

Date: August 22, 2007

AUG 28 2007

To: The Honorable Robert S. Boyd  
Presiding Judge  
Sonoma County Superior Court  
Hall of Justice  
600 Administration Drive  
Santa Rosa, CA 95403

COPY GRAND JURY

SEP 27 2007

From: David Miller Ed.D, Superintendent/Principal  
Harmony Union School District  
1935 Bohemian Hwy  
Occidental, CA 94574

RECEIVED

Regarding: Harmony Union School District, Requested Response to Grand Jury Recommendations  
"See Dick. See Jane. See Dick and Jane go to school. Are they Safe?"

**R1: Each public school district in Sonoma County should have at least one employee who is trained and authorized to access DOJ website within an official and specified schedule. This employee should fully understand the way in which information is to be communicated. Further in the absence of this employee, a suitable alternate person or system should be in place to responsibly retrieve valuable information as it is posted. This system should also cover notices from the DOJ sent via U.S. Mail.**

The Harmony Union School District agrees with the finding.

The recommendation has been fully implemented using the Chief Business Officer, but the District is in the process of having a alternative person who can access the system. The Superintendent/Principal will be trained for this assignment.

**R4: School districts should consider changing their policies to require successful employee applicants to pay for their own fingerprinting and background responses from DOJ and FBI. There are at least \$65,000 in 06-07 school district budgets for fingerprinting. As costs are shifted to paid employees, districts could use savings to fund costs for volunteers.**

The Harmony Union School District partially disagrees with the finding. Additionally, employment costs are negotiable conditions of employment (Public Employees Relations Board—PERB).

The District currently funds the costs of required background checks, TB clearance, and pre-employment physicals as required for employees and TB Clearance for all volunteers, and fingerprinting for volunteers chaperoning on overnight field trips. Classroom volunteers are supervised by credential employees while on-campus. The district is in the process of implementing a policy that will require fingerprinting of participants when using private cars, and is encouraging the use of school buses for fieldtrips, which will result in volunteer chaperones being fully supervised by District personnel.

**R5: School districts should amend their policies, if needed, to allow for volunteers names to be public information and readily available so that a greater scrutiny is provided.**

The Harmony Union School District feels that this recommendation requires further analysis to determine what, exactly, the recommendation entails with relation to the California Public Records Act. The District would not be providing address or telephone information to the public. The District does provide on occasion a district phone directory that is made for our current district parents, which is usually used within specific classrooms or for emergency purposes. Our volunteers are the parents of current students, grandparents of current students,

and Volunteer Center volunteers. Volunteer Center Volunteers undergo fingerprinting and DOJ background checks prior to being assigned to schools through the Volunteer Center or a Private Contractor who provides the District written assurance the center or agency has done thorough background and fingerprinting checks.

**R6: School should routinely check out names of adult volunteers on Megan’s Law website (a public posting of sexual predators) even if fingerprinting is scheduled, and always do so if no fingerprinting is scheduled for that volunteer.**

The Harmony Union School District partially agrees with this finding and will encourage principals and teachers to check for the names of their volunteers on the website, if they have any suspicions about a potential volunteer. Additionally, we encourage our parents to check the Megan’s Law website.

**R7: School districts should request criminal activity record from the Sonoma County Superior Courts Records Division on any adult wanting to volunteer with students. This service is available at no cost to a district.**

The Harmony Union School District partially disagrees with this finding.

District employees supervise volunteers so for most volunteers, this recommendation would be unnecessary. We agree with and have implemented the recommendation for those chaperoning overnight field trips. In addition we will work with the Sonoma County Office of Education in this area to coordinate with all agencies.

**R8: School districts should, individual and collectively, request that the DOJ implement a system to confirm school district receipt of Notices of Subsequent Arrest. A system that would require the DOJ to follow up if no confirmation was received and would at least give school districts some assurance that information trusted to the U.S. Mail or electronic mail services is actually being received.**

The Harmony Union School District agrees with this finding and agrees to assist the County Superintendent, Dr. Wong, in writing such a letter to the DOJ on behalf of all districts. SCOE also provides us with subsequent arrest notices on substitute teachers that work in our district, as well as the Sebastapool Police Department.

**R9: School districts should request FBI responses on all classified employees and volunteers that they do a DOJ response regardless of the time they have lived in California. The relatively small fee of \$24 to get prior criminal activity from a national database seems justifiable, reasonable and the right action to take.**

The Harmony Union School District agrees to this finding and has already implemented the recommendation.

**R10: School districts should require fingerprinting for all adults (paid and volunteer) involved in athletic programs, overnight field trips, off-campus field trips, and any school sponsored student activity that occurs outside of the normal school day or hours.**

The Harmony Union School District partially agrees with this finding and has already implemented it for overnight trips and athletic activities.

**R11: School districts should implement provisions of Ed. Code Section 33193 and 45125.2 requiring that certain independent contractors and employees of contractors undergo fingerprinting and background checks.**

The Harmony Union School District agrees with this finding and requires contractors to confirm that their employees have undergone background checks and they are supervised by district employees while students are on campus.

**R13: School districts should not allow new employees to begin work until all pre-employment requirements are met. Most specifically, this means all fingerprinting and criminal history responses that are required must have been completed and properly evaluated.**

The Harmony Union School District agrees to this finding and has already implemented the recommendation.

**R14: The Sheriff's Office should make available to all school districts information on how to access services available to them through the Sheriff's Office that would aid districts in determining if individuals should be approved to serve as volunteers in our schools and at school sponsored activities.**

The Harmony Union School District agrees to this finding and if the Sheriff's Office agrees, the District would share the information to all District employees.

**R15: School districts should require all volunteers to sign an agreement that outlines behavior do's and don'ts and consequences if agreement terms are broken.**

The Harmony Union School District agrees to this finding.

Currently, all parents receive the policy and rules on volunteering in the beginning of the year packet and this information is also contained within the Parent Annual Notification document that outlines behavior expectations, consequences, etc. Drivers on field trips sign such forms and provide drivers licenses, proof of insurance, and TB clearance. In addition, the District inspects the safety, seatbelts and seating capacity of parent vehicles. Some volunteers, such as Art Docents, go through an extensive training. This is a good idea for all volunteers that we will implement this school year.



8/24/07

David Miller Ed.D, Superintendent/Principal