

**MEMORANDUM OF UNDERSTANDING  
COUNTY OF MONTEREY AND  
SALINAS UNION HIGH SCHOOL DISTRICT  
CAMPUS PROBATION OFFICER PROGRAM**

This Memorandum of Understanding (MOU) is between the County of Monterey ("County") on behalf of the Monterey County Probation Department ("MCPD") and the Salinas Union High School District ("SUHSD").

**PURPOSE**

This Memorandum of Understanding was developed and entered into by the **MONTEREY COUNTY PROBATION DEPARTMENT**, hereafter known as (**MCPD**), and the **SALINAS UNION HIGH SCHOOL DISTRICT**, hereafter known as (**SUHSD**). The purpose of this agreement is to provide a coordinated approach, utilizing available resources from both agencies, to closely monitor and supervise juvenile probationers and assist with at-risk students within the school system. Both agencies believe that campus-based probation officers will further this goal and agree to collaborate by coordinating and providing the following services:

Roles and Responsibilities under this MOU is valid from of July 1, 2018 through June 30, 2020, and are set forth as follows:

**PRINCIPLES OF MEMORANDUM OF UNDERSTANDING**

**GENERAL AREAS OF RESPONSIBILITIES**

Monterey County Probation Department agrees:

Beginning July 1, 2018 through June 30, 2020, MCPD shall assign eight (8) Deputy Probation Officers and one (1) Probation Aide to SUHSD to be assigned to school sites within SUHSD while this AGREEMENT is in effect and in force.

1. The duties of the assigned **Deputy Probation Officers** shall be, but not necessarily limited to, the following:
  - a. To assist in the cooperative effort of probation and schools to closely monitor and supervise juvenile probationers attending specified schools and to utilize a spectrum of intervention/diversion programs designed to improve behavior in the community, home and school;
  - b. To provide supervision of minors on formal and informal probation attending specific school campuses;

- c. To impose and monitor programs of informal probation and other dispositional options for minors attending specified school campuses who commit crimes and are referred for Intake Services by MCPD;
  - d. To work closely with school administrators and to assist faculty to monitor and ensure school attendance of probationers and other students attending the specified school;
  - e. To offer school-based intervention options, such as work projects and other forms of community service, designed to hold minors accountable for misconduct and prevent further entry into the juvenile justice system;
  - f. To provide supportive services to the schools in the area of delinquency prevention and diversion;
  - g. To serve as resource persons to the specified schools regarding dispositional options and to assist the school in making appropriate referrals to collateral agencies or other components of the juvenile justice system;
  - h. To attend regular interagency meetings of the participating agencies;
  - i. To the extent possible assist in overall campus supervision and security and participate in regular campus safety meetings;
  - j. The Deputy Probation Officers will be responsible for filing petitions, preparing court reports, attending mandated trainings, appearing for necessary court appearances and performing duties consistent with MCPD requirements;
2. The duties of the assigned **Probation Aide** shall be, but not necessarily limited to the following:
- a. Report to his/her assigned school site on those days in which school is in session and remain on campus during the instructional day;
  - b. Work closely with the SUHSD staff members to provide probation services to the students;
  - c. Attempt to maintain sufficient student attendance to keep the classroom full;
  - d. Review attendance records (should minor be a ward), and report absences to the Deputy Probation Officer (DPO);
  - e. Maintain an independent attendance roster and determine the whereabouts of missing students on a daily basis and firmly enforce attendance requirements;

- f. Review contract terms and school rules with each student at time of acceptance into the program;
- g. Become familiar, where possible, with each student's gang affiliations, street friends, and criminal history, to make suggestions as to appropriate to classroom seating placements;
- h. Hold each student accountable for attitude and behavior; work closely with the teachers to encourage and support positive behavior and to modify or eliminate negative behavior;
- i. Accompany assigned classes on field trips;
- j. Visibly support the teachers in the classroom, by interacting with the students and staying aware of classroom activity;
- k. To the extent possible assist in overall campus supervision and security and participate in regular campus safety meetings;
- l. If the assigned Probation Aide is unable to perform his/her duties for an extended period of time, the MCPD shall make a reasonable effort to provide an interim replacement so that MCPD presence in the classroom/program is continued.

Salinas Union High School District agrees:

1. SUHSD shall remit an amount of **\$621,458** for fiscal year 2018-2019 and **\$635,130** for fiscal year 2019-2020 (**Exhibit A**), for a total aggregate amount of **\$1,256,588**.
2. To provide a secured work space, telephone, computer and necessary equipment to the Deputy Probation Officers and Probation Aide assigned to the specified schools.
3. The eight Deputy Probation Officers and Probation Aide are employees of the Monterey County Probation Department which retains supervision responsibility.

### **FISCAL**

**MCPD** will invoice **SUHSD** quarterly for payment of actual services rendered, and will submit a statement of expenses to:

Salinas Union High School District  
431 W Alisal Street  
Salinas, CA 93901

## **INDEMNIFICATION AND INSURANCE**

**Mutual Indemnification.** Except as otherwise required by applicable law, MCPD and SUHSD agree that each party shall be responsible for their own actions, including but not limited to any negligent and/or intentional acts and/or omissions of its officers, agents and employees; and neither party shall be responsible for the acts and/or omissions of the other. Each party therefore agrees to save harmless and indemnify the other party against any and all claims, demands, suits, judgments, expenses and costs of any and every kind, insofar as it may legally do so, on account of the injury to or death of persons or loss of property arising in any manner out of the indemnifying party's performance of the terms of this MOU.

During the term of this MOU, both parties shall take out and maintain: (a) commercial general liability insurance or a program of self-insurance, including but not limited to premises, personal injuries, products, and completed operations, with a combined single limit of not less than \$1,000,000 per occurrence and (b) workers' compensation insurance in accordance with California Labor Code section 3700 or an authorized program of self-insurance, with a minimum of \$1,000,000 per occurrence for employer's liability.

During the performance of this MOU, both MCPD and SUHSD shall be responsible for providing any statutory benefits and insurance to their respective employees related to the services provided by this MOU.

## **EFFECTIVE DATE OF AGREEMENT**

The initial term of this MOU shall commence on July 1, 2018 through June 30, 2020 unless sooner terminated as provided herein. Thereafter, this MOU may be renewed annually for a term not to exceed one fiscal year, provided such renewal is in writing and signed by the parties hereto.

Either party may terminate this AGREEMENT upon giving at least thirty days written notice of such termination to the other party. Upon such termination, MCPD shall be reimbursed for all services provided to SUHSD, up to and including the date of termination.

Neither party shall assign, sell, mortgage, hypothecate or otherwise transfer its interest or obligations in this MOU without the prior consent of the other party.

No alteration, modification, or variation of the terms of this MOU shall be valid unless made in writing and signed by the parties hereto. No oral understanding or agreement not incorporated herein shall be binding on either party hereto.

[Signatures on following page]

We, the undersigned, as authorized representatives of the **MONTEREY COUNTY PROBATION DEPARTMENT** and the **SALINAS UNION HIGH SCHOOL DISTRICT** do hereby approve this document.

**COUNTY OF MONTEREY**

**SALINAS UNION HIGH SCHOOL DISTRICT**

\_\_\_\_\_  
Signature of Chief Probation Officer

Dated: \_\_\_\_\_

*Approved as to Fiscal Provisions:*

\_\_\_\_\_  
Deputy Auditor/Controller

Dated: \_\_\_\_\_

*Approved as to Liability Provisions:*

\_\_\_\_\_  
**Risk Management**

Dated: \_\_\_\_\_

*Approved as to Form:*

\_\_\_\_\_  
Deputy County Counsel

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Signature of Superintendent, SUHSD

Dan Burns, Superintendent

Printed Name and Title

Dated: May 23, 2018

By: \_\_\_\_\_

(Signature of Secretary, Asst. Secretary, CFO, Treasurer or Asst. Treasurer) \*

Ana Aguillon, Manager Business Svcs/CBO

Printed Name and Title

Dated: May 23, 2018

| <b>Monterey County Probation Department<br/> Salinas Union High School District Campus<br/> Probation Officer Program<br/> Two Year Budget<br/> FY2018-19: July 1, 2018 to June 30, 2019<br/> FY2019-20: July 1, 2019 to June 30, 2020</b> |                                       |                                             |                                                | <b>EXHIBIT A</b>                      |                                             |                                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|---------------------------------------------|------------------------------------------------|---------------------------------------|---------------------------------------------|------------------------------------------------|
|                                                                                                                                                                                                                                            | <b>FY2018-19<br/>Annual<br/>Costs</b> | <b>FY2018-19<br/>Funding From<br/>SUHSD</b> | <b>FY2018-19<br/>Net Cost<br/>To Probation</b> | <b>FY2019-20<br/>Annual<br/>Costs</b> | <b>FY2019-20<br/>Funding From<br/>SUHSD</b> | <b>FY2019-20<br/>Net Cost<br/>To Probation</b> |
| <b>Probation Officers &amp; Probation Aide</b>                                                                                                                                                                                             |                                       |                                             |                                                |                                       |                                             |                                                |
| Salary (per budget system) - PO II Step 7 (1.0 FTE)                                                                                                                                                                                        | 91,066                                |                                             |                                                | 91,066                                |                                             |                                                |
| Benefits                                                                                                                                                                                                                                   | 66,894                                |                                             |                                                | 68,901                                |                                             |                                                |
|                                                                                                                                                                                                                                            | <b>157,960</b>                        |                                             |                                                | <b>159,967</b>                        |                                             |                                                |
| Salary (per budget system) - PO III Step 7 (1.0 FTE)                                                                                                                                                                                       | 95,702                                |                                             |                                                | 95,702                                |                                             |                                                |
| Benefits                                                                                                                                                                                                                                   | 68,972                                |                                             |                                                | 71,041                                |                                             |                                                |
|                                                                                                                                                                                                                                            | <b>164,674</b>                        |                                             |                                                | <b>166,743</b>                        |                                             |                                                |
| Salary (per budget system) - PO II Step 7 (1.0 FTE)                                                                                                                                                                                        | 91,066                                |                                             |                                                | 91,066                                |                                             |                                                |
| Benefits                                                                                                                                                                                                                                   | 66,894                                |                                             |                                                | 68,901                                |                                             |                                                |
|                                                                                                                                                                                                                                            | <b>157,960</b>                        |                                             |                                                | <b>159,967</b>                        |                                             |                                                |
| Salary (per budget system) - PO II Step 7 (1.0 FTE)                                                                                                                                                                                        | 91,066                                |                                             |                                                | 91,066                                |                                             |                                                |
| Benefits                                                                                                                                                                                                                                   | 66,894                                |                                             |                                                | 68,901                                |                                             |                                                |
|                                                                                                                                                                                                                                            | <b>157,960</b>                        |                                             |                                                | <b>159,967</b>                        |                                             |                                                |
| Salary (per budget system) - PO II Step 7 (1.0 FTE)                                                                                                                                                                                        | 91,066                                |                                             |                                                | 91,066                                |                                             |                                                |
| Benefits                                                                                                                                                                                                                                   | 66,894                                |                                             |                                                | 68,901                                |                                             |                                                |
|                                                                                                                                                                                                                                            | <b>157,960</b>                        |                                             |                                                | <b>159,967</b>                        |                                             |                                                |
| Salary (per budget system) - PO II Step 7 (1.0 FTE)                                                                                                                                                                                        | 91,066                                |                                             |                                                | 91,066                                |                                             |                                                |
| Benefits                                                                                                                                                                                                                                   | 66,894                                |                                             |                                                | 68,901                                |                                             |                                                |
|                                                                                                                                                                                                                                            | <b>157,960</b>                        |                                             |                                                | <b>159,967</b>                        |                                             |                                                |
| Salary (per budget system) - PO II Step 7 (1.0 FTE)                                                                                                                                                                                        | 91,066                                |                                             |                                                | 91,066                                |                                             |                                                |
| Benefits                                                                                                                                                                                                                                   | 66,894                                |                                             |                                                | 68,901                                |                                             |                                                |
|                                                                                                                                                                                                                                            | <b>157,960</b>                        |                                             |                                                | <b>159,967</b>                        |                                             |                                                |
| Salary (per budget system) - PO II Step 7 (1.0 FTE)                                                                                                                                                                                        | 91,066                                |                                             |                                                | 91,066                                |                                             |                                                |
| Benefits                                                                                                                                                                                                                                   | 66,894                                |                                             |                                                | 68,901                                |                                             |                                                |
|                                                                                                                                                                                                                                            | <b>157,960</b>                        |                                             |                                                | <b>159,967</b>                        |                                             |                                                |
| Salary (per budget system) - Probation Aide - (1.0 FTE)                                                                                                                                                                                    | 52,208                                |                                             |                                                | 52,208                                |                                             |                                                |
| Benefits                                                                                                                                                                                                                                   | 33,844                                |                                             |                                                | 34,859                                |                                             |                                                |
|                                                                                                                                                                                                                                            | <b>86,052</b>                         |                                             |                                                | <b>87,067</b>                         |                                             |                                                |
| Allocated County benefits (Workers Comp, OPEB, UI and Insurance Unit) @\$514/mo per FTE FY2018-19 and \$565/mo per FTE FY2019-20                                                                                                           | 55,512                                |                                             |                                                | 61,020                                |                                             |                                                |
| <b>Salary &amp; Benefits Total:</b>                                                                                                                                                                                                        | <b>1,411,958</b>                      | <b>621,458</b>                              | <b>790,500</b>                                 | <b>1,434,599</b>                      | <b>635,130</b>                              | <b>799,469</b>                                 |
| Cell Phone Monthly Service @\$30/mo per FTE (Probation Officers only = 8.00 FTE)                                                                                                                                                           | 2,880                                 |                                             |                                                | 2,880                                 |                                             |                                                |
| ITD Data Processing Communication Services (E-mail, Desktop, Telecom, ERP, Net work and ITD Support) @\$486 annually per FTE                                                                                                               | 4,374                                 |                                             |                                                | 4,374                                 |                                             |                                                |
| Vehicle Cost Pool @\$2,255 per month for program FTEs                                                                                                                                                                                      | 27,060                                |                                             |                                                | 27,060                                |                                             |                                                |
| Office Supplies @\$250 per yr per FTE                                                                                                                                                                                                      | 2,250                                 |                                             |                                                | 2,250                                 |                                             |                                                |
| Training - Mandatory for Probation Officers @\$500 per yr per FTE                                                                                                                                                                          | 4,000                                 |                                             |                                                | 4,000                                 |                                             |                                                |
| <b>Services &amp; Supplies Total:</b>                                                                                                                                                                                                      | <b>40,564</b>                         | <b>0</b>                                    | <b>40,564</b>                                  | <b>40,564</b>                         | <b>0</b>                                    | <b>40,564</b>                                  |
| <b>8.0 FTE Probation Officers and 1.0 FTE Probation Aide for Grand Total:</b>                                                                                                                                                              | <b>1,452,522</b>                      | <b>621,458</b>                              | <b>831,064</b>                                 | <b>1,475,163</b>                      | <b>635,130</b>                              | <b>840,033</b>                                 |
| Salary & Ben amounts compiled 032118 from SBFS FY2019 and FY2020 Budget download<br>Grand Total includes allocated benefits and supplies/services                                                                                          |                                       |                                             |                                                |                                       |                                             |                                                |