



Montgomery School District

18620 Fort Ross Road
P.O. Box 286
Cazadero, CA 95421
(707) 632-5221

Dr. Diane Ogden
Superintendent
Principal

August 13, 2007

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

GRAND JURY

SEP 18 2007

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second response

Dear Judge Boyd:

On behalf of the Montgomery School District and pursuant to the requirements of California Penal Code Section 933C, I have enclosed our required responses to the 2006-2007 Final Report of the Sonoma County Civil Grand Jury.

R1 Each public school district... should have at least one employee who is trained and authorized to access DOJ website within an official and specified schedule... In the absence of this employee, a suitable alternate person... should be in place to responsibly retrieve valuable information as it is posted.

The District is in total agreement with this recommendation and already has this recommendation in place.

R4 Districts should consider changing their policies to require successful employee applicants to pay for their own fingerprinting and background responses from DOJ and FBI. As costs are shifted to paid employees, districts could use savings to fund costs of volunteers.

The District agrees in part with this recommendation. The mandate for fingerprinting comes from the State. The State should provide the necessary funding for the fingerprinting mandate, allowing districts to use the savings to fund the cost of fingerprinting volunteers.

The District agrees that the cost for fingerprint clearances is an enormous burden, but obtaining fingerprint clearances also gives the district a degree of security for our students' safety.

R5 Districts should amend their policies... to allow for volunteers' names to be public information and readily available so that a greater scrutiny is provided.

The District does not have a policy prohibiting volunteers' names from being made public. Perhaps each district should submit a list of volunteers' names to the board at the beginning of each year, thus making the list "public."

Board of Trustees

Kim Gluch, President

Raymond Barrio

Mayria Ausick, Clerk



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R6 Schools should routinely check out names of adult volunteers on Megan's Law websiteeven if fingerprinting is scheduled, and always do so if no fingerprinting is scheduled for that volunteer.

The District agrees that adult volunteers should be routinely checked on the Megan's Law website; however, the reality is that we have such a large number of parent volunteers that this would require additional employee time and district expense. The bottom line is that we would "take away" funds that should be spent on our children, in the classroom.

R7 Districts should request criminal activity records from the Sonoma County Superior Court Records Division on any adult wanting to volunteer with students.

The District agrees with this recommendation, especially since this information is available at no cost to the District. However, the District would like to also make note that we are looking only for individuals that may have "criminal activity" that would prevent them from working with children. An individual that has a "victimless" crime on his/her record may not be a reason to keep an individual from volunteering to read to students, decorate a classroom bulletin board, make instructional materials for a teacher, etc.

R8 Districts ... should request that the DOJ implement a system to confirm school district receipt of Notices of subsequent Arrest.

The District agrees with this recommendation. It is the District's recommendation that ONLY electronic information be disseminated by DOJ, and that no district should rely upon mail. It is easy to implement a "receipt notice" when email has been opened and read by the District, thus verifying receipt by a district.

R9 Districts should request FBI responses on all classified employees and volunteers (for whom) 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 District agrees that obtaining an FBI response for an individual with whom you are already doing a DOJ request, is appropriate. The District also contends that the State should provide funding for this endeavor.

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R10 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 District agrees that fingerprinting should be done for all adults involved in athletic programs and for overnight field trips. The district does not agree that all volunteers who participate in off-campus field trips should be fingerprinted. If this were the case, we would be fingerprinting almost every parent of a kindergarten and 1st-grade student!

R11 Districts should implement provisions of Education Code Sections 33193 and 45125.2 requiring that certain independent contractors and employees of contractors undergo fingerprinting and background checks.

The District is in agreement with this recommendation and is presently implementing the requirement.

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

The District is in total agreement with this recommendation and has already implemented this employment practice.

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

The District agrees with this recommendation.

R15 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 District is in agreement with the recommendation.

The above responses were adopted at a regular meeting of the Board of Trustees on August 13, 2007.

Diane Ogden, Ed. D. Superintendent

Board of Trustees

Kim Gluch, President

Raymond Barrio

Mayria Ausick, Clerk