

**SOULSBYVILLE SCHOOL DISTRICT  
REGULAR MEETING OF THE BOARD OF TRUSTEES  
October 13, 2022**

**6:00 P.M. - Regular Meeting – Room #9  
AGENDA**

**6:00 Regular Meeting:**

**01.0 Call to Order**

**02.0 Flag Salute**

**03.0 Roll Call** - We welcome all members of the public who attend our meeting. You are welcome to provide input to our deliberations and decisions as each item comes up for discussion. The President or Clerk will ask for comments from the public with each agenda item.

**04.0 Approval of Agenda**

*Items to be taken out of order:*

**05.0 Introduction of Guests**

*Members of the audience are invited to introduce themselves to the board and may mention their affiliation.*

**06.0 Public Comment**

*The law allows the Public to address the Board on any matter, whether or not it is on the Agenda; but the law prohibits action by the Board on NON-Agenda items according to G.C. 54954.3.*

**07.0 New Business**

07.1 Public Hearing regarding the Board Policy 6163.4 Student Use of Technology.

*The Public will be invited to make comments regarding the Student Use of Technology for grades K-8.*

*Regulations in the Children's Internet Protection Act (CIPA) requires the Board to yearly review the Board Policy for Student Use of Technology.*

07.1.1 Open Public Meeting

08.1.2 Public Comment

08.1.3 Close Public Meeting

08.1.4 Board Comments and Adoption of BP 6163.4

Audience Comment

Board Consideration

**Roll Call**

Action directive: \_\_\_\_\_

07.2 Facility Inspection Tool (FIT) Report  
*Superintendent, Jeff Winfield will recommend approval.*  
Audience Comment  
Board Approval

Action directive: \_\_\_\_\_

07.3 Review and edit recommendations to Board Bylaw 9220 to be brought back for Board approval.  
*The Board will review the Board Bylaw 9220.*  
Discussion only  
Audience Comment

Action directive: \_\_\_\_\_

07.4 Approval of MOU with Sonora Union High for bus study.  
*Superintendent, Jeff Winfield will recommend approval.*  
Audience Comment  
Board Approval

Action directive: \_\_\_\_\_

07.5 Governance Planning Letter to the Board from the Auditors.  
*Informational letter from Eide Bailly to Board on the Eide Bailly responsibilities in auditing the 2021-2022 financial statement audit.*  
Information only

07.6 Discussion with Possible Approval for Designation of Funds for Special Projects.  
*Superintendent, Jeff Winfield and CBO, Isabel Valadez will present to the Board information on Projects for this school year and upcoming school year.*  
Audience Comment  
Board Consideration

Action directive: \_\_\_\_\_

**08.0 Superintendent's Report**

*The Superintendent will report to the Board about various matters involving the District. There will be no Board discussion except to ask questions or refer matters to staff, and no action will be taken unless listed on a subsequent agenda.*

**09.0 Board Member Reports**

*Each member of the Board may report about various matters involving the District. There will be no Board discussion except to ask questions or refer matters to staff, and no action will be taken unless listed on a subsequent agenda.*

**10.0 Consent Agenda**

*The Board will be asked to approve all of the following items by a single vote, unless any member of the Board or of the public asks that an item be removed from the consent agenda and be considered and discussed separately.*

10.1 Approval of Warrants paid Sept. 1<sup>st</sup>, 8<sup>th</sup>, 15<sup>th</sup>, 22<sup>nd</sup> and September 29, 2022.

- 10.2 Approval of Minutes Special Board Meeting June 8, 2022, Regular Board Meeting June 9, 2022, and Regular Board Meeting August 11, 2022.
- 10.3 Williams Uniform Complaint Quarterly Report October 2022
- 10.4 Developer Fees for July 2022-None
- 10.5 Annual Report of Developer Fees for 2021/2022.

Audience Comment  
Board Consideration

Action directive: \_\_\_\_\_

**11.0 Personnel**

- 11.1 Approval to increase Certificated Substitutes rate as of October 13, 2022.  
Daily Certificated Substitute rate from \$140.00 to \$165.00.  
Daily rate for half a day will be \$82.50.  
Former Soulsbyville Employees Certificated rate from \$150.00 to \$175.00.  
Daily rate for half day -Former Soulsbyville Certificated Employee \$87.50  
Long Term Certificated Substitutes rate of \$150.00 to \$175.00.  
Audience Comment  
Board Consideration

Action directive: \_\_\_\_\_

**12.0 Closed Session**

- 12.1 Pursuant to Education Code 35146 and 48000 Discussion of Student Matters. (Appeal Denied Inter-district for Student 2022-08).  
*Parent is requesting an appeal to the Board for approval of Inter-district transfers that was denied.*
- 12.2 Approval of Principal Contract.

**UPCOMING**

**DATES:**                    10/18 Picture retakes  
  
                                      11/11 No School, Veteran’s Day  
                                      11/21-11/25 Thanksgiving Break

Next Board Meeting: November 10, 2022 at 6:00 pm

**ADJOURNMENT**

**Agenda Material can be inspected in the Soulsbyville School District Office at 20300 Soulsbyville Road, Room #8, during regular business hours.**  
*In accordance with the Americans with Disabilities Act, if you need special assistance (i.e. Auxiliary aids or services) in order to participate in this public meeting, please contact the Soulsbyville District Office at 209-532-1419. Notification 48 prior to the start of the meeting will enable the District to make reasonable accommodations to ensure accessibility to this public meeting.*



SOULSBYVILLE SCHOOL DISTRICT  
20300 SOULSBYVILLE ROAD  
SOULSBYVILLE, CA 95370

## Notice of Public Hearing

The Soulsbyville School District Board of Education will hold a **PUBLIC HEARING** during the regular session meeting on Thursday, October 13, 2022 at 6:00 p.m. or as soon thereafter as practicable, in Room 9 at Soulsbyville School, located at 20300 Soulsbyville Road, Soulsbyville, California.

The purpose of the Public Hearing is to receive comments regarding Student Use of Technology BP 6163.4. Regulations in Children's Internet Protection Act (CIPA) requires the Board to yearly review the Board Policy for Student Use of Technology.

Public Hearings are open to the public.

A handwritten signature in blue ink that reads "Jeff Winfield". The signature is written in a cursive, flowing style.

Jeff Winfield  
Superintendent

**OFFICIAL POSTING NOTICE**

**Public Hearing Notice**

**INFORMATION POSTED:** The purpose of the Public Hearing is to receive comments on Student Use of Technology Board Policy 6163.4.

**Date of Posting:** September 30, 2022

**Place of Posting:** Soulsbyville Staff Room Lower Campus

Soulsbyville School Public Bulletin Board

Soulsbyville Staff Room Upper Campus

Soulsbyville School Website

Tuolumne County Superintendents of Schools Office

**Public Hearing:** October 13, 2022 at 6:00 p.m. Soulsbyville School Room #9

**Posted by:** Michele Harper

**Date:** September 30, 2022

Michele Harper  
District Administrative Assistant  
Soulsbyville School District  
Phone: (209) 532-1419 ext. 3371  
Fax: (209) 532-4371

**STUDENT USE OF TECHNOLOGY**

The Governing Board intends that technological resources provided by the district be used in a safe and responsible manner in support of the instructional program and for the advancement of student learning. All students using these resources shall receive instruction in their proper and appropriate use.

(cf. 0440 - District Technology Plan)  
(cf. 1113 - District and School Web Sites)  
(cf. 1114 - District-Sponsored Social Media)  
(cf. 4040 - Employee Use of Technology)  
(cf. 6163.1 - Library Media Centers)

Teachers, administrators, and/or library media specialists are expected to review the technological resources and online sites that will be used in the classroom or assigned to students in order to ensure that they are appropriate for the intended purpose and the age of the students.

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district technology, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with this Board policy and the district's Acceptable Use Agreement.

District technology includes, but is not limited to, computers, the district's computer network including servers and wireless computer networking technology (wi-fi), the Internet, email, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through district-owned or personally owned equipment or devices.

Before a student is authorized to use district technology, the student and his/her parent/guardian shall sign and return the Acceptable Use Agreement. In that agreement, the parent/guardian shall agree not to hold the district or any district staff responsible for the failure of any technology protection measures or user mistakes or negligence and shall agree to indemnify and hold harmless the district and district staff for any damages or costs incurred.

(cf. 6162.6 - Use of Copyrighted Materials)

The district reserves the right to monitor student use of technology within the jurisdiction of the district without advance notice or consent. Students shall be informed that their use of district technology, including, but not limited to, computer files, email, text messages, instant messaging, and other electronic communications, is not private and may be accessed by the district for the purpose of ensuring proper use. Students have no reasonable expectation of privacy in use of the district technology. Students' personally owned devices shall not be searched except in cases where there is a reasonable suspicion, based on specific and objective facts, that the search will uncover evidence of a violation of law, district policy, or school rules.

(cf. 5145.12 - Search and Seizure)

The Superintendent or designee may gather and maintain information pertaining directly to school safety or student safety from the social media activity of any district student in accordance with Education Code 49073.6 and BP/AR 5125 - Student Records.

(cf. 5125 - Student Records)

Whenever a student is found to have violated Board policy or the district's Acceptable Use Agreement, the principal or designee may cancel or limit a student's user privileges or increase supervision of the student's use of the district's equipment and other technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update procedures to enhance the safety and security of students using district technology and to help ensure that the district adapts to changing technologies and circumstances.

#### Internet Safety

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. (20 USC 6777; 47 USC 254; 47 CFR 54.520)

To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

The district's Acceptable Use Agreement shall establish expectations for appropriate student conduct when using the Internet or other forms of electronic communication, including, but not limited to, prohibitions against:

1. Accessing, posting, submitting, publishing, or displaying harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

2. Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking"

3. Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting one's own personal identification information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

#### EDUCATION CODE

49073.6 Student records; social media

51006 Computer education and resources

51007 Programs to strengthen technological skills

60044 Prohibited instructional materials

#### PENAL CODE

313 Harmful matter

502 Computer crimes, remedies



632 Eavesdropping on or recording confidential communications  
653.2 Electronic communication devices, threats to safety  
UNITED STATES CODE, TITLE 15  
6501-6506 Children's Online Privacy Protection Act  
UNITED STATES CODE, TITLE 20  
6751-6777 Enhancing Education Through Technology Act, Title II, Part D, especially:  
6777 Internet safety  
UNITED STATES CODE, TITLE 47  
254 Universal service discounts (E-rate)  
CODE OF FEDERAL REGULATIONS, TITLE 16  
312.1-312.12 Children's Online Privacy Protection Act  
CODE OF FEDERAL REGULATIONS, TITLE 47  
54.520 Internet safety policy and technology protection measures, E-rate discounts  
COURT DECISIONS  
New Jersey v. T.L.O., (1985) 469 U.S. 325

Management Resources:

CSBA PUBLICATIONS

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

FEDERAL TRADE COMMISSION PUBLICATIONS

How to Protect Kids' Privacy Online: A Guide for Teachers, December 2000

WEB SITES

CSBA: <http://www.csba.org>

American Library Association: <http://www.ala.org>

California Coalition for Children's Internet Safety: <http://www.cybersafety.ca.gov>

Center for Safe and Responsible Internet Use: <http://csriu.org>

Federal Communications Commission: <http://www.fcc.gov>

Federal Trade Commission, Children's Online Privacy Protection:

<http://www.ftc.gov/privacy/privacyinitiatives/childrens.html>

U.S. Department of Education: <http://www.ed.gov>

(7/07 3/09) 7/15

Policy adopted: February 22, 2001

Revised: February 9, 2017

Approved with no changes: November 9, 2017

Approved with no changes: November 8, 2018

Approved with no changes: November 14, 2019

Approved with no changes: October 8, 2020

Approved with no changes: October 14, 2021

**SOULSBYVILLE SCHOOL DISTRICT**

Soulsbyville, CA

**Bylaws of the Board**

BB 9220(a)

**GOVERNING BOARD ELECTIONS**

Any person is eligible to be a Governing Board member, without further qualifications, if he/she is 18 years of age or older, a citizen of the state, a resident of the school district, a registered voter and not legally disqualified from holding civil office. (Education Code 35107)

Note: Pursuant to Government Code 1021, a person is disqualified from holding office upon conviction of designated crimes as specified in the Constitution and state law. These crimes include asking or receiving bribes, embezzlement, forgery and perjury. In addition, a person is ineligible from holding public office if he/she is not registered to vote. Elections Code 2201 lists causes upon which an individual cannot be registered including legally established mental incompetency or proof that the person is presently imprisoned or on parole for conviction of a felony.

A district employee elected to the Board shall resign his/her position before being sworn in or shall have his/her employment automatically terminated upon being sworn into office. (Education Code 35107)

*(cf. 9270 - Conflict of Interest)*

Note: Elections Code 1302 and 10404.5 authorize districts to request consolidation of their Board elections with the local municipal, state primary, or general elections.

When possible, Board election procedures shall be conducted in accordance with the California Education Code and Elections Code.

*(cf. 9110 - Terms of Office)*

**Statement of Qualifications**

Note: Prior to the beginning of the nominating period, the Board should determine whether to charge candidates for the costs of producing candidate statements of qualifications pursuant to Elections Code 13307. The Board should select one of the following options.

The district shall assume no part of the cost of printing, handling, translating or mailing candidate statements filed pursuant to Elections Code 13307.

Note: The following language applies to both of the above options.

The Board secretary shall notify the county clerk of this policy on or before the 125th day before each Board member election. (Elections Code 10509)

Note: Pursuant to Elections Code 13307, the candidate's statement is limited to 200 words, unless the Board has authorized an increase to a 400-word maximum.

Candidate statements shall be limited to no more than 200 words.

## GOVERNING BOARD ELECTIONS (continued)

### Tie Votes in Board Member Elections

Note: Education Code 5016 requires the Board to decide, before conducting any election, whether a potential tie will be resolved by lot or with a runoff election. Option 1 is for use by districts that will make this determination prior to each election. Option 2 provides for the use of lots to determine the winner in case of a tie. Option 3 provides for a runoff election.

Whenever a tie makes it impossible to determine which of two or more candidates has been elected to the Board, the Board shall schedule a runoff election in accordance with law. (Education Code 5016)

Note: Education Code 5019 governs the establishment or abolishment of trustee areas by the county committee on school district organization. Pursuant to Education Code 5019.5, districts in which trustee areas have been established must adjust their trustee area boundaries after each decennial federal census. Education Code 5019.5 authorizes Boards to make this adjustment by March 1 of the year after census results are released. If the Board fails to do this, the county committee on school district organization must do so by April 30.

*Legal Reference: (see next page)*

**GOVERNING BOARD ELECTIONS (continued)**

*Legal Reference:*

EDUCATION CODE

5000 Biennial election  
5016 Selection in tie vote  
5017 Term  
5019 Trustee areas and size of governing boards  
5019.5 Trustee areas; adjustment of boundaries  
5300-5304 General provisions (conduct of elections)  
5320-5329 Order and call of elections  
5340-5345 Consolidation of elections  
5360-5363 Election notice  
5380 Compensation (of election officer)  
5390 Qualifications of voters  
5420-5426 Cost of elections  
5440-5442 Miscellaneous provisions (re returns, recounts, etc.)  
35107 Eligibility; school district employees  
35177 Campaign expenditures or contributions

ELECTIONS CODE

1302 Local elections, school district election  
2201 Grounds for cancellation  
2220-2226 Residency confirmation procedures  
10400-10418 Consolidation of elections especially:  
10403.5 Municipal election consolidated with statewide election or school district election  
10509 Notice of election by secretary  
10600-10604 School district elections  
13307 Candidate's statement  
13309 Candidate's statement, indigency

GOVERNMENT CODE

1021 Conviction of crime  
1097 Illegal participation in public contract  
3035 Impeachment  
85706 Local regulation  
85301-85313 Contribution limitations

PENAL CODE

68 Bribes  
74 Acceptance of gratuity  
424 Embezzlement and falsification of accounts by public officers  
661 Removal for neglect or violation of official duty

CALIFORNIA CONSTITUTION

Article 2, Section 2 Voters, qualifications  
Article 2, Section 4 Prohibition certain persons as electors  
Article 7, Section 7 Conflicting offices  
Article 7, Section 8 Disqualification from office  
Article 7, Section 10 Libelous or slanderous statements against opposing candidates

COURT DECISIONS

California Pro-life Council Political Action Committee v. Jan Scully et. al., CIV S-96-1965 (E. Dist. CA 1998)