

JUL 27 2007



5340 Skylane Boulevard
Santa Rosa, CA 95403-8246
(707) 524-2600 ■ www.scoe.org

July 23, 2007

GRAND JURY

AUG 14 2007

RECEIVED

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

Dear Judge Boyd:

On behalf of the Sonoma County Office of Education (SCOE) 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. I commend the professional efforts of Foreperson Jerel Bagger and the entire Grand Jury on their investigative report to ensure that Sonoma County's most valuable asset, our K-12 students, is indeed protected.

School campus safety and security is a top priority of school board members, administrators, teachers, and classified staff across Sonoma County, as it is for the parents of the students in our schools. Ensuring student well-being is a goal that I share, as does the executive and operational staff here at SCOE.

We have carefully reviewed the Grand Jury's findings, conclusions, commendations and recommendations in accordance with subdivision (b) of Section 933 and are pleased to enclose our response to recommendations R2, R3 and R12.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Carl Wong".

Carl Wong, Ed.D.
Superintendent of Schools

cc: Jerel Bagger, Grand Jury Foreperson

July 23, 2007

**Sonoma County Office of Education (SCOE) Responses
to the 2006-2007 Grand Jury Report Recommendations
Report Pages 68-70, recommendation numbers R2, R3 and R12**

R2 *The Sonoma County Office of Education, on behalf of county school districts, should determine when a school district must actually initiate an FBI level response on a new certificated employee applicant who is fully credentialed and clearly communicate that to all school districts.*

SCOE Response:

The Sonoma County Office of Education (SCOE) and the majority of the public school districts in our county are member clients of the School and College Legal Services of California (S&CLS), a Joint Powers Authority with a staff of 17 attorneys that provide counsel on legal matters. Each year, S&CLS provides workshops on a range of topics related to California Education Code, legislative updates and new legal mandates.

In response to recommendation R2, SCOE will request that S&CLS provide a legal analysis of the criteria to initiate an FBI-level response and distribute this information to all districts. In addition, SCOE will work with School and College Legal Services to issue an update on previous legal memos addressing fingerprinting and criminal background checks on employees, prospective employees and employees of school district vendors. Per this Grand Jury recommendation, the legal update will include:

- Fingerprint requirements for school employees
- Guidelines for fingerprinting school volunteers
- Accessing DOJ information and Custodian of Records requirements
- No Longer Interested and Subsequent Arrest Notices
- Central Substitute System clearances

The legal update and a countywide legal workshop for district trustees and staff will be provided before the conclusion of the first semester of the 2007-08 school year.

SCOE will also explore with legal counsel the possibility of establishing a blanket agreement to implement a common fingerprint procedure for school applicants in all 40 school districts.

When booking appointments, Live Scan staff will ask each school applicant if they have resided in California for at least one year and document the applicant's answer. Beginning immediately, SCOE will also inform those applicants who have been in California less than one year that an FBI response is warranted.

R3 *The Sonoma County Office of Education should modify its fingerprint rolling fee of \$28-34 to school districts in order to bring it more in line with other fees in the county for comparable service. A higher fee for an applicant who must also have FBI response does not seem justifiable as the work required from SCOE is not more than for a DOJ response.*

SCOE Response:

California Education Code Section 45125 f (1) prohibits public agencies from collecting fees that exceed the cost of providing fingerprinting via Live Scan Services. At the same time, SCOE has a fiscal responsibility to ensure that its programs and services operate within their revenue receipts. With its current fee schedule, the income realized from Live Scan fingerprinting does not fully cover the staff and operating costs of this service.

SCOE carefully monitors the cost of the Live Scan program annually and is currently budgeting about \$29,000 from a general fund account to subsidize this service. The general fund subsidy is needed to maintain the rolling fee of \$28 for school districts, which is lower than the rolling fee of \$33 charged to the general public.

During the 2006-07 school year, SCOE implemented a pilot program lowering the fingerprinting charge to half-price one day per week for school district volunteers. Discount days were scheduled throughout April and May, 2007 and were very popular. In 2007-08, SCOE will expand the once-a-week half-price days to extend from October through May. This discounted service is a strategy for containing district costs.

In response to other findings associated with this recommendation, SCOE will work with local districts and other county offices of education to identify local legislators with an interest in sponsoring legislation to waive the DOJ rolling fee for school volunteers. This would be similar to the current protocol for volunteers working with non-profit agencies.

SCOE staff will also explore additional options for a protocol that results in FBI clearance for all Sonoma County Office of Education employees. Staff will work with local school districts to amend and update current job applications so that they reflect questions about prior convictions and provide information about length of residency in California.

R12 *The Sonoma County Sheriff's Office (S.O.) shall provide training to fingerprint technicians at SCOE in how to detect a fraudulent ID. If they cannot provide training, they should be able to refer SCOE to another agency for that training.*

SCOE Response:

The County Superintendent and SCOE Human Resource Director will contact the Sonoma County Sheriff's Office with a formal request for staff training on identifying fraudulent identification documents. This training will be offered to human resources staff in all local school districts. It will be scheduled before the end of the first semester of the 2007-08 school year and will include how to access local court records and the Megan's Law list.

October 24, 2007

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

GRAND JURY

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RECEIVED

Dear Judge Boyd:

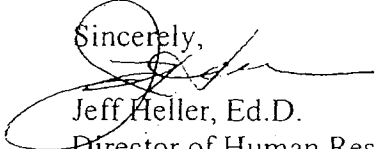
As Director of Human Resources for the Sonoma County Office of Education (SCOE), I am writing to apprise you of the procedures that were recently implemented pursuant to the requirements of California Penal Code section 933 c, in response to the 2006-07 Final Report of the Sonoma County Grand Jury.

I have enclosed documentation that outlines SCOE's offer to all local school districts in Sonoma County to enter into a "Memorandum of Agreement" that allows SCOE to operate as the Central Volunteer DOJ Clearance" program which includes fingerprinting services available through Livescan. This program is in line with suggestions included in the subdivision (b) of Section 933 Grand Jury Report of Findings and we are pleased to continue to make school campus safety and security a top priority of our office.

Furthermore, we have also conducted workshops in conjunction with the Sonoma County Sheriff's Department and the California Department of Motor Vehicles on how to detect a fraudulent I.D. This training was provided not only for the fingerprint technicians at SCOE, but also for designated employees from all local school districts in Sonoma County. This training specifically addresses recommendation R12 of the Grand Jury's findings as outlined in Section 933.

Ensuring students' well-being is a goal of our County Superintendent Dr. Carl Wong and is shared by the school board members, administrators, teachers and classified staff members throughout Sonoma County.

Sincerely,



Jeff Heller, Ed.D.

Director of Human Resources

cc: Dr. Carl Wong, County Superintendent of Schools
Jerel Bagger, Grand Jury Foreperson

GRAND JURY

NOV 06 2007



5340 Skylane Boulevard
Santa Rosa, CA 95403-8246
(707) 524-2600 ■ www.scoe.org

October 19, 2007

RECEIVED

Dear Superintendents:

The Sonoma County Office of Education is pleased to announce that we are able to offer all school districts in our county the opportunity to enter into a "Memorandum of Agreement" in order to have SCOPE act as the clearinghouse for volunteer fingerprinting services. This "MOA" is a revision of our existing agreement that allows SCOPE to process fingerprinting services for all county substitutes. Included as attachments to this letter are copies of the MOA and two clearance program forms entitled "Request for Live Scan Services" and "Release of Information." I have also included the "Volunteer Guidelines" (with attachments) that were distributed earlier this month that clearly delineate what level of volunteers actually need to be fingerprinted.

Furthermore, I would like to draw to your attention in Section 9 of the MOA that if the information received from the California Department of Justice indicates that a volunteer has a record of criminal arrest or conviction that does not automatically prohibit the individual from volunteering, a written letter from SCOPE's Personnel Services will be sent to each appropriate school district superintendent. This notice alerts you to the fact that you or your designee have **30 days from the receipt of this letter to inspect the criminal record summary** on a confidential basis, after which time the information will be destroyed as required by law. As a school district you are also **not required** to allow an individual to volunteer even though the criminal arrest record does not prohibit the individual from volunteering. This procedure is exactly the same for substitute teachers as indicated in Section 8 of this MOA.

The issue of a student riding in the front passenger seat of a private automobile during a field trip was resolved as the law states that the child is required to be at least 6 years old and weigh at least 60 pounds in order to ride in front. Our recommendation remains that only the child of the driver of the vehicle should ride in the front passenger seat. **It should also be noted that SCOPE is still providing "Half Price Fingerprinting Days" for all school districts every Wednesday during the school year.** Please call the Live Scan Office at 524-2812 to schedule your appointments.

District participation in this MOA is voluntary, but should you decide to participate, please sign where indicated on page 6 of the MOA and forward a copy to the SCOPE Personnel Services for Dr. Wong's signature. Thank you, and if I can be of any further assistance please contact me at SCOPE Personnel Services at 524-2729.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Heller", is written over the typed name.

Jeff Heller, Ed.D.
Director of Human Resources

Carl Wong, Ed.D. ■ Superintendent of Schools

Board of Education ■ Karen Bosworth, Pat Hummel, Jill Kaufman, John Musilli, Ray Peterson, Kathleen Willbanks, David B. Wolf, Ph.D.

Sonoma County Superintendent of Schools/School Districts
Cooperative Fingerprinting Program
Memorandum of Agreement

NOV 06 2007

RECEIVED

This Memorandum of Agreement for participation in the Sonoma County Superintendent of Schools/School Districts Fingerprint Cooperative is entered into by **Name of School District** and Sonoma County Superintendent of Schools pursuant to Education Code sections 44830.2 and 45125.01. The purpose of the cooperative program is to provide for a centralized system for fingerprinting and records management for substitute and/or temporary classified and certificated employees who may be employed in more than one Sonoma County school district or by the County Superintendent of Schools and one or more Sonoma County school districts. In addition, pursuant to Penal Code section 11105.3 and Education Code sections 35021, 35021.1, 35021.2, and 35160 the cooperative program's purpose is to also provide a centralized system for fingerprinting and records management for volunteers who may choose to volunteer in one or more Sonoma County school district and/or who may choose to volunteer for the Sonoma County Office of Education.

The parties agree as follows:

1. The school district hereby designates the Sonoma County Superintendent of Schools (Superintendent) as its agent for the purpose of fulfilling the following functions and responsibilities as set forth in Education Code sections 35021.1, 35021.2, 44830.1, 44830.2, and 45125.01.
 - ◆ Transmitting fingerprints to the Department of Justice.
 - ◆ Receiving reports of convictions of the serious and violent felonies as defined in Education Code sections 44830.1(c)(1) and 45122.1(c)(1); sex offenses as defined in Education Code section 44010; controlled substances offenses as defined in Section 44011, or any other offenses specified in Education Code section 44424.
 - ◆ Reviewing criminal history records.
 - ◆ Subscribing to the subsequent arrest notification service from the California Department of Justice as provided under Penal Code section 11105.2.
 - ◆ Reviewing reports of subsequent arrests from the Department of Justice.
 - ◆ Maintaining list(s) of persons eligible and ineligible for employment.

2. The agency designation described in 1, above, shall apply to all part-time or substitute employees, and all applicants for such positions where such employment or applications for employment applies to multiple school/Superintendent employment.
3. The agency designation described in 1, above, shall also apply to all volunteers who may choose to volunteer in one or more Sonoma County school district and/or who may choose to volunteer for the Sonoma County Office of Education.
4. The parties acknowledge they may not hire or retain a credentialed or certificated employee who has been convicted of a serious or violent crime as defined in Penal Code sections 667.5 or 1192.7 and/or for a sex or controlled substance offense as set forth in Education Code section 44836. The parties may also not allow an individual to volunteer as a non-teaching volunteer aide who is required to register as a sex offender pursuant to Penal Code section 290.
5. The parties acknowledge that a criminal record summary may contain information regarding an arrest or conviction that does not automatically prohibit the hiring or retaining of an employee or volunteer as described in 4, above.
6. The individuals employed by the Superintendent responsible for performing the functions and carrying out the responsibilities described in 1, above, are the persons occupying the position of Classified and Certificated Directors of Personnel Services.
7. In regards to substitute and/or temporary classified and certificated employees who may be employed in more than one Sonoma County school district or by the County Superintendent of Schools and one or more Sonoma County school districts, no party to this agreement shall share criminal record summary information with any other party to this agreement or with any non-party, except that upon receipt of a criminal record summary, the Superintendent's appropriate Director of Personnel Services shall take the following action(s):
 - ◆ If the information received from the California Department of Justice reveals that an employee or applicant is prohibited from being employed, as described in 4, above, the appropriate Director of Personnel Services shall immediately notify the employing party of this fact and the reason therefore. The Superintendent shall maintain a list of all individuals who have been determined to be ineligible for employment.
 - ◆ If the information received from the California Department of Justice reveals that the employee or applicant is not prohibited from being employed, the appropriate Director of Personnel Services shall place the employee's name on a list of eligible employees and shall issue a Certificate of Employability to any party employing the individual. This certificate shall state that the Superintendent has received the criminal

record summary of the employee or applicant in question, the date of receipt of that summary, that the information contained therein does not prohibit the individual from being employed, and that the Superintendent has not received any subsequent arrest or conviction information which would prohibit employment. The parties acknowledge, as described in 5, above, that the applicant or employee may have a record of criminal arrest or conviction that does not automatically prohibit the hiring or continued employment of the individual. The parties further acknowledge that the fact that an applicant or employee is not prohibited from being employed based upon information received from the California Department of Justice does not mean a school district is required to employ such person.

- ◆ The Superintendent's appropriate Director of Personnel Services shall send a notice to the school district Superintendent or designee of each party informing him/her that the criminal record summary is available for inspection at the office of the Director of Personnel Services by the school district Superintendent or designee on a confidential basis for a period of 30 days following receipt of the notice after which time the Superintendent will destroy that information as required by law. Each school district party acknowledges sole responsibility for viewing the criminal record summary after receiving notice within 30 days as the information will be destroyed after the 30 day period elapses.
 - ◆ The Superintendent shall maintain a record of all persons who have inspected the criminal record summary information.
8. In regards to substitute and/or temporary classified and certificated employees who may be employed in more than one Sonoma County school district or by the County Superintendent of Schools and one or more Sonoma County school districts, no party to this agreement shall share subsequent arrest or conviction information with any non-party, except that upon receipt of subsequent arrest or conviction information the appropriate Director of Personnel Services shall take the following action(s):
- ◆ If the information received from the California Department of Justice reveals that an employee or applicant is prohibited from being employed, then the appropriate Director of Personnel Services shall immediately notify the employing party of this fact, the reason(s) therefore, and remove the employee from the Superintendent's eligible for employment list and place the employee on the ineligible for employment list.
 - ◆ If the information received from the California Department of Justice reveals that the employee or applicant is not prohibited from being employed, the appropriate Director of Personnel Services shall send a notice to the school district Superintendent or designee of each party informing him/her that the subsequent arrest or conviction notification is

available for inspection at the office of the appropriate Director of Personnel Services by the school district Superintendent or designee on a confidential basis for a period of 30 days following receipt of the notice, after which time the Superintendent will destroy the information as required by law. Each school district party acknowledges sole responsibility for viewing the criminal record summary after receiving notice within 30 days as the information will be destroyed after the 30 day period elapses.

- ◆ The parties acknowledge that the fact that an applicant or employee is not prohibited from being employed based upon information received from the California Department of Justice does not mean a school district is required to employ such person.
- ◆ The Superintendent shall maintain a record of all persons who have inspected the subsequent arrest or conviction information.

9. In regards to volunteers who may choose to volunteer in one or more Sonoma County school district and/or who may choose to volunteer for the Sonoma County Office of Education, no party to this agreement shall share criminal record summary information with any other party to this agreement or with any non-party, except that upon receipt of a criminal record summary, either the Superintendent's Certificated or Classified Director of Personnel Services shall take the following action(s):

- ◆ If the information received from the California Department of Justice reveals that a volunteer is prohibited from volunteering, as described in 4, above, either the Superintendent's Certificated or Classified Director of Personnel Services shall immediately notify the party(s) that the volunteer expressed interest in volunteering for of this fact and the reason therefore. The Superintendent shall maintain a list of all volunteers who have been determined to be ineligible for volunteering.
- ◆ If the information received from the California Department of Justice reveals that the volunteer is not prohibited from volunteering because the volunteer is not a registered sex offender as described in Penal Code section 290 and has not been convicted of a sex offense as described in Education Code section 44010, then either the Certificated or Classified Director of Personnel Services shall inform the school district Superintendent or designee of each party that the volunteer is eligible to volunteer within the party school district. The parties acknowledge, as described in 5, above, that the volunteer may have a record of criminal arrest or conviction that does not automatically prohibit the individual from volunteering. The parties further acknowledge that the fact that an individual is not prohibited from volunteering based upon information

received from the California Department of Justice does not mean a school district is required to allow the individual to volunteer at a school district.

- ◆ Each party shall be sent a notice, by either the Superintendent's Certificated or Classified Director of Personnel Services, informing the school district Superintendent or designee of each party that the criminal record summary is available for inspection at the office of the Director of Personnel Services by the school district Superintendent or designee on a confidential basis for a period of 30 days following receipt of the notice after which time the Superintendent will destroy that information as required by law. Each school district party acknowledges sole responsibility for viewing the criminal record summary after receiving notice within 30 days as the information will be destroyed after the 30 day period elapses.
- ◆ The Superintendent shall maintain a record of all persons who have inspected the criminal record summary information.

10. In regards to volunteers who may choose to volunteer in one or more Sonoma County school district and/or who may choose to volunteer for the Sonoma County Office of Education, no party to this agreement shall share subsequent arrest or conviction information with any non-party, except that upon receipt of subsequent arrest or conviction information the Superintendent's Certificated or Classified Director of Personnel Services shall take the following action(s):

- ◆ If the information received from the California Department of Justice reveals that a volunteer is prohibited from volunteering either the Superintendent's Certificated or Classified Director of Personnel Services shall immediately notify the party(s) that the volunteer expressed interest in volunteering for of this fact and the reason therefore. The Superintendent shall maintain a list of all volunteers who have been determined to be ineligible for volunteering.
- ◆ If the information received from the California Department of Justice reveals that the volunteer is not prohibited from volunteering, then the Superintendent's Certificated or Classified Director of Personnel Services shall send a notice to the school district Superintendent or designee of each party informing him/her that the subsequent arrest or conviction notification is available for inspection at the office of the Director of Personnel Services by the school district Superintendent or designee on a confidential basis for a period of 30 days following receipt of the notice, after which time the Superintendent will destroy the information as required by law. Each school district party acknowledges sole responsibility for viewing the criminal record summary after receiving notice within 30 days as the information will be destroyed after the 30 day period elapses.

- ◆ The parties acknowledge that the fact that an individual is not prohibited from volunteering based upon information received from the California Department of Justice does not mean a school district is required to allow the individual to volunteer at a school district.
- ◆ The Superintendent shall maintain a record of all persons who have inspected the subsequent arrest or conviction information.

(Enter superintendent's name)
(Enter name of School District)

Dr. Carl Wong
Superintendent of Schools

SCOE CENTRAL VOLUNTEER DOJ CLEARANCE PROGRAM

Request for Live Scan Services

I. _____, plan to volunteer with one or more local
(Print full name)

school districts and/or other education agencies such as the Sonoma County Office of Education (SCOE). As authorized under Penal Code section 11105.3, I am providing my consent for SCOE to obtain from the Department of Justice (DOJ) records of all convictions or arrests pending adjudication that I may have. In addition, if I have not lived within California for one full calendar year, I am also providing my consent for SCOE to obtain from the Federal Bureau of Investigation (FBI) records of all convictions or arrests pending adjudication that I may have. In order for SCOE to request records from the DOJ and, if necessary, the FBI, I am requesting at my own expense for a Live Scan of my fingerprints to be made available to SCOE.

Please check one box:

I have lived within California for at least one full calendar year

I have not lived within California for at least one full calendar year

12 months

Signature

Date

GRAND JURY

NOV 06 2007

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SCOE CENTRAL VOLUNTEER DOJ CLEARANCE PROGRAM

Release of Information

ORIGINAL DOJ/FBI REPORT:

I, _____ authorize SCOE to release the information
(Print full name)

contained in the report, of all records of convictions or arrests pending adjudication that I may have, received from the DOJ and FBI to:

___ any and all school districts and educational agencies that have an agreement with SCOE to receive such results. Upon my request I can receive a list of these school districts and educational agencies.

___ only those schools or agencies listed below:

List schools and or agencies: _____

SUBSEQUENT ARREST NOTICE:

Because of the following:

A. As authorized by Education Code section 35021.2, the DOJ has an agreement to provide subsequent arrest notification to SCOE regarding volunteers; AND

B. I may choose to volunteer in any or all school districts or other education agencies; AND

C. SCOE will not know exactly which school districts or other education agencies I have decided to volunteer, THEREFORE

I agree that if SCOE should receive a subsequent arrest notification regarding me, then SCOE may provide information about the subsequent arrest notification to any and all school districts and education agencies that have an agreement with SCOE to receive such results.

I agree I will not bring any legal action against SCOE for any information provided to any and all school districts and education agencies that have an agreement with SCOE to receive such results.

Signature

Date

Recommended Volunteer Guidelines **RECEIVED**

Recommended Definition Guidelines:

1. A visitor is defined as an individual who, with school district authorization, attends a student performance, special event, festival, open house, back-to-school event, sports event, athletic competition, etc. A visitor may either be accompanied or unaccompanied by school district staff. Designated school district administrative personnel are to make this determination. *A visitor is usually not required to sign a registry.*
2. A guest is defined as an individual who, with school district approval, assists students, schools, and teachers on a non-regular basis or who individually observes a classroom or activity. A guest may also assist with educational programs or with specialty events on an occasional or infrequent basis. *A guest is usually required to immediately report his or her presence at the school office or at the designated school location. A guest is usually required to sign a guest registry.*
3. A volunteer is defined as an individual who, with school district authorization, voluntarily assists school districts, schools, educational programs, or students on a regular and ongoing basis. *A volunteer is usually required to complete a Volunteer Application and have a Megan's Law Background Check or a State and/or Federal Background Check completed prior to rendering service.*

Recommended Guidelines for School Guest Security

It is recommended that school districts require school guests to sign a Guest Registry (see attachment #1) in the school office or at a designated location before guests can visit classrooms or school grounds. It is recommended that the Guest Registry include the first and last name of the guest, the date, the location where they will be, and the reason they are visiting the school, the time they reported, and the time they checked out. In addition, it is recommended that the guest provide his or her driver's license number and the State where issued, or California DMV ID card, or provide a physical description of themselves. Law Enforcement recommends that physical descriptions include the following: height, weight, age, hair color, color of eyes, and any outstanding features or characteristics. It is recommended the school take a photocopy of the driver's license and keep it confidentially on file for future reference. By keeping a

photocopy of the guest on file, a new photocopy of the guest's driver's license or DMV ID card will not need to be taken the next time the guest visits the school.

It is recommended that at the top of the Guest Registry the following statements appear:

As a guest of this school or district, I may have occasional or frequent contact with students. I understand that this requires me to disclose to school officials if I am a registered sex offender. As stated in Penal Code 290.95, my failure to disclose this fact could result in a fine and/or possible arrest, prosecution, and imprisonment.

By placing my name below, I declare under penalty of perjury, that I am not a registered sex offender required to register with school officials under Penal Code 290.95. I further declare that I have not been convicted of sex- or drug-related offenses or crimes of violence and that there are no criminal charges pending against me.

- Examples of a guest include: individuals who participate in various programs, class parties, class projects, individuals observing a classroom, Associated Student Body Projects, individuals transporting students in motor vehicles, etc.

It is recommended that individuals who transport students on field trips be declared guests and that the following procedures be implemented:

- a) Guests transporting students on field trips are to register their driver's license and automobile insurance policy with the district.
- b) The one seatbelt per passenger rule must be enforced.
- c) Do not allow students to ride in the front seat with drivers, unless the student is the child of the guest driver.
- d) Require guest drivers to depart, travel, arrive, and return as a caravan (except where it has been declared too dangerous to travel as a caravan, and then require guest drivers to follow in close proximity).
- e) Require guest drivers to refrain from using cell phones or other electronic devices while transporting students.
- f) It is recommended, whenever possible, that two or more non-related adults be assigned to each group of students.

Recommended Guidelines for School Volunteer Security:

Level I – Volunteer Security

1. It is recommended that school districts require school volunteers to complete a Volunteer Application prior to being allowed to participate as a volunteer (see attachment #2).
2. It is recommended that school districts require Level 1 volunteers to have a Megan's Law check.
3. Volunteers by law need a tuberculosis (TB) clearance before being allowed to volunteer. The school district should ensure the volunteer provides appropriate TB clearance documentation prior to volunteering.
4. It is recommended that school districts have volunteers complete a Volunteer Code of Conduct prior to being allowed to volunteer (see attachment #5).
5. Examples of Level I Volunteers Include: Classroom Volunteers serving under the supervision of teachers, library volunteers, licensed or credentialed mental health workers (psychologists, psychiatrists, therapists or counselors) during a major crisis situation.

Level II – Volunteer Security:

1. It is recommended that school volunteers who may have the opportunity for significant unsupervised contact with students, complete a volunteer application, and have a California Department of Justice Background Verification Check conducted and a National Verification Background (Federal Bureau of Investigation) check , which will require the volunteer's fingerprints.
2. It should be noted that a considerable delay may occur in receiving a criminal background clearance. To be safe, a district should plan a clearance three or four months in advance of needing the individual.
3. Volunteers who have been in the State of California for more than one (1) year, should have a California Department of Justice (DOJ) Background Verification Check. Volunteers who have been in the State of California for less than one (1) year, should also have either a National Verification Background Check (to be completed by the Federal Bureau of Investigation) or an individual background reference check (see

attachment #4) conducted by the appropriately designated administrator/s. The background reference check should include the last school where the individual volunteered, if possible.

4. It is recommended that all level II Volunteers be required to have a California Department of Justice Background Verification Check and a National Verification Background (Federal Bureau of Investigation) Check.
5. It is recommended that designated administrative or quasi administrative staff (such as assistant principals and athletic directors) be given the responsibility of ensuring that all walk-on coaches are properly identified, and that proper background check procedures have been followed. It is recommended that the designated site administrator ultimately be responsible for ensuring that the designated district procedures are followed. An example of a walk-on coach identification and background verification procedure includes a district photo identification badge for each coach.
6. Examples of Level II Volunteers Include: Volunteer Walk-On Coaches and Mentors, Safety Patrol Coordinators, Volunteer Band Instructors, and others who may do volunteer work in isolation with students.
7. It is recommended that volunteer psychologists, psychiatrists, licensed therapists or counselors be registered with the County Office of Education or a district generated list.

Volunteer Application:

- 1) The Volunteer Application should provide school districts with basic information such as:
 - a) Proof of Identification: Driver's License, or California DMV ID card, or Physical Description (if they cannot produce a Driver's License or California DMV ID card).
 - b) If the volunteer has ever been convicted of a serious, violent, or drug crime or if charges are pending.
 - c) The volunteer has ever been required to register as a sex offender.

- 2) A required statement on the Volunteer Application should include the following:

As a guest and volunteer of this school or district, I may have occasional or frequent contact with students. I understand that this requires me to disclose to school officials if I am a registered sex offender. As stated in Penal Code 290.95, my failure to disclose this fact could result in a fine and/or possible arrest, prosecution, and imprisonment.

By placing my name below, I declare under penalty of perjury, that I am not a registered sex offender required to register with school officials under Penal Code 290.95. I further declare that I have not been convicted of sex- or drug-related offenses or crimes of violence and that there are no criminal charges pending against me.

Checking Volunteer Backgrounds:

It is recommended that districts designate and train school district personnel to run Megan's Law checks. This would assist in identifying registered sex offenders in a timely manner prior to individuals serving as school volunteers.

1. One method of conducting Megan's Law checks would be to collect volunteer applications via student information packets at the start of the year. The district could run Megan's Law checks district-wide, utilizing district-trained employees. Megan's Law checks could be run periodically on volunteers district-wide to better ensure the safety of students. This would allow volunteers to be used anywhere in the district and would prevent multiple Megan's Law checks on the same individuals.
2. It is important to include on the Volunteer Application that criminal background and personal and professional references may be checked. The volunteer applicant should sign a release form releasing the district from liability for checking criminal background and references. The individual or organization providing the references should also be released from liability.
3. Individuals are legally entitled to certain privacy rights. References and background questions should be directly related to the volunteer's work. References need to be conducted in the strictest confidence. Due to potential district liability, if background checks are to be conducted, it is

recommended they be conducted on a limited basis and only by trained administrators.

Recommended District Guidelines For Approving The Use Of Volunteers:

1. Due to each district having its own unique circumstance, it is recommended that individual districts determine their own method of approving volunteers. Each district needs to determine how to best verify volunteer backgrounds and each district needs to determine how it should maintain volunteer records.
2. Each school district has the responsibility to determine if an individual volunteer has frequent or infrequent contact with students.
3. It is recommended that each school maintain a Volunteer Registry (see attachment #1). It is further recommended that the Volunteer Registry include at least the following information:
 - a. Volunteer's first and last name
 - b. Weight, age, hair color, eye color, outstanding features
 - c. Date volunteered
 - d. Volunteer location
 - e. Time Logged in and logged out
4. It is recommended that Volunteer Applications and Guest/Volunteer Registry be declared as class three records and be maintained for a minimum of three to five years.

Megan's Law Registered Sex Offender List Information:

1. To access the California Megan's Law Sex Offender Locator site, visit www.meganslaw.ca.gov. Here you can search by name for a specific volunteer. This website also allows you to search for registered sex offenders in proximity to schools and parks, along with listings in a zip code, city, and county.
2. You may also view the Megan's Law CD-ROM, which will provide the name, physical description, photograph, and zip code of a registered sex offender at the Sonoma County Sheriff's Department. Please contact the Sheriff's Department for additional information concerning the use of the Megan's Law CD-ROM at (707) 565-2511 or by visiting them at:

2796 Ventura Avenue
Santa Rosa, CA 95403

Tuberculosis Requirements:

The Education Code (sections 45347 and 45349) of the State of California requires that all persons who work with children to be tested and found to be free of tuberculosis. School volunteers at Levels I and II should not begin work until the tuberculosis clearance is completed. A tuberculin test is valid for four (4) years. Please note the tuberculin test results, by law, may not be accepted as valid if they are older than sixty (60) days at the time of submission to the district. At the discretion of the superintendent or designee emergency volunteers (crisis workers, crisis counselors, etc.) are not required to have a tuberculin test as per Education Code Section 49406.

Superior Court Criminal Records:

Criminal Background Checks (covers only criminal record in Sonoma County) may be done on volunteers through the Superior Court at no cost. Requests must be made in writing (preferably on school letterhead) and sent to the Superior Court Records Division, 600 Administration Drive Room 105J, Santa Rosa, CA 95403 (see attachment #4) Include the person's name and date of birth, social security number is optional. It is helpful to include a copy of the Volunteer Application. Include a self-addressed, stamped envelope. It takes approximately two (2) weeks for the request to be processed. Superior Court Criminal Background checks will provide criminal and legal activity for Sonoma County only. However, a potentially significant amount of information relating to Sonoma County can be obtained. Currently, there is no charge for a Superior Court Criminal Background Check.

Restricted Use Of Volunteers:

To the extent prohibited by law or contract, volunteers may not be used to replace district personnel who have been reduced in hours or laid off.

Worker's Compensation and School Volunteers:

1. Pursuant to Education Code Section 35160.1 and Labor Code Section 3364.5, by resolution of the board of trustees of a school district, volunteer unsalaried workers may be deemed employees of the district for the purpose of bringing such workers within Workers Compensation

coverages provided by the district when driving their own vehicle for field trips with students as passengers.

2. At the discretion of each individual JPA member school district board, employee volunteers may be covered for Worker's Compensation benefits by board resolution.
3. To qualify for Worker's Compensation, the director of the school district program must authorize the volunteer and the volunteer's service. The volunteer must sign a volunteer registry on each date that the volunteer renders service and indicate his/her name, time in, time out, and work location. The director must be aware and assured of what the volunteer is doing. A list of volunteers should be kept on file with the district's third party administrator to ensure prompt payment of benefits, should a claim occur.

Recommended School Guidelines For Volunteers:

1. Volunteers and guests should not pass beyond the principal's office or the school's designated sign-in station unless accompanied by a school representative, or authorized by the principals or his/her designee. School district staff should be trained to refer and accompany unfamiliar persons without a visitor's badge to the school district office. *
2. Volunteers are required to sign in and out of the principal's office or the school's designated sign-in station when serving as school volunteers.
3. Volunteers are required to submit fingerprints to the Department of Justice and to the Federal Bureau of Investigation whenever required to do so by the district.
4. The district will be responsible for notifying appropriate individuals in the district when a volunteer is no longer eligible to volunteer.
5. All school district personnel are responsible for reporting to the principal and or his/her designee if they observe a volunteer not following the district-required volunteer code of conduct, or if they believe a volunteer poses a potential threat to students or staff.
6. Administrators and teachers are responsible for supervising and directing volunteers whenever they are working with students at school or at a school sponsored event.

7. Volunteer Mental Health Workers are required to report to the appropriate school site/district personnel when a student is in danger of hurting him/herself or others, or is being hurt by someone else.

* ***It is recommended that each school district post highly visible signs stating that volunteers and guests must sign in at the office, and that this requirement be strictly enforced.***

What Students Need To Know:

(In any Volunteer Program, there is a need to teach students to protect themselves. Included below are suggestions from law enforcement agencies that districts may want to consider teaching students.)

1. Students need to be instructed regarding the importance of reporting their concerns to their parents, teachers, and school officials.
2. Students need to be taught that it is inappropriate to touch someone or to be touched by someone in areas covered by a bathing suit. It is against the law and calls for mandatory expulsion. (This is sexual assault when Penal Code 243.4(f) has been violated, i.e., touching of an “intimate part,” which means “the sexual organ, anus, groin or buttocks of any person and the breast of a female”).
3. Students need to be instructed not to be alone with a volunteer without the presence of another adult or student unless given permission by a teacher or administrator.
4. Students need to be taught not to get into a car with a volunteer without another adult or other students being present and without their parent’s or the school’s approval.
5. Students need to be taught to tell their parents whenever an adult contacts them at home by telephone, e-mail, personal visit, on the way home, through a friend, or another person, etc.
6. Students need to be instructed not to let anyone take their picture without permission from their parents or teacher.
7. Students need to be taught if someone tries to take them away, to scream: “This person is not my father (or mother).”
8. Teenage students need to be taught not to place themselves alone in isolated places that may be unsafe, or in areas where drug or crime activity frequently occurs.
9. Students need to be taught to not exchange telephone numbers, home addresses, or e-mail addresses with adults unless there is a specific school related reason and their parents know and approve.

10. Students need to be taught not to have private or personal meetings with adults.
11. Students should be encouraged to report individuals on campus whom they don't recognize and who are not properly identified, to the staff.

Volunteer Code of Conduct: (see attachment # 5)

As a volunteer, I agree to abide by the following code of volunteer conduct:

1. Immediately upon arrival, I will sign in at the principal's office or the designated sign-in station.
2. I will wear or show a volunteer identification whenever required by the school to do so.
3. I will use only adult bathroom facilities.
4. I agree never to be alone with individual students without the authorization of teachers and/or school authorities.
5. I will not solicit contact outside of school with students.
6. I will exchange home directory information only with parental and administrative approval and only if it is required as part of my role as a volunteer. I agree not to exchange telephone numbers, home addresses, email addresses or other home directory information with students for any other purpose.
7. I will maintain confidentiality regarding any information I learn as a school volunteer outside of school and will share any concerns that I may have with teachers and school administrators.
8. I agree not to transport students without the written permission of the students' parents or guardians or without the express permission of the school or district.
9. I will not disclose, use, or disseminate student photographs or personal information about students, self, or others.
10. I agree not to post, transmit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as any form of harassment.

Table of Attachments

<i>Guest/Volunteer Registry</i>	Attachment #1
<i>Recommended School Volunteer Application</i>	Attachment #2
Office of the Attorney General, State of California Department of Justice. <i>Registerable Sex Offenses</i>	Attachment #3
<i>Procedure for a Background Check on a Volunteer</i>	Attachment #4
<i>Volunteer Code of Conduct</i>	Attachment #5

Guest / Volunteer Registry

Name of School:

Physical Description (List Height, Weight, Age, Hair Color, Eye Color, Outstanding Features):

As a guest of this school or district, I may have occasional or frequent contact with students. I understand that this requires me to disclose to school officials if I am a registered sex offender. As stated in Penal Code 290.95, my failure to disclose this fact could result in a fine and/or possible arrest, prosecution, and imprisonment.

By placing my name below, I declare under penalty of perjury, that I am not a registered sex offender required to register with school officials under Penal Code 290.95. I further declare that I have not been convicted of sex- or drug-related offenses or crimes of violence and that there are no criminal charges pending against me.

(Volunteers are not required to provide their driver's license or a physical description, since they have already provided that information on the Volunteer Application.)

Name (First / Last)	Time In	Guest Location	Date
Driver's License State & Number Or Ca. DMV ID Card Number	Time Out	Reason	

*** Please Note:** It is recommended that individual schools and districts identify and keep track of volunteers and guests at their schools. It is recommended that individual schools and districts be able to provide a driver's license (a photo copy is best) and, at minimum, a physical description of each guest and volunteer at their school site, should the need arise.

Recommended School Volunteer Application

*Level 1 or 2
Armed
Personnel*

Information provided on this form is confidential and will be used only for Volunteer Program purposes.

DATE: _____ SCHOOL: _____

FULL NAME: _____
(First) (Middle) (Last)

ADDRESS: _____
(Street) (City) (State) (Zip)

DATE OF BIRTH: _____ HOME PHONE: _____ WORK PHONE: _____

DRIVERS LICENSE (Photocopy Driver's License or California DMV ID and attach) OR

PHYSICAL DESCRIPTION (Height, Weight, Hair Color, Eye Color, Outstanding Features): _____

DO YOU HAVE CHILDREN OR GRANDCHILDREN IN SCHOOL? YES NO

WHERE DO THEY ATTEND?: _____

VOLUNTEER EXPERIENCE: _____

INDIVIDUALS TO CONTACT IN CASE OF AN EMERGENCY:

1: _____
(Name) (Address) (Phone)

2: _____
(Name) (Address) (Phone)

Do you have any criminal charges pending against you? YES NO

Have you ever been convicted of a felony? YES NO

Have you ever been convicted of a sex or drug related offence or crime of violence? YES NO

Mental Health License or Credential? YES # _____ NO

Are you required to register as a sex offender under Penal Code 290.95? YES NO

"I understand that the district may research my personal and professional background. I give my permission to have my personal and professional references researched and hold the district and any individuals providing the district with information harmless. I also understand that I may have a criminal history check run by law enforcement if I serve as a volunteer. As a guest and volunteer of this school or district, I may have occasional or frequent contact with students. I understand that this requires me to disclose to school officials if I am a registered sex offender. As stated in Penal Code 290.95, my failure to disclose this fact could result in a fine and/or possible arrest, prosecution, and imprisonment.

By placing my name below, I declare under penalty of perjury, that I am not a registered sex offender required to register with school officials under Penal Code 290.95. I further declare that I have not been convicted of sex- or drug-related offenses or crimes of violence and that there are no criminal charges pending against me. I agree to abide by the district's safety and health rules and regulations."

SIGNATURE: _____ DATE: _____

TO BE COMPLETED BY DISTRICT

TB TEST COMPLETED (Date): _____

VOLUNTEER SERVICE ENDED (Date): _____ REASON FOR LEAVING: _____

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Attachment #3

Registerable Sex Offenses

All section references below are to the California Penal Code unless otherwise indicated.

207	Kidnapping committed with intent to violate sections 261, 286, 288, 288a, or 289.
207(b)	Kidnapping, victim under <u>14</u> with the intent to violate any 288 sections.
208(d)	(Prior Code): Kidnapping victim under <u>14</u> with the intent to violate sections 261, 286, 288, 288a, or 289..
209	Kidnapping for ransom committed with intent to violate sections 261, 286, 288, 288a, or 289.
209(b)(1)	Kidnapping for ransom committed with intent to violate sections 261, 286, 288, 288a, or 289.
220	Assault to commit rape, sodomy, or oral copulation or to violate sections 264.1, 288 or 289.
220/261	Assault to commit rape.
220/261(2)	Assault to commit rape by force or fear.
220/664.1	Assault to rape in concert with force/violence.
243.4	Sexual battery.
243.4(a)	Sexual battery.
243.4(b)	Sexual battery on medically institutionalized person.
243.4(c)	(Prior Code) Sexual battery involving restrained person.
243.4(c)	Sexual battery victim unaware-fraudulent misrepresentation.
243.4(d)	Sexual battery involving restrained person.
243.4(d)(1)	(Prior Code) Touch person intimately against will for sexual arousal/etc.
243.4(e)(1)	Touch person intimately against will for sexual arousal/etc.
261	Rape: not specified.
261(1)	Rape: victim incapable of consent.
261(2)	(Prior Code) Rape by force or fear.
261(2)/264.1	Rape in concert by force.
261(3)	Rape of drugged victim.
261(4)	Rape: victim unconscious of the nature of the act.
261(6)	Rape by threat of retaliation.
261(a)(1)	Rape: Victim incapable of giving consent.
261(a)(2)	Rape by force/fear etc.
261(a)(3)	Rape of drugged victim.
261(a)(4)	(Prior Code) Rape: Victim unconscious of the nature of the act.

261(a)(4)(A)	Rape: Victim was unconscious or asleep.
261(a)(4)(B)	Rape: Victim was unconscious and not aware of the act.
261(a)(4)(C)	Rape: Victim not aware due to perpetrators fraud.
261(a)(4)(D)	Rape: Victim not aware - fraudulent misrepresentation.
261(a)(6)	Rape by threat of retaliation.
261.2	(Prior Code) Rape by force or fear.-
261.2/261.3	(Prior Code) Rape by force or threat.
261.3	(Prior Code) Rape by force or victim intoxicated.
261.4	(Prior Code) Rape by threat or rape of drugged victim.
262(a)(1)	Rape Spouse by force or fear.
264.1	Rape/etc. in concert with force/violence.
266	Entice minor female for prostitution/etc.
266c	Induce intercourse/sex acts by false representation with intent to create fear.
266h(b)	Pimping: Prostitute under 16 years of age.
266i(b)	Pandering: Pandering Prostitute under <u>16</u> years of age.
266j	Procurement of person under <u>16</u> for lewd and lascivious acts.
267	Abduct minor for prostitution.
269	Aggravated sexual assault/child under <u>14</u> or <u>10</u> years.
269(a)	Aggravated sexual assault child under <u>14</u> and <u>10</u> years younger.
269(a)(1)	Aggravated sexual assault child under <u>14</u> to violate 261(a)(2).
269(a)(2)	Aggravated sexual assault child under <u>14</u> to violate 264.1.
269(a)(3)	Aggravated sexual assault child under <u>14</u> to violate 286 by force or fear.
269(a)(4)	Aggravated sexual assault child under <u>14</u> to violate 288a by force or fear.
269(a)(5)	Aggravated sexual assault child under <u>14</u> to violate 289(a) by force or fear.
272	Contribute to the delinquency of a minor (lewd or lascivious).
285	Incest.
286	Sodomy.
286(a)	Sodomy; General Category.
286(b)(1)	Sodomy with person under <u>18</u> years.
286(b)(2)	Sodomy with person under <u>16</u> years.
286(c)	(Prior Code) Sodomy with person under <u>14</u> years or with force.
286(c)(1)	Sodomy with person under <u>14</u> years.
286(c)(2)	Sodomy with force or violence.
286(c)(3)	Sodomy with threat of retaliation.

286(d)	Sodomy in concert with force.
286(e)	Sodomy while confined in prison or jail.
286(f)	Sodomy: victim unconscious of the nature of the act.
286(g)	Sodomy: victim incapable of giving consent.
286(h)	Sodomy: Without consent victim and defendant in mental facility.
286(i)	Sodomy without consent: Victim intoxicated.
286(j)	Sodomy without consent: believe person is spouse.
286(k)	Sodomy by threat of authority to arrest/deport.
288	Crimes against children; lewd or lascivious.
288(a)	Lewd or lascivious acts with child under <u>14</u> years.
288(b)	(Prior Code) Lewd or lascivious acts with a child under <u>14</u> years with force.
288(b)(1)	Lewd or lascivious acts with child under <u>14</u> years with force.
288(b)(2)	Caretaker commits sexual act on dependent adult with force.
288(c)	(Prior Code) Lewd or lascivious acts with child 14 or 15 years old.
288(c)(1)	Lewd or lascivious acts with child <u>14</u> or <u>15</u> years old.
288(c)(2)	Caretaker commits lewd or lascivious acts on dependent adult.
288a	Oral copulation.
288a(a)	Oral copulation.
288a(b)(1)	Oral copulation with person under <u>18</u> years.
288a(b)(2)	Oral copulation with person under <u>16</u> years.
288a(c)	(Prior Code) Oral copulation with person under 14 or by force.
288a(c)(1)	Oral copulation with person under <u>14</u> .
288a(c)(2)	Oral copulation with force or violence.
288a(c)(3)	Oral copulation threat of retaliation.
288a(d)	Oral copulation in concert with force or fear.
288a(d)(1)	(Prior Code) Oral copulation in concert with force or fear.
288a(d)(2)	(Prior Code) Oral copulation in concert by threat of retaliation.
288a(d)(3)	(Prior Code) Oral copulation in concert: victim incapable of consent.
288a(e)	Oral copulation while confined in prison or jail.
288a(f)	Oral copulation: Victim unconscious of the nature of the act.
288a(f)(1)	Oral copulation: Victim was unconscious or asleep.
288a(f)(2)	Oral copulation: Victim was unconscious and not aware of act.
288a(f)(3)	Oral copulation: Victim not aware due to perpetrator's fraud.
288a(f)(4)	Oral copulation: Victim not aware - fraudulent misrepresentation.

288a(g)	Oral copulation: Victim incapable of giving consent.
288a(h)	Oral copulation: Victim and defendant in state hospital.
288a(i)	Oral copulation: Victim intoxicated.
288a(j)	Oral copulation: Believe person is a spouse.
288a(k)	Oral copulation by threat of authority to arrest or deport.
288b	(Prior Code): Oral copulation in concert with force.
288.2	Harmful matter - special circumstance (<i>felony only</i>).
288.2(a)	Harmful Matter: Seduction of minor via phone
288.2(b)	Harmful Matter: Seduction of minor via mail/internet.
288.5	(Prior Code) Continuous sexual abuse of a child.
288.5(a)	Continuous sexual abuse of child.
289	(Prior Code): Sexual penetration with foreign object.
289(a)	(Prior Code) Sexual penetration by foreign object.
289(a)(1)	Sexual penetration by foreign object with force.
289(a)(2)	Sexual penetration by foreign object with threat of retaliation.
289(b)	Sexual penetration with foreign object. Victim incapable of consent.
289(c)	Sexual penetration with foreign object. No consent: Victim and defendant in state hospital.
289(d)	Sexual penetration: Foreign object. Victim unaware of nature of act.
289(d)(1)	Sexual penetration: Foreign object. Victim unconscious or asleep.
289(d)(2)	Sexual penetration: Foreign object. Victim unaware.
289(d)(3)	Sexual penetration: Foreign object. Victim unaware of perpetrator's fraud.
289(d)(4)	Sexual penetration: Victim not aware - fraudulent misrepresentation.
289(e)	Sexual penetration with foreign object. Victim drugged.
289(f)	Sexual penetration with foreign object. Victim believes it is spouse.
289(g)	Sexual penetration with foreign object: Authority threat arrest.
289(h)	Sexual penetration with foreign object: Victim under <u>18</u> .
289(i)	Sexual penetration with foreign object: Victim under <u>16</u> .
289(j)	Sexual penetration with foreign object: Victim under <u>14</u> .
290	Sex offender Registration Statute.
311.1	(Prior Code) Indecent exposure.
311.1(a)	Send/sell etc. obscene matter depicting minor.
311.10	(Prior Code) Advertise obscene matter depicting minor.
311.10(a)	Advertise obscene matter depicting minor.
311.11	(Prior Code) Possess obscene matter, child under <u>14</u> years.

311.11(a)	Possess obscene matter of minor in sexual act.
311.11(b)	Possess obscene matter of minor in sexual act with a prior conviction.
311.2(b)	Distribute obscene material depicting minor for commercial consideration.
311.2(c)	Distribute obscene material depicting minor (misdemeanor).
311.2(d)	Distribute obscene matter of minor to minor.
311.3	(Prior Code) Sexual exploitation of a child.
311.3(a)	Depict sexual conduct of minor.
311.3(b)	Sexual exploitation depicting minor in sex act.
311.3(b)(1)	Sexual exploitation: sexual intercourse.
311.3(b)(2)	Sexual exploitation: penetration by foreign object.
311.3(b)(3)	Sexual exploitation: masturbation.
311.3(b)(4)	Sexual exploitation: sadomasochistic abuse.
311.3(b)(5)	Sexual exploitation: exhibition of genitals.
311.3(b)(6)	Sexual exploitation: defecation/urination for viewer stimulation.
311.3(d)	Prior conviction: punishment.
311.4	(Prior Code) Employment or use of minor to perform prohibited acts.
311.4(a)	Employment or use of minor to perform prohibited acts.
311.4(b)	Employment or use of minor to perform prohibited acts for commercial purposes.
311.4(c)	Employment or use of minor for obscene matter.
314.1	Indecent exposure.
314.2	Assist act of indecent exposure.
314.10	Indecent exposure.
646.9	Stalking (felony) pursuant to 290 (a)(2)(E) only.
647a	(Prior Code) Annoy or molest children.
647a(1)	(Prior Code) Annoy or Molest Children.
647.6	Annoy or molest child under <u>18</u> .
647.6(a)	Annoy or molest Children
647.6(b)	Annoy or molest children/illegal entry
647.6(c)(1)	Annoy or molest children with prior
647.6(c)(2)	Annoy or molest children specific prior conviction
653f(c)	Soliciting commission of 264.1, 288, or 289 by force or violence.
702 WIC	(Prior Code) Contribute to the delinquency of minor. (Lewd or lascivious finding)
5512 WIC	(Prior Code) Mentally disordered sex offender (MDSO) commitment to 90 days.
6316 WIC	Commitment (90 days) as an MDSO (prior to 1982).

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Registerable Juvenile Sex Offenses

All section references below are to the California Penal Code unless otherwise indicated.

207	Kidnapping committed with intent to violate sections 261, 286, 288, 288a, or 289.
207(b)	Kidnapping, victim under 14 with the intent to violate any 288 sections.
208(d)	(Prior Code): Kidnapping victim under <u>14</u> with the intent to violate sections 261, 286, 288, 288a, or 289.
209	Kidnapping for ransom committed with intent to violate sections 261, 286, 288, 288a, or 289.
209(b)(1)	Kidnapping for ransom committed with intent to violate sections 261, 286, 288, 288a, or 289.
220	Assault to commit rape, sodomy, or oral copulation or to violate sections 264.1, 288 or 289.
220/261	Assault to commit rape.
220/261(2)	Assault to commit rape by force or fear.
220/664.1	Assault to rape in concert with force/violence.
261	Rape: Not specified
261.1	(Prior Code) Rape: Victim incapable of giving consent
261(a)(1)	Rape: Victim incapable of giving consent.
261(a)(2)	Rape by force/fear/etc.
261(a)(3)	Rape of drugged victim.
261(a)(4)	(Prior Code) Rape: Victim unconscious of the nature of the act.
261(a)(4)(A)	Rape: Victim was unconscious or asleep.
261(a)(4)(B)	Rape: Victim was unconscious and not aware of the act.
261(a)(4)(C)	Rape: Victim not aware due to perpetrators fraud.
261(a)(4)(D)	Rape: Victim not aware - fraudulent misrepresentation.
261(a)(6)	Rape by threat of retaliation.
261(a)(6)	Rape by threat of retaliation.
261.2	(Prior Code) Rape by force or fear.
261.2/261.3	(Prior Code) Rape by force or threat.
261.3	(Prior Code) Rape by force or victim intoxication.
261.4	(Prior Code) Rape by threat or rape of drugged victim.
264.1	Rape/etc. in concert with force/violence.
266c	Induce intercourse/sex acts by false representation with intent to create fear.
267	Abduct minor for prostitution.

286(b)(1)	Sodomy with person under <u>18</u> years.
286(c)	(Prior Code) Sodomy with person under <u>14</u> years or with force.
286(c)(1)	Sodomy with person under <u>14</u> years.
286(c)(2)	Sodomy with force or violence.
286(c)(3)	Sodomy with threat of retaliation.
286(d)	Sodomy in concert with force.
288	Crimes against children; lewd or lascivious.
288(a)	Lewd or lascivious acts with child under <u>14</u> years.
288(b)	(Prior Code) Lewd or lascivious acts with a child under <u>14</u> years with force.
288(b)(1)	Lewd or lascivious acts with a child under <u>14</u> years with force.
288(b)(2)	Caretaker commits sexual act on dependant adult with force.
288(c)	(Prior Code) Lewd or lascivious acts with child <u>14</u> or <u>15</u> years old.
288(c)(1)	Lewd or lascivious acts with child <u>14</u> or <u>15</u> years old.
288(c)(2)	Caretaker commits lewd or lascivious acts on dependent adult.
288a(b)(1)	Oral copulation with person under <u>18</u> years.
288a(c)	(Prior Code) Oral copulation with person under <u>14</u> or by force.
288a(c)(1)	Oral copulation with person under <u>14</u> .
288a(c)(2)	Oral copulation with force or violence.
288a(c)(3)	Oral copulation in concern with force/etc.
288a(d)	Oral copulation in concert with force or fear.
288a(d)(1)	(Prior Code) Oral copulation in concert with force or fear.
288a(d)(2)	(Prior Code) Oral copulation in concert by threat of retaliation.
288a(d)(3)	(Prior Code) Oral copulation in concert: victim incapable of consent.
288.5	(Prior Code) Continuous sexual abuse of a child.
288.5(a)	Continuous sexual abuse of child.
289(a)	(Prior Code) Sexual penetration by foreign object.
289(a)(1)	Sexual penetration by foreign object with force.
289(a)(2)	Sexual penetration by foreign object with threat of retaliation.
647a	(Prior Code) Annoy or molest children.
647.6	Annoy or molest children under <u>18</u> .
647.6(a)	Annoy or molest children under <u>18</u> .
647.6(e)(1)	Annoy or molest children under <u>18</u> .
647.6(c)(2)	Annoy or molest children under <u>18</u> .

PROCEDURES FOR A SONOMA COUNTY BACKGROUND CHECK ON A VOLUNTEER

Background checks are not required for volunteers. Sites may conduct a background check through Superior Court Records Division when appropriate and approved by the school district or administrator.

1. Requests must be made in writing (preferably on school letterhead) and sent to:

Superior Court Records Division
600 Administration Drive Rm 105-J
Santa Rosa, CA 95403
2. Include the person's name and date of birth. It is helpful to attach a copy of the volunteer application (see sample letter.
3. Include a self-addressed, stamped envelope.
4. It takes about two (2) weeks for them to process this request.
5. This is a criminal background check for Sonoma County only. There should be no cost for this service.

<p>SCHOOL LETTERHEAD</p> <p>Date:</p> <p>Superior Court Records Division 600 Administration Dr, Room 105-J Santa Rosa, CA 95403</p> <p>To Whom It May Concern:</p> <p>I would like to request a thorough background check for a potential volunteer for _____ school.</p> <p>Name: _____</p> <p>Date of Birth: _____</p> <p>I have attached a copy of the Volunteer Application for your information.</p> <p>If records are found, please send documentation stating convictions. A self-addressed stamped envelope is included.</p> <p>Thank you for your assistance and prompt response.</p> <p>Sincerely,</p> <p>Administrator</p>
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VOLUNTEER CODE OF CONDUCT

As a volunteer, I agree to abide by the following code of volunteer conduct:

1. Immediately upon arrival, I will sign in at the principal's office or the designated sign in station.
2. I will wear or show volunteer identification whenever required by the school to do so.
3. I will use only adult bathroom facilities.
4. I agree to never be alone with individual students without the authorization of teachers and/or school authorities.
5. I will not solicit outside contact with students.
6. I will exchange home directory information only with parental and administrative approval and only if it is required as part of my role as a volunteer. I agree not to exchange telephone numbers, home addresses, e-mail addresses or other home directory information with students for any other purpose.
7. I will maintain confidentiality outside of school and will share any concerns that I may have with teachers and school administrators.
8. I agree not to transport students without the written permission of parents or guardians or without the expressed permission of the school or district.
9. I will not disclose, use, or disseminate student photographs or personal information about students, self or others.
10. I agree not to post, transmit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive or sexually explicit or that could be construed as any form of harassment.
11. I agree only to do what is in the best personal and educational interest of every child with whom I come into contact.
12. I agree to report to the appropriate school site/district personnel when a student is in danger of hurting him/herself or others or being hurt by someone else.

I agree to follow the District Volunteer Code of Conduct at all times or cease student volunteering immediately.

Signature of School District Volunteer

Date