

# Hanford Elementary School District

## REGULAR BOARD MEETING AGENDA

Wednesday, April 8, 2026

HESD District Office Board Room

714 N. White Street, Hanford, CA

### OPEN SESSION

5:30 p.m.

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

### CLOSED SESSION

- **Conference with Legal Counsel – Anticipated Litigation**
  - Significant exposure to litigation pursuant to Gov. Code, §54956.9, subd. (d)(2): 1

### OPEN SESSION

5:45 p.m.

Take action on Closed Session items

## 1. PRESENTATIONS, REPORTS AND COMMUNICATIONS

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

- a) Public Comments
- b) Board and Staff Comments
- c) Review Dates to Remember
- d) Student Highlight – John F. Kennedy Junior High Boys' 8<sup>th</sup> Grade Soccer Team

## 2. CONSENT ITEMS

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

- a) Accept warrant listings dated March 18, 2026, and March 20, 2026
- b) Approve minutes of the Regular Board Meeting held on March 25, 2026
- c) Donation:
  - One Clarinet from Trustee Greg Strickland

- *Materials related to an item on this agenda submitted to the Board after distribution of the agenda packet are available for public inspection at the Superintendent's Office located at 714 N. White Street, Hanford, CA during regular business hours.*
- *Any individual who requires disability-related accommodations or modifications, including auxiliary aides and services, in order to participate in the Board meeting should contact the Superintendent's Office at least 48 hours prior to the meeting.*

### 3. INFORMATION ITEMS

NONE

### 4. BOARD POLICIES AND ADMINISTRATION

- a) Consider approval of the Memorandum of Understanding with Tulare County Office of Education/Migrant Program Region VIII (Model B district) (*Baldwin*)
- b) Consider approval of HESD Curriculum Committee'S recommendation of the SBE approved Math program, Imagine IM (*Rubalcava*)
- c) Consider approval of Memorandum of Understanding with the Kings County Office of Education (*Rubalcava*)
- d) Consider approval of the revised Board Policy and Administrative Regulation 5144.1 – Suspension and Expulsion/Due Process (*Strickland*)
- e) Consider approval of the revised Administrative Regulation 5144.2 – Suspension and Expulsion/Due Process (Students with Disabilities) (*Strickland*)

### 5. PERSONNEL (Martinez)

#### a) Employment

##### Classified

- Esperanza Gonzalez, READY Program Tutor – 4.5 hrs., Jefferson, effective 3/13/26

##### Certificated Short-Term Employment

- Julia Lofy, Resource Specialist Program Teacher, effective 4/7/26-6/5/26

##### Temporary Employees/Substitutes

- Jazel Farias, Athletic Coach, effective 3/20/26
- Alondra Perdomo, Substitute Yard Supervisor, effective 3/24/26
- Alexa Ruiz-Ibarra, Substitute READY Program Tutor, effective 3/18/26

##### Promotion

- Nicole Pimentel, from READY Program Tutor – 4.5 hrs., Jefferson, to READY Site Lead – 5.0 hrs., Jefferson, effective 3/13/26 (REVISED)

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

- Jazel Farias, 4-6th Girls Track, Roosevelt, effective 3/20/26-5/2/26

#### b) Resignations

##### Classified

- Jazeray Long, Food Service Worker II – 3.0 hrs., Kennedy, effective 3/27/26
- Keiry Navarro Linares, READY Program Tutor – 4.5 hrs., Hamilton, effective 5/20/26
- Betsaida Ruiz Medina, READY Program Tutor – 4.5 hrs., Washington, effective 3/27/26
- Sidney Sandoval, Substitute Yard Supervisor, effective 3/27/26
- Grace Servadio, READY Program Tutor – 4.5 hrs., Richmond, effective 6/5/26

- Emily Westfall, READY Program Tutor – 4.5 hrs., Hamilton, effective 6/5/26

Retirements

- Irma Garcia, Special Education Aide – 5.0 hrs., Kennedy, effective 6/5/26

c) Adopt Declaration of Need for Fully Qualified Educators for 2026-2027 School Year (Title 5, §80026) – Attached

d) Annual Statement of Need for 30-Day Substitute Teaching Permits

- The Governing Board of the Hanford Elementary School District declares that a sufficient number of credentialed teachers are not available to fill vacancies for substitute teaching during the 2026-27 school year. Therefore, the District is filing an Annual Statement of Need with the Kings County Office of Education to allow Emergency 30-day Substitute Permit holders to fill day-to-day substitute needs.

e) Volunteers

| <u>Name</u>              | <u>School</u>  |
|--------------------------|----------------|
| Mia Taylor               | Hamilton/Simas |
| Mallory Kuhn (HESD EE)   | King           |
| Veronica Ruiz            | Monroe         |
| Jeanette Lopez (HESD EE) | Richmond       |
| Samantha Avila           | Roosevelt      |
| Yolanda Sandoval         | Wilson         |

**6. FINANCIAL** (*Endo*)

- a) Consider approval of the 2026-2027 Local Control Accountability Plan (LCAP) and District Budget Public Hearing scheduled for June 10, 2026, at 5:30 p.m.
- b) Consider approval of the Facility Lease Agreement with the Hanford Joint Union High School District
- c) Consider adoption of Resolution No. 27-26: Commitment of Fund Balance

**ADJOURN MEETING**

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy C. Gabler

FROM: David Endo

DATE: 03/27/2026

FOR:  Board Meeting  
 Superintendent's Cabinet

FOR:  Information  
 Action

Date you wish to have your item considered: 04/08/2026

**ITEM:**

Consider approval of warrants.

**PURPOSE:**

The administration is requesting the approval of the warrants as listed on the registers dated: 03/18/2026 and 03/20/2026.

**FISCAL IMPACT:**

See attached.

**RECOMMENDATIONS:**

Approve the warrants.

**Warrant Register For Warrants  
Dated 03/18/2026**

| <b>Warrant Number</b>                | <b>Vendor Number</b> | <b>Vendor Name</b>                         | <b>Amount</b>     |
|--------------------------------------|----------------------|--|-------------------|
| 12803475                             | 91                   | AUTOMATED OFFICE SYSTEMS – Services/Repair | \$8,514.25        |
| <b>Total Amount of All Warrants:</b> |                      |  | <b>\$8,514.25</b> |

## Warrant Register For Warrants Dated 03/20/2026

| Warrant Number | Vendor Number | Vendor Name  | Amount      |
|----------------|---------------|--|-------------|
| 12803662       | 8578          | 300 800 GRILL – Materials/Supplies                         | \$570.00    |
| 12803663       | 3340          | ACADEMIC THERAPY PUBLICATIONS – Books                      | \$146.14    |
| 12803664       | 8792          | HANNAH AGUAYO – Reimburse-Other Services                   | \$39.00     |
| 12803665       | 6431          | AMAZON.COM – Materials/Supplies                            | \$16,754.46 |
| 12803666       | 2352          | AMS.NET – Equipment  | \$1,715.86  |
| 12803667       | 6253          | AT&T – Telephone Communications                            | \$3,337.64  |
| 12803668       | 3258          | BANK OF AMERICA – Materials/Supplies, Travel/Conference    | \$9,331.62  |
| 12803669       | 8531          | ANGELA BAYER – Other Services                              | \$18,750.00 |
| 12803670       | 6658          | BRICKS4KIDZ – Other Services                               | \$630.00    |
| 12803671       | 355           | CDT INC. – Other Services                                  | \$314.00    |
| 12803672       | 5936          | CHARLES COLE – Reimburse-Mileage                           | \$20.30     |
| 12803673       | 4178          | COOK'S COMMUNICATION – Materials/Supplies, Services/Repair | \$1,871.98  |
| 12803674       | 392           | CUMMINS PACIFIC LLC – Services/Repair                      | \$1,111.43  |
| 12803675       | 405           | DASSEL'S PETROLEUM INC. – Materials/Supplies               | \$2,085.61  |
| 12803676       | 416           | DEMCO INC. – Materials/Supplies                            | \$141.98    |
| 12803677       | 4512          | DIV. OF STATE ARCHITECT – Monroe Modernization Project     | \$21,720.35 |
| 12803678       | 8514          | DJ RICKY YANEZ – Other Services                            | \$400.00    |
| 12803679       | 8514          | DJ RICKY YANEZ – Other Services                            | \$450.00    |
| 12803680       | 4346          | EAI EDUCATION – Materials/Supplies                         | \$415.52    |
| 12803681       | 8336          | DALE ENGSTROM – Other Services                             | \$50.00     |
| 12803682       | 1393          | GAS COMPANY – Utilities                                    | \$2,537.36  |
| 12803683       | 604           | GRAINGER – Materials/Supplies                              | \$969.96    |
| 12803684       | 5052          | IMAGINE U CHILDRENS MUSEUM – Hamilton Study Trip           | \$400.00    |
| 12803685       | 8478          | SAMANTHA JAVAUX – Materials/Supplies                       | \$1,380.20  |
| 12803686       | 764           | RICHARD JOHNSTON – Reimburse-Materials/Supplies            | \$146.00    |
| 12803687       | 808           | KINGS WASTE & RECYCLING – Utilities                        | \$295.03    |
| 12803688       | 5304          | KONA ICE OF KINGS COUNTY – Other Services                  | \$315.00    |
| 12803689       | 8622          | SHAWNA LUIS-ZSIDO – Reimburse-Mileage                      | \$93.96     |
| 12803690       | 5329          | MARISCO COLIMA TACOS – Other Services                      | \$2,167.00  |
| 12803691       | 7930          | GUADALUPE MONTALVO DE RUIZ – Reimburse-Other Services      | \$39.00     |
| 12803692       | 5028          | NATIONAL JUNIOR BASKETBALL – Other Services                | \$274.17    |
| 12803693       | 5510          | NEWEGG.COM – Materials/Supplies                            | \$113.61    |
| 12803694       | 1058          | ODP BUSINESS SOLUTIONS LLC – Warehouse Inventory           | \$517.31    |
| 12803695       | 3689          | PIONEER VALLEY ED. PRESS – Materials/Supplies, Books       | \$4,822.54  |
| 12803696       | 1188          | QUILL LLC – Warehouse Inventory                            | \$1,731.89  |
| 12803697       | 8338          | ERIC G. RAMIREZ – Other Services                           | \$50.00     |
| 12803698       | 8795          | RUSSELL ROBLES – Reimburse-Other Services                  | \$30.00     |
| 12803699       | 5558          | ROSA BROTHERS MILK COMPANY – Roosevelt Study Trip          | \$440.00    |
| 12803700       | 4700          | MICHAEL SCHOFIELD – Other Services                         | \$50.00     |
| 12803701       | 4031          | SIX FLAGS MAGIC MOUNTAIN – Band Field Trip                 | \$17,975.92 |
| 12803702       | 8095          | SKYLINE BUS CHARTER LLC – Other Services                   | \$14,500.00 |
| 12803703       | 1374          | SMART & FINAL STORES (HFD DO) – Materials/Supplies         | \$154.39    |
| 12803704       | 1801          | SMART & FINAL STORES (HFD KIT) – Food Services-Food        | \$192.15    |
| 12803705       | 3800          | SONITROL OF FRESNO – Services/Repair                       | \$340.75    |
| 12803706       | 1392          | SOUTHERN CALIFORNIA EDISON CO. – Utilities                 | \$60,863.64 |
| 12803707       | 1403          | STANISLAUS FOUNDATION – DENTAL – Health/Welfare Benefits   | \$1,206.00  |
| 12803708       | 8163          | TOLTECMEDIA – Woodrow Entry Fee                            | \$300.00    |
| 12803709       | 8793          | TPD TRAILERS INC. – Equipment                              | \$40,630.21 |

**Warrant Register For Warrants  
Dated 03/20/2026**

| <b>Warrant Number</b>                | <b>Vendor Number</b> | <b>Vendor Name</b>  | <b>Amount</b>       |
|--------------------------------------|----------------------|---|---------------------|
| 12803710                             | 4114                 | TULARE COUNTY OFFICE OF EDUCATION – Travel/Conf, Other Services | \$965.00            |
| 12803711                             | 1508                 | U.S. POSTAL SERVICE (CMRS-POP) – Postage                        | \$5,000.00          |
| 12803712                             | 3749                 | ULINE INC – Materials/Supplies                                  | \$877.35            |
| 12803713                             | 21                   | VISALIA ADVENTURE PARK – Monroe Field Trip                      | \$2,759.00          |
| 12803714                             | 21                   | VISALIA ADVENTURE PARK – READY Field Trip                       | \$1,262.00          |
| 12803715                             | 1603                 | WESTERN BUILDING MATERIALS – Materials/Supplies                 | \$533.92            |
| 12803716                             | 6435                 | ZOHO CORP – Other Services                                      | \$4,122.04          |
| <b>Total Amount of All Warrants:</b> |                      |   | <b>\$247,911.29</b> |

**Credit Card Register For Payments  
Dated 03/20/2026**

| <b>Document Number</b>                           | <b>Vendor Number</b> | <b>Vendor Name</b>                                    | <b>Amount</b>      |
|--|----------------------|---|--------------------|
| 14043625   | 176                  | BSN SPORTS LLC – Materials/Supplies                   | \$1,189.36         |
| 14043626   | 7836                 | FOLLETT CONTENT SOLUTIONS LLC – Books                 | \$2,214.02         |
| 14043627   | 1111                 | J W PEPPER & SON INC – Books                          | \$47.62            |
| 14043628   | 1071                 | ORIENTAL TRADING CO. INC. – Materials/Supplies        | \$508.65           |
| 14043629   | 1074                 | OUTDOOR CREATIONS INC. – Monroe Modernization Project | \$5,499.10         |
| 14043630   | 1121                 | PERMA-BOUND – Books                                   | \$4,337.14         |
| 14043631   | 1313                 | SCHOLASTIC TEACHERS STORE – Books                     | \$1,579.92         |
| 14043632   | 3722                 | SCHOOL MATE – Materials/Supplies                      | \$4,396.31         |
| 14043633   | 5391                 | STARFALL EDUCATION – Other Services                   | \$355.00           |
| <b>Total Amount of All Credit Card Payments:</b> |                      |   | <b>\$20,127.12</b> |

Hanford Elementary School District  
*Minutes of the Regular Board Meeting*  
 March 25, 2026

The Regular Board Meeting of the Hanford Elementary School District Board of Trustees was held on March 25, 2026, in the District Office Board Room, 714 N. White Street, Hanford, California.

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

**HESD Managers Present** Joy C. Gabler, Superintendent, and the following administrators were present: Kristina Baldwin, Kelly Bekedam, David Endo, Javier Espindola, Amy Fochetti, Matt Gamble, Robert Heugly, Jennifer Levinson, Chris Martinez, Miranda Mendoza, Daniel Pierotte, Cynthia Pursell, Jill Rubalcava, Cruz Sanchez-Leal, and Jay Strickland.

**PRESENTATION, REPORTS, AND COMMUNICATIONS**

**Public Comments** No public comments were received.

**Board and Staff Comments** Joy C. Gabler, Superintendent, acknowledged and thanked the District Kitchen and John F. Kennedy Junior High for hosting the Grand Jury. Approximately 15 members were present and observed District Kitchen operations and visited classrooms at Kennedy.

**Dates to Remember** President Garner reviewed the following dates: Minimum Day – March 27; Spring Break – March 30 to April 6; Regular Board Meeting – April 8.

**2026 HESD Excellence in Education Honorees** The Board and Superintendent Gabler recognized the 2026 HESD Excellence in Education Honorees:

- Leslie Griffith – 6<sup>th</sup> grade Teacher at Simas Elementary
- Jesse Thompson – Lead Custodian at Lincoln Elementary
- Lyndzi Lowe – Counselor at Monroe Elementary
- Anneliese Roa – Program Manager for Food Services

**Public Hearing: Statutory School Fee** At 5:52 p.m. President Garner opened the Public Hearing: Proposed Increase of the Statutory School Fee.

David Endo, Chief Business Official, stated that the State Allocation Board semiannually approves an inflationary increase applicable to developer fee on new residential construction. A study was done and it justifies the increase of \$7.39 per square foot. The purpose of the public hearing was to confirm that a study was conducted, the fee is justified, and to receive public input.

President Garner called for questions from the public, there being none the Public Hearing was closed at 5:53 p.m.

## CONSENT ITEMS

Trustee Garcia made a motion to take the Consent Items "a" through "d" collectively. Trustee Hernandez seconded; the motion carried 5-0:

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

Trustee Garcia then made a motion to approve Consent Items "a" through "d". Trustee Hernandez seconded; the motion carried 5-0:

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

The items approved are as follows:

- a) Warrant listings dated March 6, 2026; March 11, 2026; and March 13, 2026.
- b) Minutes of the Regular Board Meeting held on March 11, 2026.
- c) Interdistrict transfers as recommended.
- d) Donations:
  - \$300.00 from Charities Aid Foundation America
  - \$715.00 from an Anonymous donor for a memorial bench at Woodrow Wilson Junior High

## INFORMATION ITEMS

**Financial Report** a) David Endo, Chief Business Official, presented for information the monthly  
**7/1/25-** financial reports for the period of 07/01/25 – 02/28/26. He stated that  
**2/28/26** everything is continuing as planned.

**BP/AR 5144.1** b) Jay Strickland, Assistant Superintendent of Student Services, presented for information the revised Board Policy and Administrative Regulation 5144.1 – Suspension and Expulsion/Due Process.

**AR 5144.2** c) Jay Strickland, Assistant Superintendent of Student Services, presented for information the revised Administrative Regulation 5144.2 – Suspension and Expulsion/Due Process (Student with Disabilities).

## BOARD POLICIES AND ADMINISTRATION

**Resolution No.** a) Trustee Garica made a motion to adopt Resolution No. 26-26: Regarding Absent  
**26-26** Board Member Compensation – L. Hernandez. Trustee Revious seconded; the motion carried 5-0:  
Garcia – Yes  
Garner – Yes  
Hernandez – Yes

Revious – Yes  
Strickland – Yes

- MOU - KCOE** b) Trustee Garcia made a motion to approve amendment to the Memorandum of Understanding with Kings County Office of Education to add an additional 28.5 days of coaching for Transitional Kindergarten teachers. Trustee Hernandez seconded; the motion carried 5-0:
- Garcia – Yes
  - Garner – Yes
  - Hernandez – Yes
  - Revious – Yes
  - Strickland – Yes

- Contract – Sarah Brown Wessling** c) Trustee Garcia made a motion to approve the Consultant Contract with Sarah Brown Wessling for up to 26 days of consultant work to begin spring 2026 and continue through the 2026-2027 school year. Trustee Hernandez seconded; the motion carried 5-0:
- Garcia – Yes
  - Garner – Yes
  - Hernandez – Yes
  - Revious – Yes
  - Strickland – Yes

- Contract – Bricks 4 Kidz** d) Trustee Strickland made a motion to approve the Consultant Contract with Bricks 4 Kidz to provide engineering-based enrichment activities and lessons to students in the Summer Program from June 15 to July 17, 2026 in grades Tk through 5th. Trustee Garcia seconded; the motion carried 5-0:
- Garcia – Yes
  - Garner – Yes
  - Hernandez – Yes
  - Revious – Yes
  - Strickland – Yes

- MOU - HJUHS** e) Trustee Strickland made a motion to approve the Memorandum of Understanding with Hanford Joint Union High School District for the Summer gym Program, Summer Music Program and Summer Swim School. Trustee Hernandez seconded; the motion carried 5-0:
- Garcia – Yes
  - Garner – Yes
  - Hernandez – Yes
  - Revious – Yes
  - Strickland – Yes

- Contract - iCook**f) Trustee Hernandez made a motion to approve the Consultant Contract with iCook to provide nutrition-based enrichment activities and lessons to students in the Summer Program from June 15 to July 17 ,2026 in grades TK to 5<sup>th</sup>. Trustee Strickland seconded; the motion carried 5-0:
- Garcia – Yes
  - Garner – Yes

Hernandez – Yes  
Revious – Yes  
Strickland – Yes

**MOU - KCAO** g) Trustee Strickland made a motion to approve the amendment to Memorandum of Understanding with Kings County Action Organization to include Section X- Health and Safety Reporting Requirements and Section Y- Pupil Health Information. Trustee Revious seconded; the motion carried 5-0:

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

**Contract – Karate School** h) Trustee Garcia made a motion to approve the Consultant Contract with the Karate School to provide karate instruction to students in the Summer Program from June 15 to July 17, 2026 in grades TK to 5<sup>th</sup>. Trustee Revious seconded; the motion carried 5-0:

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

**MOU – HJUHSD Summer Theater** i) Trustee Garcia made a motion to approve the Memorandum of Understanding with Hanford Joint Union High School District – Summer Theater Arts Program for a production of Frozen Jr. Students from June 8-June 12, 2026. Trustee Strickland seconded; the motion carried 5-0:

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

**MOU – HJUHSD Afterschool Gym** j) Trustee Hernandez made a motion to approve the Memorandum of Understanding with Hanford Joint Union High School District – Afterschool Gym Recreation Program that allows students from Sierra Pacific to visit our 9 elementary READY Expanded Learning Program and instruct the 5<sup>th</sup> and 6<sup>th</sup> grade students in Volleyball from April 6, 2026- May 21, 2026. Trustee Garcia seconded; the motion carried 5-0:

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

**2025-26 School Plans** k) Trustee Garcia made a motion to approve the updated 2025-2026 School Plans for Student Achievement. Trustee Revious seconded; the motion carried 5-0:

Garcia – Yes

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

**Contract –  
Institute for  
Multi-Sensory  
Education**

- l) Trustee Strickland made a motion to approve the Consultant Contract with Institute for Multi-Sensory Education to provide a 30-hour Orton-Gillingham professional development training for special education teachers from June 8 to June 11, 2026. Trustee Revious seconded; the motion carried 5-0:

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

**Surplus**

- m) Trustee Garcia made a motion to approve the declaration of fixed assets as surplus. Trustee Strickland seconded; the motion carried 5-0:

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

**AR 3311.3**

- n) Trustee Garcia made a motion to approve the revised Administrative Regulation 3311.3 – Design-Build Contracts. Trustee Revious seconded; the motion carried 5-0:

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

**AR 3516.1**

- o) Trustee Garcia made a motion to approve the revised Administrative Regulation 3516.1 – Fire Drills and Fires. Trustee Hernandez seconded; the motion carried 5-0:

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

**BP 7131**

- p) Trustee Garcia made a motion to approve the revised Board Policy 7131 – Relations with Local Agencies. Trustee Revious seconded; the motion carried 5-0:

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

- BP 3470** q) Trustee Garcia made a motion to approve the revised Board Policy 3470 – Debt Issuance and Management. Trustee Hernandez seconded; the motion carried 5-0:  
Garcia – Yes  
Garner – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes
- AR 5131.41** r) Trustee Strickland made a motion to approve the revised Administrative Regulation 5131.41 – Use of Seclusion and Restraint. Trustee Garcia seconded; the motion carried 5-0:  
Garcia – Yes  
Garner – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes
- AR 6159.4** s) Trustee Garcia made a motion to approve the revised Administrative Regulation 6159.4 – Behavioral Interventions for Special Education Students. Trustee Strickland seconded; the motion carried 5-0:  
Garcia – Yes  
Garner – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

## **PERSONNEL**

Trustee Garcia made a motion to take Personnel Items "a" through "c" together. Trustee Strickland seconded; the motion carried 5-0:

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

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

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

The following items were approved:

### ***Item "a" – Employment***

#### Classified

- Christina Castaneda, Food Service Worker I – 3.0 hrs., Richmond, effective 3/16/26

- Cary Clarke, Special Education Aide – 5.0 hrs., Richmond, effective 3/9/26
- Kylie Costello, READY Program Tutor – 4.5 hrs., King, effective 3/2/26
- Salema Elgelda, READY Program Tutor – 4.5 hrs., King, effective 3/2/26
- Delila Izquierdo, Yard Supervisor – 3.5 hrs., Simas, effective 3/9/26

#### Temporary Employees/Substitutes

- Hannah Aguayo, Substitute READY Program Tutor, effective 3/13/26
- Nya Dennis, Athletic Coach, effective 3/2/26
- Irene Gonzalez, Substitute Yard Supervisor, effective 3/13/26
- Giovanna Jaidev, Substitute Special Circumstances Aide and Special Education Aide, effective 3/13/26
- Martha Medina, Substitute Yard Supervisor, effective 3/2/26
- Sofia Meza, Substitute Custodian I, effective 3/10/26
- Brianna Von Barga, Substitute READY Program Tutor, effective 3/4/26
- Nicholas Rodriguez, Substitute Custodian I, effective 3/13/26
- Alfonso Tafoya, Substitute Groundskeeper II, effective 3/9/26
- Abraham Verdugo, Substitute Custodian I, effective 3/9/26
- Darreon Wheaton, Athletic Coach, effective 3/2/26

#### Promotion

- Nicole Pimentel, from READY Program Tutor – 4.5 hrs., Jefferson, to READY Site Lead – 5.0 hrs., Jefferson, effective 3/23/26

#### Administrative Transfer

- Keshia Spain, from Special Circumstances Aide – 5.75 hrs., Wilson, to Special Circumstances Aide – 5.75 hrs., Jefferson, effective 3/10/26

#### Short-Term Classified

- Leslie Alves, Short-Term Bilingual Clerk Typist II – 8.0 hrs., Simas, effective 3/16/26-5/13/26

#### Employment and Certification of Temporary Athletic Team Coaches (Title 5 CCR 5594)

- Nya Dennis, 8th Girls Softball, Kennedy, effective 3/2/26-5/13/26
- Stephanie Felix, 7th Girls Softball, Kennedy, effective 3/2/26-5/13/26
- Robert Lusk, 7th Boys Baseball, Wilson, effective 3/2/26-5/13/26
- Isabelle Madera, 8th Girls Softball, Kennedy, effective 3/2/26-5/13/26
- Zelante Mims, 4-6th Girls Track, Hamilton, effective 3/2/26-5/2/26
- Michael Quiñones, 4-6th Girls Track, Washington, effective 3/2/26-5/2/26
- Julius Rojas, 4-6th Girls Track, Lincoln, effective 3/2/26-5/2/26
- Steven Santiago, 8th Boys Baseball, Kennedy, effective 3/2/26-5/13/26
- Aaron Sparks, 4-6th Boys Track, King, effective 3/2/26-5/2/26
- Darreon Wheaton, 4-6th Boys Track, Washington, effective 3/2/26-5/2/26
- Luttrell Young, 4-6th Boys Track, King, effective 3/2/26-5/2/26

### ***Item "b" – Resignations***

#### Certificated

- Elizabeth Franco, Teacher, Wilson, effective 6/5/26

#### Classified

- Amalia Gamboa, Special Circumstances Aide – 5.75 hrs., Simas, effective 3/6/26
- Emma Semas, Yard Supervisor - 2.5 hrs., Monroe, effective 3/13/26
- Natasha Souza, Bus Driver – 4.5 hrs., Transportation, effective 3/13/26

#### Retirement

- Tim Nuanes, Supervisor – Warehouse/Reprographics & Mail – 8.0 hrs., effective 12/29/25

**Item "c" –  
Volunteers**

| <u>Name</u>            | <u>School</u> |
|------------------------|---------------|
| Karla Martinez         | Jefferson     |
| Sheila Scheitrum       | Jefferson     |
| Gary Mejia             | King          |
| Marco Cuevas           | Monroe        |
| Sarah Estrada          | Monroe        |
| Roxanna Gutierrez      | Monroe        |
| Samantha Reyes Ramirez | Monroe        |
| Jennifer Ibarra        | Richmond      |
| Carmen Cana Castro     | Roosevelt     |
| Janet Cardenas Rico    | Roosevelt     |
| Ramon Medina Murillo   | Roosevelt     |
| Karely Murillo Medina  | Roosevelt     |
| Geena Tarantino        | Roosevelt     |
| Francine Cruz          | Simas         |
| Edith Herrera          | Simas         |
| Sheila Medina Ramirez  | Simas         |
| Heather North          | Washington    |

**FINANCIAL**

**Resolution No. 25-26** a) Trustee Strickland made a motion to adopt Resolution No. 25-26: which increases Level 1 School Facilities Fees and adopts CEQA exemption. Trustee Hernandez seconded; the motion carried 5-0:  
Garcia – Yes  
Garner – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

**Independent Citizens' Bond Oversight Committee** b) Trustee Garcia made a motion to approve the Independent Citizens' Bond Oversight Committee Membership to correct a misspelled name from previously approved committee. Trustee Strickland seconded; the motion carried 5-0:  
Garcia – Yes  
Garner – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

**GASB** c) Trustee Strickland made a motion to approve the Government Accounting Standards Board (GASB) Statement 75 Actuarial Report. Trustee Garcia seconded; the motion carried 5-0:  
Garcia – Yes  
Garner – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

**Comprehensive Maintenance Plan** d) Trustee Garcia made a motion to approve the Comprehensive Maintenance Plan. Trustee Revious seconded; the motion carried 5-0:  
Garcia – Yes  
Garner – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

**Consulting Agreement – Eide Bailly** e) Trustee Strickland made a motion to approve the Consulting Agreement with Eide Bailly. Trustee Garcia seconded; the motion carried 5-0:  
Garcia – Yes  
Garner – Yes  
Hernandez – Yes  
Revious – Yes  
Strickland – Yes

**Adjournment** There being no further business, President Garner adjourned the meeting at 6:22 p.m.

Respectfully submitted,

Joy C. Gabler,  
Secretary to the Board of Trustees

Approved:

\_\_\_\_\_  
Jeff Garner, President

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

HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Board of Trustees

FROM: Joy C. Gabler

DATE: 03/25/26

FOR:  Board Meeting  
 Superintendent's Cabinet

FOR:  Information  
 Action

Date you wish to have your item considered: 04/08/26

**ITEM:** Donation of one clarinet from Trustee Greg Strickland

**PURPOSE:** Trustee Strickland donated one used clarinet to HESD for student use.

**FISCAL IMPACT:** None

**RECOMMENDATIONS:** Approve

HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy Gabler

FROM: Kristina Baldwin

DATE: March 16, 2026

FOR:  Board Meeting  
 Superintendent's Cabinet

FOR:  Information  
 Action

Date you wish to have your item considered: April 8, 2026

**ITEM:** Request approval of Memorandum of Understanding to continue to work with Tulare County Office of Education/Migrant Program Region VIII "Model B district."

**PURPOSE:** Approval of this Memorandum of Understanding would allow Tulare County Office of Education Program Region VIII to directly receive Migrant funds. As the Lead Agency, TCOE would coordinate and collaborate with our district to provide supplemental educational services for Migrant families and students residing in our district.

**FISCAL IMPACT:** HESD will bill Tulare County Office of Education/Migrant Program Region VIII for any applicable costs (facilities/custodial, transportation, food services, nursing services).

**RECOMMENDATIONS:** Approve



# MEMORANDUM OF UNDERSTANDING

FOR SERVICES TO  
MIGRANT STUDENTS, MIGRANT EDUCATION REGION VIII

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The School District(s) in Migrant Region VIII that selected Model B, hereinafter referred to as “Model B District”, and the TULARE COUNTY SUPERINTENDENT OF SCHOOLS Migrant Education Program, Region VIII, hereinafter referred to as the “Migrant Education Program”, hereby concur that this Agreement shall be in effect as soon as both parties ratify it. This Agreement is for the period of July 1, 2026 to June 30, 2027, and shall be effective July 1, 2026.

**PURPOSE:**

To unify and coordinate **supplemental educational services** and resources for migratory families and their children residing within the boundaries of participating district(s).

The services to be rendered and the terms and conditions of this Agreement are as follows:

**The Migrant Education Program, Region VIII, as Lead Agency, will:**

1. Implement all required mandated Migrant components in collaboration with the District contact person or designee assigned to work with the Region.

**Mandated components of the Migrant Program:**

- Provide Measureable Educational Instruction to Students.
  - Provide a Migrant Education School Readiness Program (MESRP).
  - Facilitation of Parent Advisory Councils.
  - Provide Opportunities for Parent Involvement.
  - Conduct Identification and Recruitment of migratory families.
  - Identify and serve Out-of-School Youth.
  - Provide summer school services.
  - Establish a Memorandum of Understanding (MOU) with Region VIII to delineate District and Regional responsibilities.
  - Region VIII will hire highly qualified teachers/paraprofessionals OR contract an outside Agency to provide measureable educational instruction to students.
  - The District is not required to complete a DSA or a program evaluation.
  - The District School Plan will be discussed by the Area Administrator with the District contact or appointed designee.
2. Migrant funds will be utilized to direct measureable instructional services for migratory students. Direct services are defined as:
    - Services provided directly to the student.



# MEMORANDUM OF UNDERSTANDING

FOR SERVICES TO  
MIGRANT STUDENTS, MIGRANT EDUCATION REGION VIII

- Services that address the question: “How does the service directly impact student achievement in Mathematics and/or English Language Arts?”
  - Services that are measurable and include data that determines student academic progress.
3. Migrant funds are intended to support the administering and monitoring of the Migrant Education Program.
  4. Certificated teachers/paraprofessionals provide instructional services to Migrant students.
  5. Migrant Education School Readiness Program (MESRP) staff must hold a Teaching Credential or a Permit Title (Teacher / Master Teacher) in the Child Development Permit Matrix.
  6. Services are provided before school, after school, or Saturdays and during Summer School (CDE, DSA, Migrant Program is supplemental to the supplementary core programs).
  7. Instructional services shall be relevant and rigorous.
  8. Provide direct supplemental services to migratory students in the District, based on a Needs Assessment conducted by MEP staff and in collaboration with the District.
  9. Assist and provide documentation during Migrant Regional FPM reviews.
  10. In coordination with the District, ensure that at least one parent representative from the district consortium attends a minimum of six Regional Parent Advisory Council (RPAC) trainings at the county level. (The RPAC meets six times per year).

**The District, as Participant in the Migrant Education Program Model B, will:**

1. Agree to participate in Model B for one fiscal year and shall notify the Migrant Education Program, Region VIII, by the end of November, if the District intends to change from Model B to Model A.
2. Agree that Region VIII will provide and/or coordinate all Migrant services.
3. Provide written approval for the Migrant Education Program, Region VIII, to access student-specific academic, benchmark—data for the purposes of research and for developing interventions using data analysis to identify the academic gaps and needs of migratory students.
4. Provide migratory students with equal access to educational opportunities and resources that are available to any other district students.
5. Approve use of facilities for Migrant Education activities within the District; based on district operational cost and services requested for Regular Year and Summer.
6. Support the Region with the Migrant Education Program rules, regulations, and restrictions as described in the official Migrant Education Program Assurances.
7. If a student injury occurs in the Migrant Education Program, the District’s policies and procedures will be followed. The Tulare County Superintendent of Schools’ liability coverage would be primary for liability purposes as to Claims for Damages filed against the Tulare County Superintendent of Schools. Tulare County Superintendent of Schools will not provide any Student Accident Converge.



# MEMORANDUM OF UNDERSTANDING

FOR SERVICES TO  
MIGRANT STUDENTS, MIGRANT EDUCATION REGION VIII

8. Provide access to the Student Information System (SIS) for the purposes of identifying migratory children enrolling and departing from the District (i.e. district gains/losses reports). Data will be provided by an identified district employee or through a Migrant Education Program Student Recruiter's "read only" student database access.
9. Assist in providing office space for migrant staff (Area Administrators and/or Student Recruiters).

Agreed upon by:

District Superintendent: \_\_\_\_\_  
Printed Name Signature

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

Agreed upon by:

LEA: Tulare County Office of Education

County Superintendent of Schools: \_\_\_\_\_ Date: \_\_\_\_\_  
Tim A. Hire

Migrant Education Director, Administrator: \_\_\_\_\_ Date: \_\_\_\_\_  
Shantall Porchia

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy Gabler

FROM: Jill Rubalcava

DATE: March 25, 2026

FOR:  Board Meeting  
 Superintendent's Cabinet

FOR:  Information  
 Action

Date you wish to have your item considered: April 8, 2026

**ITEM:** Consideration HESD Curriculum Committee recommendation of SBE approved, Math program, Imagine IM.

**PURPOSE:** To seek Board approval of SBE approved Math program, Imagine IM. This recommendation from HESD Curriculum Committee is based on a comprehensive evaluation conducted by the Math Adoption Committee. Approval will authorize the district to proceed with the purchase and implementation of the selected instructional materials to support mathematics instruction aligned to Common Core Standards and the 2023 Mathematics Framework.

**FISCAL IMPACT:** \$2,000,000.00

**RECOMMENDATIONS:** Approval

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy Gabler

FROM: Jill Rubalcava

DATE: March 25th

FOR:  Board Meeting  
 Superintendent's Cabinet

FOR:  Information  
 Action

Date you wish to have your item considered: April 8th, 2026

**ITEM:** Memorandum of Understanding with KCOE for up to 55 days of consultant work in 2026-2027 school year.

**PURPOSE:** Provide professional development and in-class coaching for TK teachers. Additionally, days may be used to consult with district and site staff on TK pacing and assessments, including, Desired Results Developmental Profile (DRDP).

**FISCAL IMPACT:** \$71,000.00

**RECOMMENDATIONS:** Approve



ES-632

2026-2027

## MEMORANDUM OF UNDERSTANDING

between **KINGS COUNTY OFFICE OF EDUCATION**  
and **HANFORD ELEMENTARY SCHOOL DISTRICT**

Agreement for Consultative Services/Academic and Learning Support:

### TK In-Class Instructional Coaching

**THIS** agreement is made and entered into by and between the Kings County Office of Education, herein after called **KCOE** and HANFORD ELEMENTARY SCHOOL DISTRICT, herein after called the **DISTRICT**. **DISTRICT** and **KCOE** are authorized under Education Code Sections 10400 and 10401 to enter into cooperative agreements for improvement of local education program.

**WHEREAS**, **DISTRICT** and **KCOE** desire to enter into this agreement for services, herein after called the **AGREEMENT** upon the terms, covenants, and conditions, and for the consideration as set forth below:

- The term shall be from July 1, 2026 through June 30, 2027
- If **DISTRICT** believes that **KCOE** is not performing their responsibilities, **DISTRICT** shall notify **KCOE** in writing

#### **KCOE:**

- Shall provide **KCOE** staff for **up to fifty-five (55) days** to train/coach **DISTRICT** staff in TK in-class instructional Coaching, administrator trainings, and DRDP
- Days of service to include objectives as determined by the District with tools and techniques in keeping students engaged and on task, effective DRDP strategies in TK classrooms, and building administrator capacity in TK standards

#### **THE DISTRICT:**

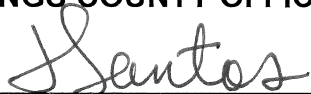
- Shall work with **KCOE** staff to determine the dates of service for **up to fifty five (55) days**. Days of service can include full (8-hour) days, half (4-hour) days, and/or a combination thereof
- Shall pay **KCOE** the amount of **up to \$71,500.00** for services provided by **KCOE** consultant(s); **KCOE** days are equivalent to a daily rate of \$1,300.00 per staff member and prorated equivalent to \$650.00 for one half day per staff member

- Will be invoiced for the actual number of service days provided upon the last day of training or by two billing periods, wherein half of the contracted amount will be billed no later than November 15, 2026 and actual number of service days provided will be billed no later than May 1, 2027
- Shall pay **KCOE** for any scheduled days/times, unless notice of cancellation is given one (1) business day prior. This will be charged according to the daily rate for any scheduled full or half days. If the required notice is given, an attempt will be made to replace the canceled time with another time, as agreed upon by both parties. No guarantee can be made that a replacement date will be available due to KCOE's other commitments, but efforts will be made to reschedule
- May be charged a \$30.00 per participant materials fee for training materials for the school year. Materials fees will be invoiced in full by the first billing period
- May be charged a planning/prep time fee needed for up to one (1) day of Professional Development. Planning and preparation time is considered a consulting activity, is billed at the consulting rate calculated at \$650.00 (.5 per consulting day), and will be billed in full by the first billing period

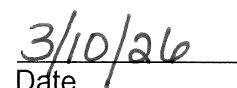
**CONTRACT TERMS AND CONDITIONS:**

- This **AGREEMENT** is written for developing sustainability of effective reform for positive change at HANFORD ELEMENTARY SCHOOL DISTRICT
- Any changes must be submitted in writing within 30 days in advance of proposed changes and must be mutually agreed upon by both parties
- The DISTRICT agrees to the terms and conditions set forth in this agreement

**KINGS COUNTY OFFICE OF EDUCATION:**



\_\_\_\_\_  
Joy Santos, Assistant Superintendent of Educational Services



\_\_\_\_\_  
Date

**HANFORD ELEMENTARY SCHOOL DISTRICT:**

\_\_\_\_\_  
Joy Gabler, Superintendent

\_\_\_\_\_  
Date

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy Gabler

FROM: Jason Strickland

DATE: 3/25/2026

FOR:  Board Meeting  
 Superintendent's Cabinet

FOR:  Information  
 Action

Date you wish to have your item considered: 4/11/2026

**ITEM:** BP/AR 5144.1 Suspension and Expulsion/Due Process

**PURPOSE:** Policy updated to reflect NEW LAW (SB 274, 2023) which (1) extends the prohibition from suspending a student for disruption or willful defiance, formerly applicable to students in grades K-8, to all students, with the prohibition being effective until July 1, 2029, and (2) prohibits a district from suspending or expelling a student solely on the fact that they are truant, tardy, or otherwise absent from school activities. Additionally, policy updated to clarify that no preschool student may be expelled or unenrolled except in accordance with law and as specified in administrative regulation, and to reflect NEW LAW (SB 114, 2023) which defines numerically significant subgroups to include long-term English learners.

Policy updated to add that off campus student behavior may result in discipline when it disrupts district programs and activities or is otherwise prohibited by law, Board policy or administrative regulation. Additionally, policy updated to include state law authorization for the Governing Board, on a case-by-case basis, to permit a student Board member to make restorative justice recommendations to the Board regarding specific expulsion matters. In addition, policy updated to reflect NEW LAW (AB 1230, 2025) which (1) requires the Board, at the time of the expulsion order, to recommend a plan for the student's rehabilitation, and (2) adds to the list of outcome data the Superintendent or designee is required to maintain.

Regulation updated to reflect NEW LAW (SB 274, 2023) which extends the prohibition from suspending a student for disruption or willful defiance, formerly applicable to students in grades K-8, to all students, with the prohibition being effective until July 1, 2029. Additionally, regulation update to reflect NEW LAW (AB 1165, 2023) which encourages districts to have a student who has been suspended, or for whom other means of correction have been implemented for an incident of racist bullying, harassment, or intimidation, as well as the victim, to engage in a restorative justice practice suitable to address the needs of both the victim and the perpetrator, to require the perpetrator to engage in a culturally sensitive program that promotes racial justice

and equity and combats racism and ignorance, and to regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues. In addition, regulation updated to clarify that the suspension notice to parents/guardians is required to include the date and time when the student may return to school.

Regulation updated to clarify that a student may not be disciplined prior to a finding being made pursuant to the Title IX grievance process, but that the district may conduct a non-discipline removal of a student in emergency situations where there is an immediate threat to the health or safety of any student or other individual. Additionally, regulation updated to add requirement that students who voluntarily disclose their use of a controlled substance, alcohol, intoxicant, or tobacco in order to seek help through services or supports may not be suspended solely for that disclosure. In addition, regulation updated to reflect NEW LAW (AB 1230, 2025) which (1) requires the Governing Board, at the time of the expulsion order, to recommend a plan for the student's rehabilitation, including specified components, (2) requires the County Superintendent of Schools to provide the Board notification if the County Superintendent is unable to serve students expelled by the district, whereby the Board is required to ensure that another educational program is provided, (3) requires as part of the process for a required review, that the Board indicate whether the student had access to the necessary resources to complete their rehabilitation plan, and that a rehabilitation plan that is not completed due to financial or transportation barriers or a lack of viable opportunities not be a basis to deny the student readmission, and (4) amends the conditions under which the Board may deny readmission.

**FISCAL IMPACT:** None

**RECOMMENDATIONS:** Approve

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

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

Status: ADOPTED

Original Adopted Date: 03/25/2015 | Last Revised Date: 09/25/2019 | Last Reviewed Date: 09/25/2019

The Board of Trustees desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Except when otherwise permitted by law, a student may be suspended or expelled only when ~~his/her~~the behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following: -(Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus
4. During, going to, or coming from a school-sponsored activity

Off campus behavior may result in discipline when it disrupts district programs and activities or as otherwise prohibited by law, Board policy, or administrative regulation.

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

**Appropriate Use of Suspension Authority**

Except when a student's act violates Education Code 48900(a)-(e), as listed in ~~items~~Items #1-5 under "Grounds for Suspension and Expulsion: -Grades K-12" of the accompanying administrative regulation, or when ~~his/her~~the student's presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

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

No student ~~in grades K-3~~ may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

Students shall not be suspended or expelled ~~for~~based solely on a student's truancy, tardiness, or absenteeism from assigned school activities. (Education Code 48900)

### Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code 48915)

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence
2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 287, 288, ~~288a~~, or 289, or former 288a, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation ~~under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12,"~~ the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

On a case-by-case basis, a student Board member(s) may make restorative justice recommendations to the Board regarding specific expulsion matters, in accordance with Board Bylaw 9150 - Student Board Members.

A vote to expel a student shall be taken in an open session of a Board meeting. (Education Code 48918(j))

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code 48917)

No student shall be expelled for disruption or willful defiance. (Education Code 48900)

## Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording ~~them their~~ the students due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

## Plan for Rehabilitation

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, in accordance with the accompanying administrative regulation.

## Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall maintain outcome data related to student suspensions and expulsions ~~in accordance with Education Code 48900.8 and 48916.1~~, including, but not limited to, ~~the~~: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion, ~~the~~
2. The grounds for each recommended expulsion, ~~the~~
3. The actions taken by the Board, ~~the~~ including whether the student was subsequently expelled and whether the expulsion order was suspended
4. The types of referral made after each expulsion, ~~and the~~
5. The disposition of the students after the expulsion period, ~~including the completion of a rehabilitation plan or the successful readmission of the student, or both~~
6. The average length of expulsion terms, including any extensions

For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board at least annually and to the California Department of Education when so required.

In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, long-term English learners, students with disabilities, foster youth, and ~~homeless~~ students experiencing homelessness. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan, which may include monitoring intervention effectiveness.

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

**Status:**  
ADOPTED

**Original Adopted Date:** 03/25/2015 | **Last Revised Date:** 06/28/2023 | **Last Reviewed Date:** 06/28/2023

**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-12**

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 4-12"- 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)~~)

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))

No student may be disciplined prior to a finding being made pursuant to the grievance process established by 34 CFR 106.45, in accordance with Administrative Regulation 5145.71 Title IX Sexual Harassment Complaint Procedures. However, a district may conduct a non-discipline removal of a student in emergency situations where there is an immediate threat to the health or safety of any student or other individual.

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, **regardless of 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, seminude, 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~~ **internet website**, 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~~ **website** 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))

When a student has been suspended, or other means of correction have been implemented against the student, for an incident of racist bullying, harassment, or intimidation, the principal or designee may, as appropriate, engage both the victim and perpetrator in a restorative justice practice suitable to the needs of the students. Additionally, the principal or designee may also require the perpetrator to engage in a culturally sensitive program that promotes racial justice and equity and combats racism and ignorance and shall regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues. (Education Code 48900.5)

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)

However, students who voluntarily disclose their use of a controlled substance, alcohol, an intoxicant of any kind, or tobacco in order to seek help through services or supports may not be suspended solely for that disclosure. (Education Code 48900)

A student may not be suspended or expelled for disruption or willful defiance. (Education Code 48900)

#### **Additional Grounds for Suspension and Expulsion: Grades 4-12**

A student in grades 4-12 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

~~2.~~ 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-12" 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~~ has suspended 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~~ requested by 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~~ Additionally, 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 accompanying 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-

~~2.~~ 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.

~~3.~~ 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 Additionally, the notice ~~may~~ shall state the date and time when the student may return to school.

~~5.~~ 4. 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.~~ 5. Extension of Suspension: If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed: (Education Code 48911)

a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard.

~~a.~~ 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 experiencing homelessness, 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-

### **Suspension by the Board**

The Board may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion: Grades K12," and "Additional Grounds for Suspension and Expulsion: Grades 4-12," ~~and "Additional Grounds for Suspension and Expulsion: Grades 9-12"~~ above and within the limits specified under "Suspension by Superintendent, Principal, or Designee," and above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information that would violate a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

The Board shall provide the student and parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. -(Education Code 35146, 48912)

### **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~~ be completed in the supervised suspension classroom. ~~The~~ and the teacher(s) shall provide all assignments and tests that the student will miss while suspended-
4. 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 ~~concentratedcannabis~~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 Experiencing Homelessness, 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 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~~)  
(Education Code 48918.1)

If the student facing expulsion is a ~~homeless~~ student experiencing homelessness, 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.  
~~1.~~ 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))

3.2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion.

4. 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 #64 below. (Education Code 48918(i))

4. Presentation of Evidence: Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs.

5. 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," K12, and "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.

7.5. Testimony by Complaining Witnesses: The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)

- a. Any complaining witness shall be given five days' notice before being called to testify-
- b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during 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-a. \_\_\_\_\_ Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
    - B-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-c. \_\_\_\_\_ Permit one of the support persons to accompany the complaining witness to the witness stand

8.6. Decision: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from 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 Additionally, 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 shall include, but not be limited to, periodic review and a preliminary assessment for readmission at least 45 days before the end of the expulsion term. The plan shall be tailored to the student's needs and address the behavior that led to the expulsion. The plan may be developed in consultation with district staff who have knowledge or special expertise regarding the student and include recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs. (Education Code 48916)

The Board shall assist the student in locating accessible opportunities that are necessary to complete the requirements of the student's plan for rehabilitation, including, but not limited to, opportunities for counseling and community service. (Education Code 48916)

The Board shall not require the student or the student's parents/guardians to pay for any costs or services the Board determines to be necessary for the student to complete the student's plan of rehabilitation. (Education Code 48916)

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 if the student is under 18 years of age, to the student's 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~~4-12" (Education Code 48900.8)

~~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.
 

~~1-~~ 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~~4-12" above, or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school.
 

Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.

~~5-~~ (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.
 

~~6-~~ 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)

The Board shall receive notification from the County Superintendent of Schools, if at any time during the expulsion term and for any reason the County Superintendent is unable to serve the students expelled by

the district. Upon notification, the Board shall ensure that another educational program is provided to the student for the duration of the expulsion order which may include entering into an agreement with a County Superintendent in another county to provide education services for the district's expelled students. (Education Code 48916.1)

Upon the change of a student's eligibility for an educational program or at the request of the student's parent/guardian, the Board shall review with the student and the student's parent/guardian the educational options for expelled students as outlined in the plan to provide education services to expelled students pursuant to Education Code 48926. (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-

~~1.~~ 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.

As part of the review process, the Board shall, upon being informed by the Superintendent or designee, indicate whether the student had access to the necessary resources to complete the student's rehabilitation plan. A rehabilitation plan that is not completed due to financial or transportation barriers or a lack of viable opportunities to complete a term of the rehabilitation plan shall not be a basis to deny the readmission of a student. (Education Code 48916)

2. The Superintendent or designee shall transmit to the Board a recommendation regarding readmission-

~~2.~~ The Board shall consider this recommendation in closed session. If a written request for open session is received from the student's parent/guardian or other person holding the right to make educational decisions for the student, or adult student, it shall be honored to the extent that privacy rights of other students are not violated.

3. If the readmission is granted, the Superintendent or designee shall notify the student and 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-

4. The Board may deny readmission only if it finds that the student ~~has~~ either: (Education Code 48916)

a. ~~Has not~~ substantially satisfied the conditions of the rehabilitation plan ~~or~~ despite having access to the necessary resources and viable opportunities to complete their rehabilitation plan

~~4.b. That the student continues to exhibit documented behaviors that the student continues to pose a danger to campus safety~~ was expelled for or is documented to have committed one or to other district students or employees. (Education Code 48916) more new acts during the expulsion term that would make the student eligible for another expulsion

5. If Board denies the readmission of a student pursuant to Item #4, the expulsion term may be extended for one semester at a time, at which point the student shall be reassessed for readmission pursuant to Item #1

~~5.6.~~ If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.

7. The Board shall provide written notice to the expelled student and the student's- parent/guardian, or other person holding the right to make educational decisions for the student, describing the reasons for denying readmittance into the regular program-

~~6.~~ This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district.

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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## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy Gabler

FROM: Jason Strickland

DATE: 3/25/2026

FOR:  Board Meeting  
 Superintendent's CabinetFOR:  Information  
 Action

Date you wish to have your item considered: 4/11/2026

**ITEM:** AR 5144.2: Suspension and Expulsion/Due Process (Students With Disabilities)**PURPOSE:** Regulation updated to clarify that (1) the Superintendent, principal, or designee may suspend a student from school for up to five consecutive school days, unless the suspension has been extended following a recommendation for expulsion, (2) a student may usually be suspended from school for up to 20 cumulative school days, or 30 cumulative school days as permitted by Education Code 48903, in a school year as long as the pattern of suspension(s) does not constitute a change in placement, (3) a change of placement is deemed to occur if a decision is made that would result in the removal of the student for more than 10 consecutive school days, and (4) manifestation determination procedural safeguards apply when a decision has been made to suspend a student with a disability.**FISCAL IMPACT:** None**RECOMMENDATIONS:** Approve

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

**Regulation 5144.2: Suspension And Expulsion/Due Process (Students With Disabilities)**

**Status:**  
ADOPTED

**Original Adopted Date:** 06/16/2010 | **Last Revised Date:** 06/28/2023 | **Last Reviewed Date:** 06/28/2023

A student identified as an individual with a disability pursuant to the Individuals with Disabilities Education Act (IDEA), 20 USC 1400-1482, is subject to the same grounds and procedures for suspension and expulsion which apply to students without disabilities, except as otherwise specified in this administrative regulation.

Suspension or expulsion of a student with disabilities shall be in accordance with Board Policy 5144.1 - Suspension and **And** Expulsion/Due Process and this administrative regulation.

When a student with disabilities exhibits behavior which impedes the student's own learning or that of others, the student's individualized education program (IEP) team shall consider positive behavioral interventions and supports, and other strategies, to address the behavior. (Education Code 56521.2; 20 USC 1414)

### **Suspension**

The Superintendent, principal, or designee may suspend a student ~~with a disability from school~~ for up to ~~10~~ five consecutive school days, unless the suspension has been extended following a recommendation for a single incident of misconduct, and expulsion. (Education Code 48911) A student may usually be suspended from school for up to 20 cumulative school days, or 30 cumulative school days as permitted by Education Code 48903, in a school year as long as the pattern of suspension(s) does not constitute a change in placement pursuant to 34 CFR 300.536. (Education Code 48903; 34 CFR 300.530)

The Superintendent or designee shall determine, on a case-by-case basis, whether a pattern of removals of a student from the student's current educational placement for disciplinary reasons constitutes a change of placement.

A change of placement shall be deemed to have occurred under either of the following circumstances: (34 CFR 300.536)

1. ~~The removal is~~ A decision has been made that would result in the removal of the student for more than 10 consecutive school days
2. The student has been subjected to a series of removals that constitute a pattern because of all of the following:
  - a. The series of removals total more than 10 school days in a school year
  - b. The student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals
  - c. Additional factors, such as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another

If a student's removal is determined to be a change of placement as specified in Items #1-2 above, the student's IEP team shall determine the appropriate educational services. Such services shall be designed to enable the student to continue to participate in the general education curriculum in another setting, to progress toward meeting the goals set out in the student's IEP, and to address the student's behavior violation so that it does not recur. (20 USC 1412(a)(1)(A); 34 CFR 300.530)

If the IEP of a student with a disability requires the district to provide the student with transportation, the district shall provide the student with an alternative form of transportation at no cost to the student or the student's parent/guardian when, as a result of a suspension, the student is excluded from school bus transportation.

-(Education Code 48915.5)

The principal or designee shall monitor the number of days, including portions of days, in which a student with an IEP has been suspended during the school year.

### **Interim Alternative Educational Placement Due to Dangerous Behavior**

The district may unilaterally place a student with a disability in an appropriate interim alternative educational setting for up to 45 school days, without regard to whether the behavior is a manifestation of the student's disability, when the student commits one of the following acts while at school, going to or from school, or at a school-related function: (20 USC 1415(k)(1)(G); 34 CFR 300.530)

1. Carries or possesses a weapon, as defined in 18 USC 930
2. Knowingly possesses or uses illegal drugs
3. Sells or solicits the sale of a controlled substance as identified in 21 USC 812(c), Schedules I-V
4. Inflicts serious bodily injury upon another person as defined in 18 USC 1365

The student's interim alternative educational setting shall be determined by the student's IEP team. (20 USC 1415(k)(1)(G); 34 CFR 300.531)

On the date the decision to take disciplinary action is made, the student's parent/guardian shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504. (20 USC 1415(k)(1)(H); 34 CFR 300.530)

A student who has been removed from the student's current placement because of dangerous behavior shall receive services, although in another setting, to the extent necessary to allow the student to participate in the general education curriculum and to progress toward meeting the goals set out in the IEP. As appropriate, the student shall also receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation, so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530) **Manifestation Determination**

The following procedural safeguards shall apply when a decision has been made to suspend a student with a disability ~~is suspended~~ for more than 10 consecutive school days, when a series of removals of a student constitutes a pattern, or when a change of placement of a student is contemplated due to a violation of the district's code of conduct:

1. Notice: On the date the decision to take disciplinary action is made, the student's parent/guardian shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504.

~~1.~~ If the student is a foster youth, the notice shall be given to the student's educational rights holder, attorney, and county social worker, and, if the student is an Indian child, the student's tribal social worker and, if applicable, county social worker. (Education Code 48853.5; 20 USC 1415(k)(1)(H); 34 CFR 300.530)

2. Manifestation Determination Review: -Immediately if possible, but in no case later than 10 school days after the date the decision to take disciplinary action is made, a manifestation determination review shall be made of the relationship between the student's disability and the behavior subject to the disciplinary action- (20 USC 1415(k)(1)(E); 34 CFR 300.530)

If the student is a foster youth or Indian child, the foster youth's educational rights holder, attorney, or county social worker, or the Indian child's tribal social worker and, if applicable, county social worker, shall be invited to participate in the manifestation determination review. (Education Code 48915.5)

At the manifestation determination review, the district, the student's parent/guardian, and relevant members of the IEP team (as determined by the district and parent/guardian) shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents/guardians, to determine whether the conduct in question was either of the following: (20 USC 1415(k)(1)(E); 34 CFR 300.530)

- a. Caused by or had a direct and substantial relationship to the student's disability
- b. A direct result of the district's failure to implement the student's IEP, in which case the district shall take immediate steps to remedy those deficiencies

If the manifestation review team determines that either of the above conditions applies, the student's conduct shall then be determined to be a manifestation of the student's disability. (20 USC 1415(k)(1)(E); 34 CFR 300.530)

3. Determination that Behavior is a Manifestation of the Student's Disability:- When the student's conduct has been determined to be a manifestation of the student's disability, the IEP team shall conduct a functional behavioral assessment, unless one had been conducted before the occurrence of the behavior that resulted in the change of placement, and shall implement a behavioral intervention plan for the student:-

~~3.~~ If a behavioral intervention plan has already been developed, the IEP team shall review the behavioral intervention plan and modify it as necessary to address the behavior. (20 USC 1415(k)(1)(F); 34 CFR 300.530)

The student shall be returned to the placement from which the student was removed, unless the parent/guardian and Superintendent or designee agree to a change of placement as part of the modification of the behavioral intervention plan. (20 USC 1415(k)(1)(F); 34 CFR 300.530)

4. Determination that Behavior is Not a Manifestation of the Student's Disability: When it has been determined that the student's conduct was not a manifestation of the disability, the student may be disciplined in accordance with the procedures for students without disabilities-

~~4.~~ However, the student's IEP team shall determine services necessary to enable the student to participate in the general education curriculum in another setting and to allow the student to progress toward meeting the goals set out in the IEP. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

As appropriate, the student also shall receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

### **Due Process Appeals**

If the parent/guardian disagrees with any district decision regarding placement under 34 CFR 300.530 (suspension and removal for dangerous circumstances), 34 CFR 300.531 (interim alternative placement), or the manifestation determination under 34 CFR 300.530(e), the parent/guardian may appeal the decision by requesting a hearing. The district may request a hearing if the district believes that maintaining the student's current placement is substantially likely to result in injury to the student or others. In order to request a due process hearing, the requesting party shall file a complaint pursuant to 34 CFR 300.507 and 300.508(a) and (b). (20 USC 1415(k)(3); 34 CFR 300.532)

Whenever a hearing is requested as specified above, the parent/guardian or the district shall have an opportunity for an expedited due process hearing consistent with requirements specified in 34 CFR 300.507, 300.508 (a)-(c), and 300.510-300.514.

If the student's parent/guardian or the district has initiated a due process hearing under 34 CFR 300.532 as detailed above, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the 45-day time period, whichever occurs first, unless the parent/guardian and district agree otherwise. (20 USC 1415(k)(4); 34 CFR 300.533)

### **Readmission**

Readmission procedures for students with disabilities shall be the same as those adopted for students without disabilities. Upon readmission of a student with disabilities, an IEP team meeting shall be convened to review and, as necessary, modify the student's IEP.

### **Decision Not to Enforce Expulsion Order**

The Governing Board's criteria for suspending the enforcement of an expulsion order shall be applied to students with disabilities in the same manner as they are applied to all other students. (Education Code 48917)

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

Law enforcement notification requirements involving students with disabilities shall be the same as those specified for all students in [AR Administrative Regulation 5144.1 - Suspension and Expulsion/Due Process](#).

When giving any required notification concerning a student with disabilities to any law enforcement official, the principal or designee shall require the law enforcement official to certify in writing that the student's information or records will not be disclosed to any other person without the prior written consent of the student's parent/guardian.

-(Education Code 49076)

### **Report to County Superintendent of Schools**

The Superintendent or designee shall report to the County Superintendent of Schools when any special education student has been expelled or suspended for more than 10 school days. The report shall include the student's name, last known address, and the reason for the action. (Education Code 48203)

### Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been determined to be eligible for special education and related services and who has violated the district's code of student conduct may nevertheless assert any of the protections under IDEA, if the district had knowledge of the student's disability. (20 USC 1415(k)(5); 34 CFR 300.534)

*Knowledge* means that, before the occurrence of the behavior that precipitated the disciplinary action, one of the following occurred: (20 USC 1415(k)(5); 34 CFR 300.534)

1. The parent/guardian, in writing, has expressed concern to district supervisory or administrative personnel, or to a teacher of the student, that the student is in need of special education or related services
2. The parent/guardian has requested an evaluation of the student for special education pursuant to 20 USC 1414(a)(1)(B) or 34 CFR 300.300-300.311
3. The teacher of the student or other district personnel has expressed specific concerns directly to the district's director of special education or other supervisory district personnel about a pattern of behavior demonstrated by the student

However, the district shall not be deemed to have knowledge of a student's disability if the student's parent/guardian has not allowed the student to be evaluated for special education services or has refused services or, after evaluating the student pursuant to 34 CFR 300.300-300.311, the district determined that the student was not an individual with a disability. (20 USC 1415(k)(5); 34 CFR 300.534)

When the district is deemed to not have knowledge of a student's disability, the student shall be disciplined in accordance with procedures established for students without disabilities who engage in comparable behavior. (20 USC 1415(k)(5); 34 CFR 300.534)

If a request is made for an evaluation of a student during the time period in which the student is subject to disciplinary measures pursuant to 34 CFR 300.530, the evaluation shall be conducted in an expedited manner. -Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities. (20 USC 1415(k)(5); 34 CFR 300.534)  
~~(20 USC 1415(k)(5); 34 CFR 300.534)~~

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HANFORD ELEMENTARY SCHOOL DISTRICT  
**Human Resources Department**  
**AGENDA REQUEST FORM**

**TO:** Joy C. Gabler  
**FROM:** Jaime Martinez  
**DATE:** March 25, 2026  
**RE:** (X ) Board Meeting  
 ( ) Superintendent's Cabinet  
 ( ) Information  
 (X ) Action

DATE YOU WISH TO HAVE YOUR ITEM CONSIDERED: **April 8, 2026**

**ITEM:** Consider approval of personnel transactions and related matters.

**PURPOSE:**

**a. Employment**

Classified

- Esperanza Gonzalez, READY Program Tutor – 4.5 hrs., Jefferson, effective 3/13/26

Certificated Short-Term Employment

- Julia Lofy, Resource Specialist Program Teacher, effective 4/7/26-6/5/26

Temporary Employees/Substitutes

- Jazel Farias, Athletic Coach, effective 3/20/26
- Alondra Perdomo, Substitute Yard Supervisor, effective 3/24/26
- Alexa Ruiz-Ibarra, Substitute READY Program Tutor, effective 3/18/26

Promotion

- Nicole Pimentel, from READY Program Tutor – 4.5 hrs., Jefferson, to READY Site Lead – 5.0 hrs., Jefferson, effective 3/13/26 REVISED

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

- Jazel Farias, 4-6<sup>th</sup> Girls Track, Roosevelt, effective 3/20/26-5/2/26

**b. Resignations**Classified

- Jazeray Long, Food Service Worker II – 3.0 hrs., Kennedy, effective 3/27/26
- Keiry Navarro Linares, READY Program Tutor – 4.5 hrs., Hamilton, effective 5/20/26
- Betsaida Ruiz Medina, READY Program Tutor – 4.5 hrs., Washington, effective 3/27/26
- Sidney Sandoval, Substitute Yard Supervisor, effective 3/27/26
- Grace Servadio, READY Program Tutor – 4.5 hrs., Richmond, effective 6/5/26
- Emily Westfall, READY Program Tutor – 4.5 hrs., Hamilton, effective 6/5/26

Retirements

- Irma Garcia, Special Education Aide – 5.0 hrs., Kennedy, effective 6/5/26

**c. Adopt Declaration of Need for Fully Qualified Educators for 2026-2027 School Year (Title 5, 80026) – Attached****d. Annual Statement of Need for 30-day Substitute Teaching Permits**

- The Governing Board of the Hanford Elementary School District declares that a sufficient number of credentialed teachers are not available to fill vacancies for substitute teaching during the 2026-27 school year. Therefore, the District is filing an annual statement of need with the Kings County Office of Education to allow Emergency 30-day Substitute Permit holders to fill day-to-day substitute needs.

**e. Volunteers****Name**

Mia Taylor  
 Mallory Kuhn (HESD EE)  
 Veronica Ruiz  
 Jeanette Lopez (HESD EE)  
 Samantha Avila  
 Yolanda Sandoval

**School**

Hamilton/Simas  
 King  
 Monroe  
 Richmond  
 Roosevelt  
 Wilson

**RECOMMENDATION:** Approve.



State of California  
 Commission on Teacher Credentialing  
 Certification Division  
 651 Bannon Street, Suite 601  
 Sacramento, CA 95811

## DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS

Original Declaration of Need for year: 2026-2027

Revised Declaration of Need for year: \_\_\_\_\_

### FOR SERVICE IN A SCHOOL DISTRICT OR DISTRICT/COUNTY AUTHORIZED CHARTER SCHOOL

Name of District or Charter: Hanford Elementary School District District CDS Code: 63917

Name of County: Kings County CDS Code: 16

By submitting this annual declaration, the district is certifying the following:

- A diligent search, as defined below, to recruit a fully prepared teacher for the assignment(s) was made
- If a suitable fully prepared teacher is not available to the school district, the district will make a reasonable effort to recruit based on the priority stated below

The governing board/body of the school district or charter school specified above adopted a declaration at a regularly scheduled public meeting held on 04/08/2026 certifying that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) listed on the attached form. The attached form was part of the agenda, and the declaration did NOT appear as part of a consent calendar.

► **Enclose a copy of the board agenda item**

With my signature below, I verify that the item was acted upon favorably by the board. The declaration shall remain in force until June 30, 2027.

Submitted by (Superintendent, Board Secretary, or Designee):

Joy Gabler Superintendent

*Name* *Signature* *Title*

559-584-8013 559-585-3603 04/08/2026

*Fax Number* *Telephone Number* *Date*

714 N. White Street, P.O. Box 1067, Hanford, CA 93232

*Mailing Address*

malexander@hanfordesd.org

*EMail Address*

### FOR SERVICE IN A COUNTY OFFICE OF EDUCATION, STATE AGENCY OR NONPUBLIC SCHOOL AGENCY

Name of County \_\_\_\_\_ County CDS Code \_\_\_\_\_

Name of State Agency \_\_\_\_\_

Name of NPS/NPA \_\_\_\_\_ County of Location \_\_\_\_\_

The Superintendent of the County Office of Education or the Director of the State Agency or the Director of the NPS/NPA specified above adopted a declaration on \_\_\_/\_\_\_/\_\_\_, at least 72 hours following his or her public announcement that such a declaration would be made, certifying that there is an insufficient number of certificated persons who meet the county's, agency's or school's specified employment criteria for the position(s) listed on the attached form.

The declaration shall remain in force until June 30, \_\_\_\_\_.

► **Enclose a copy of the public announcement**

Submitted by Superintendent, Director, or Designee:

|                        |                         |              |
|------------------------|-------------------------|--------------|
| _____                  | _____                   | _____        |
| <i>Name</i>            | <i>Signature</i>        | <i>Title</i> |
| _____                  | _____                   | _____        |
| <i>Fax Number</i>      | <i>Telephone Number</i> | <i>Date</i>  |
| _____                  |                         |              |
| <i>Mailing Address</i> |                         |              |
| _____                  |                         |              |
| <i>E-Mail Address</i>  |                         |              |

- *This declaration must be on file with the Commission on Teacher Credentialing before any emergency permits will be issued for service with the employing agency*

**AREAS OF ANTICIPATED NEED FOR FULLY QUALIFIED EDUCATORS**

Based on the previous year's actual needs and projections of enrollment, please indicate the number of emergency permits the employing agency estimates it will need in each of the identified areas during the valid period of this Declaration of Need for Fully Qualified Educators. This declaration shall be valid only for the type(s) and subject(s) identified below.

This declaration must be revised by the employing agency when the total number of emergency permits applied for exceeds the estimate by ten percent. Board approval is required for a revision.

| <b>Type of Emergency Permit</b>  | <b>Estimated Number Needed</b> |
|--|--------------------------------|
| CLAD/English Learner Authorization (applicant already holds teaching credential) | 2<br>_____                     |
| Bilingual Authorization (applicant already holds teaching credential)            | 2<br>_____                     |
| List target language(s) for bilingual authorization:<br><u>Spanish</u>           |                                |
| Resource Specialist  | 1<br>_____                     |
| Teacher Librarian Services   | 0<br>_____                     |
| Emergency Transitional Kindergarten (ETK)  | 1<br>_____                     |

**LIMITED ASSIGNMENT PERMITS**

Limited Assignment Permits may only be issued to applicants holding a valid California teaching credential based on a baccalaureate degree and a professional preparation program including student teaching.

Based on the previous year's actual needs and projections of enrollment, please indicate the number of Limited Assignment Permits the employing agency estimates it will need in the following areas. Additionally, for the Single Subject Limited Assignment Permits estimated, please include the authorization(s) which will be requested:

| TYPE OF LIMITED ASSIGNMENT PERMIT | ESTIMATED NUMBER NEEDED |
|-----------------------------------|-------------------------|
| Multiple Subject                  | 0                       |
| Single Subject                    | 2                       |
| Special Education                 | 1                       |
| TOTAL                             | 3                       |

#### Authorizations for Single Subject Limited Assignment Permits

| SUBJECT                           | ESTIMATED NUMBER NEEDED | SUBJECT                      | ESTIMATED NUMBER NEEDED |
|-----------------------------------|-------------------------|------------------------------|-------------------------|
| Agriculture                       |                         | Mathematics                  |                         |
| Art                               | 1                       | Music                        |                         |
| Business                          |                         | Physical Education           | 1                       |
| Dance                             |                         | Science: Biological Sciences |                         |
| English                           |                         | Science: Chemistry           |                         |
| Foundational-Level Math           |                         | Science: Geoscience          |                         |
| Foundational-Level Science        |                         | Science: Physics             |                         |
| Health                            |                         | Social Science               |                         |
| Home Economics                    |                         | Theater                      |                         |
| Industrial & Technology Education |                         | World Languages (specify)    |                         |

**EFFORTS TO RECRUIT CERTIFIED PERSONNEL**

The employing agency declares that it has implemented in policy and practices a process for conducting a diligent search that includes, but is not limited to, distributing job announcements, contacting college and university placement centers, advertising in local newspapers, exploring incentives included in the Teaching as a Priority Block Grant (refer to [www.cde.ca.gov](http://www.cde.ca.gov) for details), participating in state and regional recruitment centers and participating in job fairs in California.

If a suitable fully prepared teacher is not available to the school district, the district made reasonable efforts to recruit an individual for the assignment, in the following order:

- A candidate who qualifies and agrees to participate in an approved internship program in the region of the school district
- An individual who is scheduled to complete initial preparation requirements within six months

**EFFORTS TO CERTIFY, ASSIGN, AND DEVELOP FULLY QUALIFIED PERSONNEL**

Has your agency established a District Intern program?  Yes  No

If no, explain. We are affiliated with multiple high-quality local IHE (5) and COE (2) programs.

Does your agency participate in a Commission-approved college or university internship program?  Yes  No

If yes, how many interns do you expect to have this year? 8

If yes, list each college or university with which you participate in an internship program.  
Kings County Office of Education-GROW, Tulare County Office of Education-IMPACT,  
California State University-Fresno, Cal State TEACH, Fresno Pacific University,  
National University, U-Mass Global.

If no, explain why you do not participate in an internship program.  
\_\_\_\_\_  
\_\_\_\_\_



## ANNUAL STATEMENT OF NEED 30-DAY SUBSTITUTE and DESIGNATED SUBJECTS CAREER TECHNICAL EDUCATION 30-DAY SUBSTITUTE TEACHING PERMITS

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### INSTRUCTIONS TO THE EMPLOYER

This statement of need must be filed at the school district office each school year when employing holders of Emergency 30-Day Substitute Permits. The employing agency will complete a single statement of need form (below) and retain the form at the school district office.

The form must be completed annually, indicating that either no credentialed person is available or that those available are not deemed qualified for substitute teaching and details of the circumstances that necessitate the use of emergency permit holders rather than fully credentialed teachers.

This statement of need form does not require listing specific employees or their positions. The form must be signed by the superintendent of the employing school district. It does not need to be co-signed by the county superintendent of schools.

A copy of the form does not need to be submitted to the county or the Commission with each Emergency 30-Day Substitute Teaching Permit application; however, the county superintendent of schools, whose responsibilities include areas such as district payroll or district substitute placement, may request a copy of the district's statement of need form to accurately fulfill these duties.

County superintendent of schools offices employing holders of the Emergency 30-Day Substitute Teaching Permit are also required to annually file, at their office, this completed statement of need form. The county superintendent of schools will sign the form.

The Commission does not require that the school board approve the statement of need. The individual school district may establish its own policy regarding this matter.

*References: California Education Code, Sections 44225 and 44300 and California Code of Regulations, Title 5, Sections 80023, 80025 and 80026*



## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy C. Gabler

FROM: David Endo

DATE: 03/27/2026

FOR:  Board Meeting  
 Superintendent's Cabinet

FOR:  Information  
 Action

Date you wish to have your item considered: 04/08/2026

**ITEM:**

Consider approval of the 2026-2027 Local Control Accountability Plan (LCAP) and District budget public hearing date of June 10, 2026 at 5:30pm.

**PURPOSE:**

The proposed Local Accountability Plan and District budget can be adopted only after public hearings have been held. The LCAP and District Budget must be adopted by June 30, 2026. The District recommends the public hearings be held during the regular meeting on June 10, 2026 allowing for a LCAP and budget adoption on June 24, 2026. A copy of the public notice that will be published has been included for your reference.

The Superintendent hereby notifies members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the Local Control Accountability Plan (LCAP).

**FISCAL IMPACT:**

None.

**RECOMMENDATIONS:**

Approve the public hearing date and time.

## **PUBLIC NOTICE**

### 2026-2027 Budget Hearing

Public Hearings for the 2026-27 Hanford Elementary School District Local Control Accountability Plan and District Budget will be held by the Trustees of the Hanford Elementary School District on June 10, 2026, at 5:30 p.m. in the District Office Board Room at 714 N. White Street, Hanford, CA 93230.

Any taxpayer directly affected by the Hanford Elementary School District may appear before the Trustees of the Hanford Elementary School District and speak on the proposed budget or any item therein. The proposed budget may be inspected by the public from June 3, 2026, 7:30 a.m. to 4:30 p.m., through June 10, 2026, 7:30 a.m. to 4:30 p.m., in the District Office at 714 N. White Street, Hanford, CA 93230.

Date to Publish: May 27, 2026

Paper to Publish: Hanford Sentinel

Contact: David Endo

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy C. Gabler

FROM: David Endo

DATE: 03/27/2026

FOR:  Board Meeting  
 Superintendent's Cabinet

FOR:  Information  
 Action

Date you wish to have your item considered: 04/08/2026

**ITEM:**

Consider approval of Facility Lease Agreement with the Hanford Joint Union High School District (HJUHSD).

**PURPOSE:**

Hanford Joint Union High School District has agreed to lease a portion of its facility located at 823 W. Lacey Blvd., Hanford, CA to the District for the purpose of operating the Hanford Elementary Online Charter School. The leased space includes approximately 2,000 square feet of office space and 700 square feet of shared restroom and breakroom space. The facility will be shared with the Hanford Online Charter School operated by HJUHSD.

The proposed lease term is five (5) years, beginning July 1, 2026 and ending June 30, 2031, with an option to renew upon mutual written agreement of both parties.

**FISCAL IMPACT:**

The cost is \$52,200/annually for the building and \$8,500/year for custodial services.

**RECOMMENDATIONS:**

Approve the Facility Lease Agreement.

**FACILITY LEASE AGREEMENT**  
**between**  
**HANFORD JOINT UNION HIGH SCHOOL DISTRICT**  
**and**  
**HANFORD ELEMENTARY SCHOOL DISTRICT**

The Hanford Joint Union High School District, a California public school district, hereinafter called "HJUHS" and the Hanford Elementary School District, a California public school district, hereinafter called "HESD" mutually agree as follows:

**RECITALS**

WHEREAS, HJUHS desires to lease a portion of its facility located at 823 W Lacey Blvd., Hanford, CA 93230 to house HESD Online Charter School. The facility will be shared with HJUHS dependent charter Hanford Online Charter School; and

WHEREAS, HJUHS owns the real property on which the subject facility is located; and

WHEREAS, this lease would be in the best interests of both parties; and

WHEREAS, the leasing of the subject real property is categorically exempt from the California Environmental Quality Act (CEQA) as the disposal of surplus property.

**AGREEMENT**

1. **LICENSE OF PROPERTY:** HJUHS hereby leases to HESD and HESD leases from HJUHS a portion of the building located on the premises, with a square footage of approximately 2000 square feet of office space and 700 square feet of shared restrooms and breakroom space, hereinafter referred to as "the Property."
2. **PURPOSE:** The purpose of this Agreement is to lease certain facility space for the operation of an online charter school (K-8) on the Property.

3. **USE OF PROPERTY:** HESD shall use the Property solely for conducting legally allowable instructional activities. Those activities include operation of an online charter school (K-8).
4. **TERM:** The term of this Agreement is from **July 1, 2026** and ending **June 30, 2031** unless earlier terminated in accordance with this Agreement or by operation of law.
5. **RENT, UTILITIES, REPAIRS, MAINTENANCE & STAFFING:**
  - A. HESD shall pay \$2.00 per square foot of utilized office space per month plus \$1.00 per square foot of shared restrooms and breakroom space. HJUHSD will invoice HESD semi-annually in December and June for these costs.
  - B. HESD shall pay a proportionate share of all costs of gas, electricity, water, sewer, telephone service to the Property. HJUHSD will invoice HESD semi-annually in December and June for these costs.
  - C. HESD shall pay \$8,500 annually for custodial services provided by HJUHSD for the facility. HJUHSD will invoice HESD semi-annually in December and June for these costs. This amount to be adjusted each year to reflect COLA adjustments.
  - D. HJUHSD shall maintain and keep in good order, condition, and repair or all improvements to the Property, including but not limited to, window glass, outdoor lights (if any), signs, the exterior and interior of all buildings and other structures, and infrastructure improvements on, above and under the Property, hereinafter collectively referred to as “the Improvements.” If HJUHSD does not maintain the Property and Improvements, upon thirty (30) days’ written notice, HESD may, but is not required, to provide any needed maintenance and/or make any needed repairs, all at HJUHSD’s cost.

HJUHSD shall pay such costs (or reimburse HESD for such costs) within thirty (30) days of receipt of an invoice from HESD.

**E.** HJUHSD shall install and maintain, repair, and replace at its sole cost and expense, at the direction of the Fire Marshal, the necessary number of A-B-C fire extinguishers for the Property.

**F.** HESD shall comply, at its sole cost and expense, with all statutes, ordinances, regulations, and requirements of all local, state, and federal governmental entities.

**G.** HESD shall provide proper and adequate supervision to HESD students at all times.

**H.** HESD shall provide internet access to students and staff at their sole expense.

**I.** Both HJUHSD and HESD may find it beneficial to share the expense of employees for operation of each charter school at the location. Said sharing of employees will be by mutual agreement and appropriate cost-sharing and addressed through an addendum to this agreement.

**6. IMPROVEMENTS:**

**A.** HESD shall keep the Property and Improvements free and clear of any and all liens and encumbrances arising from the construction and any subsequent alterations or repairs. HJUHSD shall have the right to post and maintain on the Property any notices that are required to protect HJUHSD and HJUHSD's interest in the Property from any liens for work and labor performed or materials furnished in construction or making any improvements or repairs.

- B.** HESD may make any lawful and proper minor alterations, attach fixtures, equipment, and signs in or upon the Property upon the written approval of HJUHSD, which shall not be unreasonably withheld. If requested by HJUHSD, such alterations, fixtures, and signs shall be removed by HESD, prior to the termination of this Agreement. Any such alterations, signs, or fixtures shall be at HESD's sole cost and expense, and all signs shall meet with existing HJUHSD signage requirements.
7. **WASTE; NUISANCE:** HESD shall not commit, or suffer to be committed, any waste upon the Property, or any nuisance or other act or thing that may disturb the quiet enjoyment of HJUHSD's real property. HESD shall keep the Property and Improvements free and clear of all liens and encumbrances during the term of this Agreement.
8. **ACCESS BY HJUHSD:** HESD shall permit the HJUHSD to enter the Property at all reasonable times for the purpose of inspecting the Property to determine whether HESD is complying with the lease and for the purpose of doing other lawful acts that may be necessary to protect HJUHSD's interest in the Property or to perform HJUHSD's duties under this lease.
9. **QUIET ENJOYMENT:** HJUHSD covenants that HESD shall at all times during the term of this Agreement peaceably and quietly have, hold, and enjoy the Property without suit, trouble or hindrance from or on account of HJUHSD as long as HESD fully performs hereunder.
10. **HAZARDOUS MATERIALS:**
- A.** As used herein, "Hazardous Materials" is defined to mean any substance, material or waste, including asbestos and petroleum (including crude oil or any fraction thereof), which is or becomes designated, classified or regulated as being "toxic," "hazardous," a

"pollutant" or similar designation under any federal, state or local law, regulation or ordinance.

**B.** HJUHSD warrants that it has no knowledge of the presence of any Hazardous Materials on the Property. In the event that Hazardous Materials are discovered on the Property not brought there by HESD, HJUHSD, at its sole cost and expense, shall be responsible for removal or disposal of any such materials. HJUHSD shall indemnify, defend, save, protect and hold harmless HESD and its successors and assigns, Board members, officers, directors and employees from all liability, damages, penalties, expenses and costs, for any necessary or required remediation, repair, removal or cleanup of Hazardous Materials from the Property. HESD shall indemnify, defend, save, protect and hold harmless, HJUHSD and its successors and assigns, Board members, officers, directors and employees from all liability, damages, penalties, expenses and costs, for any necessary or required remediation, repair, removal or cleanup of Hazardous Materials resulting from HESD's activities on the Property or HESD's use, release or disposal of Hazardous Materials on or from the Property, including any activities, use, release or disposal by an officer, agent, employee, contractor, or subcontractor of HESD. These provisions shall survive the termination of this Agreement.

**11. INSURANCE:**

**A. General Liability Insurance:** Throughout the term of this Agreement, HESD, at its sole cost and expense, shall maintain in full force and effect comprehensive or commercial general liability insurance covering bodily injury (including death), personal injury, and property damage, including loss of use. HESD shall provide HJUHSD with a certificate of insurance indicating the aforementioned provisions are in effect and naming

HJUHSD as additional insured and including a provision for thirty (30) calendar days' notice prior to cancellation or a material change in coverage. This insurance shall be written for not less than One Million Dollars (\$1,000,000) per person, One Million Dollars (\$1,000,000) per occurrence and Three Million Dollars (\$3,000,000) for all damages or liability arising out of injury to or destruction of property.

**B.** HESD shall provide fire insurance on its own contents and personal property contained within or on the Property.

12. **STUDENTS:** HESD will provide student emergency information to the school for all students attending at the HJUHSD site.
13. **HOLD HARMLESS:** HESD agrees to indemnify and hold harmless HJUHSD from any and all claims, costs, and liability for any damage, injury or death of or to any person or the property of any person, to the extent arising out of negligent acts, errors or omissions of HESD, its officers, employees, Board members, agents, contractors, subcontractors or invitees. HESD shall not be responsible for the negligence or willful misconduct of HJUHSD, which results in damage to any person or property, to the extent arising out of HJUHSD's negligence or willful misconduct. HJUHSD agrees to indemnify and hold harmless HESD from any and all claims, costs, and liability for any damages, injury or death of any person or the property of any person, to the extent arising out of negligent acts, errors or omissions of HJUHSD, its officers, agents, employees or invitees. HJUHSD shall not be liable for the negligence or willful misconduct of HESD, which results in damage to any person or property to the extent arising out of HESD's negligence or willful misconduct.

14. **DEFAULTS:** HESD's failure to comply with any material term or provision of this Agreement shall constitute a default by HESD if such failure continues for sixty (60) days after written notice of failure from HJUHSD to HESD specifying in reasonably sufficient detail the nature of said failure. If the required cure of the noticed default cannot be completed within sixty (60) days, HESD's failure to perform shall constitute a default under this Agreement unless HESD has attempted to cure the failure within sixty (60) days and diligently and continuously attempts to complete this cure as soon as reasonably possible. On the occurrence of an Event of Default by HESD, HJUHSD shall give HESD written notice of such default and termination of the Agreement and if HESD does not vacate the premises within 90 days, proceed to repossess HJUHSD's real property in accordance with the law.
15. **OPTION TO RENEW:** HESD may exercise an option to renew and extend the term of this Agreement by providing written notice to HJUHSD, no later than ninety (90) days prior to the last day of the term of the Agreement, provided that at the time notice is given, HESD is not in default under the Agreement and HJUHSD agrees to the renewal in writing prior to the last day of the term of the Agreement. The renewal of the Agreement shall be upon the same terms and conditions set forth in the Agreement, or as otherwise agreed to by the parties.
16. **NOTICES AND RECORDATION:** All notices given hereunder shall be in writing and shall be deemed to have been given if personally delivered or deposited in the United States mail postage prepaid, certified or registered, return receipt requested, or overnight mail and addressed to the other party as follows or as otherwise designated by written notice hereunder from time to time:
- To Hanford Elementary School District

714 N. White Street, Hanford, CA 93230  
Attn: Superintendent

To Hanford Joint Union High School District  
823 W Lacey Blvd., Hanford, CA 93230  
Attn: Superintendent

17. **CANCELLATION AND REVISIONS:** This contract may be canceled or revised at any time with mutual written consent of both parties.
18. **TIME IS OF THE ESSENCE** of each and all the terms and provisions of this Agreement.
19. **ASSIGNMENT OR SUBLEASE:** HESD shall not have the right to assign this Agreement or any part thereof, delegate any of its duties, or sublease the Property or Improvements at any time during the term of this Agreement without prior written authorization from HJUHS D.
20. **SUCCESSORS AND ASSIGNS:** The terms and provisions of this Agreement shall extend to and be binding upon and inure to the benefit of the heirs, successors, and assigns of the respective parties hereto.
21. **SEVERABILITY:** In the event that any provision herein is held to be invalid by any court of competent jurisdiction, the invalidity of any such provision shall not materially prejudice either HJUHS D or HESD in its respective rights and obligations contained in the valid provisions of this Agreement.
22. **WRITTEN AGREEMENT:** Neither party has relied on any promise or representation not contained in this Agreement. All previous and contemporaneous conversations, negotiations, and understandings, written or oral, are of no further force or effect and are superseded, unless such agreement is expressly incorporated herein. This Agreement is intended as the complete and exclusive statement of the parties' agreement pursuant to

Code of Civil Procedure section 1856. This Agreement may be modified only by a writing signed by both parties. The headings of the pages and paragraphs are for convenience only and are not a part of this Agreement, nor shall they be considered in construing the intent of this Agreement.

WHEREFORE, the parties hereto, by their signatures herein below, enter into this Agreement effective on the date indicated in Section 4 of this Agreement. This Agreement shall be deemed fully executed by facsimile or photocopy signature and in counterparts and a copy or original with all signatures appended together shall be deemed a fully executed Agreement.

**HJUHS**

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Renee Creech, Assistant Superintendent

**HESD**

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
David Endo, Chief Business Official

## HANFORD ELEMENTARY SCHOOL DISTRICT

**AGENDA REQUEST FORM**

TO: Joy C. Gabler

FROM: David Endo

DATE: 03/27/2026

FOR:  Board Meeting  
 Superintendent's Cabinet

FOR:  Information  
 Action

Date you wish to have your item considered: 04/08/2026

**ITEM:**

Consider adoption of Resolution #27-26 Commitment of Fund Balance

**PURPOSE:**

The Governing Board is the highest level of decision-making authority, and has the authority to commit, assign, or evaluate existing fund balance classifications and identify the intended uses of committed or assigned funds. The District has identified funds that need to be committed for the purposes listed on the resolution.

**FISCAL IMPACT:**

The commitment of the listed funds restricted the use of the funds for only the purposes listed on the resolution.

**RECOMMENDATIONS:**

Adopt Resolution #27-26 Commitment of Fund Balance



## NAME OF BOARD MEMBER

|                              |                              |                             |                                  |                                 |
|------------------------------|------------------------------|-----------------------------|----------------------------------|---------------------------------|
| <u>Jeff Garner</u>           | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Absent |
| <u>Tim Revious</u>           | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Absent |
| <u>Lupe Hernandez</u>        | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Absent |
| <u>Greg Strickland</u>       | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Absent |
| <u>Robert "Bobby" Garcia</u> | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Absent |

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 President, Board of Trustees

Jeff Garner

---

 Print Name

---

 Secretary/Clerk, Board of Trustees

Lupe Hernandez

---

 Print Name