. Bergstrom – Yes; Mrs. Lunde – Yes; Rev. Ezaki – Yes; Mrs. Smith Quinn – Yes;  
Mr. Yanes – Yes

Motion Carried: 5-0

21. Consider Approval of Professional Learning Agreement with Fresno County Superintendent of Schools

Moved: Mr. Yanes; Seconded: Rev. Ezaki

Approved: Mr. Bergstrom – Yes; Mrs. Lunde – Yes; Rev. Ezaki – Yes; Mrs. Smith Quinn – Yes;  
Mr. Yanes – Yes

Motion Carried: 5-0

**HUMAN RESOURCES**

22. Consider Approval of New 2023-2024 Pupil Personnel Services Salary Schedule and Revised Certificated Management and Certificated Salary Schedules

Moved: Mr. Yanes; Seconded: Mrs. Smith Quinn

Approved: Mr. Bergstrom – Yes; Mrs. Lunde – Yes; Rev. Ezaki – Yes; Mrs. Smith Quinn – Yes;  
Mr. Yanes – Yes

Motion Carried: 5-0

23. Consider Approval of Revised Job Descriptions

23.1. Teacher- Preschool

23.2. State Preschool Paraprofessional

Moved: Rev. Ezaki; Seconded: Mr. Yanes

Approved: Mr. Bergstrom – Yes; Mrs. Lunde – Yes; Rev. Ezaki – Yes; Mrs. Smith Quinn – Yes;

Mr. Yanes – Yes  
Motion Carried: 5-0

## **ADMINISTRATIVE SERVICES**

### **24. Consider Approval of Board Policies/Administrative Regulations/Exhibits**

- 24.1. Revised AR 0420.4: Charter School Authorization
- 24.2. Revised BP 4030: Nondiscrimination in Employment
- 24.3. Revised BP/AR 4218: Dismissal/Suspension/Disciplinary Action
- 24.4. Revised AR 5113: Absences and Excuses
- 24.5. Revised BB 9270: Conflict of Interest
- 24.6. Revised BB 9320: Meetings and Notices

Moved: Mr. Yanes; Seconded: Mrs. Lunde

Approved: Mr. Bergstrom – Yes; Mrs. Lunde – Yes; Rev. Ezaki – Yes; Mrs. Smith Quinn – Yes;  
Mr. Yanes – Yes  
Motion Carried: 5-0

## **PUBLIC COMMENT**

### **25. Public Comment on Agendized and Non-Agendized Items**

- 25.1. No comments were received from the public.

### **26. Set Date, Time, and Location of Next Regularly Scheduled Board Meeting: Tuesday, May 30, 2023, 4:00 p.m., Professional Development Building**

## **CLOSED SESSION**

### **27. Public Employee Discipline/Dismissal/Release/Complaint (Government Code Section 54957)**

### **28. Anticipated Litigation (Government Code Section 54956.9(b))**

### **29. Public Employee Employment**

#### **29.1. Certificated Personnel**

- 29.1.1 Consider Approval of Paid Administrative Leave to Complete Practicum Hours for SLP Credential: Speech Pathologist, Special Education
- 29.1.2 Consider Approval of 2022-2023 Spring and Summer Semester Student Teachers
- 29.1.3 Consider Acceptance of Resignation: 4<sup>th</sup>-8<sup>th</sup> Grade Teacher, Island Community Day School
- 29.1.4 Consider Acceptance of Resignation: 8<sup>th</sup> Grade Math Teacher, Rafer Johnson Jr. High School
- 29.1.5 Consider Approval of Request to Hire: School Psych Intern, Special Education
- 29.1.6 Consider Approval of Request to Hire: School Psych Intern, Special Education
- 29.1.7 Consider Approval of Request to Hire: RSP Teacher, Reagan Elementary

#### **29.2. Classified Personnel**

- 29.2.1 Consider Acceptance of Resignation: Paraprofessional- RSP, Reagan Elementary School
- 29.2.2 Consider Acceptance of Resignation: Paraprofessional- EL, Reagan Elementary School
- 29.2.3 Consider Approval of Request to Hire: Paraprofessional- Categorical, Lincoln School
- 29.2.4 Consider Approval of Request to Hire: Cafeteria Helper, Rafer Johnson Jr. High
- 29.2.5 Consider Approval of Request to Hire: Paraprofessional- Categorical, Rafer Johnson Jr. High

- 29.2.6 Consider Approval of Request to Hire: Paraprofessional- Categorical, Reagan Elementary School
- 29.2.7 Consider Approval of Request to Hire: Paraprofessional- Categorical, Reagan Elementary School
- 29.2.8 Consider Approval of Request to Hire: Part-time Groundskeeper, MOT
- 29.2.9 Consider Approval of Request to Hire: Health Aide, Roosevelt School
- 29.2.10 Consider Approval of Request to Hire: Health Aide, Reagan Elementary School
- 29.2.11 Consider Approval of Request to Hire: Behavior Support Assistant, Special Education
- 29.2.12 Consider Approval of Request to Hire: Paraprofessional- Categorical, Roosevelt School
- 29.2.13 Consider Approval of Request to Hire: Paraprofessional- EL, Roosevelt School

### 30. Pupil Personnel

- 30.1. Consider Interdistrict Transfer Requests (Pursuant to Education Code 48204, 35146)
  - 30.1.1 Consider Approval of 2022-23 New Attendance Requests – Site-Based Program
  - 30.1.2 Consider Approval of 2022-23 New Attendance Requests – Central Valley Home School
  - 30.1.3 Consider Approval of 2023-24 New Attendance Requests – Site-Based Program
  - 30.1.4 Consider Approval of 2023-24 New Attendance Requests – Central Valley Home School
  - 30.1.5 Consider Approval of 2023-24 Renewal Attendance Requests – Site-Based Program
  - 30.1.6 Consider Approval of 2023-24 Renewal Attendance Requests – Central Valley Home School

## RECONVENE PUBLIC SESSION

### ACTION

#### 31. Report of Actions Taken in Closed Session

##### Action taken on agenda item 29.1.1.:

Moved: Mr. Yanes; Seconded: Rev. Ezaki, to take the following action:

- The Board Approved Paid Administrative Leave to Complete Practicum Hours for SLP Credential: Speech Pathologist, Special Education, with Agreement to Continue Employment with KECSD Through June 30, 2025.

Approved: Mr. Bergstrom – Yes; Mrs. Lunde – Yes; Rev. Ezaki – Yes; Mrs. Smith Quinn – Yes;  
Mr. Yanes – Yes  
Motion Carried: 5-0

##### Action taken on agenda item 29.1.2. – 29.1.7:

Moved: Mr. Yanes; Seconded: Mrs. Lunde, to take the following action:

- Approved 2022-2023 Spring and Summer Semester Student Teachers
- Accepted Resignation: Taylor Dahlgren, 4th-8th Grade Teacher, Island Community Day School
- Accepted Resignation: Katie-Lynn Sandoval, 8th Grade Math Teacher, Rafer Johnson Jr. High School
- Approved Request to Hire: Mackenzie Engleman, School Psych Intern, Special Education
- Approved Request to Hire: Chrystelle Jaramillo, School Psych Intern, Special Education
- Approved Request to Hire: Colby Simmons, RSP Teacher, Reagan Elementary

Approved: Mr. Bergstrom – Yes; Mrs. Lunde – Yes; Rev. Ezaki – Yes; Mrs. Smith Quinn – Yes;  
Mr. Yanes – Yes  
Motion Carried: 5-0

Action taken on agenda items 29.2.1 – 29.2.13.:

Moved: Mr. Yanes; Seconded: Mrs. Smith Quinn, to take the following action:

- Accepted Resignation: Alexandra Gardner, Paraprofessional- RSP, Reagan Elementary School
- Accepted Resignation: Monica Garcia, Paraprofessional- EL, Reagan Elementary School
- Approved Request to Hire: Beth Englebright, Paraprofessional- Categorical, Lincoln School
- Approved Request to Hire: Erika Lua, Cafeteria Helper, Rafer Johnson Jr. High
- Approved Request to Hire: Amira Musleh, Paraprofessional- Categorical, Rafer Johnson Jr. High
- Approved Request to Hire: Kristie Densley, Paraprofessional- Categorical, Reagan Elementary School
- Approved Request to Hire: Jordan Durr, Paraprofessional- Categorical, Reagan Elementary School
- Approved Request to Hire: Chance Short, Part-time Groundskeeper, MOT
- Approved Request to Hire: Erica Lopez, Health Aide, Roosevelt School
- Approved Request to Hire: Danika Aguirre, Health Aide, Reagan Elementary School
- Approved Request to Hire: Nyah Reynolds, Behavior Support Assistant, Special Education
- Approved Request to Hire: Suzanna Vardapetian, Paraprofessional- Categorical, Roosevelt School
- Approved Request to Hire: Griselda Castro, Paraprofessional- EL, Roosevelt School

Approved: Mr. Bergstrom – Yes; Mrs. Lunde – Yes; Rev. Ezaki – Yes; Mrs. Smith Quinn – Yes;  
Mr. Yanes – Yes

Motion Carried: 5-0

Action taken on agenda items 30.1.1. – 30.1.6.:

Moved: Mr. Yanes; Seconded: Mrs. Smith Quinn, to take the following action:

- Approved All Requests- 2022-23 New Attendance Requests – Site-Based Program
- Approved All Requests- 2022-23 New Attendance Requests – Central Valley Home School
- Approved All Requests- 2023-24 New Attendance Requests – Site-Based Program
- Approved All Requests- 2023-24 New Attendance Requests – Central Valley Home School
- Approved All Requests- 2023-24 Renewal Attendance Requests – Site-Based Program
- Approved All Requests- 2023-24 Renewal Attendance Requests – Central Valley Home School

Approved: Mr. Bergstrom – Yes; Mrs. Lunde – Yes; Rev. Ezaki – Yes; Mrs. Smith Quinn – Yes;  
Mr. Yanes – Yes

Motion Carried: 5-0

32. Adjourn

Meeting was adjourned at 6:42 p.m.

# Kingsburg Elementary Charter School District

## Board Agenda Item

**NOTE:** All school employees (1) requesting to have an item placed on the Board agenda or (2) requesting to present an agenda item shall submit this completed form (signed by their site administrator) to the Superintendent at least 10 working days prior to the scheduled meeting date.

*\*All Board items are subject to approval by the Board President.*

**1. Agenda Item:**

Amparan Flooring

**2. Agenda Item Category:**

Consent Agenda

✓ Action Item

Presentation

Public Hearing

Closed Session

**3. Submitted By:**

Bobby Rodriguez, Chief Business Official

**4. Attachments:**

Not Applicable

✓ To Be Enclosed with Board Packets

\*Overnight trip requests require itinerary, location, dates and flyer to be submitted to the Board

**5. Purpose:**

To replace old existing carpet in the Transitional Kindergarten rooms at Washington Elementary.

The pricing also includes an option to carpet the small classroom located by the kitchen, which is being requested by administration. Amparan Flooring will move all furniture, desks, chairs, etc.

**6. Financial Impact:**

\$26,690

**7. Funding Source:**

Resource 60530

**8. District Goals This Item Will Meet:**

✓ Increase Student Achievement

✓ Provide a Safe, Positive and Healthy Learning Environment

Develop 21<sup>st</sup> Century Skills by Furthering the Use of Technology in the Classroom

Increase Parent Involvement and Continue to Promote Public Relations

Maintain a Sound Fiscal Condition - "Keep the Family Together!"



Amparan Flooring<sup>®</sup>

P.O. Box 278  
Kingsburg, CA 93631

Phone # (559) 419-9131

# Proposal

Date	Estimate #
5/3/2023	8175

Name / Address
Kingsburg Elementary Charter SD 1310 Stroud Ave Kingsburg, CA 93631

CSL #948182  
DIR #1000011386

Project
Washington Elementary School

Description	Total
Classrooms 9, 10, 11, and 12	
Demo existing carpet and rubber base throughout	2,455.00
Supply and install Interface Open Air 404:Charcoal 106748 *Includes 5x5 walk-off Interface Step Repeat SR999:Onyx	19,695.00
Supply and install Roppe 4" Base, color: Black throughout	1,800.00
*Quote includes Fresno County prevailing wages *includes moving furniture, desks, chairs, etc..	
Cafeteria Classroom +\$2,740.00	

Proposals are figured for a normal work week (Monday-Friday). Weekend work will require an additional fee.

Minor Floor Prep Included: cracks and joints only.

NOTE - THIS PROPOSAL MAY BE WITHDRAWN BY US IF NOT ACCEPTED IN 30 DAYS.

Any alteration or deviations from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Credit cards are accepted but will require an additional 2.75% of the total for a processing fee.

<b>Total</b>	<b>\$23,950.00</b>
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The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature \_\_\_\_\_ Date \_\_\_\_\_

## Kingsburg Elementary Charter School District Board Agenda Item

**NOTE:** All school employees (1) requesting to have an item placed on the Board agenda or (2) requesting to present an agenda item shall submit this completed form (signed by their site administrator) to the Superintendent at least 10 working days prior to the scheduled meeting date.

*\*All Board items are subject to approval by the Board President.*

**1. Agenda Item:**

CSPP Program Self-Evaluation (PSE) \_\_\_\_\_

**2. Agenda Item Category:**

Consent Agenda

☒ Action Item

Presentation

Public Hearing

Closed Session

**3. Submitted By:**

Bobby Rodriguez, Chief Business Official \_\_\_\_\_

**4. Attachments:**

Not Applicable

☒ To Be Enclosed with Board Packets

\*Overnight trip requests require itinerary, location, dates and flyer to be submitted to the Board

**5. Purpose:**

To approve the submission of the Program Self-Evaluation (PSE) to the California Department of Education (CDE) as a requirement of funding. The presentation of the Parent Survey, DRDP, classroom visitation, and QRIS rating all contributed to the completion of the PSE.

**6. Financial Impact:**

N/A

**7. Funding Source:**

Fund 12

**8. District Goals This Item Will Meet:**

☒ Increase Student Achievement

☒ Provide a Safe, Positive and Healthy Learning Environment

☒ Develop 21<sup>st</sup> Century Skills by Furthering the Use of Technology in the Classroom

☒ Increase Parent Involvement and Continue to Promote Public Relations  
Maintain a Sound Fiscal Condition - "Keep the Family Together!"





## Survey

### Statement of Completion

*By providing an electronic signature, I certify that an annual plan has been developed and implemented for the Program Self-Evaluation (PSE) that includes the use of the Program Instrument (PI), the Desired Results Parent Survey, and the Desired Results Development Profile and age-appropriate Environment Rating Scales for all applicable contract types, per California Code of Regulations, Title 5 (5 CCR), Section 17709.*

*I also certify that all documents required as part of the PSE have been completed and are available for review and/or for submittal upon request, and:*

- The [Program Instrument](#), including Items 1 through 20, as applicable, was used to complete the PSE, and*
- Staff and board members were involved in the PSE process*

**Reminder:** All supporting documents required as part of the PSE (see Statement of Completion) are to be kept on site and **shall not be included** with the submission of the PSE.

#### Respondent Electronic Signature

Bobby Rodriguez

#### Submission Date (MM/DD/YYYY)

05/16/2023

#### How have staff and board members been involved in the program self-evaluation process? (Select all that apply)

- ☒ Program staff and board members developed a written list of tasks needed to modify the program in order to address all areas that needed improvement
- ☒ Meeting(s) were held with board and staff to review program self-evaluation process
- ☒ Staff completed and/or reviewed the Environment Rating Scale (ERS) findings, Desired Results Developmental Profile - 2015 (DRDP-15), Parent Surveys, and the Program Instrument and developed an action plan to address areas in need of improvement
- ☒ The contractor identified areas that required modification in response to guidance released from CDE, and developed an action plan to respond to any changes in guidance (examples include newly issued Management Bulletins, EED webinars, and email communications)

☒ A summary of the PSE process and findings was presented to the board and gathered input from board members

☐ Other

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## PSE Fiscal Year 2022-23

### EED 01: Family Selection

**Families with children enrolled in the CSPP are selected according to the priorities of that program.**

- ☒ Meets requirements
- ☐ Needs improvement to meet requirements

**Evidence Reviewed:** *(Select all that apply)*

- ☒ Written admissions policies and procedures
- ☒ If applicable, a waitlist has been established and families are enrolled from the waitlist in priority order
- ☐ Other

**Describe the tasks needed to modify the program in order to address all areas identified through the PSE process as needing improvement in the EED 01: Family Selection section, including how those will be addressed in a timely and effective manner, or**

**Describe the procedures for the ongoing monitoring of the program to ensure that areas of the program that are satisfactory continue to meet standards:**

We will continue to enroll students based on our written policies and procedures. We will keep a waitlist of students when needed.

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## PSE Fiscal Year 2022-23

## EED 02: Family Eligibility Requirements

**Families with children enrolled in the program have met the eligibility requirements of the contract. A family data file has been established for each family that includes a completed application for services and supporting documentation of eligibility.**

- ☒ Meets requirements
- ☐ Needs improvement to meet requirements

**Evidence Reviewed:** *(Select all that apply)*

- ☒ Application for Services (CD 9600 or comparable form)
- ☒ Records of Eligibility and Family Size (If the site is an approved FRPM site, no documentation for eligibility or need required)
- ☒ Proof of California residency
- ☒ Income documentation, income calculation work sheet, and birth records
- ☒ 5% enrollment reserved for children with exceptional needs (IEP or IFSP)
- ☒ Written materials for parents include family eligibility requirements
- ☐ Other

**Describe the tasks needed to modify the program in order to address all areas identified through the PSE process as needing improvement in the EED 02: Family Eligibility Requirements section, including how those will be addressed in a timely and effective manner, or**

**Describe the procedures for the ongoing monitoring of the program to ensure that areas of the program that are satisfactory continue to meet standards:**

We will continue to comply with all areas of the evidence review to ensure that our families meet all the necessary criteria stated above.

## PSE Fiscal Year 2022-23

## EED 03: Child Need Requirement Verification for Full-Day CSPP

**Families with children enrolled in full-day services have met the need requirements, if applicable. Certified hours of services correspond to the need of the parent/caretaker, as documented by the contractor at the initial certification and recertification, or at the voluntary request of the family to increase or decrease the hours of need for service.**

- ☒ Meets requirements  
☐ Needs improvement to meet requirements

**Evidence Reviewed:** *(Select all that apply)*

- ☐ Completed Application for Services (CD 9600 or comparable form) to include hours of services  
☐ Documentation and Verification of Need for Services (If the site is an approved FRPM site, no documentation for eligibility or need required)  
☐ Need criteria, where applicable, has been documented and verified for one or more of the following: employment (including self-employment), employment in the home or licensed day-care, seeking employment, educational programs, vocational training, parent incapacitation, homeless, seeking permanent housing, exceptional needs, CPS, and/or identified or at-risk  
☐ Written materials for parents  
☒ Other

**Describe other evidence reviewed in the EED 03: Child Need Requirement Verification for Full-Day CSPP section not listed above:**

Our program is a CSPP part day program

**Describe the tasks needed to modify the program in order to address all areas identified through the PSE process as needing improvement in the EED 03: Child Need Requirement Verification for Full-Day CSPP section, including how those will be addressed in a timely and effective manner, or**

**Describe the procedures for the ongoing monitoring of the program to ensure that areas of the program that are satisfactory continue to meet standards:**

Our program is a CSPP part day program



## PSE Fiscal Year 2022-23

## EED 04: Correct Fee Assessed

Families with children enrolled are assessed the correct monthly fee according to the current Family Fee Schedule issued by the California Department of Education with the exception of families/children certified in a part-day/part-year CSPP program, families receiving CalWORKs cash aid, and CPS/at-risk families with referral for up to 12 months. Additional payments, in cash or in kind, as a condition of participation shall not be required or collected.

- ☒ Meets requirements  
☐ Needs improvement to meet requirements

**Evidence Reviewed:** *(Select all that apply)*

- ☐ Policies and procedures for fee assessment and collection  
☐ Family fee assessed correctly  
☐ Contractor has included on the notice of action the amount of the family fee assessed. The family fee is waived through June 30, 2023 and that family fee will be due beginning July 1, 2023  
☐ Receipts of Fee Collection  
☐ Receipts on the plan for payment of delinquent fees  
☒ Other

**Describe other evidence reviewed in the EED 04: Correct Fee Assessed section not listed above:**

Our program is a CSPP part day program

**Describe the tasks needed to modify the program in order to address all areas identified through the PSE process as needing improvement in the EED 04: Correct Fee Assessed section, including how those will be addressed in a timely and effective manner, or**

**Describe procedures for the ongoing monitoring of the program to ensure that areas of the program that are satisfactory continue to meet standards:**

Our program is a CSPP part day program

## PSE Fiscal Year 2022-23

## EED 05: Compliance with Due Process

**The contractor complies with the program's due process requirements, including: (1) providing parents with written information regarding their responsibility to comply with program rules; (2) issuing a notice of action where appropriate; and (3) establishing procedures for parental appeal of any contractor's decision contained in the notice of action.**

- ☒ Meets requirements  
☐ Needs improvement to meet requirements

**Evidence Reviewed:** *(Select all that apply)*

- ☒ Written policies and procedures are provided to parents regarding program rules and responsibilities
- ☒ Written policies and procedures regarding the parents right to appeal any action taken by the contractor
- ☒ A completed Notice of Action (NOA) issued to the parent(s) at initial certification and recertification
- ☒ A completed NOA is issued to the parent(s) when there is change of service
- ☒ NOAs were sent/delivered to the parent(s) within thirty (30) calendar days from the date the application for services was signed by the parent(s)
- ☒ Parents are provided 14 calendar days to appeal when the NOA is hand-delivered, or 19 calendar days to appeal when the NOA is mailed
- ☒ Parents are provided instructions on how to request an appeal hearing, as printed on the second page of NOA, form CD 7617 (or comparable form)
- ☒ For contractors that have a CSPP contract and a contract type that is administered by California Department of Social Services (CDSS), and the family has a child enrolled in each, two NOAs – one with appeal information for CDE and one with appeal information for CDSS, are issued to the parent(s)
- ☐ Other

**Describe the tasks needed to modify the program in order to address all areas identified through the PSE process as needing improvement in the EED 05: Compliance with Due Process section, including how those will be addressed in a timely and effective manner, or**

**Describe the procedures for the ongoing monitoring of the program to ensure that areas of the program that are satisfactory continue to meet standards:**

We will continue to adhere to the policies and procedures in completing an NOA, and provided information on how to appeal. Every parent is issued an NOA.

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## PSE Fiscal Year 2022-23

## EED 06: Recording and Reporting Attendance

**The program has adopted policies and procedures that are consistent with statutes and regulations on excused and unexcused absences. Documentation of recording and reporting attendance records are consistent with certified hours of enrollment that are established for the child/parent/guardian.**

- ☐ Meets requirements
- ☒ Needs improvement to meet requirements

**Evidence Reviewed:** *(Select all that apply)*

- ☒ Written policies constituting an excused absence for "family emergency" and "in the best interest of the child"
- ☒ System to organize and correctly record absences by category; Illness of child/parent, court ordered visitation, best interest (limited to 10 days per fiscal year except for CPS and at-risk children) abandonment of care, and family emergency
- ☐ Contractor has eliminated unexcused absence policies (5 CCR Section 17819.5)
- ☐ Written policy for abandonment of care
- ☒ Daily sign in/out sheets are used as primary source documents. The parent or other adult authorized shall enter time of arrival and departure on a sign-in/sign-out sheet and shall sign the sheet using their full signature
- ☐ For children dually enrolled in part-day CSPP and/or TK/K: First and last initials of the contractor's authorized representative along with a notation of the time are required to document when a school-age child departs for and returns from school during the day. (If applicable)
- ☐ Other

**Describe the tasks needed to modify the program in order to address all areas identified through the PSE process as needing improvement in the EED 06: Recording and Reporting Attendance section, including how those will be addressed in a timely and effective manner, or**

**Describe the procedures for the ongoing monitoring of the program to ensure that areas of the program that are satisfactory continue to meet standards:**

We are in the process of adding policies regarding abandonment of care and clarifying verbiage on unexcused absence policies.

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## **PSE Fiscal Year 2022-23**

### **EED 07: Parent Involvement and Education**

**There is a parent involvement and education component, including the sharing of program goals and structure with families. The program ensures that effective, two-way, comprehensive communication between staff and parents is carried out on a regular basis throughout the program year.**

- ☒ Meets requirements
- ☐ Needs improvement to meet requirements

**Evidence Reviewed:** *(Select all that apply)*

- ☒ The contractor offers a parent orientation and there is evidence of parent orientations occurring:
- ☒ Documentation of at least two (2) individual conferences with parents per year
- ☒ Open door policy statement
- ☒ Agenda and/or minutes of Parent Advisory Committee meetings
- ☒ Sharing of information between staff and parents concerning their child's progress
- ☒ Sharing information between staff and parents concerning their child's developmental profile (DRDP)
- ☒ Parent Education Meetings
- ☐ Other

**Evidence reviewed from parent orientations:** *(Select all that apply)*

- ☒ Parent orientation agendas
- ☒ Participant sign-in sheets
- ☒ Meeting minutes
- ☒ Handouts
- ☐ Other

**Evidence reviewed from shared information between staff and parents concerning their child's progress:**  
*(Select all that apply)*

- ☒ Parent bulletin board
- ☒ Newsletter - hard copy and/or electronic
- ☒ Survey
- ☐ Other

**Evidence reviewed from Parent Education Meetings:** *(Select all that apply)*

- ☒ Topics/Agendas
- ☒ Minutes
- ☒ Presentations/Materials
- ☒ Sign-in Sheets
- ☐ Other

**Parent Education opportunities offered to parents during FY 2022-23** *(Select all that apply)*

- ☒ Developmental domains covered in the Preschool Learning Foundations
- ☒ Child behaviors captured in the Desired Results Developmental Profile (DRDP) assessment to support parent observation
- ☒ Overview of the program's curriculum approach, including a timeline of learning topics and how to reinforce learning in the families' home
- ☒ The purpose of screening tools and family involvement in the screening process, such as the Ages & Stages Questionnaire
- ☒ Cultural engagement and fostering a sense of belonging, including uplifting and celebrating family cultures represented in the program
- ☐ Importance of bilingualism and strengthening the home language
- ☒ Connection to community resources, such as local libraries and community educational events
- ☒ Connection to health and social services in the community and an overview of the referral process
- ☒ Transitioning to Transitional Kindergarten or Kindergarten settings
- ☒ Promoting positive behaviors
- ☐ Toileting and potty training
- ☐ Other

**Please explain the tasks needed to modify the program in order to address all areas identified through the PSE process as needing improvement in the EED 07: Parent Involvement and Education section, including how those will be addressed in a timely and effective manner, or**  
**Describe the procedures for the ongoing monitoring of the program to ensure that areas of the program that are satisfactory continue to meet standards:**

We will continue to provide opportunities for our families to learn about all things related to our CSPP program. We will look to include information about bilingualism and strengthening the home language.

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## PSE Fiscal Year 2022-23

### EED 08: Health and Social Services

**The program includes identification of the child and family health and social service needs and makes referrals to appropriate agencies for services. The program conducts follow-up to ensure that identified needs have been met.**

- ☒ Meets requirements
- ☐ Needs improvement to meet requirements

**Evidence Reviewed:** *(Select all that apply)*

- ☒ Documentation used to identify child and family health and social service needs
- ☒ Documentation of referral process and referral list of appropriate agencies for services
- ☒ Completed child and/or family health and social service referral documents
- ☒ Written referral follow-up procedures
- ☒ Documented follow-up with parent to ensure health and social services needs have been met
- ☐ Other

**Describe the tasks needed to modify the program in order to address all areas identified through the PSE process as needing improvement in the EED 08: Health and Social Services section, including how those will be addressed in a timely and effective manner, or**

**Describe the procedures for the ongoing monitoring of the program to ensure that areas of the program that are satisfactory continue to meet standards:**

We will continue to provide our families with resources for their students as needed and continue to check in with them throughout the year for potentially additional resources.

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## PSE Fiscal Year 2022-23

### EED 09: Site Licensure and License Exempt

**Each site has a current license issued by the authorized licensing agency or is appropriately exempt from licensure.**

- ☒ Meets requirements
- ☐ Needs improvement to meet requirements

**Evidence Reviewed:** *(Select all that apply)*

- ☒ Current site or FCCHEN provider's facility license(s), if applicable
- ☒ Receipt for payment of the annual licensing fees, if applicable
- ☒ Site licensing reports and deficiency clearance(s), if applicable
- ☐ Exemption from Title 22 Licensing Requirements issued by the CDE, EED, if applicable
- ☐ Exemption from Title 22 Licensing Requirements issued by the CDE, EED posted in classroom, if applicable
- ☐ Otherwise exempt from Title 22 Licensing Requirements

**Describe the tasks needed to modify the program in order to address all areas identified through the PSE process as needing improvement in the EED 09: Site Licensure and License Exempt section, including how those will be addressed in a timely and effective manner, or**

**Describe the procedures for the ongoing monitoring of the program to ensure that areas of the program that are satisfactory continue to meet standards:**

We will continue to stay in good standing with our licensing.

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## PSE Fiscal Year 2022-23

### EED 10: Staff-Child Ratios

**The applicable staff-child ratios are met for each age group. Contractors shall maintain a minimum of: 1:8 adult-child ratio, 1:24 teacher-child ratio. Compliance with these ratios shall be determined based on actual attendance.**

- ☒ Meets requirements
- ☐ Needs improvement to meet requirements

**Evidence Reviewed:** *(Select all that apply)*

- ☒ Classroom personnel roster
- ☒ Classroom observation

**Describe the tasks needed to modify the program in order to address all areas identified through the PSE process as needing improvement in the EED 10: Staff-Child Ratios section, including how those will be addressed in a timely and effective manner, or**

**Describe the procedures for the ongoing monitoring of the program to ensure that areas of the program that are satisfactory continue to meet standards:**

Staying within our ratio is important for our staff and students alike. Therefore, we will continue to adhere to the 1:8 ratio.

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## PSE Fiscal Year 2022-23

### EED 11: Environment Rating Scales

**The program shall complete an environment rating scale to measure program quality for the appropriate age group and setting and shall achieve a rating of “Good,” defined as scoring at least an average of 5.0 on each subscale of the environment rating scale.**

- ☒ Meets requirements
- ☐ Needs improvement to meet requirements

**Evidence Reviewed:** *(Select all that apply)*

- ☒ Completed the Environment Rating Scale (ERS) for each classroom and/or Family Child Care Home
- ☒ Achieved a minimum average score of “Good” on each subscale (average score of 5.0 or higher) for each classroom and/or Family Childcare Home
- ☒ Completed corrective action plan for any ERS subscales that did not achieve a rating of “Good” or score of at least an average of 5.0 for each classroom and/or Family Childcare Home
- ☒ Completed ERS Summary of Findings report for each classroom, site, and the agency

**Describe the tasks needed to modify the program in order to address all areas identified through the PSE process as needing improvement in the EED 11: Environment Rating Scales section, including how those will be addressed in a timely and effective manner, or**

**Describe the procedures for the ongoing monitoring of the program to ensure that areas of the program that are satisfactory continue to meet standards:**

We will continue to complete the ERS and all the necessary components to remain in good standing with our licensing and families.

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## PSE Fiscal Year 2022-23

### EED 12: Nutrition

**The program provides for the nutritional needs of children in attendance.**

- ☒ Meets requirements
- ☐ Needs improvement to meet requirements

**Evidence Reviewed:** *(Select all that apply)*

- ☒ Menus showing that nutritious meals and snacks are provided
- ☒ Evidence showing that the nutritional requirements specified by the federal Child Care Food Program or the Nutritional School Lunch program are met
- ☒ Documentation and/or observation that meals and snacks are culturally and developmentally appropriate for the children being served
- ☒ Written policies to parent and/or providers regarding meals/snacks offered, meal service, child nutrition, and no additional fee to parents for meals/snacks served
- ☐ Other

**Describe the tasks needed to modify the program in order to address all areas identified through the PSE process as needing improvement in the EED 12: Nutrition section, including how those will be addressed in a timely and effective manner, or**

**Describe the procedures for the ongoing monitoring of the program to ensure that areas of the program that are satisfactory continue to meet standards:**

Child nutrition is very important to our families and students and we will continue to provide appropriate snacks that are in compliance.

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**PSE Fiscal Year 2022-23**

**EED 13: Developmental Profile**

**The program maintains the Desired Results Developmental Profile – 2015 (DRDP – 2015) and Desired Results parent survey data for children and families. The program uses the information to plan and conduct age and developmentally appropriate activities and to monitor family involvement and satisfaction.**

- ☒ Meets requirements
- ☐ Needs improvement to meet requirements

**Evidence Reviewed:** *(Select all that apply)*

- ☒ Results from the DRDP (2015) are used to plan and conduct age and developmentally appropriate activities. (i.e. lesson plans, concept webs, etc.)
- ☒ The Child's Developmental Progress forms for parent conferences (or similar) were individualized for each child
- ☒ Classroom/Site/Agency DRDP (2015) Summary of Findings
- ☒ Child Portfolios
- ☒ Parent-Teacher Conferences
- ☐ Other

**Evidence Reviewed from Child Portfolios:** *(Select all that apply)*

- ☒ A "child portfolio" with documentation to support the DRDP (2015) assessment including dated entries written anecdotal/observational notes by teachers and parents child's work samples, etc.
- ☒ Classroom/Site/Agency Group Data Summaries
- ☒ Utilizing DRDP Online
- ☐ Other

**Evidence Reviewed from Parent-Teacher Conferences:** *(Select all that apply)*

- ☒ Information from the DRDP-2015 is shared with parent
- ☒ For each Child Developmental Progress form (or similar) individualization, parental participation, and opportunities for discussion regarding that child's DRDP (2015) are indicated
- ☐ Other

**Select areas of strength in your observation, scoring, and using the results of DRDP data:** *(Select all that apply)*

- ☒ A bilingual staff person was able to observe dual language learner(s) using their home language
- ☒ Any necessary accommodations or adaptation were able to be made for assessing children with disabilities
- ☒ Staff were proactive in addressing any potential biases they might encounter when observing children
- ☒ Both the lead teacher and assistant teacher were able to provide documentation and discuss ratings for each child



- ☒ Multiple sources of documentation were used to complete the DRDP-2015 (e.g., parent observations, teacher observation of behavior, work samples etc.)
- ☒ Ratings were completed outside of time with children in the classroom
- ☒ Observations of math and literacy skills specifically were able to be embedded in small-group or center-time activities
- ☒ Staff were able to practice individualization with children to scaffold them along the developmental continuum within each measure
- ☒ Results were communicated to parents by providing printed reports in addition to verbal information during the parent-teacher conference
- ☐ Used the DRDP Portfolio App to record and visualize data
- ☒ Used the support of a vendor to record and visualize data
- ☒ Used results to inform curriculum planning and implementation

**Describe the tasks needed to modify the program in order to address all areas identified through the PSE process as needing improvement in the EED 13: Developmental Profile section, including how those will be addressed in a timely and effective manner, *or***

**Describe the procedures for the ongoing monitoring of the program to ensure that areas of the program that are satisfactory continue to meet standards:**

We will continue to utilize the DRDP to assess our children and their progress. Information will continue to be shared with our families throughout the year.

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## PSE Fiscal Year 2022-23

## EED 14: Staff Qualifications

**Each program staff is qualified for the position they hold. Each program operating two or more sites or family child care homes has a qualified program director. Each program with more than one site has a qualified site supervisor at each site. Each site has qualified teachers.**

- ☒ Meets requirements  
☐ Needs improvement to meet requirements

**Evidence Reviewed:** *(Select all that apply)*

- ☒ Personnel Rosters for each Classroom  
☒ Copies of current permits, credentials, or certificates for each teacher, site supervisors, and program director or waiver issued  
☒ Site supervisor qualification waiver issued by the CDE, if applicable  
☒ Program Director qualification waiver issued by the CDE, if applicable

**Describe the tasks needed to modify the program in order to address all areas identified through the PSE process as needing improvement in the EED 14: Staff Qualifications section, including how those will be addressed in a timely and effective manner, or**

**Describe the procedures for the ongoing monitoring of the program to ensure that areas of the program that are satisfactory continue to meet standards:**

Our staff meets the requirements for working in the CSPP program, and continue to do a great job with our students and families.

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## PSE Fiscal Year 2022-23

### EED 15: Staff Professional Development Program

**The program has developed and implemented a staff development component for staff.**

- ☒ Meets requirements
- ☐ Needs improvement to meet requirements

**Evidence Reviewed:** *(Select all that apply)*

- ☒ An orientation plan for new employees
- ☒ Agendas, minutes, and sign-in sheets for staff development meetings, workshops and conference attendance
- ☒ Identification of training needs of staff or service providers, aligned to the Desired Results System
- ☒ Written job descriptions
- ☒ Annual written performance evaluations, unless another frequency is specified in their bargaining agreement
- ☒ Internal communication system that support each staff with information necessary to carry out their assigned duties
- ☐ Other

**Which professional development topic areas did your staff participate in one-time or multi-day workshops or trainings:** *(Select all that apply)*

- ☒ Effective adult-child interactions aligned to the Classroom Assessment Scoring System (CLASS).
- ☒ Children's literacy and language development (aligned with the California Preschool Learning Foundations and the California Preschool Curriculum Frameworks)
- ☒ Children's developing math and science skills (aligned with the California Preschool Learning Foundations and the California Preschool Curriculum Frameworks)
- ☒ Children's social-emotional development (aligned with the California Preschool Learning Foundations and the California Preschool Curriculum Frameworks)
- ☒ Implicit bias and culturally- and linguistically-responsive practice
- ☒ Adverse Childhood Experiences (ACEs) and trauma- and healing-informed practice to support children's mental health
- ☒ Curriculum implementation and learning activity plans aligned to the California Preschool Curriculum Frameworks
- ☒ Creating developmentally appropriate environments, aligned to the ERS
- ☒ Administration and use of the Desired Results Developmental Profile to inform instruction
- ☒ Administration and use of a screening tool, like the Ages & Stages Questionnaire, to identify potential developmental delays
- ☒ Support for multilingual learners, including home language development and strategies for a bilingual classroom
- ☒ Serving children with disabilities in inclusive settings, including Universal Design for Learning and the Teaching Pyramid
- ☒ Strategies to prevent suspensions and expulsions, such as Positive Behavioral Interventions & Strategies (PBIS)

- ☒ Engaging racially, culturally- and linguistically-diverse families
- ☒ Referral and follow-up procedures for health and social services
- ☒ Collecting, analyzing and applying data to inform continuous program quality improvement
- ☐ Other

**Which professional development topics areas did you staff receive ongoing, job-embedded coaching (e.g., monthly):** *(Select all that apply)*

- ☒ Effective adult-child interactions aligned to the Classroom Assessment Scoring System (CLASS).
- ☒ Children's literacy and language development (aligned with the California Preschool Learning Foundations and the California Preschool Curriculum Frameworks)
- ☒ Children's developing math and science skills (aligned with the California Preschool Learning Foundations and the California Preschool Curriculum Frameworks)
- ☒ Children's social-emotional development (aligned with the California Preschool Learning Foundations and the California Preschool Curriculum Frameworks)
- ☐ Implicit bias and racially, culturally- and linguistically-responsive practice
- ☒ Adverse Childhood Experiences (ACEs) and trauma- and healing-informed practice to support children's mental health
- ☐ Curriculum implementation and learning activity plans aligned to the California Preschool Curriculum Frameworks
- ☒ Creating developmentally-informed environments, aligned to the ERS
- ☒ Administration and use of the Desired Results Developmental Profile to inform instruction
- ☒ Administration and use of a screening tool, like the Ages & Stages Questionnaire, to identify potential developmental delays
- ☒ Support for multilingual learners, including home language development and strategies for a bilingual classroom
- ☒ Serving children with disabilities in inclusive settings, including Universal Design for Learning and the Teaching Pyramid
- ☒ Strategies to prevent suspensions and expulsions, such as Positive Behavioral Interventions & Strategies (PBIS)
- ☐ Engaging racially, culturally- and linguistically-diverse families
- ☒ Child and family identification for health and social service needs, written referrals and written follow-up procedures to ensure health and social service needs have been met
- ☐ Other

**Describe the tasks needed to modify the program in order to address all areas identified through the PSE process as needing improvement in the EED 15: Staff Professional Development Program section, including how those will be addressed in a timely and effective manner, or**

**Describe the procedures for the ongoing monitoring of the program to ensure that areas of the program that are satisfactory continue to meet standards:**

Staff development is stressed so we may continue to grow and learn as our children coming in will be younger. The importance of professional development cannot be overstated as any opportunity a staff member wishes to attend, we attempt to provide that to them. The District includes the CSPP staff in district wide professional development opportunities as well.



## PSE Fiscal Year 2022-23

### EED 16: Prohibition Against Religious Instruction or Worship

**The program has developed and implemented a staff development component for staff.**

- ☒ Meets requirements
- ☐ Needs improvement to meet requirements

**Evidence Reviewed:** *(Select all that apply)*

- ☒ Written information that the program refrains from religious instruction and worship
- ☐ Other

**Describe the tasks needed to modify the program in order to address all areas identified through the PSE process as needing improvement in the EED 16: Prohibition Against Religious Instruction or Worship section, including how those will be addressed in a timely and effective manner, or**

**Describe the procedures for the ongoing monitoring of the program to ensure that areas of the program that are satisfactory continue to meet standards:**

Our handbook specifically states that we refrain from all religious instruction and worship.

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## PSE Fiscal Year 2022-23

## EED 17: Inventory Records

**The CSPP contractor maintains an inventory record for all equipment and all non-disposable items with an estimated useful life of more than one year, purchased in whole or in part with early learning and care contract funds, shall be maintained.**

- ☒ Meets requirements
- ☐ Needs improvements to meet requirements

**Evidence Reviewed:** *(Select all that apply)*

- ☒ Inventory Record
- ☒ Evidence of contractor conducting a physical check of the inventory of equipment within the last two years
- ☒ Procedures for procurement of goods and services that prohibit conflicts of interest and ensure competition for non-LEA's

**Inventory Record Acquisition Descriptions of:** *(Select all that apply)*

- ☒ Item Description
- ☒ Serial or identification number
- ☒ Funding source
- ☒ Acquisition date
- ☒ Cost
- ☒ Location of item
- ☐ Use
- ☐ Current condition
- ☒ Transfer, replacement, or disposition of obsolete or unusable equipment

**Describe the tasks needed to modify the program in order to address all areas identified through the PSE process as needing improvement in the EED 17: Inventory Records section, including how those will be addressed in a timely and effective manner, or**

**Describe the procedures for the ongoing monitoring of the program to ensure that areas of the program that are satisfactory continue to meet standards:**

We will continue to work on a more detailed inventory record in the future.

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## PSE Fiscal Year 2022-23

### EED 18: Program Self-Evaluation Process

**The program has developed and implemented an annual evaluation plan that addresses any areas identified during the self-evaluation as needing improvement.**

- ☒ Meets requirements
- ☐ Needs improvement to meet requirements

**Evidence Reviewed:** *(Select all that apply)*

- ☒ Completed Agency Self Evaluation Report or Program Action Plan
- ☒ An assessment/written documentation of the program by staff and board members
- ☒ Program Review Instrument Findings (EED 1-20)
- ☒ Desired Results Developmental Profile Findings
- ☒ Environmental Rating Scales Findings
- ☒ Desired Results Parent Survey Findings
- ☒ An analysis of the findings

**Evidence Reviewed for the analysis of the findings:** *(Select all that apply)*

- ☒ A written plan for program improvements identified on the Program Self Evaluation
- ☒ Evidence of ongoing monitoring to ensure that items that met requirements on the Program Self-Evaluation continue to meet requirements
- ☒ Modifications made for areas identified during the self-evaluation as needing improvement

**Describe the tasks needed to modify the program in order to address all areas identified through the PSE process as needing improvement in the EED 18: Program Self-Evaluation section, including how those will be addressed in a timely and effective manner, or**

**Describe the procedures for the ongoing monitoring of the program to ensure that areas of the program that are satisfactory continue to meet standards:**

The annual evaluation provides opportunities to see our program's progress and provide input from all key educational partners in how to continue to elevate our program.

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## PSE Fiscal Year 2022-23

### EED 19: Fiscal Reporting

**The program has submitted fiscal attendance and accounting reports for each contract to CDE consistent with the laws for state or federal fiscal reporting and accounting.**

- ☒ Meets requirements
- ☐ Needs improvement to meet requirements

**Evidence Reviewed:** *(Select all that apply)*

- ☒ Evidence that expenditures and claims for reimbursement are substantiated with supporting documentation
- ☒ Fiscal attendance and accounting reports are submitted on time

**Describe the tasks needed to modify the program in order to address all areas identified through the PSE process as needing improvement in the EED 19: Fiscal Reporting section, including how those will be addressed in a timely and effective manner, or**

**Describe the procedures for the ongoing monitoring of the program to ensure that areas of the program that are satisfactory continue to meet standards:**

Reporting is conducted quarterly and submitted in the CPARIS system on time.

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## PSE Fiscal Year 2022-23

### EED 20: Annual Fiscal Audit

**The program has submitted to CDE's Office of External Audits an acceptable financial and compliance audit.**

- ☒ Meets requirements
- ☐ Needs improvement to meet requirements

**Evidence Reviewed:** *(Select all that apply)*

- ☒ Evidence that the annual Fiscal Audit was submitted to CDE timely
- ☐ If applicable, follow-up to any findings identified in the audit report

**Describe the tasks needed to modify the program in order to address all areas identified through the PSE process as needing improvement in the EED 20: Annual Fiscal Audit section, including how those will be addressed in a timely and effective manner, or**

**Describe the procedures for the ongoing monitoring of the program to ensure that areas of the program that are satisfactory continue to meet standards:**

The annual audit is completed and filed by an external auditing firm and the report is submitted in a timely manner to the CDE. Any finding related to the CSPP program would be identified and corrected, as needed.



## Authorization Page

☒ *By providing an electronic signature, I authorize that the responses provided in this survey were accurate to the best of my knowledge regarding my agency's Program Self-Evaluation for Fiscal Year 2022-23.*

### Respondent Electronic Signature

Bobby Rodriguez

### Submission Date (MM/DD/YYYY)

05/16/2023

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# Kingsburg Elementary Charter School District

## Board Agenda Item

**NOTE:** All school employees (1) requesting to have an item placed on the Board agenda or (2) requesting to present an agenda item shall submit this completed form (signed by their site administrator) to the Superintendent at least 10 working days prior to the scheduled meeting date.

*\*All Board items are subject to approval by the Board President.*

**1. Agenda Item:**

Contract -Metamorphosis (Preschool/TK SLP sub coverage)

**2. Agenda Item Category:**

Consent Agenda

✓ Action Item

Presentation

Public Hearing

Closed Session

**3. Submitted By:**

Erin Pasillas

**4. Attachments:**

Not Applicable

✓ To Be Enclosed with Board Packets

\*Overnight trip requests require itinerary, location, dates and flyer to be submitted to the Board

**5. Purpose:**

In the absence of the availability of credentialed SLP substitutes, and the lack of time available for other District SLPs to cover, and in order to maintain compliance with IEP requirements, I sought out a contract with a local SLP provider, Metamorphosis Therapy Group to provide services to students in the absence of Karissa Albani this Fall.

**6. Financial Impact:**

Not to exceed 63,000.00.

**7. Funding Source:**

ESSR3 funds- 0000-32130-0-5760-3150-580000-000

**8. District Goals This Item Will Meet:**

✓ Increase Student Achievement

✓ Provide a Safe, Positive and Healthy Learning Environment

Develop 21<sup>st</sup> Century Skills by Furthering the Use of Technology in the Classroom

Increase Parent Involvement and Continue to Promote Public Relations

Maintain a Sound Fiscal Condition - "Keep the Family Together!"



## **Speech/Language Pathologist School Services Contract**

This contract made this 30th day of September, 2022, contains any and all agreements by and between **KINGSBURG ELEMENTARY CHARTER School District** (District) and Metamorphosis Therapy Group, Inc (the Contractor). It is understood that the Contractor will be providing Speech/Language Pathology (SLP) services to **KINGSBURG ELEMENTARY CHARTER School District** commencing on the 14th day of August, 2023, through June 30, 2024. There shall be no extension of the Term of this Agreement without the express written consent from all parties. In the event of early termination, Contractor shall be paid for satisfactory work performed to the date of termination. Upon payment by District, District shall be under no further obligation to Contractor, monetarily or otherwise, and District may proceed with the work in any manner District deems proper.

### **1. Contractor services**

#### **Metamorphosis Therapy Group, Inc agrees:**

- To provide a licensed Speech/Language Pathologist and/or Speech Language Pathologist Assistant
- To provide complete IEPs within district parameters including case managing/writing speech only IEPs, contributing with updating previous goals, present levels, proposed goals, and service recommendations for students whom the Contractor is not case managing
- Attend IEPs virtually as required by the district
- To report student progress within IEP progress reporting periods as determined by the District
- To provide the school district with a copy of the SLP/SLPA's licensure
- To maintain confidentiality of student records as required by state law and professional standards
- All reports, files, and records relating to the business of **KINGSBURG ELEMENTARY CHARTER School District**, whether prepared by the Contractor or otherwise coming into the Contractor's possession, shall remain the exclusive property of **KINGSBURG ELEMENTARY CHARTER School District**. Forms, documents, or other inventions created by the Contractor prior to or while under contract with **KINGSBURG ELEMENTARY CHARTER School District**, outside of reports completed for the business of **KINGSBURG ELEMENTARY CHARTER School District**, are the property of the Contractor.



- To complete a caseload analysis with the District in order to bid a fair estimate of reasonable and effective services utilizing a workload approach to determining caseload coverage.

## 2. District Obligations

### **KINGSBURG ELEMENTARY CHARTER School District agrees:**

- To provide technology equipment (e.g., computer, high-speed internet, headset, webcam) and a suitable work area for students to receive Speech services via telehealth if being served virtually
- To provide a suitable area to work with students when on-site to provide direct services
- To provide a point of contact at each school site
- To maintain confidentiality of professional reports as required by state law or professional standards
- To provide necessary information regarding each student to be serviced by the Contractor
- To provide the Contractor with access to student records in order to provide services consistent with the student's IEP
- To provide the Contractor with a schedule of students to be serviced

## 3. Term

This contract may be terminated by either party as long as written notice is given at least thirty (30) days in advance. Written notice by the District Superintendent or designee shall be sufficient to stop further performance of the Services by Contractor or the Contractor Parties.

## 4. California Residency

Contractor and the Contractor Parties shall be residents of the State of California.

## 5. Insurance

Contractor shall secure and maintain throughout the term of this Agreement the following insurance: comprehensive general liability insurance with limits of not less than \$1,000,000 each occurrence and \$1,000,00 in the aggregate; and neither Contractor nor any of the Contractor Parties shall commence performing any portion of the Services until all required insurance has been obtained and certificates indicating the required coverages have been delivered to and approved by District. All insurance policies shall include an endorsement stating that District and District Parties are named additional insureds. All of the policies shall be amended to provide that the insurance shall not be suspended, voided, canceled, reduced in coverage or in limits except after thirty (30) days' prior written notice has been given to



District. If any of the required insurance is not reinstated, District may, at its sole option, terminate this Agreement.

## 6. Engagement

Subject to the terms and conditions of this agreement, **KINGSBURG ELEMENTARY CHARTER School District** engages Metamorphosis Therapy Group, Inc (the Contractor) as an independent contractor to perform the services set forth herein, and the Contractor hereby accepts such engagement. This agreement shall not render the Contractor an employee, partner, agent of, or joint venture partner with **KINGSBURG ELEMENTARY CHARTER School District** for any purpose. **KINGSBURG ELEMENTARY CHARTER School District** shall not be responsible for withholding taxes with respect to the Contractor's compensation. The Contractor shall have no claim against **KINGSBURG ELEMENTARY CHARTER School District** or otherwise for vacation pay, sick leave, retirement benefits, social security, worker's compensation, health or disability benefits, unemployment insurance, or employee benefits of any kind.

## 7. Nature of Duties

Duties will be completed both **in-person and virtually**. Duties may include, but are not limited to:

- review of academic records;
- individual and group therapy sessions;
- student observations;
- report writing;
- parent, teacher, and/or service provider consultation;
- attendance at team meetings including IEPS via telephone or videoconference, as requested
- Medi-Cal billing
- IEP preparation
- Assessments with standardized and non-standardized assessments
- All above mentioned duties not able to be completed remotely.

The SLP portion of the contract will be for case management, preparation of IEPs, attendance of IEP meetings, and assessment with SLPA support. All SLP duties shall be



remote, with all SLPA duties served in person.

Contractor agrees to render services under this agreement in a professional manner and in compliance with all state and federal laws including the ethical principles of respective professional affiliations.

#### 8. Availability of Funds, Budget and Fiscal Provision, and Termination in the Event of Non-Appropriation

- a. This Agreement is subject to the budget and fiscal policies, regulations, and practices of the District.
- b. The amount of the District's obligation hereunder shall not at any time exceed the amount herein stated.
- c. The District has no obligation to renew this Agreement after expiration of its term. If funds are appropriated for a portion of a fiscal year, this Agreement will terminate, without penalty, at the end of the term for which funds are appropriated.
- d. The contractor will provide the school district with itemized invoices no later than the 5<sup>th</sup> day of each month for prompt payment or by board agenda due date, whichever date comes first, to ensure prompt payment of services rendered
- d. This section controls against any and all other provisions of this Agreement.

#### 9. Compensation

The **KINGSBURG ELEMENTARY CHARTER School District** agrees to compensate Metamorphosis Therapy Group, Inc at a rate of \$150 (one hundred fifty dollars) per hour for all hours of service rendered by licensed SLPs, and \$125 (one hundred twenty five dollars) for services rendered by a licensed SLPA. It is understood that all evaluations, documentation, data entry, participation in IEP and 504 meetings as well as consultation with teachers and parents are included within the hourly rate by the professional conducting them. In the event of no show (cancellation with less than 24 hours notice) for an IEP, assessment, or therapy, Contractor will be paid the hourly rate for up to one hour of scheduled time. Contractor is not required to make up sessions due to special school events, holidays, weather related closures/delays or school closures. Make-up sessions to meet IEP minutes in the event of a scheduled or unscheduled school closure may be made up if the district requests such in writing. Service time allocation of up to 30 hours provided by a SLPA, and 10 hours provided by an SLP for a total of 40 hours/weekly.





Payments shall be made within 45 days from the date services are provided and billed for. Payments received after 45 days will be charged a late penalty of 5% of the balance per day late. The total paid to Metamorphosis Therapy Group Inc under this Agreement shall not exceed **\$5,250.00**, with \$3750.00 for 30 hours of SLPA coverage and \$1500.00 for 10 hours of SLP coverage excluding any late fees assessed, which may bring the total paid above this amount. If the scope of work described herein is increased or revised, the Agreement amount may also be increased provided that there is a prior written modification to the Agreement and a Board Resolution authorizing said increases. It shall be the responsibility of Metamorphosis Therapy Group Inc and the District to ensure that the total approved amount of the Agreement is not exceeded. Any work performed in excess of said amount shall not be compensated.

#### 10. Indemnity

**KINGSBURG ELEMENTARY CHARTER School District** shall defend, indemnify, and hold harmless Contractor and its agents, representatives, officers, consultants, employees from and against any and all claims, demands, liabilities, damages, losses, suits and actions, and expenses (including, but not limited to attorney fees and costs including fees of consultants) of any kind, nature and description (collectively, the "Claims") directly or indirectly arising out of, connected with, or resulting from any act, error, omission, negligence, or willful misconduct of **KINGSBURG ELEMENTARY CHARTER School District**, the **KINGSBURG ELEMENTARY CHARTER School District** Parties or their respective agents, sub consultants, employees, material or equipment suppliers, invitees, or licensees in the performance of or failure to perform **KINGSBURG ELEMENTARY CHARTER School District** obligations under this Agreement, including, but not limited to **KINGSBURG ELEMENTARY CHARTER School District's** or the **KINGSBURG ELEMENTARY CHARTER School District** use of the site, **KINGSBURG ELEMENTARY CHARTER School District** or the **KINGSBURG ELEMENTARY CHARTER School District's** performance of the Services, **KINGSBURG ELEMENTARY CHARTER School District's** breach of any of the representations or warranties contained in this Agreement, or for injury to or death of persons or damage to property or delay or damage to the Contractor or Contractor's Parties. Such obligation shall not be construed to negate, abridge, or reduce other rights or obligations of indemnity, which would otherwise exist as to a party, person, or entity described in this paragraph.

#### 11. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the State of California, excluding its choice of law rules. Any action or proceeding seeking any relief under or with respect to this Agreement shall be brought solely in the Superior Court of the State of California for the County of Fresno, subject to transfer of venue under applicable State law,





provided that nothing in this Agreement shall constitute a waiver of immunity to suit by the Contractor.

**12. Written Notice**

Written notice shall be deemed to have been duly served if delivered in person to District at the address located next to the party signatures below, or if delivered at or sent by registered or certified mail to the last business address known to the person who sends the notice.

**13. Compliance with Law**

Each and every provision of law and clause required by law to be inserted into this Agreement shall be deemed to be inserted herein and this Agreement shall be read and enforced as though it were included therein. Contractor shall comply with all applicable federal, state, and local laws, rules, regulations and ordinances, and confidentiality of records. Contractor agrees that it shall comply with all legal requirements for the performance of duties under this agreement and that failure to do so shall constitute material breach.

Contractor shall protect all confidential information using HIPAA and FERPA compliant procedures including but not limited to utilizing encrypted email, password protected technology, employing cyber security measures, and following all of district internal policies regarding safeguarding student personal data.

**14. Non-Discrimination**

Contractor agrees that it shall not discriminate on the basis of sex, race, religious creed, national origin, age, marital status, sexual orientation, gender identity, AIDS/ARC/HIV status, or disability, in its performance under this Agreement. Contractor acknowledges that, pursuant to the Americans with Disabilities Act (ADA), programs, services, and other activities provided by a public entity to the public, whether directly or through a contractor, must be accessible to persons with disabilities. Contractor agrees not to discriminate against persons with disabilities in the provision of services, products, benefits, or activities provided in the Contract of Agreement, and further agrees that no violation of this prohibition on the part of the Contractor shall constitute a material breach of the Contract or Agreement.

**15. Attorney Fees**

If any legal action is taken to enforce the terms of this Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees and other reasonable costs and expenses incurred in connection with that legal action.

**16. Time**

Time is of the essence to this Agreement.

**17. Waiver**



No delay or omission by Contractor in exercising any right under this Agreement shall operate as a waiver of that or any other right and no single or partial exercise of any right shall preclude the Contractor from any or further exercise of any right or remedy.

**18. Entire Agreement**

This Agreement is intended by the parties as the final expression of their agreement with respect to such terms as are included herein and as the complete and exclusive statement of its terms and may not be contradicted by evidence of any prior agreement or of a contemporaneous oral agreement, nor explained or supplemented by evidence of consistent additional terms.

**19. Ambiguity**

The parties to this Agreement, and each of them, hereby represent that the language contained herein is to be construed as jointly proposed and jointly accepted, and in the event of any subsequent determination of ambiguity, all parties shall be treated as equally responsible for such ambiguity.

**20. Execution of Other Documents**

The parties to this Agreement shall cooperate fully in the execution of any and all other documents and in the completion of any additional actions that may be necessary or appropriate to give full force and effect to the terms and intent of this Agreement.

**21. Execution in Counterparts/Authority**

This Agreement may be executed in counterparts such that the signatures may appear on separate signature pages. A copy, facsimile, or an original, with all signatures appended together, shall be deemed a fully executed agreement.

The above contract contains the entire agreement between Metamorphosis Therapy Group, Inc and **KINGSBURG ELEMENTARY CHARTER School District**. Any amendments or changes must be executed in the same manner as this contract.

**22. Warranty of Authority**

The persons indicated below are legally authorized to execute this Agreement on behalf of the respective parties, and to bind the respective parties to this Agreement.

I agree to all stipulations of the above contract:

**Metamorphosis Therapy Group, Inc**

**265 West Bullard suite 102  
Fresno, CA 93704**

**KINGSBURG ELEMENTARY CHARTER  
School District**

**2455 14<sup>th</sup> Street  
Kingsburg CA 93631**



By: \_\_\_\_\_  
Courtney Gebhart  
CEO

By: \_\_\_\_\_  
Dr. Wesley Sever  
District Superintendent

Date: \_\_\_\_\_

Date: \_\_\_\_\_

# Kingsburg Elementary Charter School District

## Board Agenda Item

**NOTE:** All school employees (1) requesting to have an item placed on the Board agenda or (2) requesting to present an agenda item shall submit this completed form (signed by their site administrator) to the Superintendent at least 10 working days prior to the scheduled meeting date.

*\*All Board items are subject to approval by the Board President.*

**1. Agenda Item:**

Contract - E-Therapy- SLP 1.0FTE for 6-8th & CVHS

**2. Agenda Item Category:**

Consent Agenda

✓ Action Item

Presentation

Public Hearing

Closed Session

**3. Submitted By:**

Erin Pasillas

**4. Attachments:**

Not Applicable

✓ To Be Enclosed with Board Packets

\*Overnight trip requests require itinerary, location, dates and flyer to be submitted to the Board

**5. Purpose:**

In the absence of the availability of credentialed SLP candidates for our SLP position that has been posted for a full school year, and in order to maintain compliance with IEP requirements and caseload caps outlined in Board Policy this contract would provide a 1.0FTE SLP, contracted through E-Therapy, for teletherapy services for the 2023-2024 school year. If an in-person candidate were to apply and be hired, the contract could be ended with 30 days written notice.

**6. Financial Impact:**

Not to exceed 107,100.00.

**7. Funding Source:**

ESSR3 funds- 0000-32130-0-5760-3150-580000-000 and then Special Education funding thereafter.

**8. District Goals This Item Will Meet:**

✓ Increase Student Achievement

✓ Provide a Safe, Positive and Healthy Learning Environment

Develop 21<sup>st</sup> Century Skills by Furthering the Use of Technology in the Classroom

Increase Parent Involvement and Continue to Promote Public Relations

Maintain a Sound Fiscal Condition - "Keep the Family Together!"



**AGREEMENT BETWEEN E-THERAPY AND  
KINGSBURG ELEMENTARY CHARTER SCHOOL DISTRICT  
May 18, 2023**

This AGREEMENT is made between KINGSBURG ELEMENTARY CHARTER SCHOOL DISTRICT (here in after referred to as "KECSD") at 1310 Stroud Avenue, Kingsburg, CA 93631 and E-Therapy, LLC at P.O. Box 843453, Dallas, TX 75284-3453 (hereinafter referred to as "Provider") and jointly as PARTIES.

**KECSD Responsibilities:**

KECSD agrees to:

- Utilize Provider's services for 5 days per week for the 2023 – 2024 school year at a rate of \$630.00 per day which includes the delivery of all direct and indirect services (see last page for a list of all direct and indirect services and caseload expectations). Additional services not covered under the days per week rate are listed individually with their rates.
- Services; E-Therapy agrees to provide to KECSD is 1.0 FTE Therapist which will be equivalent to 5 days per week.
- FTE Therapist: 1.0 FTE = (35 hours per school week) for 170 instructional days and a caseload not to exceed 55 students per therapist.

**Provider Responsibilities:**

Provider agrees to:

- Provide direct teletherapy and indirect services which include: speech therapy, counseling, social work, occupational therapy, psychological services, and physical therapy at the rates provided on the rates page (last page).
- Submit invoices for billing
- Ensure services are delivered in accordance with the student's IEP
- Establish new educational therapy goals on an annual basis, or as required
- Provide KECSD with access to E-Therapy's STAR system for KECSD to refer students; access service session information and documentation; and access billing invoicing and billing history, and other information as applicable.

**Confidential Information**

- KECSD and Provider understand and agree that they will not disclose any information related to the business terms of this AGREEMENT to any third party or publicly in any format, which is not already public knowledge.
- KECSD and Provider understand and agree that they will not disclose any information related to each party's operations and technology or intellectual property assets, learned over the course of doing business under this agreement to any third party or publicly in any format, which is not already public knowledge.
- This Confidential Information will continue for a period of 2 years after the termination of this AGREEMENT and will not apply to any Confidential Information that becomes public in the future.
- Confidential Information may be released pursuant to any legal requests, court orders, governmental agency/body requirements, or any other regulatory directives KECSD may be required to comply with.

**Ownership and Intellectual Property**

KECSD understands that Provider is providing a proprietary solution and agrees that it will not copy or reproduce Provider's solution, in part or in whole, or in any form whatsoever, including for commercial purposes KECSD agrees to keep confidential any materials it receives that relate to Provider's solution, including any code, technology architecture, or any other technical or solution related operating materials.

**Contractor Status and Applicable Law:**

KECSD and Provider understand and agree that the Provider is acting and performing as an independent contractor at all times. Provider and KECSD must fully comply with all applicable provisions of law and other rules and regulations of any and all governmental authorities relating to licensure and the regulation of the Provider and KECSD.

**Term:**

This AGREEMENT shall be for an initial term beginning August 21, 2023 to June 30, 2024. The AGREEMENT will automatically renew for successive periods of one year each unless either Party gives written notice of non-renewal at least 60 days before expiration of the then-current term.

Either Party may terminate this Agreement, as applicable, in the event of a material breach of the other Parties' obligations, if the breaching Party fails to cure the breach within thirty (30) days after receiving written specific notice of the breach being asserted. Either Party may terminate this Agreement at any time without cause by providing thirty (30) days' prior written notice.

**Written Notices:**

- Written Notices directed to KECSD should be sent via Certified Mail to above address
- Written Notices directed to Provider should be sent via Certified Mail to above address

**Non-Solicitation:**

KECSD agrees to not directly hire any therapist that is contracted or has been contracted by Provider to serve KECSD in order to provide services independently of Provider during the contract and for a period of 1 year after the contract terminates.

**Transfer and Assignment:**

KECSD and Provider may assign its rights and obligations hereunder to an affiliate under common corporate control or to a company owned by any of Parties' current shareholders or to a purchaser of all or substantially all of the Parties equity and/or assets. In all other cases of Transfers and/or Assignments, KECSD and Provider shall have the right to assign any and all rights and duties acquired by it hereunder, subject to the other Party's consent, which shall not be unreasonably withheld, conditioned or delayed.

**Law of State to Govern:**

The validity, enforceability and interpretation of any of the clauses of this AGREEMENT will be determined and governed by the substantive and procedural laws of the state of Arizona.

**Scope of AGREEMENT:**

This AGREEMENT constitutes the final, complete and entire contract between the parties and supersedes all prior and contemporaneous agreements, understandings, negotiations and discussions of the parties, whether written or oral. There are no representations or other agreements included. No supplemental modification or waiver of this AGREEMENT will be binding unless executed in writing by the parties to be bound thereby.

**Amendments:**

This AGREEMENT may be amended at any time by mutual agreement of the parties. However, before any amendment will be operative or valid, it must be in writing and signed by both the Provider and KECSD.

**Payment:**

Payment will be made by KECSD within thirty (30) days of receipt of Provider's invoice. Payments made be made electronically via ACH or mailed to E-Therapy, LLC at P.O. Box 843453, Dallas, TX 75284-3453. Late payments may be subject to a 2.5% late payment fee.

THE PARTIES execute this AGREEMENT:

By:

Printed Name:

Title:

KINGSBURG ELEMENTARY CHARTER SCHOOL  
DISTRICT

Date:

Name:

Title:

E-Therapy

Date:

Signature

Signature

### Therapy Rates

#### Daily Rates For Provider Services:

<ul style="list-style-type: none"><li>Daily Rate: Includes All Direct &amp; Indirect Services</li></ul>	\$630.00 Per Day per Therapist *
Direct Services Include: <ul style="list-style-type: none"><li>All direct therapist sessions (speech, ot, pt counseling/social work conducted in 1:1 sessions and/or group sessions); evaluations; assessments; screenings; late cancels, and no shows</li></ul>	
Indirect Therapy Services, Includes: <ul style="list-style-type: none"><li>Progress Reports; Case Management; Progress Reports; IEP meeting attendance, writing of the IEP paperwork; Student Consults; Staff Consults; Review of records; Progress Monitoring; Requested Supervision; Session documentation; Session set-up and preparation time; any other requested/required meetings (IEP Meetings) and/or paperwork; and/or specific billing protocols (i.e. Medicaid if applicable)</li></ul>	
<i>* Billing exempted on: national school holidays, school closures due to weather or any other announced school closure event, and therapist cancellations.</i>	
The Fee per FTE Therapist will be \$630.00 per day. Customer will be charged the Daily rate for any provider that has been sourced and assigned to Customer and that is available to provide Services, regardless of whether Customer has provided E-Therapy with a referral that identifies the student to whom Services are to be provided.	
<i>Caseload not to exceed 55 students per therapist</i>	

#### Additional Services & Rates:

<ul style="list-style-type: none"><li>Psych Ed Assessments (Report(s) Included):</li></ul>	\$1,100.00 Flat Fee
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# Kingsburg Elementary Charter School District

## Board Agenda Item

**NOTE:** All school employees (1) requesting to have an item placed on the Board agenda or (2) requesting to present an agenda item shall submit this completed form (signed by their site administrator) to the Superintendent at least 10 working days prior to the scheduled meeting date.

*\*All Board items are subject to approval by the Board President.*

**1. Agenda Item:**

New Job Description- Community Schools Coordinator

**2. Agenda Item Category:**

- Consent Agenda
- ☒ Action Item
- Presentation
- Public Hearing
- Closed Session

**3. Submitted By:**

Erin Pasillas- Director, Special Education & Student Services

**4. Attachments:**

- Not Applicable
  - ☒ To Be Enclosed with Board Packets
- \*Overnight trip requests require itinerary, location, dates and flyer to be submitted to the Board*

**5. Purpose:**

Created a new job description to outline the duties, knowledge, and experience required for the Community Schools Coordinator position as created by Community Schools Grant plan.

**6. Financial Impact:**

\$123,764 -135,312 per year. 203 duty days.

**7. Funding Source:**

Community Schools Grant Funding

**8. District Goals This Item Will Meet:**

- ☒ Increase Student Achievement
- ☒ Provide a Safe, Positive and Healthy Learning Environment
- Develop 21<sup>st</sup> Century Skills by Furthering the Use of Technology in the Classroom
- ☒ Increase Parent Involvement and Continue to Promote Public Relations
- Maintain a Sound Fiscal Condition - "Keep the Family Together!"



**KINGSBURG ELEMENTARY CHARTER SCHOOL DISTRICT**  
**Job Description**  
**COMMUNITY SCHOOLS-COORDINATOR**  
(Certificated Management Position)

**Primary Function:**

Under the direction of the Director of Special Education/Student Services, the Coordinator of Community Schools will provide leadership support to the community schools staff and is responsible for coordinating, evaluating employees and supporting programs that address the learning barriers of students. The coordinator will serve as the KECSO lead for grants and/or grant projects as necessary to continue the community school programs. They will strengthen and align the educational and enrichment programs for students by providing leadership in planning, implementing, coordinating, and supervising the district's community schools program. The coordinator is also responsible for the creation of systems, procedures, and policies; and monitoring and implementing projects. They will coordinate and provide leadership and direction to site community school specialists, administrators, and school teams in the establishment and development of community schools and community organizations as it relates to the defined program pillars and structures.

**ESSENTIAL DUTIES AND RESPONSIBILITIES:**

**Community Schools:**

- Provides technical, specialized, consultative, advisory, and planning services for the effective implementation of our school districts' community schools initiatives; provides technical advisory services in the development and implementation of programs and projects related to assigned program areas or federal and State mandates.
- Coordinates initial deep needs and assets assessment, and additional ongoing assessments and listening projects, to identify gaps in service for students and families and to identify existing resources in the community to fill those gaps.
- Coordinates support programs to address out-of-school learning barriers for students and families. Identifies and organizes mental and physical health services to support student success.
- Engages with parents, students, teachers, principals, and community partners to build a culture of professional learning, collective trust, and shared responsibility through site-based leadership teams and teacher learning communities.
- Provides direction and leadership to interpret data in the development and implementation of strategic plans for the schools; provides information, consultation, and materials concerning assigned program area.
- Serves as the KECSO lead for grants and/or grant projects such as the California Community Schools Grants and other grants that support the implementation of various components of community schools; monitors grant requirements and completes all aspects of grant reporting.
- Manages project budgets, reports, and fiscal operations in collaboration with the Superintendent or Designee.
- Works with school administrators, teachers, partner agencies, parents, and students to identify barriers to learning, available resources, and gaps in services.
- Supports the identification, development, and coordination of social service partnerships, extended and expanded learning partnerships and community engagement partnerships for the district and school sites.
- Develop the continuum of services for the student's families and community members within the school neighborhood.
- Identify, plan, design, and provide appropriate staff training and development; coordinate staff training and development with other departments and schools for certificated and classified staff; support the involvement of parents, community, and other educational partners with program and project components.
- Serves as the district representative at Kingsburg community task force meetings.
- Establish weekly parent education and engagement opportunities.
- Coordinate services of the School Resource Officer. Establish schedules, programming, educational opportunities, and other student, school, and family engagement activities involved with the SRO.

## **COMMUNITY SCHOOLS-COORDINATOR**

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- Recommends programs and identifies opportunities to improve community, student and parent engagement.
- Perform other related duties as assigned.

### **KNOWLEDGE:**

- Teacher development based on the California Standards for the Teaching Profession.
- California Professional Standards for Educational Leaders (CPSEL)
- Sensitivity to and understanding of the needs of English Learners (EL) students and parents.
- Best practices in multiethnic/multilingual parent involvement
- Social, cultural, and familial influences on students
- Understanding of the physical, intellectual, social, and emotional growth patterns of students.
- How a community school framework can support identified needs as indicated by the Local Control and Accountability Plan, California Dashboard, multi-tiered system of support and differentiated assistance
- Student needs of differing socioeconomic and ethnic backgrounds
- School District organization, operations, and objectives
- Efficient organization, networking, training, communication, and interpersonal skills.
- Applicable federal, State, local laws and Education Code
- City and community cultures
- Technology
- State standards and assessments

### **ABILITY TO:**

- Provide technical, specialized, consultative, advisory and planning services in assigned instructional area;
- Provide direction and leadership to interpret data in the development and implementation of strategic plans for the schools;
- Serve as a resource to program representatives and the KECSD;
- Conduct special studies and in-services;
- Communicate effectively both orally and in writing
- Interpret, apply and explain rules, regulations, policies and procedures
- Establish and maintain cooperative and effective working relationships with others
- Operate a computer and assigned office equipment
- Analyze situations accurately and adopt an effective course of action
- Meet schedules and timelines
- Work independently with little direction
- Plan and organize work
- Maintain records and files
- Prepare comprehensive narrative and statistical reports
- Think creatively to maximize the use of available resources
- Anticipate organizational needs and cooperatively plan and implement courses of action
- Transform ideas into action while managing multiple projects
- Build consensus under adversarial conditions
- Develop meaningful relationships with institutions of higher learning, community agencies, and the business community
- Meet deadlines
- Plan and supervise work
- Coach and supervise personnel
- Prepare data-based reports
- Work confidentially and with discretion
- Communicate effectively both orally and in writing
- Work effectively with administrators, staff, parents and community and in multicultural and bilingual environments
- Effectively interpret and analyze data and/or assessments

## **COMMUNITY SCHOOLS-COORDINATOR**

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- Perform the essential functions of the job
- Values work ethic, accountability, transparency, professionalism, punctuality/attendance, and dependability

### **REQUIRED QUALIFICATIONS:**

Utilizes knowledge appropriate to satisfy the duties listed above, including but not limited to familiarity with the goals of the Governing Board, the LCAP Goals, the District's programs and projects, as well as rules and procedures.

#### **Education and Experience:**

- A minimum of five years of successful classroom teaching or school counseling experience
- A minimum of three years of successful site-level administrative experience required
- California Administrative Service Credential required
- Master's Degree, required; doctoral degree, preferred
- Previous experience working effectively with culturally and linguistically diverse groups
- Experience in administering multifaceted educational programs
- Experience working with community partners to support positive student outcomes
- CPR/First Aid Certification
- Valid CA Driver's License, with use of a personal automobile for use during district business

#### **Knowledge of:**

- Effective leadership of adults
- Assisted Dispute Resolution or similar strategies
- Legal compliance relevant to Community Schools
- District procedures and protocols relevant to assigned duties
- Grant Writing protocols

Proposed to the Board: May 30, 2023

# Kingsburg Elementary Charter School District

## Board Agenda Item

**NOTE:** All school employees (1) requesting to have an item placed on the Board agenda or (2) requesting to present an agenda item shall submit this completed form (signed by their site administrator) to the Superintendent at least 10 working days prior to the scheduled meeting date.

*\*All Board items are subject to approval by the Board President.*

**1. Agenda Item:**

Revised Job Description- Library/Media Tech I and Library/Media Tech II

**2. Agenda Item Category:**

- ☐ Consent Agenda
- ☒ Action Item
- ☐ Presentation
- ☐ Public Hearing
- ☐ Closed Session

**3. Submitted By:**

Sarah Ballard, Executive Assistant to the Superintendent

**4. Attachments:**

- ☐ Not Applicable
  - ☒ To Be Enclosed with Board Packets
- \*Overnight trip requests require itinerary, location, dates and flyer to be submitted to the Board*

**5. Purpose:**

Only one job description had been approved for the Library/Media Tech positions. We have two pay scales for the positions, with the Library/Media Tech II receiving a hire rate of pay with a required Library Technology Program Certificate.

**6. Financial Impact:**

N/A

**7. Funding Source:**

N/A

**8. District Goals This Item Will Meet:**

- ☒ Increase Student Achievement
- ☒ Provide a Safe, Positive and Healthy Learning Environment
- ☒ Develop 21<sup>st</sup> Century Skills by Furthering the Use of Technology in the Classroom
- ☒ Increase Parent Involvement and Continue to Promote Public Relations
- ☒ Maintain a Sound Fiscal Condition - "Keep the Family Together!"



## KINGSBURG ELEMENTARY CHARTER SCHOOL DISTRICT

### LIBRARY/MEDIA TECHNICIAN I

#### **Primary Function:**

Perform a variety of ~~paraprofessional~~ and clerical library duties in an elementary or Jr high school library. The Library/Media Technician performs technical and clerical functions related to the acquisition and classification of library materials, receiving, ordering, cataloging, classifying books and non-book materials, is assigned responsibility for the day-to-day operations of the library **including circulation of materials to students, teachers and other school employees**, provides work direction and guidance to assigned staff and controls and coordinates ~~workflow-library~~ activities.

#### **Directly Responsible to:**

Assigned Supervisor or Librarian

#### **Assigned Responsibilities:**

- \* ~~Assist a credentialed librarian or supervisor as directed~~ Responsible for the daily operations of the school library.
- \* Perform a variety of paraprofessional library duties including shelving, circulating, distributing and processing book and non-book materials.
- \* Plan and organize library materials and devices; design and construct appropriate library displays, bulletin boards, posters and signs; maintain a clean and orderly environment.
- \* Catalog and process new library materials, including books, periodicals and pamphlets using the appropriate classification system including computerized cataloging and retrieval.
- \* Assist students and teachers in locating materials; assist students in the use of the **online** card catalog and the Dewey Decimal System; assist students in developing good reading habits.
- \* Ability to utilize computers in the day-to-day operation of a full functioning multi-media library.
- \* Assist in organizing and conducting an annual Book Fair, book clubs and other programs designed to stimulate student interest, ability and motivation in reading.
- \* Review, order and assist as directed in the selection of appropriate book and non-book materials according to grade levels and school curriculum; prepare written evaluations of new material; schedule library usage and conduct story **time (depending on campus)**
- \* ~~Circulate, store, inventory, maintain and operate a variety of audio-visual equipment—(this is no longer done in the library)~~
- \* **Responsible for facilitating all aspects of the school's Accelerated Reader program (depending on campus)**
- \* Train and provide work direction for student workers and volunteers; monitor and maintain acceptable student behavior in the library.
- \* Collect and account for fines for overdue materials; send overdue notices; maintain overdue and obligation records.
- \* Check incoming instructional materials for proper identification; assure accuracy, quality and completeness of shipment, prepare and type appropriate identification for new material.
- \* Mend and repair book and non-book materials; dispose of damaged or outdated materials according to established procedures.
- \* Conduct and record physical inventory of instructional materials as assigned.
- \* Attend a variety of workshops, conferences, seminars and meetings related to library services.

**Assigned Responsibilities (continued):**

- \* Perform a variety of clerical duties including typing, filing, duplicating and record keeping.
- \* Monitor and maintain acceptable student behavior.
- \* Perform related duties as assigned.

**Minimum Qualifications:**

- \* High school graduate or equivalent
- \* **Library Technology Program Certificate required**
- \* Knowledge of office methods, practices, supplies and equipment
- \* Knowledge of the **principles** of business letter and office report writing including the use of good English, spelling and punctuation.
- \* ~~Knowledge of computer bookkeeping system~~
- \* Interpersonal skills using tact, patience and courtesy
- \* Communicate effectively both orally and in writing
- \* Work independently with little direction.

**Desirable Qualifications:**

- \* Basic library methods, practices and terminology
- \* Use of **Online Destiny** library card catalog **with multiple search methodologies** and basic reference source **search**
- \* Ability to learn the Dewey Decimal System of classification
- \* Ability to operate a **variety** computer terminals
- \* ~~Knowledge of the American Library Association rules for catalog cards~~
- \* Maintain records and files using alpha and numeric systems
- \* Relate to the needs and requests of students and teachers in a consistently friendly and cooperative manner
- \* Apply and explain library rules, regulations and policies
- \* Lift objects weighing up to 25 pounds
- \* Type accurately at an acceptable rate of speed
- \* Ability to complete work with many interruptions

Approved: 8/17/95

Revision Proposed to the Board: 5/30/23

## KINGSBURG ELEMENTARY CHARTER SCHOOL DISTRICT

### LIBRARY/MEDIA TECHNICIAN II

#### Primary Function:

Perform a variety of ~~paraprofessional~~ and clerical library duties in an elementary or Jr high school library. The Library/Media Technician performs technical and clerical functions related to the acquisition and classification of library materials, receiving, ordering, cataloging, classifying books and non-book materials, is assigned responsibility for the day-to-day operations of the library **including circulation of materials to students, teachers and other school employees**, provides work direction and guidance to assigned staff and controls and coordinates ~~workflow~~ library activities.

#### Directly Responsible to:

Assigned Supervisor or Librarian

#### Assigned Responsibilities:

- \* ~~Assist a credentialed librarian or supervisor as directed~~ Responsible for the daily operations of the school library.
- \* Perform a variety of paraprofessional library duties including shelving, circulating, distributing and processing book and non-book materials.
- \* Plan and organize library materials and devices; design and construct appropriate library displays, bulletin boards, posters and signs; maintain a clean and orderly environment.
- \* Catalog and process new library materials, including books, periodicals and pamphlets using the appropriate classification system including computerized cataloging and retrieval.
- \* Assist students and teachers in locating materials; assist students in the use of the **online** card catalog and the Dewey Decimal System; assist students in developing good reading habits.
- \* Ability to utilize computers in the day-to-day operation of a full functioning multi-media library.
- \* Assist in organizing and conducting an annual Book Fair, book clubs and other programs designed to stimulate student interest, ability and motivation in reading.
- \* Review, order and assist as directed in the selection of appropriate book and non-book materials according to grade levels and school curriculum; prepare written evaluations of new material; schedule library usage and conduct story **time (depending on campus)**
- \* ~~Circulate, store, inventory, maintain and operate a variety of audio-visual equipment—(this is no longer done in the library)~~
- \* **Responsible for facilitating all aspects of the school's Accelerated Reader program (depending on campus)**
- \* Train and provide work direction for student workers and volunteers; monitor and maintain acceptable student behavior in the library.
- \* Collect and account for fines for overdue materials; send overdue notices; maintain overdue and obligation records.
- \* Check incoming instructional materials for proper identification; assure accuracy, quality and completeness of shipment, prepare and type appropriate identification for new material.
- \* Mend and repair book and non-book materials; dispose of damaged or outdated materials according to established procedures.
- \* Conduct and record physical inventory of instructional materials as assigned.
- \* Attend a variety of workshops, conferences, seminars and meetings related to library services.



**Assigned Responsibilities (continued):**

- \* Perform a variety of clerical duties including typing, filing, duplicating and record keeping.
- \* Monitor and maintain acceptable student behavior.
- \* Perform related duties as assigned.

**Minimum Qualifications:**

- \* High school graduate or equivalent
- \* **Library Technology Program Certificate required**
- \* Knowledge of office methods, practices, supplies and equipment
- \* Knowledge of the **principles** of business letter and office report writing including the use of good English, spelling and punctuation.
- \* ~~Knowledge of computer bookkeeping system~~
- \* Interpersonal skills using tact, patience and courtesy
- \* Communicate effectively both orally and in writing
- \* Work independently with little direction.

**Desirable Qualifications:**

- \* Basic library methods, practices and terminology
- \* Use of **Online Destiny** library card catalog **with multiple search methodologies** and basic reference source **search**
- \* Ability to learn the Dewey Decimal System of classification
- \* Ability to operate a **variety** computer terminals
- \* ~~Knowledge of the American Library Association rules for catalog cards~~
- \* Maintain records and files using alpha and numeric systems
- \* Relate to the needs and requests of students and teachers in a consistently friendly and cooperative manner
- \* Apply and explain library rules, regulations and policies
- \* Lift objects weighing up to 25 pounds
- \* Type accurately at an acceptable rate of speed
- \* Ability to complete work with many interruptions

Approved: 8/17/95

Revision Proposed to the Board: 5/30/23



**Regulation 5131.41: Use Of Seclusion And Restraint**

**Status:** DRAFT

**Original Adopted Date:** 05/13/2019

District staff shall enforce standards of appropriate student conduct in order to provide a safe and secure environment for students and staff on campus but are prohibited from using seclusion and behavioral restraint to control student behavior except as authorized by law when the behavior poses a clear and present danger of serious physical harm to the student, other students, or others on campus, and that cannot be immediately prevented by a less restrictive response.

**Definitions**

*Behavioral restraint* includes mechanical restraint or physical restraint used as an intervention when a student presents an immediate danger to self or to others. Behavioral restraint does not include postural restraints or devices used to improve a student's mobility and independent functioning rather than to restrict movement. (Education Code 49005.1)

*Mechanical restraint* means the use of a device or equipment to restrict a student's freedom of movement. Mechanical restraint does not include the use of devices as prescribed by an appropriate medical or related services professional, including, but not limited to, adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment; vehicle safety restraints during the transport of a student; restraints for medical immobilization; or orthopedically prescribed devices which permit a student to participate in activities without risk of harm. Mechanical restraint also does not include the use of devices by peace officers or security personnel for detention or for public safety purposes. (Education Code 49005.1)

*Physical restraint* means a personal restriction that immobilizes or reduces the ability of a student to move the torso, arms, legs, or head freely. Physical restraint does not include a physical escort in which a staff member temporarily touches or holds the student's hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is acting out to walk to a safe location. Physical restraint also does not include the use of force by peace officers or security personnel for detention or for public safety purposes. (Education Code 49005.1)

*Prone restraint* means the application of a behavioral restraint on a student in a facedown position. (Education Code 49005.1)

*Seclusion* means the involuntary confinement of a student alone in a room or an area from which the student is physically prevented from leaving. Seclusion does not include a timeout involving the monitored separation of the student in an unlocked setting, which is implemented for the purpose of calming the student. (Education Code 49005.1)

**Prohibitions**

Seclusion and behavioral restraint of students shall not be used in any form as a means of coercion, discipline, convenience, or retaliation. (Education Code 49005.8)

In addition, staff shall not take any of the following actions: (Education Code 49005.2, 49005.8)

1. Administer a drug that is not a standard treatment for a student's medical or psychiatric condition in order to control the student's behavior or restrict the student's freedom of movement
2. Use locked seclusion, unless it is in a facility otherwise licensed or permitted by state law to use as a locked room
3. Use a physical restraint technique that obstructs a student's respiratory airway or impairs a student's breathing or respiratory capacity, including a technique in which a staff member places pressure on the student's back or places the staff member's body weight against the student's torso or back
4. Use a behavioral restraint technique that restricts breathing, including, but not limited to, the use of a pillow, blanket, carpet, mat, or other item to cover a student's face
5. Place a student in a facedown position with the student's hands held or restrained behind the student's back

6. Use a behavioral restraint for longer than is necessary to contain the behavior that poses a clear and present danger of serious physical harm to the student or others

#### **Limited Use of Seclusion or Restraint**

Staff shall avoid the use of seclusion and behavioral restraint of students whenever possible. Seclusion or behavioral restraint may be used only to control student behavior that poses a clear and present danger of serious physical harm to the student or others, which cannot be immediately prevented by a response that is less restrictive. (Education Code 49005.4, 49005.6, 49005.8)

When used, seclusion or restraint shall not be applied for longer than is necessary to contain the dangerous behavior. For any situation that requires a prolonged use of an emergency intervention, staff shall seek the assistance of the principal or law enforcement agency, as applicable to the situation. (Education Code 56521.1)

If a student is put in seclusion, the student shall be under constant, direct observation of a staff member. Such observation may be through a window or another barrier through which the staff member is able to make direct eye contact with the student, but shall not be made through indirect means such as a security camera or closed-circuit television. (Education Code 49005.8)

If a student is restrained, staff shall afford the student the least restrictive alternative and the maximum freedom of movement, and shall use the least number of restraint points, while ensuring the physical safety of the student and others. (Education Code 49005.8)

If a prone restraint technique is used on a student, a staff member shall observe the student for any signs of physical distress throughout the use of the restraint. Whenever possible, the staff member monitoring the student shall not be involved in restraining the student. (Education Code 49005.8)

Seclusion or restraint may only be applied to a student with disabilities in accordance with rules specified in AR 6159.4 Behavioral Interventions For Special Education Students. Staff may not apply seclusion or restraint to students with disabilities based on assumptions or stereotypes about disabilities or students with disabilities or for behavior that would not result in restraint or seclusion for students without disabilities.

The superintendent or designee shall provide training to staff in the safe and effective use of seclusion and restraint as appropriate.

#### **Documentation of Seclusion and Restraint**

Parents/guardians and, if appropriate, residential care providers shall be notified within one school day whenever an emergency intervention is used or serious property damage occurs. (Education Code 56521.1)

A behavior emergency report shall be completed and forwarded to the Superintendent or designee for review. This report shall include: (Education Code 56521.1)

1. The name and age of the student
2. The setting and location of the incident
3. The name of the staff or other persons involved
4. A description of the incident and the emergency intervention used
5. A statement of whether the student is currently engaged in a systematic behavior intervention plan
6. Details of any injuries sustained by the student or others, including staff, as a result of the incident

#### **Reports**

The Superintendent or designee shall annually collect data on the number of times that seclusion, mechanical restraint, and physical restraint were used on students and the number of students subjected to such techniques. The data shall be disaggregated by race/ethnicity and gender, and reported for students with a Section 504 plan, students with an individualized education program, and all other students. This report shall be submitted to the California Department of Education no later than three months after the end of each school year, and shall be available as a

public record pursuant to Government Code 6250-6270. (Education Code 49006)

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**Policy 5141: Health Care And Emergencies**

**Status:** DRAFT

**| Last Revised Date:** 02/21/2012

The Governing Board recognizes the importance of taking appropriate action whenever an emergency threatens the safety, health, or welfare of a student at school or during school-sponsored activities.

The Superintendent or designee shall develop procedures to ensure that first aid and/or medical attention is provided as quickly as possible when accidents and injuries to students occur and that parents/guardians are notified as appropriate.

The Superintendent or designee shall ask parents/guardians to provide emergency contact information in order to facilitate communication in the event of an accident or illness.

District staff shall appropriately report and document student accidents.

**"Do Not Resuscitate" Orders**

The Board believes that staff members should not be placed in the position of determining whether or not to follow any parental or medical "do not resuscitate" orders. Staff shall not accept or follow any such orders except under the specific written direction of the Superintendent or designee. The Superintendent or designee may only direct a staff member to follow a "do not resuscitate" order if he/she has received a written parent/guardian authorization, with an authorized health care provider statement, and an order of an appropriate court.

The Superintendent or designee shall ensure that parents/guardians who have submitted a "do not resuscitate" order are informed of this policy.

**Automated External Defibrillators**

The Board authorizes the Superintendent or designee to place automated external defibrillators (AEDs) at designated school sites for use by school employees in an emergency.

The Superintendent or designee shall develop guidelines for employees regarding these devices and shall ensure that employees receive information that describes sudden cardiac arrest, the school's emergency response plan, and the proper use of an AED. The guidelines shall also specify the placement, security, and maintenance of the AED.

The authorization of AEDs in district schools shall not be deemed to create a guarantee that an AED will be present or will be used in the case of an emergency, or that a trained employee will be present and/or able to use an AED in an emergency, or that the AED will operate properly.

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**Regulation 5141: Health Care And Emergencies**

**Status: DRAFT**

**| Last Revised Date: 02/21/2012**

**Emergency Contact Information**

In order to facilitate contact in case of an emergency or accident, the principal or designee shall annually request that parents/guardians provide the following information:

1. Home address and telephone number
2. Parent/guardian's business address and telephone number
3. Parent/guardian's cell phone number and email address, if applicable
4. Name, address, and telephone number of an alternative contact person to whom the student may be released and who is authorized by the parent/guardian to care for the student in cases of emergency or when the parent/guardian cannot be reached
5. Local physician to call in case of emergency

In addition, parents/guardians shall be encouraged to notify the school whenever their emergency contact information changes.

**Notification/Consent for Medical Treatment**

Whenever a student requires emergency or urgent medical treatment while at school or a school-sponsored activity, the principal or designee shall contact the parent/guardian or other person identified on the emergency contact form in order to obtain consent for the medical treatment.

If the student's parent/guardian or other contact person cannot be reached to provide consent, the principal may seek reasonable medical treatment for the student as needed, unless the parent/guardian has previously filed with the district a written objection to any medical treatment other than first aid.

A person who has filed with the district a completed caregiver's authorization affidavit pursuant to Family Code 6550-6552 shall have the right to consent to or refuse school-related medical care on behalf of the minor student. The caregiver's authorization shall be invalid if the district receives notice that the minor student is no longer living with the caregiver or if the Superintendent or designee has actual knowledge of facts contrary to those stated on the affidavit. (Family Code 6550)

The caregiver's consent to medical care shall be superseded by any contravening decision of the parent or other person having legal custody of the student, provided that this contravening decision does not jeopardize the student's life, health, or safety. (Family Code 6550)

**Automated External Defibrillators**

When an automated external defibrillator (AED) is placed in a district school, the Superintendent or designee shall notify an agent of the local emergency medical services agency of the existence, location, and type of AED acquired. (Health and Safety Code 1797.196, 1797.200)

The Superintendent or designee shall ensure that any AED placed at a district school is maintained and tested according to the operation and maintenance guidelines set forth by the manufacturer. (Health and Safety Code 1797.196)

The Superintendent or designee shall develop a written plan which describes the procedures to be followed in the event of a medical emergency, including an emergency that may involve the use of an AED. These procedures should include, but not be limited to, requirements for immediate notification of the 911 emergency telephone number in the event of an emergency that may involve the use of an AED.

The principal of any district school with an AED shall annually provide information to school employees that describes: (Health and Safety Code 1797.196)

1. Sudden cardiac arrest
2. The school's emergency response plan
3. The proper use of an AED

Instructions on how to use the AED, in no less than 14-point type, shall be posted next to every AED. In addition, school employees shall be notified annually of the location of all AED units on campus. (Health and Safety Code 1797.196)

Each AED shall be checked for readiness at least biannually and after each use. In addition, the Superintendent or designee shall ensure that an inspection is made of all AEDs at least every 90 days for potential issues related to operability of the device, including a blinking light or other obvious defect that may suggest tampering or that another problem has arisen with the functionality of the AED. The Superintendent or designee shall maintain records of these checks. (Health and Safety Code 1797.196)

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**Regulation 5141.4: Child Abuse Prevention And Reporting**

**Status:** DRAFT

**Original Adopted Date:** 02/22/2011 | **Last Revised Date:** 11/16/2021

**Definitions**

Child abuse or neglect includes the following: (Penal Code 11165.5, 11165.6)

1. A physical injury or death inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1
3. Neglect of a child as defined in Penal Code 11165.2
4. Willful harming or injuring of a child or the endangering of the person or health of a child as defined in Penal Code 11165.3
5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4

Child abuse or neglect does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of employment (Penal Code 11165.5, 11165.6)
3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be legally privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, for purposes of self-defense, or to obtain weapons or other dangerous objects within the control of a student (Education Code 49001)
5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by a student (Education Code 49001)
6. Homelessness or classification as an unaccompanied minor (Penal Code 11165.15)

Mandated reporters include, but are not limited to, teachers; instructional aides; teacher's aides or assistants; classified employees; certificated pupil personnel employees; administrative officers or supervisors of child attendance; athletic coaches, administrators, and directors; licensees, administrators, and employees of a licensed child day care facility; Head Start program teachers; district police or security officers; licensed nurses or health care providers; and administrators, presenters, and counselors of a child abuse prevention program. (Penal Code 11165.7)

Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on the person's training and experience, to suspect child abuse or neglect. However, reasonable suspicion does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

**Reportable Offenses**

A mandated reporter shall make a report using the procedures provided below whenever, acting in a professional capacity or within the scope of employment, the mandated reporter has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. (Penal Code 11166)

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe anxiety,

depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (Penal Code 11165.9, 11166.05, 11167)

Any district employee who reasonably believes to have observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury against a victim who is a child under age 14 shall notify a peace officer. (Penal Code 152.3, 288)

### **Responsibility for Reporting**

The reporting duties of mandated reporters are individual and cannot be delegated to another person. (Penal Code 11166)

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report. (Penal Code 11166)

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report. (Penal Code 11166)

Any person not identified as a mandated reporter who has knowledge of or observes a child whom the person knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code 11166)

### **Reporting Procedures**

#### **Initial Telephone Report**

Immediately or as soon as practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (excluding a school district police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (Penal Code 11165.9, 11166)

Such reports shall be made to the child welfare services of the county in which the student resides and:

Kingsburg Police Department  
1300 California St.  
Kingsburg, CA 93631  
559-897-2931

When the initial telephone report is made, the mandated reporter shall note the name of the official contacted, the date and time contacted, and any instructions or advice received.

#### **1. Written Report**

Within 36 hours of knowing or observing the information concerning the incident, the mandated reporter shall prepare and either send, fax, or electronically transmit to the appropriate agency a written follow-up report, which includes a completed California Department of Justice (DOJ) form (BCIA 8572). (Penal Code 11166, 11168)

The DOJ form may be obtained from the district office or other appropriate agencies, such as the police department, sheriff's department, or county probation or welfare department.

Reports of suspected child abuse or neglect shall include, if known: (Penal Code 11167)

- a. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter
- b. The child's name and address, present location, and, where applicable, school, grade, and class
- c. The names, addresses, and telephone numbers of the child's parents/guardians
- d. The name, address, telephone number, and other relevant personal information about the person(s) who might have abused or neglected the child



- e. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information

The mandated reporter shall make a report even if some of this information is not known or is uncertain to the mandated reporter. (Penal Code 11167)

The mandated reporter may give to an investigator from an agency investigating the case, including a licensing agency, any information relevant to an incident of child abuse or neglect or to a report made for serious emotional damage pursuant to Penal Code 11166.05. (Penal Code 11167)

### 3. Internal Reporting

The mandated reporter shall not be required to disclose the mandated reporter's identity to a supervisor, the principal, or the Superintendent or designee. (Penal Code 11166)

However, employees reporting child abuse or neglect to an appropriate agency are encouraged, but not required, to notify the principal as soon as possible after the initial telephone report to the appropriate agency. When so notified, the principal shall inform the Superintendent or designee.

The principal so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation. At the mandated reporter's request, the principal may assist in completing and filing the necessary forms.

Reporting the information to an employer, supervisor, principal, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code 11166)

### Training

Within the first six weeks of each school year, or within the first six weeks of employment if hired during the school year, the Superintendent or designee shall provide training on mandated reporting requirements to district employees and persons working on their behalf who are mandated reporters. (Education Code 44691; Penal Code 11165.7)

The Superintendent or designee shall use the online training module provided by the California Department of Social Services (CDSS). (Education Code 44691)

The training shall include, but not necessarily be limited to, training in identification and reporting of child abuse and neglect. In addition, the training shall include information that failure to report an incident of known or reasonably suspected child abuse or neglect as required by law is a misdemeanor punishable by imprisonment and/or a fine as specified. (Education Code 44691; Penal Code 11165.7)

The Superintendent or designee shall obtain and retain proof of each mandated reporter's completion of the training. (Education Code 44691)

In addition, at least once every three years, school personnel may receive training in the prevention of child abuse, including sexual abuse, on school grounds, by school personnel, or in school-sponsored programs. (Education Code 44691)

### Victim Interviews by Social Services

Whenever CDSS or another government agency is investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school premises. The Superintendent or designee shall give the student the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the student. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform the person of the following requirements prior to the interview: (Penal Code 11174.3)

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable the child to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (Penal Code 11174.3)

#### **Release of Child to Peace Officer**

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Superintendent or designee and/or principal shall not notify the parent/guardian, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. (Education Code 48906)

#### **Parent/Guardian Complaints**

Upon request, the Superintendent or designee shall provide parents/guardians with procedures for reporting suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is not English, such procedures shall be in their primary language and, when communicating orally regarding those guidelines and/or procedures, an interpreter shall be provided.

To file a complaint against a district employee or other person suspected of child abuse or neglect at a school site, parents/guardians may file a report by telephone, in person, or in writing with any appropriate agency identified above under "Reporting Procedures." If a parent/guardian makes a complaint about an employee to any other employee, the employee receiving the information shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. The employee shall also file a report when obligated to do so pursuant to Penal Code 11166 using the procedures described above for mandated reporters.

In addition, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education pursuant to 5 CCR 3200-3205.

#### **Notifications**

The Superintendent or designee shall provide to all new employees who are mandated reporters a statement that informs them of their status as mandated reporters, their reporting obligations under Penal Code 11166, and their confidentiality rights under Penal Code 11167. The district also shall provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (Penal Code 11165.7, 11166.5)

Before beginning employment, any person who will be a mandated reporter by virtue of the person's position shall sign a statement indicating knowledge of the reporting obligations under Penal Code 11166 and compliance with such provisions. The signed statement shall be retained by the Superintendent or designee. (Penal Code 11166.5)

Employees who work with dependent adults shall be notified of legal responsibilities and reporting procedures pursuant to Welfare and Institutions Code 15630-15637.

The Superintendent or designee also shall notify all employees that:

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of the mandated reporter's professional capacity or outside the scope of employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that the person knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)
2. If a mandated reporter fails to timely report an incident of known or reasonably suspected child abuse or neglect, the mandated reporter may be guilty of a crime punishable by a fine and/or imprisonment. (Penal Code 11166) No employee shall be subject to any sanction by the district for making a report unless it can be

shown that the employee knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11166, 11172)

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**Regulation 5144.1: Suspension And Expulsion/Due Process**

**Status: DRAFT**

**Original Adopted Date:** 02/21/2012 | **Last Revised Date:** 06/15/2020

**Definitions**

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

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910, so long as removal from a particular class does not occur more than once every five school days.

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

**Notice of Regulations**

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

**Grounds for Suspension and Expulsion: Grades K-8**

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows and in the sections "Additional Grounds for Suspension and Expulsion: Grades 4-8" below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b))
3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11059, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11059, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the same as a controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
7. Stole or attempted to steal school property or private property (Education Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing prescription products (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))
11. Knowingly received stolen school property or private property (Education Code 48900(l))
12. Possessed an imitation firearm (Education Code 48900(m))

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

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 287, 288, 289, or former 288a, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))
14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))

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

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

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

*Bullying* includes any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in the section "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student.

*Bullying* also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

*Electronic act* means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication including, but not limited to: (Education Code 48900(r))

- a. A message, text, sound, video, or image
- b. A post on a social network Internet web site, including, but not limited to, posting to or creating a burn page or creating a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.

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

*Burn page* means an internet web site created for the purpose of causing a reasonable student any of the effects of bullying described above. (Education Code 48900(r))

*Credible impersonation* means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that the student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated. (Education Code 48900(r))

*False profile* means a profile of a fictitious student or profile using the likeness or attributes of an actual student other than the student who created the false profile. (Education Code 48900(r))

An electronic act is not considered pervasive conduct solely on the basis that it has been transmitted to the internet or is currently posted on the internet. (Education Code 48900(r))

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

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

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

#### **Additional Grounds for Suspension and Expulsion: Grades 4-8**

A student in grades 4-8 shall be subject to suspension or recommendation for expulsion when it is determined that the student:

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

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

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

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

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

#### **Suspension from Class by a Teacher**

A teacher may suspend a student from class for the remainder of the day and the following day for any of the acts specified in Education Code 48900 and listed as Items #1-19 under "Grounds for Suspension and Expulsion: Grades K-8" above or for disruption or willful defiance at any grade level, including grades K-8. (Education Code 48910)

When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing

presence of the student at school, the student shall be appropriately supervised during the class periods from which the student has been suspended. (Education Code 48910)

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

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

A student suspended from class shall not be placed in another regular class during the period of suspension. However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which the student was suspended. (Education Code 48910)

A teacher may also refer a student, for any of the acts specified above in Education Code 48900, to the principal or designee for consideration of a suspension from school. (Education Code 48910)

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

#### **Suspension by Superintendent, Principal or Principal's Designee**

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

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

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

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

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

#### **Length of Suspension**

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

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school or class, or continuation school or class for the purpose of adjustment, the student may be suspended for not more than 30 school days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912)

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

#### **Due Process Procedures for Suspension**

Suspensions shall be imposed in accordance with the following procedures:

1. **Informal Conference:** Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, including the other means of correction that were attempted before the suspension as required pursuant to Education Code 48900.5, and the evidence against the student, and shall be given the opportunity to present the student's version and evidence in the student's defense. (Education Code 48911)

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, the student, the student's parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or if the student is an Indian child, the Indian child's tribal social worker and, if applicable, county social worker, shall be notified of the student's right to a conference and the right to return to school for the purpose of the conference. The conference shall be held within two school days, unless the student waives the right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school for the conference. (Education Code 48911)

2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)
3. **Notice to Parents/Guardians:** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or if the student is an Indian child, the Indian child's tribal social worker, and, if applicable, the county social worker, in person, by email, or by telephone. Whenever a student is suspended, the parent/guardian, or if applicable, the foster youth's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, the county social worker, shall also be notified in writing of the suspension. (Education Code 48911)

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

4. In addition, the notice may state the date and time when the student may return to school.
5. **Parent/Guardian Conference:** Whenever a student is suspended, school officials may conduct a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914)

If school officials request to meet with the parent/guardian, a foster youth's educational rights holder, attorney, and county social worker, or an Indian child's tribal social worker, and, if applicable, the county social worker, the notice may state that the law requires such individuals to respond to the request without delay. However, the student shall not be penalized for the failure of the parent/guardian, a foster youth's educational rights holder, attorney, and county social worker, or an Indian child's tribal social worker, and, if applicable, the county social worker, to attend such a conference. The student may not be denied reinstatement solely because such individuals failed to attend the conference. (Education Code 48911)

6. **Extension of Suspension:** If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed: (Education Code 48911)
  - a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.
  - b. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process.
  - c. If the student involved is a foster youth or Indian child, the Superintendent or designee shall notify the



district's educational liaison of the need to invite the foster youth's educational rights holder, attorney and county social worker, or the Indian child's tribal social worker or, if applicable, the county social worker, to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

- d. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students. (Education Code 48918.1)
- e. In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct the behavior and keep the student in school. Alternative disciplinary consequences designed to improve and correct negative behavior can include the following:
  - A conference between school personnel, the pupil's parent or guardian, and the pupil
  - Referrals to the school counselor, psychologist, child welfare attendance personnel, or other school support service personnel for case management and counseling
  - Study teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the pupil and his or her parents
  - Referral for a comprehensive psychosocial or psychoeducation assessment for the purpose of creating an individualized plan
  - Enrollment in a program for teaching prosocial behavior and anger management
  - Participation in a restorative justice program
  - A positive behavior support approach with tiered interventions that occur during the school day on campus
  - After-school programs that address specific behavioral issues or expose pupils to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups.
  - Community services on school grounds, or with parent permission, off school grounds (Education Code 48900.6)

#### **On-Campus Suspension**

A student for whom an expulsion action has not been initiated and who poses no imminent danger or threat to the school, students, or staff may be assigned to on-campus suspension in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The on-campus suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. The student shall be responsible for contacting the student's teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to an on-campus suspension classroom, the principal or designee shall notify the student's parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or, if the student is an Indian child, the Indian child's tribal social worker and, if applicable, county social worker, in person, by email, or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing. (Education Code 48911.1)

#### **Superintendent or Principal's Authority to Recommend Expulsion**

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

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife or other dangerous object of no reasonable use to the student

3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11059, except for:
  - a. The first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis
  - b. The student's possession of over-the-counter medication for use by the student for medical purposes
  - c. Medication prescribed for the student by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

In determining whether to recommend the expulsion of a student, the Superintendent, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time. (Education Code 48915)

#### **Student's Right to Expulsion Hearing**

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

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

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

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

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

#### **Stipulated Expulsion**

After a determination that a student has committed an offense for which the student may be expelled, the Superintendent, principal, or designee shall offer the student, the student's parent/guardian, or, when applicable, other person holding the right to make educational decisions for the student, the option to waive a hearing and stipulate to the expulsion or to a suspension of the expulsion under certain conditions. The offer shall be made only after written notice of the expulsion hearing pursuant to Education Code 48918 has been given.

The stipulation agreement shall be in writing and shall be signed by the student, the student's parent/guardian, or, when applicable, the person holding the right to make educational decisions for the student. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of the right to have a full hearing, to appeal the expulsion to the County Board of Education, and to consult legal counsel.

A stipulated expulsion agreed to by the student, the student's parent/guardian, or, when applicable, the person holding the right to make educational decisions for the student, shall be effective upon approval by the Board.

#### **Rights of Complaining Witness**

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

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

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

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

### **Written Notice of the Expulsion Hearing**

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

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

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

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

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

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

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

### **Additional Notice of Expulsion Hearing for Foster Youth, Homeless Students, and Indian Children**

If the student facing expulsion is a foster student or Indian child, the Superintendent or designee shall also send notice of the hearing to the foster youth's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, county social worker, at least 10 calendar days prior to the hearing. (Education Code 48918.1)

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

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

## Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public to the extent that privacy rights of other students are not violated. (Education Code 48918)
2. Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to testify in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, a videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

3. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))
4. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

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

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in Item #6 below. (Education Code 48918(i))

5. Presentation of Evidence: Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," and "Additional Grounds for Suspension and Expulsion: Grades 9-12" above. (Education Code 48918(h))
6. Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f))

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

7. Testimony by Complaining Witnesses: The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)
  - a. Any complaining witness shall be given five days' notice before being called to testify.

- b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during the testimony.
  - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
  - d. The person presiding over the hearing may remove a support person who is disrupting the hearing.
  - e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
  - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
  - g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
    - i. The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
    - ii. At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which the complaining witness may leave the hearing room.
    - iii. The person conducting the hearing may:
      - A. Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
      - B. Limit the time for taking the testimony of a complaining witness to normal school hours, if there is no good cause to take the testimony during other hours
      - C. Permit one of the support persons to accompany the complaining witness to the witness stand
8. Decision: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from school, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

#### **Alternative Expulsion Hearing: Hearing Officer or Administrative Panel**

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

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

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

regarding other placement options for the student in addition to the option to return to the classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

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

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

### **Final Action by the Board**

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

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

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

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

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

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

### **Written Notice to Expel**

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," or "Additional Grounds for Suspension and Expulsion: Grades 9-12" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board (Education Code 48918)

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

#### **Decision to Suspend Expulsion Order**

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

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

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

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," or "Additional Grounds for Suspension and Expulsion: Grades 9-12" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))
7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

#### **Appeal**

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

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

### **Notification to Law Enforcement Authorities**

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

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

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

### **Placement During Expulsion**

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

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

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

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

### **Readmission After Expulsion**

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

1. The Superintendent or designee shall hold a conference with the student's parent/guardian, or other person holding the right to make educational decisions for the student, and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and the student's parent/guardian or other person holding the right to make educational decisions for the student shall be asked to indicate in writing their willingness to comply with these regulations.
2. If the readmission is granted, the Superintendent or designee shall notify the student and the student's parent/guardian, or other person holding the right to make educational decisions for the student, by registered mail, of the Board's decision regarding readmission.

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

### **Maintenance of Records**

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

Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any



school in which the student subsequently enrolls upon written request by that school. (Education Code 48918(k))

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

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**Regulation 6115: Ceremonies And Observances**

**Status:** DRAFT

**Original Adopted Date:** 12/08/1994 | **Last Revised Date:** 10/12/2020

**Holidays**

District schools shall be closed on the following holidays: (Education Code 37220)

New Year's Day - January 1

Dr. Martin Luther King, Jr. Day - Third Monday in January or the Monday or Friday of the week in which January 15 occurs

Lincoln Day - The Monday or Friday of the week in which February 12 occurs

Washington Day - Third Monday in February

Memorial Day - Last Monday in May

Juneteenth National Independence Day- June 19

Independence Day - July 4

Labor Day - First Monday in September

Veterans Day - November 11

Thanksgiving Day - The Thursday in November designated by the President

Christmas Day - December 25

In addition, schools shall be closed on: (Education Code 37220)

1. Any day appointed by the Governor as a holiday or as a special or limited holiday on which the Governor provides that schools shall close
2. Any day appointed by the President as a holiday, including by executive order or by signing into law legislation that creates a nationwide federal holiday
3. Any other day designated as a holiday by the Governing Board and/or negotiated with employee organizations

Holidays which fall on a Sunday shall be observed the following Monday. Holidays which fall on a Saturday shall be observed the preceding Friday. If any of the above holidays occurs under federal law on a date different from that indicated above, the Governing Board may close the schools on the date recognized by federal law instead of on the date above. (Education Code 37220)

**Commemorative Exercises**

District schools shall hold exercises in accordance with law to commemorate the following special days: (Education Code 37220, 37221, 45460)

Dr. Martin Luther King, Jr. Day - The Friday before the day schools are closed for this holiday

Abraham Lincoln's Birthday - The school day before the day schools are closed for this holiday

Susan B. Anthony Day - February 15

George Washington's Birthday - The Friday preceding the third Monday in February

Black American Day - March 5

Conservation, Bird, and Arbor Day - March 7

Classified Employee Week - Third week in May

U.S. Constitution and Citizenship Day - On or near September 17

Commemorative exercises shall be integrated into the regular educational program to the extent feasible.

#### **Patriotic Exercises**

Each school shall conduct patriotic exercises daily, which may include the Pledge of Allegiance to the Flag of the United States and/or instruction that promotes understanding of the concepts of "pledge," "allegiance," "republic," and "indivisible" and understanding of the importance of the pledge as an expression of patriotism, love of country, and pride in the United States. (Education Code 52720, 52730)

At elementary schools, such exercises shall be conducted at the beginning of each school day. (Education Code 52720)

#### **Display of Flag**

The flag of the United States and the flag of California shall be displayed during business hours at the entrance or on the grounds of every district school and on or near the district office. At all times, the national flag shall be placed in the position of first honor. (Government Code 431, 436; 4 USC 6)

When displayed on a building or on a flagstaff in the open, the national flag shall be displayed only from sunrise to sunset unless properly illuminated during the hours of darkness. The flag should not be displayed during inclement weather unless an all-weather flag is used. (4 USC 6)

The national flag shall fly at half-staff on the following occasions: (4 USC 7)

1. For 30 days from the death of the President or a former President
  2. For 10 days from the death of the Vice President, the Chief Justice or a retired Chief Justice, or the Speaker of the House of Representatives
  3. From the day of death until interment of an Associate Justice of the Supreme Court, a secretary of an executive or military department, former Vice President, or the Governor of a state
  4. On the day of death and the following day for a Member of Congress
  5. On Memorial Day, until noon only
  6. On Peace Officers Memorial Day (May 15), unless it falls on Armed Forces Day
  7. Upon a proclamation from the Governor in the event of the death of a present or former official of the state government or a member of the Armed Forces from the state who has died while serving on active duty
  8. On other occasions by order of the President and in accordance with presidential instructions or orders
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**Policy 6173: Education For Homeless Children**

**Status:** DRAFT

**Original Adopted Date:** 09/12/2006 | **Last Revised Date:** 09/12/2022

The Governing Board believes that the identification of students experiencing homelessness is critical to improving the educational outcomes of such students and ensuring that students experiencing homelessness have access to the same free and appropriate public education provided to other students within the district. The district shall provide students experiencing homelessness with access to education and other services necessary for such students to meet the same challenging academic standards as other students.

When there are at least 15 students experiencing homelessness in the district or a district school, the district's local control and accountability plan (LCAP) shall include goals and specific actions to improve student achievement and other outcomes of students experiencing homelessness. (Education Code 52052, 52060, 52064)

The Superintendent or designee shall review district policies at least once every three years and recommend updates to ensure removal of any barriers to the education of homeless students and unaccompanied youth. Any such review shall address identification, enrollment, and retention of such students, including those barriers that are due to absences or outstanding fees or fines. (Education Code 48851.3, 42 USC 11432)

The Superintendent or designee shall designate an appropriate staff person to serve as a liaison for homeless children and youths. The district liaison for homeless students shall fulfill the duties specified in 42 USC 11432 to assist in identifying and supporting students experiencing homelessness to succeed in school, and as specified in Education Code 48851.3 related to trainings for district staff providing assistance to students experiencing homelessness.

The Superintendent or designee shall ensure that each district school identifies all students experiencing homelessness and unaccompanied youths enrolled at the school. (Education Code 48851)

To ensure easy identification of students experiencing homelessness, the Superintendent or designee shall annually provide and administer a housing questionnaire developed by the California Department of Education (CDE) to all parents/guardians of students and all unaccompanied youths. (Education Code 48851)

If the primary language of a student's parent/guardian or an unaccompanied youth is not English, either the housing questionnaire shall be made available in the primary language of the student's parent/guardian or the unaccompanied youth pursuant to Education Code 48985, or an appropriate translation of the housing questionnaire shall be provided upon request of a student's parent/guardian or an unaccompanied youth. (Education Code 48851)

The Superintendent or designee shall report to CDE the number of students experiencing homelessness, including unaccompanied youths, enrolled in the district as identified from the housing questionnaire described above. (Education Code 48851)

In addition, the Superintendent or designee shall ensure that the district liaison's contact information and other information on homelessness, including, but not limited to, information regarding the educational rights and resources available to persons experiencing homelessness, are posted on the district and school web sites as specified in the accompanying administrative regulation. (Education Code 48852.6)

The Superintendent or designee shall ensure that placement decisions for students experiencing homelessness are based on the student's best interest as defined in law and administrative regulation.

Each student experiencing homelessness shall be provided services that are comparable to services offered to other students in the school, including, but not limited to, transportation, educational programs for which the student meets the eligibility criteria (such as federal Title I services or similar state or local programs, programs for students with disabilities, and educational programs for English learners), career and technical education programs, programs for gifted and talented students, and school nutrition programs. (Education Code 48850; 42 USC 11432)

Students experiencing homelessness shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way. However, the Superintendent or designee may separate students experiencing homelessness on school grounds as necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services to meet their unique needs. (42 USC 11432, 11433)

The Superintendent or designee shall ensure that information and/or materials for students experiencing homelessness are provided in a manner and form understandable to the student's parents/guardians and to unaccompanied youths.

Information about the living situation of a student experiencing homelessness shall be considered part of a student's educational record, subject to the Family Educational Rights and Privacy Act, shall not be deemed to be directory information as defined in 20 USC 1232g, and shall not be released without written consent. (42 USC 11432)

The Superintendent or designee shall coordinate with other agencies and entities to ensure that students experiencing homelessness are promptly identified, ensure that students experiencing homelessness have access to and are in reasonable proximity to available education and related support services, and raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness. Toward these ends, the Superintendent or designee shall collaborate with local social services agencies, other agencies or entities providing services to students experiencing homelessness, and, if applicable, transitional housing facilities. In addition, the Superintendent or designee shall coordinate transportation, transfer of school records, and other interdistrict activities with other local educational agencies. As necessary, the Superintendent or designee shall coordinate, within the district and with other involved local educational agencies, services for students experiencing homelessness and services for students with disabilities. (42 USC 11432)

At least annually, the district liaison and other appropriate staff shall participate in professional development and other technical assistance activities to assist them in identifying and meeting the needs of students experiencing homelessness. Such professional development and technical assistance shall include, but are not limited to, training on the district's homeless education program policies, definitions of terms related to homelessness, recognition of signs that students are experiencing or are at risk of experiencing homelessness, the steps that should be taken once a potentially homeless student is identified, and how to connect students experiencing homelessness with appropriate housing and service providers. (Education Code 48851.3, 48852.5; 42 USC 11432)

At least annually, the Superintendent or designee shall report to the Board on the identification of and outcomes for students experiencing homelessness, which may include, but are not limited to, the housing questionnaire responses, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, suspension/expulsion rates, and other outcomes related to any goals and specific actions identified in the LCAP. Based on the evaluation data, the district shall revise its strategies as needed to more effectively identify and support the education of students experiencing homelessness.

Annually, the Superintendent or designee shall report to CDE, in accordance with Education Code 51225.1, the number of students experiencing homelessness graduating from the fourth or fifth year of high school who, for the prior school year, graduated with an exemption from district-established graduation requirements that are in addition to statewide coursework requirements.

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**Regulation 6173: Education For Homeless Children**

**Status: DRAFT**

**Original Adopted Date:** 09/12/2006 | **Last Revised Date:** 09/12/2022

**Definitions**

*Homeless students or students experiencing homelessness* means students who lack a fixed, regular, and adequate nighttime residence and includes: (Education Code 48859; 42 USC 11434a)

1. Students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals
2. Students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings
3. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
4. Migratory children who qualify as homeless because they are living in conditions described in items #1-3 above

*Unaccompanied youth* includes a homeless child or youth not in the physical custody of a parent or guardian. (Education Code 48859; 42 USC 11434a)

*School of origin* means the school that the student experiencing homelessness attended when permanently housed or the school in which the student was last enrolled, including a preschool. If the school the student experiencing homelessness attended when permanently housed is different from the school in which the student was last enrolled, or if there is some other school that the student attended within the preceding 15 months and with which the student is connected, the district liaison for homeless students, in consultation with and with the agreement of the student experiencing homelessness and the person holding the right to make educational decisions for the student, shall determine which school is, in the best interests of the student experiencing homelessness, deemed the school of origin. (Education Code 48852.7; 42 USC 11432)

*Best interest* means that, in making educational and school placement decisions for a student experiencing homelessness, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the student's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students. (Education Code 48850, 48853; 42 USC 11432)

**District Liaison**

The Superintendent designates the following staff person as the district liaison for homeless students: (42 USC 11432)

District Liaison  
1310 Stroud Ave.  
Kingsburg, CA 93631  
tpenner@kesd.org  
559-897-1046

The district's liaison for homeless students shall: (Education Code 48851.3, 48851.5, 48852.5; 42 USC 11432)

1. Ensure that students experiencing homelessness are identified by school personnel through outreach and coordination activities with other entities and agencies
2. Ensure that students experiencing homelessness are enrolled in, and have a full and equal opportunity to succeed in, district schools
3. Ensure that families and students experiencing homelessness have access to and receive educational services for which they are eligible, including services through Head Start and Early Head Start programs, early intervention services under Part C of the federal Individuals with Disabilities Education Act, and other

preschool programs administered by the district

4. Ensure that families and students experiencing homelessness receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services
5. Inform parents/guardians of the educational and related opportunities available to their children and ensure that they are provided with meaningful opportunities to participate in the education of their children
6. Disseminate public notice of the educational rights of students experiencing homelessness in locations frequented by parents/guardians of students experiencing homelessness and by unaccompanied youth, including schools, shelters, public libraries, and hunger relief agencies (soup kitchens). The rights shall be presented in a manner and form understandable to the parents/guardians of homeless students and unaccompanied youth.
7. Mediate enrollment disputes in accordance with law and the section "Resolving Enrollment Disputes" below
8. Fully inform parents/guardians of students experiencing homelessness and unaccompanied youth of all transportation services, including transportation to the school of origin, and assist them in accessing transportation to the school of choice
9. Offer annual training related to the district's homeless education program policies to school personnel who provide services to students experiencing homelessness, including principals and other school leaders, attendance officers, teachers, enrollment personnel, and specialized instructional support personnel, to ensure that such employees are informed of available training, professional development, and other support, and the services provided by the district liaison for homeless students
10. Ensure that unaccompanied youth are enrolled in school, have opportunities to meet the same challenging state academic standards established for other students, and are informed of their status as independent students under 20 USC 1087vv and that they may receive assistance from the district liaison to receive verification of their independent student status for purposes of applying for federal student aid pursuant to 20 USC 1090
11. Coordinate and collaborate with state coordinators and community and school personnel responsible for the provision of education and related services to students experiencing homelessness, including the collection and provision of comprehensive data to the state coordinator as required by law

In addition, when notified pursuant to Education Code 48918.1, the district liaison shall assist, facilitate, or represent a student experiencing homelessness who is undergoing a disciplinary proceeding that could result in the student's expulsion. When notified pursuant to Education Code 48915.5, the district liaison shall participate in an individualized education program (IEP) team meeting to make a manifestation determination regarding the behavior of a student with a disability.

The Superintendent or designee shall inform students experiencing homelessness, their parents/guardians, school personnel, service providers, and advocates working with homeless families of the duties of the district's liaison. The Superintendent or designee shall also provide the name and contact information of the district's liaison to the California Department of Education (CDE) for publishing on CDE's web site. (42 USC 11432)

## **Enrollment**

The district shall make placement decisions for students experiencing homelessness based on the student's best interest. (Education Code 48850; 42 USC 11432)

In determining a student's best interest, a student experiencing homelessness shall, to the extent feasible, be placed in the school of origin, unless the student's parent/guardian or the unaccompanied youth requests otherwise. (Education Code 48852.7; 42 USC 11432)

When determining the best interest of any student experiencing homelessness, the district shall give priority to the request of the student's parent/guardian, or in the case of an unaccompanied youth, the request of the student. The student's educational stability and opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress and other student-centered factors related to the student's best interest, including the impact of mobility on the student's achievement, education, health, and safety, shall also be considered. (Education Code 48850; 42 USC 11432)

Such factors may include, but are not limited to, the age of the student, the distance of the commute and the impact it may have on the student's education, personal safety issues, the student's need for special instruction, the length of anticipated stay in the temporary shelter or other temporary location, likely area of future housing, school placement of siblings, and the time remaining in the school year.

However, placement decisions shall not be based on whether a student experiencing homelessness lives with the student's homeless parent/guardian or has been temporarily placed elsewhere. (42 USC 11432)

In the case of an unaccompanied youth, the district liaison shall assist in placement or enrollment decisions, give priority to the views of the student, and provide notice to the student of the right to appeal. (42 USC 11432)

Once a placement decision has been made, the principal or designee shall immediately enroll the student in the school of choice. The student shall be enrolled even if the student: (Education Code 48850, 48852.7; 42 USC 11432)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended
2. Does not have clothing normally required by the school, such as school uniforms
3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and records of immunization and other required health records
4. Has missed application or enrollment deadlines during any period of homelessness

The principal or designee shall immediately contact the school last attended by the student to obtain the relevant records. If the student needs to obtain immunizations or does not possess immunization or other required health records, the principal or designee shall immediately refer the parent/guardian to the district liaison for homeless students. The district liaison shall assist the parent/guardian, or the student if the student is an unaccompanied youth, in obtaining the necessary immunizations, screenings, or records for the student. (42 USC 11432)

If the student is placed at a school other than the school of origin or the school requested by the student's parent/guardian or the student, if an unaccompanied youth, the Superintendent or designee shall provide the parent/guardian or the unaccompanied youth with a written explanation of the reasons for the decision, including why placement in the student's school of origin or requested school is not in the student's best interest, along with a statement regarding the right to appeal the placement decision. The written explanation shall be in a manner and form understandable to such parent/guardian or unaccompanied youth. (42 USC 11432)

At the point of any change or subsequent change in the residence of a student experiencing homelessness, the student may continue attending the student's school of origin for the duration of the homelessness. (Education Code 48852.7; 42 USC 11432)

To ensure that the student experiencing homelessness has the benefit of matriculating with the student's peers in accordance with the established feeder patterns, the following shall apply: (Education Code 48852.7; 42 USC 11432)

1. If the student is transitioning between grade levels, the student shall be allowed to continue in the same attendance area
2. If the student is transitioning to a middle school or high school, and the school designated for matriculation is in another school district, the student shall be allowed to continue to the school designated for matriculation in that district

If the student's housing status changes before the end of the school year so that the student is no longer experiencing homelessness, the student shall be allowed to stay in the school of origin: (Education Code 48852.7)

1. Through the duration of the school year if the student is in grades K-8
2. Through graduation if the student is in high school

### **Resolving Enrollment Disputes**



If a dispute arises over student eligibility, school selection, or enrollment in a particular school, the matter shall be referred to the district liaison, who shall carry out the dispute resolution process as expeditiously as possible. (42 USC 11432)

The parent/guardian or unaccompanied youth shall be provided with a written explanation of any decisions related to eligibility, school selection, or enrollment and of the right of the parent/guardian or unaccompanied youth to appeal such decisions. (42 USC 11432)

The written explanation shall include:

1. A description of the action proposed or refused by the district
2. An explanation of why the action is proposed or refused
3. A description of any other options the district considered and the reasons that any other options were rejected
4. A description of any other factors relevant to the district's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources
5. Appropriate timelines to ensure any relevant deadlines are not missed
6. Contact information for the district liaison and state coordinator, and a brief description of those roles

The written explanation shall be complete, as brief as possible, simply stated, and provided in language that the parent/guardian or student can understand.

The district liaison may use an informal process as an alternative to formal dispute resolution procedures, provided that the parents/guardians or unaccompanied youth have access to the more formal process if informal resolution is not successful in resolving the matter.

In working with a student's parents/guardians or unaccompanied youth to resolve an enrollment dispute, the district liaison shall:

1. Inform the student's parents/guardians or unaccompanied youth that written and/or oral documentation to support their position may be provided
2. Inform the student's parents/guardians or unaccompanied youth that they may seek the assistance of social services, advocates, and/or service providers in having the dispute resolved
3. Provide a simple form that they may use and turn in to the school to initiate the dispute resolution process
4. Provide a copy of the dispute form they submit for their records
5. Provide the outcome of the dispute for their records

When a student's parent/guardian or an unaccompanied youth involved in the enrollment dispute is an English learner, Items #1-5 shall be provided either in the native language of the parent/guardian or unaccompanied youth or through an interpreter. Any additional support needed because of a disability of that parent/guardian or unaccompanied youth shall be made available without a charge.

If a parent/guardian or unaccompanied youth disagrees with the district liaison's enrollment decision, the decision may be appealed to the Superintendent. The Superintendent shall make a determination within five working days.

If the parent/guardian chooses to appeal the district's placement decision, the district liaison shall forward all written documentation and related paperwork to the liaison for homeless students at the county office of education.

Pending final resolution of the dispute, including all available appeals, the student shall be immediately enrolled in the school in which enrollment is sought and shall be allowed to attend classes and participate fully in school activities. (42 USC 11432, 11434a)

## **Transportation**

The district shall provide transportation for a student experiencing homelessness to and from the student's school of origin when the student is residing within the district and the parent/guardian, or the district liaison in the case of an unaccompanied youth, requests that such transportation be provided. If the student moves outside of district boundaries, but continues to attend the student's school of origin within this district, the Superintendent or designee shall consult with the superintendent of the district in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation. (42 USC 11432)

Any fees that the district charges for home-to-school transportation and other transportation as expressly provided by law shall be waived for students experiencing homelessness. (Education Code 39807.5)

The district shall not be obligated to provide transportation to students who continue attending their school of origin after they secure permanent housing, unless the formerly homeless student has an IEP that includes transportation as a necessary related service for the student. (Education Code 48852.7)

### **Transfer of Coursework and Credits**

When a student experiencing homelessness transfers into a district school, the district will receive an official transcript from the transferring school or district which reflects full and partial credits and grades earned by the student and includes: (Education Code 51225.2)

1. A determination of the days of enrollment and/or seat time, if applicable, for all full and partial credits earned based on any measure of full or partial coursework being satisfactorily completed

*Partial coursework satisfactorily completed* includes any portion of an individual course, even if the student did not complete the entire course

2. Separate listings for credits and grades earned at each school and local educational agency so it is clear where credits and grades were earned
3. A complete record of the student's seat time, including both period attendance and days of enrollment

The district shall transfer the credits and grades from the transferring school's transcript onto an official district transcript in the same manner as described in Item #2, above. (Education Code 51225.2)

If the Principal or designee has knowledge that the transcript from the transferring school may not include certain credits or grades, the Principal or designee shall contact the prior school within two business days to request that the full or partial credits be issued, which shall then be issued and provided by the prior school within two business days of the request. (Education Code 51225.2)

The district shall accept and issue full credit for any coursework that the student has satisfactorily completed while attending another public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school. (Education Code 51225.2)

If the entire course was completed, the district shall not require the student to retake the course. (Education Code 51225.2)

If the entire course was not completed at the previous school, the student shall be issued partial credit for the coursework completed and shall be required to take the uncompleted portion of the course. However, the district may require the student to retake the portion of the course completed if, in consultation with the holder of educational rights for the student, the district finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a student in any particular course, the student shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course. (Education Code 51225.2)

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code 49069.5.

In no event shall the district prevent a student experiencing homelessness from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

**Eligibility for Extracurricular Activities**

A student experiencing homelessness who enrolls in any district school shall have access to extracurricular and enrichment activities that are available to all students in the school, including but not limited to, interscholastic sports administered by the California Interscholastic Federation. (Education Code 48850)

**Notification, Complaints, and Posting Requirements**

Information regarding the educational rights of students experiencing homelessness, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

Any complaint that the district has not complied with requirements regarding the education of students experiencing homelessness, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.

The Superintendent or designee shall ensure that a list of the district's liaison(s) and the contact information for such liaison(s), as well as specific information on homelessness, including, but not limited to, information regarding the educational rights and resources available to students experiencing homelessness, are posted on the district's web site. (Education Code 48852.6)

Each district school that has a web site shall also post the contact information for the district liaison and the name and contact information of any employee or other person under contract with the school who assists the district liaison in completing the liaison's duties pursuant to 42 USC 11432. (Education Code 48852.6)

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**Policy 6173.1: Education For Foster Youth**

**Status:** DRAFT

**Original Adopted Date:** 04/19/2010 | **Last Revised Date:** 02/21/2012

The Governing Board recognizes that foster youth may face significant barriers to achieving academic success due to their family circumstances, disruption to their educational program, and their emotional, social, and other health needs that may be addressed with the provision of a safe, positive learning environment that is free from discrimination and harassment and that promotes students' self-esteem and academic achievement.

The Superintendent or designee shall provide foster youth with full access to the district's educational program and implement strategies necessary for the improvement of the academic achievement of foster youth as identified in the district's local control and accountability plan (LCAP). The Superintendent or designee shall also develop strategies to build a foster youth's feeling of connectedness with school, including, but not limited to, strategies that promote positive discipline and conflict resolution, the development of resiliency and interpersonal skills, and the involvement of foster parents, group home administrators, and/or other caretakers in school programs and activities.

The Superintendent or designee shall ensure that placement decisions for foster youth are based on the students' best interests as defined in law and as specified in the accompanying administrative regulation. To that end, the Superintendent or designee shall designate a staff person as the district liaison for foster youth to help facilitate the enrollment, placement, and transfer of foster youth.

The Superintendent or designee and district liaison shall ensure that all appropriate staff, including, but not limited to, each principal, school registrar, and attendance clerk, receive training on the enrollment, placement, and transfer of foster youth and other related rights.

To address the needs of foster youth and help ensure the maximum utilization of available funds, the Superintendent or designee shall collaborate with local agencies and officials including, but not limited to, the county placing agency, social services, probation officers, and juvenile court officers. The Superintendent or designee shall explore the feasibility of entering into agreements with these groups to coordinate services and protect the rights of foster youth.

At least annually and in accordance with the established timelines, the Superintendent or designee shall report to the Board on the outcomes for foster youth regarding the goals and specific actions identified in the LCAP, including, but not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, and suspension/expulsion rates. As necessary, evaluation data shall be used to determine and recommend revisions to the LCAP for improving or increasing services for foster youth.

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**Regulation 6173.1: Education For Foster Youth**

**Status:** DRAFT

**Original Adopted Date:** 03/10/2011 | **Last Revised Date:** 10/10/2022

**Definitions**

Foster youth, foster child, or student in foster care means any of the following: (Education Code 42238.01, 48853.5)

1. A child who is the subject of a petition filed pursuant to Welfare and Institutions Code 300, whether or not the child has been removed from the child's home by the juvenile court pursuant to Welfare and Institutions Code 319 or 361
2. A child who is the subject of a petition filed pursuant to Welfare and Institutions Code 602, whether or not the child has been removed from the child's home
3. A child who is the subject of a petition filed pursuant to Welfare and Institutions Code 602, has been removed from the child's home by the juvenile court pursuant to Welfare and Institutions Code 727, and is in foster care as defined by Welfare and Institutions Code 727.4(d)
4. A nonminor who is under the transition jurisdiction of a juvenile court, as described in Welfare and Institutions Code 450, and satisfies the criteria specified in Education Code 42238.01
5. A child who has been removed from the youth's home pursuant to Welfare and Institutions Code 309
6. A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court pursuant to the court's jurisdiction in accordance with the tribe's law
7. A child who is the subject of a voluntary placement agreement, as defined in Welfare and Institutions Code 11400(p)

*Person holding the right to make educational decisions* means a responsible adult appointed by a court pursuant to Welfare and Institutions Code 361 or 726.

*School of origin* means the school that the foster youth attended when permanently housed or the school in which the foster youth was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which the foster youth was last enrolled, or if there is another school that the foster youth attended with which the foster youth is connected and that the foster youth attended within the preceding 15 months, the district liaison, in consultation with, and with the agreement of, the foster youth and the person holding the right to make educational decisions for the foster youth shall determine, in the best interests of the foster youth, the school that shall be deemed the school of origin. (Education Code 48853.5)

*Best interests of a foster youth* means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, the proximity to the school at the time of placement, appropriateness of the educational setting, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the foster youth's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students. (Education Code 48850, 48853; 20 USC 6311)

**District Liaison**

The Superintendent designates the following position as the district's liaison for foster youth: (Education Code 48853.5)

Tricia Penner  
1310 Stroud Avenue  
Kingsburg, CA 93631  
tpenner@kesd.org  
559-897-1046

The liaison for foster youth shall:

1. Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of

students in foster care (Education Code 48853.5)

2. Ensure proper transfer of credits, records, and grades when students in foster care transfer from one school to another or from one district to another (Education Code 48645.5, 48853.5)

When a student in foster care is enrolling in a district school, the liaison shall contact, within two business days of the student's request for enrollment, the school last attended by the student to obtain all academic and other records. When a foster youth is transferring to a new school, the liaison shall provide the student's records to the new school within two business days of receiving the new school's request. (Education Code 48853.5)

3. Notify a foster youth's educational rights holder, attorney, and county social worker when a foster youth is undergoing any expulsion or other disciplinary proceeding including a manifestation determination for a foster youth who is a student with a disability, prior to a change in the foster youth's placement. (Education Code 48853.5, 48911, 48915.5, 48918.1)
4. As needed, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973
5. As needed, ensure that students in foster care receive appropriate school-based services, such as counseling and health services, supplemental instruction, and after-school services
6. Develop protocols and procedures for creating awareness for district staff, including principals, school registrars, and attendance clerks, of the requirements for the proper enrollment, placement, and transfer of foster youth
7. Collaborate with the county office of education, county placing agency, county child welfare agency, county probation department, juvenile court, and other appropriate agencies to help coordinate instruction, counseling, tutoring, mentoring vocational training, and other related services for the district's foster youth
8. Monitor the educational progress of foster youth and provide reports to the Superintendent or designee and the Governing Board based on indicators identified in the district's local control and accountability plan

The Superintendent or designee shall regularly monitor the liaison's caseload, as well as additional duties outside of the foster youth program, to ensure that adequate time and resources are provided to meet the needs of foster youth in the district.

### **Enrollment**

A student placed in a licensed children's institution or foster family home within the district shall attend programs operated by the district unless one of the following circumstances applies: (Education Code 48853, 48853.5)

1. The student has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency or in another local educational agency
2. The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best interests of the student to be placed in another education program and submits a written statement to the district indicating that determination and an awareness of the following:
  - a. The student has a right to attend a regular public school in the least restrictive environment
  - b. The alternate education program is a special education program, if applicable
  - c. The decision to unilaterally remove the student from the district school and to place the student in an alternate education program may not be financed by the district
  - d. Any attempt to seek reimbursement for the alternate education program may be at the expense of the parent/guardian or other person holding the right to make educational decisions for the student
3. At the initial placement or any subsequent change in placement, the student exercises the right to continue in the school of origin, as defined above. In any such circumstance, the following shall apply:

- a. The student may continue in the school of origin for the duration of the court's jurisdiction
- b. If the court's jurisdiction over a grade K-8 student is terminated prior to the end of a school year, the student may continue in the school of origin for the remainder of the school year
- c. If the court's jurisdiction is terminated while the student is in high school, the student may continue in the school of origin through graduation
- d. If the student is transitioning between school grade levels, the student shall be allowed to continue in the district in the same attendance area to provide the student the benefit of matriculating with the student's peers in accordance with the established feeder patterns of school in the district. A student who is transitioning to a middle school or high school shall be allowed to enroll in the school designated for matriculation in another school district.

The role of the liaison shall be advisory with respect to placement decisions and determination of the school of origin. (Education Code 48853.5)

The district liaison may, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the foster youth, recommend that the foster youth's right to attend the school of origin be waived and the foster youth be enrolled in any school that students living in the attendance area in which the foster youth resides are eligible to attend. All decisions shall be made in accordance with the foster youth's best interests. (Education Code 48853.5)

Prior to making any recommendation to move a foster youth from the school of origin, the liaison shall provide the foster youth and the person holding the right to make educational decisions for the youth with a written explanation of the basis for the recommendation and how the recommendation serves the youth's best interests. (Education Code 48853.5)

If the liaison, in consultation with the foster youth and the person holding the right to make educational decisions for the foster youth, agrees that the best interests of the foster youth would be served by a transfer to a school other than the school of origin, the principal or designee of the new school shall immediately enroll the foster youth, regardless of whether the foster youth: (Education Code 48853.5)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended
2. Does not have clothing normally required by the school, such as school uniforms
3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and medical records, including, but not limited to, immunization records or other documentation

If the foster youth or a person holding the right to make educational decisions for the foster youth disagrees with the liaison's enrollment recommendation, an appeal may be filed with the Superintendent. The Superintendent shall make a determination within 30 calendar days of receipt of the appeal. Within 30 calendar days of receipt of the Superintendent's decision, the foster youth or the person holding the right to make educational decisions for the foster youth may appeal that decision to the Board. The Board shall consider the issue at its next regularly scheduled meeting. The Board's decision shall be final.

If any dispute arises regarding the request of a foster youth to remain in the school of origin, the foster youth has the right to remain in the school of origin pending resolution of the dispute. (Education Code 48853.5)

### **Transportation**

The Superintendent or designee shall collaborate with the local child welfare agency to determine how transportation will be provided, arranged, and funded in a cost-effective manner to enable a foster youth to remain in the school of origin, for the duration of the time spent in foster care, when it is in the foster youth's best interest to do so. Such transportation costs may be paid by either the child welfare agency or the district, or shared by both. (20 USC 6312)

Any fees that the district charges for home-to-school transportation and other transportation as expressly provided by law shall be waived for foster youth. (Education Code 39807.5)

### **Effect of Absences on Grades**

The grades of a student in foster care shall not be lowered for any absence from school that is due to either of the following circumstances: (Education Code 49069.5)

1. A decision by a court or placement agency to change the student's placement, in which case the grades shall be calculated as of the date the student left school
2. A verified court appearance or related court-ordered activity

#### **Transfer of Coursework and Credits**

When a foster youth transfers into a district school, the district will receive an official transcript from the transferring school or district which reflects full and partial credits and grades earned by the foster youth and includes: (Education Code 51225.2)

1. A determination of the days of enrollment and/or seat time, if applicable for all full and partial credits earned based on any measure of full or partial coursework being satisfactorily completed

*Partial coursework satisfactorily completed* includes any portion of an individual course, even if the student did not complete the entire course

2. Separate listings for credits and grades earned at each school and local educational agency so it is clear where credits and grades were earned
3. A complete record of the student's seat time, including both period attendance and days of enrollment

The district shall transfer the credits and grades from the transferring school's transcript onto an official district transcript in the same manner as described in Item #2, above. (Education Code 51225.2)

If the Principal or designee has knowledge that the transcript from the transferring school may not include certain credits or grades, the Principal or designee shall contact the prior school within two business days to request that the full or partial credits be issued, which shall then be issued and provided by the prior school within two business days of the request. (Education Code 51225.2)

The district shall accept and issue full or partial credit for any coursework that the foster youth has satisfactorily completed while attending another public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school or agency. (Education Code 51225.2)

If the entire course was completed, the district shall not require the foster youth to retake the course. (Education Code 51225.2)

If the entire course was not completed at the previous school, the foster youth shall be issued partial credit for the coursework completed and shall be required to take the uncompleted portion of the course. However, the district may require the foster youth to retake the portion of the course completed if, in consultation with the holder of educational rights for the foster youth, the district finds that the foster youth is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a foster youth in any particular course, the foster youth shall be enrolled in the same or equivalent course, if applicable, to enable the completion of the entire course. (Education Code 51225.2)

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code 49069.5.

In no event shall the district prevent a foster youth from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

#### **Eligibility for Extracurricular Activities**

A foster youth whose residence changes pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other



extracurricular activities. (Education Code 48850)

#### **Notification and Complaints**

Information regarding the educational rights of foster youth shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

Any complaint alleging that the district has not complied with requirements regarding the education of foster youth may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures. If the district finds merit in a complaint, the district shall provide a remedy to the affected student. A complainant not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE) and shall receive a written decision regarding the appeal within 60 days of CDE's receipt of the appeal. If CDE finds merit in an appeal, the district shall provide a remedy to the affected student. (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

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