



**CALIFORNIA DEPARTMENT  
OF EDUCATION**

**TOM TORLAKSON**  
STATE SUPERINTENDENT OF  
PUBLIC INSTRUCTION

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December 5, 2018

Cindy Keller, Site Administrator  
Guiding Hands School, Incorporated  
4900 Windplay Drive  
El Dorado Hills, CA 95762

Dear Site Administrator Keller:

Subject: Guiding Hands School, Incorporated, Certification Suspension Notification

Effective December 5, 2018, the California Department of Education (CDE) hereby suspends the certification of Guiding Hands School, Incorporated (GHS), nonpublic school (NPS).

This suspension is issued as a result of violations of *California Education Code (EC)* 56366.4. Specifically, sufficient evidence exists to demonstrate GHS failed to comply with *EC* Section 56366.4(a)(3) and (9), as follows:

- (1) Violation of an applicable state or federal rule or regulation, or aiding, abetting, or permitting the violation of an applicable state or federal rule or regulation.
- **Violation of *EC* Section 56521.1(a): An emergency intervention was used for predictable behavior.**
  - **Violation of *EC* Section 56521.1(b): An emergency intervention was used as a substitute for the systemic behavior intervention plan (BIP).**
  - **Violation of *EC* Section 56521.1(c): An emergency intervention was used for longer than was necessary.**
  - **Violation of *EC* Section 56521.1(d)(3): An emergency intervention was used with an amount of force which is not reasonable and necessary under the circumstances.**

- **Current evidence supports a finding GHS staff's use of restraints on the student was not in accordance with the student's BIP; and the Handle With Care "neutral hold" documented in the November 28, 2018, behavior emergency report (BER) was in violation of EC Section 56521.1(a), (b), (c), and (d)(3).**

(2) Falsification or intentional misrepresentation of an element of the application, pupil records, or program presented for certification purposes.

(3) Conduct in the operation or maintenance of the nonpublic, nonsectarian school or agency that is harmful to the health, welfare, or safety of an individual with exceptional needs.

- **The student was put in a restraint by a GHS staff member, lost consciousness while in the restraint, and was taken to the hospital. The CDE was informed the student subsequently died. This information was obtained by the CDE through a November 30, 2018, unannounced onsite visit of GHS and notification from the local education agency (LEA).**
- **Current evidence supports a finding that GHS staff's actions were harmful to the health, welfare, and safety of an individual with exceptional needs.**

(4) Failure to comply with a provision in the contract with the local educational entity.

(5) Failure to notify the department in writing of any of the following within 45 days of the occurrence:

(A) Changes in credentialed, licensed, or registered staff who render special education and related services, ownership, management, or control of the nonpublic, nonsectarian school or agency.

(B) Major modification or relocation of facilities.

(C) Significant modification of the nonpublic, nonsectarian school or agency program.

(6) Failure to implement recommendations and compliance requirements following an onsite review of the school or agency.

(7) Failure to provide appropriate services, supplies, equipment, or facilities for a pupil as required in his or her individualized education program.

- (8) Failure to notify the Superintendent in writing within 10 days of the revocation or suspension of a license or permit, including, but not limited to, a residential care license, business license, or other required license or permit.
- (9) Failure to implement a pupil's individualized education program.
- **The student's IEP required intervention strategies that were not used. Further information showing GHS failed to implement the student's IEP is located under subsection (1).**
- (10) Failure to notify the Superintendent in writing within 10 days of the death of a pupil or any other individual of unnatural causes within the school or agency, including the circumstances surrounding the death and appropriate preventative measures being taken or recommended.

As such, the CDE hereby suspends the NPS certification of GHS. A suspended certification allows GHS to continue serving students placed by LEAs prior to December 5, 2018. However, GHS is not authorized to accept any new publically placed students throughout the duration of the suspended certification.

The suspension will remain in effect until December 31, 2019. The CDE is continuing to conduct its investigation into the actions of GHS. It is likely required corrective actions (RCAs) will be issued by the CDE resulting from this investigation. Any RCAs issued in the CDE's investigative report must be completed prior to any change to the NPS certification.

The CDE will provide a copy of its investigative report once the investigation is complete. Failure to implement recommendations and compliance requirements following the onsite review within the required timeline as stated in the investigative report may result in the revocation of the NPS certification.

Enclosed is a copy of the amended NPS certification for GHS that reflects the new certification status. Should you choose to appeal the CDE's decision, enclosed is the appeal form to begin the appeal process.

Cindy Keller, Site Administrator  
December 5, 2018  
Page 4

If you have any questions regarding to this matter, please contact Dr. Tina Tranzor, Administrator I, Interagency-Nonpublic Schools/Agencies, Focus Monitoring and Technical Assistance Unit Six at 916-327-0141 or by email at [ttranzor@cde.ca.gov](mailto:ttranzor@cde.ca.gov).

Sincerely,

Handwritten signature of Kristin Wright in blue ink.

Kristin Wright, Director  
Special Education Division

cc (Sent via email):

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