

BUSINESS — 3000 SERIES

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The Governing Council recognizes that money and money management comprise the foundational support of the whole school program and that effective management of funds is a prime responsibility of the Governing Council. In order to effectively support the ROC/P, to protect the facilities and resources of the public, and to provide for the effective management of public funds, the Governing Council shall:

1. Encourage advanced planning through the best possible budget procedures.
2. Review and utilize all practical revenue sources available to the ROC/P.
3. Review proposed expenditure of funds so as to extract the greatest educational return and to provide for the management of all ROC/P funds in a manner which will effectively serve the interest of the public.
4. Expect efficient accounting and reporting procedures which are consistent with the obligation of any public agency and to provide the public with an accounting of the expenditure of their funds.
5. Maintain the highest level of unit expenditure needed to provide the best educational program within the resources available to the ROC/P.

First Reading: Second	8/8/90
Reading: Adopted:	11/6/90
	11/6/90

Governing Council

The Governing Council

1. approves and adopts the final budget.
2. provides for the establishment of necessary procedures to assure proper accounting of receipts, disbursements, and balances.
3. provides for an annual audit of all funds maintained by the ROC/P as required by law, including those of student organizations, special reserves, and all other funds under the supervision of the ROC/P.
4. authorizes expenditures of funds and approves payment of authorized purchases.
5. conducts all necessary financial operations in connection with all governmental agencies in regard to ROC/P buildings and ROC/P attendance.
6. seeks to accrue to the ROC/P all available revenue from all appropriate sources.
7. seeks to promote by State and Federal legislation the greatest financial support possible for the ROC/P.
8. requires and reviews reports of business transactions of the ROC/P and of the financial condition of the ROC/P.

Superintendent

With the staff, the Superintendent

1. prepares the annual budget and interprets it for the Governing Council.
2. administers the budget after it is adopted and maintains expenditures within its limits.
3. provides all possible economies that do not endanger the educational program goals and objectives of the ROC/P.
4. supervises the general business procedures of the ROC/P to secure the proper accounting of funds, supplies, and equipment.
5. seeks to secure materials, supplies, equipment, and facilities best suited to meet the educational needs of the ROC/P.

6. approves contracts to be entered into as authorized by the ROC/P Council or any person on behalf on the ROC/P, and acts as authorized agent of the ROC/P and the Council in contracts between the ROC/P and other governmental agencies.
7. is responsible for recommending an adequate program of insurance in all phases of ROC/p operation with regard to those prescribed by law.
8. makes appropriate reports to the Governing Council, assuring that the Council is fully advised as to the financial status of the ROC/P and all the implications of the financial aspects of ROC/P administration.

Working Relationships of Council and Superintendent

The Governing Council shall not delegate to employees the final power of budgeting, purchasing, and contracting.

1. To adhere to this requirement, the Council must be informed by the Superintendent and staff of all pertinent information prior to making decisions relating to the financial operations of the ROC/P.
2. The Governing Council encourages the Superintendent to shape, with the staff, the ROC/P financial program which offers the best attainable program of education in the ROC/P. The Council is to be informed whenever the curricular program is at odds with the financial ability of the ROC/P.
3. The Governing Council gives close scrutiny and due consideration to each and every financial operations of the ROC/P so that they may fully discharge their legal responsibilities in regard to finance.

First Reading:	8/8/90
Second Reading:	11/6/90
Adopted:	11/6/90

Budget

BP 3100

The budget shall be the financial expression of the educational goals of the ROC/P; it shall be considered as a controlled spending plan for the prescribed fiscal year.

The ROC/P budget shall be made up annually from the best estimates that can be made from the individual program and administrative levels with appropriate consolidation of the estimates to the Superintendent and his administrative staff.

On or before a regular meeting in June of each year, the Superintendent will present to the Governing Council for informal consideration, preliminary estimates of the budgetary needs of the school system for the next fiscal year, to be referred to as the Preliminary Budget.

After the annual budget has been adopted by the Council, it shall be the responsibility of the Superintendent to see that all personnel adhere to this budget.

After approval, the budget shall be submitted to the County Superintendent of Schools on or before the dates indicated on the budget calendar developed by that office.

Legal Reference: Education Code
 35035 (b) Powers and Duties of Superintendent
 42120-42128 Budget Requirements

First Reading: 8/8/90
Second Reading: 11/6/90
Adopted: 11/6/90

The preparation of the yearly budget shall be the responsibility of the Superintendent together with such other administrative personnel as he may delegate for the accumulation of data for final presentation. The needs of the educational program, expansion, maintenance, and operation of facilities shall be the base upon which the budget is determined. Once the base has been established, the administration and the Council shall make such modification of the budget in detail as may be required for the efficient operation of the ROC/P with available.

The preliminary budget report shall contain:

1. A summary of the proposed expenditures in the standard accounting classifications established by the California State Department of Education.
2. Information about the current status and trends of ROC/P characteristics, such as pupil enrollment, projected revenues and such other matters as relate to an understanding of the budget.
3. Brief explanations of significant increases and decreases from the preceding budget.

First Reading:	8/8/90
Second Reading:	11/6/90
Adopted:	11/6/90

The annual budget of the ROC/P is perhaps the most concise statement of the educational aims of the ROC/P because it expresses the service it plans to provide during the period covered by the budget. Because the responsibilities of a ROC/P are continuous over a long period of time, and because its educational aims are mostly attainable in a somewhat distant future, this budget preparation should be controlled to the optimum extent by policies that are compatible with the long range aims of the ROC/P.

The Superintendent shall determine the manner in which the annual ROC/P budget is to be compiled and issue instructions to the staff. The Superintendent shall also establish a time schedule for the preparation of the budget to be known as the "budget calendar."

The Superintendent shall present the budget documents to the Governing Council together with recommendations on the needs of the ROC/P considered in the light of the funds available.

Legal Reference:	Education Code
	35035 (b) Powers and Duties of Superintendent
	42103 Public Hearings on Proposed Budget
	42120-42128 Budget Requirements

First Reading:	8/8/90
Second Reading:	11/6/90
Adopted:	11/6/90

The budget shall be prepared by:

1. determining the needs of the educational program and supporting service in accordance with Council Policy,
2. ascertaining the costs of the educational programs and supporting services,
3. determining the financial resources available, and
4. presenting a balanced budget.

First Reading:	8/8/90
Second Reading:	11/6/90
Adopted:	11/6/90

Budget as Spending Plan

BP 3150

A system of fiscal control shall be established to govern the administration of the budget and the expenditure of funds.

The Superintendent shall not permit expenditures of funds to exceed the major budget classification allowances against which the proposed expenditure is the proper charge. The Superintendent shall set up and operate budget controls for all programs and departments and administer the budget in conformity with legal requirements and the actions of the Governing Council.

The Superintendent shall check the legality of all expenditures and shall ascertain that all expenditures recommended for approval are legal expenditures.

Legal Reference: Education Code
 35035 (b), and (g) Powers and Duties of
 Superintendent

First Reading: 8/8/90
Second Reading: 11/6/90
Adopted: 11/6/90

Annual Operating Funds

BP 3210

In accordance with California State Ed Code 52301 the ROC/P shall receive in annual operating funds from each of the participating school districts an amount per unit of average daily attendance equal to the revenue limit received by such districts for each unit of average daily attendance generated in the Regional Occupational Center or Program.

First Reading:	8/8/90
Second Reading:	11/6/90
Adopted:	11/6/90

Tuition

BP 3240

In accordance with provisions of the Education Code, the ROC/P operates within the framework of public education in the State of California, and no tuition shall be charged to high school students attending ROP courses.

First Reading:	8/8/90
Second Reading:	11/6/90
Adopted:	11/6/90

1. It shall be the policy of the Governing Council that no fees, deposits, or other charges not specifically authorized by law shall be charged students used in the educational program.
2. No parent-teacher organization or other interested group shall henceforth be requested to provide funds for materials, supplies, or services associated with the recognized school program. Governing Council policy does not prohibit the presentation of gifts, grants, or bequests to ROC/P by persons or groups.
3. Where a project is to be the property of the student, the amount of the charge for materials needed shall be established under the direction of the Governing Council.

Adult Students

1. Supplementary books used in classroom instruction shall be provided to adult students. Textbooks and supplies shall not be provided.

Legal Reference: Education Code
40011 Supplies furnished by district governing board
39527 Sale of Materials to Adult Pupils
California Admin. Code - Title 5 - Section 350

First Reading: 8/8/90
Second Reading: 11/6/90
Adopted: 11/6/90

Investing

BP3292

The Superintendent or designee may invest as permitted by law all or part of the special reserve fund of the district or any surplus moneys not required for immediate district operations. Such investments shall be limited to securities specified in Government Code 16430, 53601 and 53635.

The Governing Board recognizes that the Superintendent or designee has fiduciary responsibility and is subject to prudent investor standards for all investment decisions. As such, district investments must be made with skill, prudence and diligence, with the primary objective of safeguarding the principal of the funds and with the secondary objective of meeting the district's liquidity needs.

The Board recognizes the importance of overseeing investments made with district funds, including investments by the county treasurer of each participating district of Mission Valley Regional Occupational Program Joint Powers Agreement. As coordinated by the Alameda County Superintendent of Schools, the Board president shall participate with Board presidents of all school districts and community college districts in the county to select a representative to the county treasury oversight committee. The Superintendent or designee shall maintain ongoing communication with this representative and shall keep the Board well informed about the policies that guide the investment of these funds.

The Superintendent or designee shall annually provide to the Board and any oversight committee a statement of the district's investment policy. At a public meeting, the Board shall review this policy and discuss any changes to be made. In accordance with law and administrative regulations, the Superintendent or designee shall also provide the Board quarterly reports with specified components, including a statement of how the district portfolio compares with the district's investment policy.

Legal Reference:

Education Code

41001 Deposit of money in county treasury
41002 General fund deposits and exceptions
41015 Authorization of and limitation investment of district funds 41017
Deposit of miscellaneous receipts
41018 Disposition of money received

Government Code

16430 Eligible securities for investment of surplus moneys 27130-27137 County
treasury oversight committees
53600-53609 Investment of surplus
53630-53684 Deposit of funds, especially
53635 Local agency funds; deposit or investment
53646 Treasurer reports and statements of investment policy
53825.5 Investment term for funds designated for repayment of notes 53859.02
Borrowing by local agency

Civil Code

2261-2262 Obligations of trustees, investments

First Reading: 12/12/96

Second Reading: 1/23/97

Adopted: 1/23/97

Purchasing

BP3300

The superintendent shall develop procedures for the regulation of purchases by the ROP and for the efficient maintenance of all ROP finances and property. It is the intent of the Governing Council that all such activities be undertaken in accordance with good business practices and in strict observance of all applicable laws and regulations.

In implementing this policy, the Superintendent or other Council-authorized officer shall be authorized to purchase all supplies, materials, and equipment according to ROP policies and regulations. The authorized designee shall insure that all such purchases do not exceed the expenditure of funds in excess of the limits imposed by the Education Code and Public Contracts Code which require advertised bids and prior Board approval.

The Superintendent shall insure that the ordering procedure will, as far as possible, guarantee that goods and services purchased by the ROP will meet the needs of the person or department ordering them, yet will permit purchasing at the lowest possible cost to the ROP.

The ROP may, at its discretion and upon a case-by-case determination of the Board, purchase, lease, or contract for equipment and supplies through a public corporation without advertised bids to the extent permitted by state law.

Legal Reference (see next page)

Legal Reference:
Education Code

35010	Control of district by Board of Trustees of Board of Education
35035	Powers and duties of superintendent
35250	Duty to keep certain records and reports
35272	Educational and athletic materials
35276	Competitive bidding (permits determination by lot when identical bids are submitted)
39642	Purchase through public corporations without advertised bids
39643	Purchases through department of general services
39651	Purchase of materials and supplies without estimates or bids
39656	Delegation of powers to agents; liability of agents
39657	Delegation of authority to purchase supplies and equipment; limitations
39873	Purchase of perishable foodstuffs and seasonal commodities
40000	Purchase of supplies through county superintendent
40001	Purchase by district governing board
40002	Direct purchasing by district
40013	Advance payments for publications, postage, etc.
41010	Accounting System
41014	Requirement of budgetary accounting
42640 et. seq.	General provisions-orders, requisitions and warrants
42647	Drawing of warrants by district on county treasurer; form of warrant; application and approval
42650	Warrants for payment of expenses
42800-42806	Revolving cash fund
42810	Alternative revolving fund
42820	Prepayment funds
Government Code	
4331-4334	Preference for California-made materials
Public Contracts Code	
20111-20112	Notice calling for bids

First Reading:	11/6/90
Second Reading:	1/3/91
Adopted:	1/3/91

1. Staff will make request for supplies, equipment and/or services, stating number of items needed, approximate cost per item and preferred vendor, if known. If future patronage of the vendor is anticipated during the remainder of the school year, this should be stated, and an Open Purchase Order will be processed for bookkeeping purposes by the Superintendent or his/her designate.
2. If an Open Purchase Order has been processed, staff will be notified of designated account number and should make the vendor aware of this number upon the placing of an order.
3. All invoices, packing slips and repair orders must be signed by authorized staff upon receipt. The staff member must sign with his or her complete name. Initials are not acceptable. Students are not permitted to purchase supplies or equipment.
4. If the staff member cannot obtain the necessary supplies or equipment in person, such items will be delivered to the Center as soon as possible, and the instructor will be notified of their receipt by the Superintendent or his/her designee.
5. Staff will prepare a purchase requisition with a description of the items needed and an estimated cost per item.
6. All requisitions shall be signed by the Superintendent or his/her designate.
7. All requisitions will be processed through the Fremont Unified School District for payment, using their procedures for issuing purchase orders.

In accordance with Education Code Sections 39640-39640.5 the following procedures will be followed in soliciting prices for work to be performed or supplies and/or equipment to be purchased:

1. If the cost of work to be done is over \$15,000 or if the cost of materials or supplies to be purchased is over \$21,000, the Council will publish once a week for two weeks a notice calling for bids.
2. If the cost of work to be done is between \$10,000 and \$14,999 or if the cost of materials or supplies to be purchased is between \$15,000 and \$20,999, the Council will take written estimates from three responsible bidders, without publishing the notice calling for bids.

3. If the cost of work to be done is less than \$10,000 or if the cost of materials or supplies to be purchased is less than \$15,000, neither bids nor written estimates are required. However, if, in the opinion of the Superintendent, legal advertising may result in better prices for the ROP, such advertising is authorized.

In order to expedite ROP business, the Superintendent is authorized to place legal notices soliciting prices for work to be performed or for supplies and/or equipment to be purchased which may be required by law or which may be in the best interest of the ROP.

First Reading:	11/6/90
Second Reading:	1/3/91
Adopted:	1/3/91

1. All vendor representatives shall have a hearing relative to their products. Subsequent visits shall be promptly acknowledged and interviews granted or not, depending upon the circumstances. Personnel shall not be required to put their time absolutely and indiscriminately at the disposal of all salespersons, however frequent, at whatever time, or on whatever mission they may be calling. The staff member shall use his discretion with regard to interviews but shall not be relieved of his obligations of courtesy.
2. Salespersons shall not be permitted to make personal calls at individual departments without the approval of the superintendent or his/her designate. Technical information obtained from sales representatives shall be forwarded to the administrative office for inclusion in specifications for purchasing.
3. No staff member shall commit him/herself or the ROP in interviews with salespersons, directly or by implication, as to acceptance of any product or give any information regarding the ROP's source of supply, price, or performance of any product.
4. The ROP shall not extend favoritism to any vendor, other than to give preference to local vendors in the case of identical bids. Each order shall be placed on the basis of quality of product or service, price, and delivery or performance, with past service being a deciding factor if all other considerations are equal.
5. All letters, wires, or other types of communication shall be answered or acknowledged promptly.
6. It shall be the duty of staff to visit vendors as necessary to discuss products, service, and ROP staff-vendor relationships.
7. Vendors shall not make substitutions or price adjustment without prior approval.
8. The ROP staff shall not solicit or accept donations of funds or materials from vendors for personal gain.

First Reading:	11/6/90
Second Reading:	1/3/91
Adopted:	1/3/91

The administration office of the ROP shall be responsible for receiving and checking invoices of goods received by the ROP. All warrants will be prepared by the business office of the Fremont Unified School District and must be approved by the Council at such times as are stipulated in approved Administrative Regulations.

Services rendered by the ROP shall be paid for by issue of warrants drawn on the funds of the ROP.

First Reading:	11/6/90
Second Reading:	1/3/91
Adopted:	1/3/91

Business and Non-Instructional Operations

Revolving Fund

BP 3375

Education Code 42800 requires the ROP Council to adopt a resolution when creating an ROP revolving fund. The resolution should specify the purposes of the account. Any changes in the uses of the account should also be made by resolution.

Mission Valley ROP is requesting council approval to set up a revolving cash fund for use by the Superintendent or designee in paying for goods, services, and other charges determined by the ROP Council. (Education Code 42800-42806, 45167).

At the request of the ROP Council, County Auditor or County Superintendent of Schools, the Superintendent or designee shall give an account of the fund. (Education Code 42804).

The ROP Council shall review and revise fund usage as appropriate.

Pursuant to Education code 42800, the maximum allowable amount is the lesser of: 1) two percent of the district=s estimated expenditures for the current fiscal year; or 2) a dollar amount limit of \$75,000 for any elementary school or high school district and \$150,000 for any unified district for fiscal year 1990-1991. The dollar amount limit shall increase annually by the percentage increase in the district=s revenue limit established by Education Code 42238.

Additional Revolving Funds

No funds maintained in a revolving fund shall be used in an attempt to influence government decisions, for entertainment purposes, or for any other purpose not related to classroom instruction (Education Code 42810).

The Director of Business Services shall have use and control of the funds and shall be responsible for all payment into the accounts as well as expenditures from the accounts, subject to restrictions established by the ROP Council.

The revolving cash fund for supplies shall be subject to the bonding provisions of Education Code 42801.

The ROP Council shall provide an audit of revolving funds on a regular basis (Education Code 42810).

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

41020 Audits of all district funds

42800-42806 Revolving cash fund

42810 Revolving cash funds; use; administrators

First Reading: January 21, 2004

Second Reading: February 18, 2004

Adopted: February 18, 2004

AR 3375**Revolving Cash Fund (Petty Cash Fund)****Purpose of the Revolving Cash Fund**

1. Items of such low cost as to be uneconomical for the Business Services Office to handle via purchase orders.
2. Purchases more efficiently handled on a direct basis.
3. Emergency needs

Procedures

Please read carefully and follow the procedures below for ALL petty cash/revolving expenditures:

1. Obtain *approval for requested expenditures in advance* from the administrator to whom you report.
2. Obtain Petty Cash Voucher or Revolving Cash Reimbursement form from the Accounting Technicians.
3. For purchases *\$50.00 and under use the Petty Cash Voucher.*
4. For purchases *over \$50.00 use the Revolving Cash Reimbursement Form.*
5. Obtain itemized receipt (legal document) for items purchased, including, date, item name, quantity and unit price, and sign the receipt or invoice.
6. Complete the Petty Cash Voucher, attach the receipt of invoice and staple - *use one form per vendor*
7. Submit Petty Cash Voucher (Revolving Cash Reimbursement Form) and receipt to your administrator for signature approval.
8. The Accounting Technicians will make reimbursement and notify you when this has been completed.
9. All revolving cash (where applicable) must be returned at the end of the school year. Cash and checks plus replenished requests must total the amount of an allocation.
10. Bank accounts are to be reconciled monthly by the end of the month following the month-end bank statement.

Limitations of Petty Cash

1. Petty cash may be used only for purchases legally chargeable to school funds.
2. The frequency of purchases is limited to the available balance of cash on hand plus approval from an administrator.
3. The total purchase submitted on one *Petty Cash Voucher* is limited to a maximum of \$50.00.
4. For purchases over \$50.00, use the *Revolving Cash Reimbursement Form.*

5. Petty Cash cannot be used for amounts that exceed \$50.00 where the option is available to have a purchase order and pay when the service or materials are received, or when a prepay with a purchase order is possible.
6. Payment of salary or stipends shall not be made with revolving funds.
7. Payment of reimbursement for conference expenses, travel expenses or mileage shall not be made from revolving funds.
8. Any item costing \$500 or more shall not be made with revolving funds.

Salaries for full-time employees, together with hourly rates for part-time employees, shall be approved by the Council. The business office of the Fremont Unified School District shall be responsible for preparing and checking pay rolls for County approval and for distributing warrants to employees as agreed to under contract.

First Reading: Second	11/6/90
Reading: Adopted:	1/3/91
	1/3/91

A double-entry system of accounting shall be maintained within the ROP for the purpose of recording business transactions of the ROP.

First Reading:	11/6/90
Second Reading:	1/3/91
Adopted:	1/3/91

Proposed expenditures shall be budgeted under, and expenditures shall be charged against, those categories which most accurately describe the purposes for which such monies are to be or have been spent. Wherever appropriate and practicable, salaries of individual employees, expenditures for single pieces of equipment, and the like, shall be prorated under the several categories which most accurately describe the purposes for which such monies are to be or have been spent.

First Reading:	11/6/90
Second Reading:	1/3/91
Adopted:	1/3/91

Upon request by the Council, the superintendent shall furnish financial reports to the Council. Such reports shall contain summary and detailed information of income, expenditures, encumbrances, and remaining balances.

First Reading:	11/6/90
Second Reading:	1/3/91
Adopted	1/3/91

An audit of the accounts of the ROP shall be made annually by an independent certified public accountant selected by the Council. The audit examination shall be conducted in accordance with generally accepted auditing standards and shall include all funds over which the Council has direct or supervisory control.

An auditor's fee shall be established each fiscal year. The Council upon recommendation of the superintendent shall select an auditor experienced in school and governmental accounting and willing to perform the required services for the established fee.

First Reading:	11/6/90
Second Reading:	1/3/91
Adopted:	1/3/91

6/23/04

Business and Non-Instructional Operations

BP 3450

Inventories

Accurate inventories of supplies and equipment shall be maintained by the Assistant Superintendent, Business Services, in accordance with good business practices and in compliance with legal requirements.

All equipment and property having a useful normal life of at least one year and a unit acquisition cost of at least \$5,000 shall be capitalized for accounting purposes. In addition, items acquired by lease with option to purchase shall be capitalized regardless of lease or acquisition cost. For such items paid for with federal funds, the capitalization threshold shall be \$5,000. Such assets shall be depreciated using the straight-line method without salvage value in accordance with useful life tables determined by the Assistant Superintendent for Business Services.

Legal Reference: Education Code
Section 35168

First Reading: May 19, 2004
Second Reading: June 23, 2004
Board Approved: June 23, 2004

Work schedules shall be devised by the superintendent or his/her designate to guarantee regular cleaning of buildings and facilities of the ROP. Every effort shall be made to insure that adequate heat, light, and water shall be supplied to facilitate the instructional program.

1

First Reading:	11/6/90
Second Reading:	1/3/91
Adopted:	1/3/91

Constant effort shall be made to provide maximum maintenance of buildings, facilities, and equipment of the ROP. There shall be procedures established for emergency repairs as well as scheduled plans for painting, repairing, and refurbishing of buildings and facilities.

First Reading:	11/6/90
Second Reading:	1/3/91
Adopted:	1/3/91

Use of Facilities

3580

Use of facilities owned or leased by the ROP can be used for:

1. Instruction
2. In-service education
3. Meetings for ROP staff

Any other use of facilities shall have the written permission of the superintendent or his/her designate through established administrative regulations.

First Reading:	11/6/90
Second Reading:	1/3/91
Adopted:	1/3/91

Facilities Use

Smoking

As of September 1, 1993, smoking and/or the use of tobacco products shall not be permitted at any time in the buildings or on the grounds of the Mission Valley ROP and Fremont Unified School District. Smoking and/or the use of tobacco products is also prohibited in any district-owned vehicle.

Legal Reference: Health and Safety Code
 Section 25941

Public Safety
Title 19, s. 23.

First Reading: June 28, 1993
Second Reading: October 25, 1993
Adoption: October 25, 1993

MISSION VALLEY REGIONAL OCCUPATIONAL PROGRAM

Philosophy

The Mission Valley Regional Occupational Program Council recognizes the Internet as a vital educational vehicle for accessing information from millions of resources all over the world. The Council supports the opportunities offered via Internet for "electronic field trips" to distant locations and for instructors to utilize new and innovative curriculum. Mission Valley Regional Occupational Program Internet accounts will be used for the purposes of research, education, and school-related business and operations. Such broad access to computers, communications systems, and people also bring access to materials that may not be considered to be of educational value within the context of the school setting. The Council considers that the information and interaction available outweigh the possibility of users procuring material that is not consistent with the educational goals of the ROP. It is essential that guidelines be established so that instructional goals can be achieved, information that does not support classroom learning can be avoided, and students' privacy rights are protected. Users shall have no expectation of privacy in their own use of the network. Access to harmful materials as defined by Penal Code section 313 shall be prohibited.

The Council authorizes the ROP Superintendent to prepare and implement administrative regulations for use of this important resource. The Council emphasizes that careful consideration is to be given to requirements and regulations for all staff and students to limit such use to the advancement of learning within the relevant curriculum and to actively avoid any information that is inappropriate to and/or does not support classroom learning.

All users must sign an Acceptable Use Contract which incorporates this policy and relevant administrative regulations.

First Reading: 1-22-98
Second Reading: 2-26-98
Adopted: 2-26-98

The Superintendent will determine appropriate use, as proposed by faculty, for inclusion of Internet access in the curriculum.

Instructors shall demonstrate agreement with Council policy for the use of Internet (or "network") by reviewing and signing the "Sponsoring Teacher" agreement.

Instructors shall review the Council policy, this regulation, and the Network Acceptable Use Agreement with students.

Students shall be permitted access to the Internet under the direction and supervision of faculty only after the "Acceptable Use Agreement" has been signed by the student and his or her parent or guardian and returned to the classroom file.

Use of the network is a privilege which may be revoked by Administration at any time. Unethical and unacceptable behavior will be considered just cause for disciplinary action, including revoking networking privileges and/or initiating legal action for any activity through which an individual:

- Uses the network for illegal, inappropriate or obscene purposes, or in support of such activities or access sites that contain or make reference to harmful matter
 - "Illegal activities" are activities which violate local, state and/or federal laws, including but not limited to copyright, civil rights laws, etc.
 - "Inappropriate use" is a use which is not an intended use as defined by the Council policy and this administrative regulation.
 - "Harmful matter" is defined in Penal Code section 313 and means matter taken as a whole, which to the average person applying contemporary statewide standards, appeals to prurient interest, and is a matter which, taken as a whole, depicts or describes in a patently offensive way sexual conduct and which, taken as a whole, lacks serious, artistic, political, or scientific value for minors.
 - "Obscene" means a matter taken as a whole that to the average person applying contemporary statewide standards, appeals to the prurient interest, that taken as a whole, depicts or describes sexual conduct in a patently offensive way, and that, taken as a whole, lacks serious literary, artistic, political, or scientific value.
- Uses the network for any illegal activity, including but not limited to violation of copyright or other contracts or license agreement.
- Intentionally disrupts network traffic or crashes the network and/or connected systems.

- Damages, degrades, or disrupts equipment or system performance.
- Uses the network or equipment for political lobbying, commercial or financial gain or fraud.
- Steals data, equipment, software or intellectual property.
- Alters computer software.
- Gains or seeks to gain unauthorized access to resources or entities.
- Forges electronic mail messages, or uses an account owned by another user.
- Invades the privacy of individuals.
- Posts anonymous messages.
- Creates, distributes, or purposely activates a computer virus.
- Uses the network to send or request racist, inflammatory, or sexist messages.
- Conceals or misrepresents the user's identity while on the network.
- Provides personal identification (such as name/photographs/location) on the Internet.
- Sends or requests messages or documents that are inconsistent with school policies, guidelines, or codes of conduct.
- Possesses any data obtained in violation of these rules on paper, disk, or any other form.

Consequences of student violations include but are not limited to:

- Revocation and/or suspension of Internet access
- Revocation and/or suspension of computer access
- School suspension and/or expulsion
- Legal action by outside legal authorities

Students accused of violations shall be subject to the processes and recourses applicable to all other policy and procedure violations.

The Mission Valley ROP has the right to restrict or terminate network access at any time for any reason. The ROP has the right to monitor network activity in any form that it sees fit to maintain the integrity of the network. Electronic information is not private. The Mission Valley Regional Occupational Program reserves the right to remove information which is unlawful, obscene, pornographic, or otherwise objectionable.

Users are directed to avoid personal identification (such as name/photographs/location) on the Internet.

Employee Use of Technology

User Obligations and Responsibilities

Employees are authorized to use the districts WAN or other on-line services in accordance with employees' obligations and responsibilities specified below.

1. The employee in whose name an on-line services account is issued is responsible for its proper use at all times. Employees shall keep personal account numbers, home addresses, and telephone numbers private. They shall use the system only under their own account number.
2. Employees shall use the system only for purposes related to their employment with the district. Commercial and political use of the system is strictly prohibited. The district reserves the right to monitor any on-line communications for improper use.
3. Employees shall not use the system to promote unethical practices or any activity prohibited by law or district policy.
4. Employees shall not transmit material that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religion, or political beliefs.
5. Copyrighted material may not be placed on the system without the author's permission. Employees may download copyrighted material for their own use only and only in accordance with copyright laws.
6. Vandalism will result in the cancellation of employee privileges. Vandalism includes purposeful uploading, downloading, creating computer viruses, and or any malicious attempt to harm or destroy district equipment or materials or the data of any other user.
7. Employees should observe appropriate judgment and ethics in sending electronic mail as representatives of the district. The district reserves the right to monitor e-mail transmissions on a need-to-know basis.
8. Employees are encouraged to keep messages brief and use appropriate language.
9. Employees shall report any security problem or misuse of the network to the Superintendent or designee.
10. This policy and administrative regulation will be reviewed to reflect changes in practice, technology, and the law.

Employee Use of Technology

**MISSION VALLEY ROP
EMPLOYEE TECHNOLOGY USE AGREEMENT**

Internet access is coordinated through a complex association of government agencies and regional and state networks. In addition, the smooth operation of the network relies upon the proper conduct of the end users who must adhere to strict guidelines. These guidelines are provided in our district Board Policy 3590 so that you are aware of the responsibilities you are about to acquire. In general, this requires efficient, ethical, and legal utilization of the network resources. If a Mission Valley ROP employee violates any of these provisions, his/her account will be terminated and future access could possibly be denied. The signature(s) at the end of this document is (are) legally binding and indicate(s) the party (parties) who signed and has (have) read the terms and conditions carefully and understand(s) their significance.

NETWORK ETIQUETTE

You are expected to abide by the generally accepted rules of network etiquette. These include (but are not limited to) the following:

- a. Be polite. Be brief. Do not be abusive in your messages to others.
- b. Use appropriate language. Do not swear, use vulgarities, or any other inappropriate language. Illegal activities are strictly forbidden.
- c. Do not reveal your personal address or phone numbers of students or colleagues.
- d. Note that electronic mail (e-mail) is not guaranteed to be private. People who operate the system do have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities.**
- e. Do not use the network in such a way that you would disrupt the use of the network by other users.
- f. All communications and information accessible via the network should be assumed to be private property.

I have read the Internet Use Agreement. I agree to follow the rules contained in the Board Policy and Administrative Regulation. I understand if I violate the rules, my Internet access can be terminated and I may face progressive disciplinary action and/or possible legal action.

Employee's Name (please print) _____

Location _____ Date _____

Employee's
Signature _____