

V.E./DEC.13

**WEST SONOMA COUNTY UNION HIGH SCHOOL DISTRICT**

**TO: Board President**  
**FROM: Keller McDonald, Superintendent**  
**DATE: December 11, 2013**  
**ITEM: TEN-YEAR ENROLLMENT PROJECTION FOR ANALY AND EL  
MOLINO HIGH SCHOOLS**

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**Background Information:**

The District has grappled with issues related to enrollment in recent years. The November, the Board reviewed the results of a ten-year enrollment projection study for Analy and El Molino High Schools conducted by a District consultant.

The ten-year enrollment projection study and executive summary has been posted on the District website. The Superintendent has discussed the findings and implications of the study at an El Molino faculty meeting, an El Molino Leadership Class session, and an El Action Alliance meeting. Administration is scheduling opportunities to discuss the findings and implications with staff, students, parents, and other Analy High School community members; and with the Superintendents of the West County elementary school districts.

**Current Consideration:**

There has been an opportunity to reflect on the enrollment projection study since the Board meeting in November. At this time, the Board will continue discussing the findings and implications of the ten-year enrollment projection study.

**Recommendations:**

Administration recommends the Board further discuss the ten-year enrollment projection study. Administration welcomes direction from the Board regarding this matter.

**Attachments:**

No (The Enrollment Projection Study is available on the WSCUHSD web site <http://wscuhd.k12.ca.us>.)

V.F./DEC.13

**WEST SONOMA COUNTY UNION HIGH SCHOOL DISTRICT**

**TO: Board President**

**FROM: Keller McDonald, Superintendent**

**DATE: December 11, 2013**

**ITEM: OVERVIEW OF LOCAL CONTROL ACCOUNTABILITY PLAN  
(LCAP) REQUIREMENTS**

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**Background Information:**

The State of California has adopted a new method of funding public schools, named the Local Control Funding Formula (LCFF). The LCFF is now in effect for the 2013-2014 school year. As part of the LCFF, the state is will require each local district to develop and adopt a Local Control Accountability Plan (LCAP). The LCAP states how the local district will allocate LCFF funding and other resources and how the effectiveness of the district's programs will be evaluated.

Local plans must be developed with significant input from a wide range of stakeholders. Plans must be developed every three years and revised annually. The first LCAP must be adopted by the local governing body and submitted to the County Office of Education by the end of June 2014, effective for the 2014-2015 school year.

**Current Consideration:**

The Superintendent will present an overview of the Local Control Accountability Plan (LCAP) requirements.

**Recommendations:**

Administration recommends a review and discussion regarding the Local Control Accountability Plan (LCAP) requirements. Administration welcomes direction from the Board regarding development of an LCAP for the District.

**Attachments:**

Yes

## LCAP UPDATE

Adopted from Shasta Office of Education and Mickey Porter, SCOE Asst. Supr.

December 11, 2013

### LCAP AS OF DECEMBER, 2013

**What We Know**

- 3 year plan with annual updates
  - District must adopt plan by June 30, 2014 and submit plan to SCOE for approval
- 8 areas
  - Goals and activities to address all students in each area
  - Indicators of success for each area
- Consult with stakeholders in developing LCAP
  - Consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students
- Must demonstrate increase in services for English Learners, Low Income and Foster Youth by
  - Spending more per target pupil than previous year
  - Providing more services or improved services
  - Achieving more, as shown by student achievement measures

### LCAP AS OF DECEMBER, 2013

**What We Don't Know ... Yet**

- Specific format for LCAP?
- How will LCAP align with Local Education Agency Plans?
- Emphasis on services provided or performance outcomes?
- Rubric for determining progress?

### LCAP TIMELINE

3 year plan, updated annually, effective 2014-15

## THE 8 STATE PRIORITIES

EDUCATION CODE SECTION 52060-52077

### THE 8 STATE PRIORITIES

1. Basic Services	5. Student Engagement
2. Implementation of Content & Performance Standards	6. School Climate
3. Parental involvement & input	7. Course Access
4. Student Achievement	8. Other Student Outcomes

1. BASIC SERVICES	
<b>WILLIAMS' ACT REQUIREMENTS</b>	Sufficiency of standards-aligned instructional materials
Proper teaching assignments & proper credentials for instructional staff	School facilities maintained and in good repair

1. BASIC SERVICES
POSSIBLE INDICATORS
<ul style="list-style-type: none"> <li>• Teacher Credentials</li> <li>• Teacher Misassignments &amp; Vacant Teacher Positions</li> <li>• Core Academic Classes Taught by HQT</li> <li>• Quality, Currency, &amp; Availability of Textbooks</li> <li>• School Facility Good Repair Status</li> <li>• Other local data?</li> </ul>

2. IMPLEMENTATION OF CONTENT & PERFORMANCE STANDARDS	
Common Core State Standards	How will all students, including English Learners, access CCSS and ELD standards?
English Language Development Standards	

2. IMPLEMENTATION OF CONTENT & PERFORMANCE STANDARDS
POSSIBLE INDICATORS
<ul style="list-style-type: none"> <li>• Teacher training &amp; professional learning</li> <li>• instructional strategies</li> <li>• Alignment of courses with CCSS</li> <li>• Administrator training &amp; support</li> <li>• Use of technology for implementation and integration</li> <li>• Alignment of materials with CCSS and ELD Standards</li> <li>• Progress on English acquisition</li> </ul>

3. PARENTAL INVOLVEMENT & INPUT	
Seek Parent Input for District Decisions	Seek parent input for promoting parental participation in programs for: <ul style="list-style-type: none"> <li>• low income</li> <li>• English learners</li> <li>• Foster youth</li> <li>• Students with exceptional needs</li> </ul>
Seek Parent Input for School Site Decisions	

3. PARENTAL INVOLVEMENT & INPUT
POSSIBLE INDICATORS
<ul style="list-style-type: none"> <li>• Number/percentage of parents participating in parent information nights</li> <li>• Number/percentage of parents involved in school/district opportunities</li> <li>• Stakeholder surveys</li> <li>• Level of community/business involvement</li> <li>• Number/percentage of schools with operating School Site Councils</li> </ul>

4. STUDENT ACHIEVEMENT	
<p><b>All Districts</b></p> <ul style="list-style-type: none"> <li>Statewide assessments</li> <li>Academic Performance Index</li> <li>English learners who make progress toward English proficiency as measured by the CELDT*</li> <li>English learner reclassification rate</li> </ul>	<p><b>Districts with High Schools</b></p> <ul style="list-style-type: none"> <li>Students who have completed A-G requirements or CTE standards-based course sequences</li> <li>Students who have passed an AP exam with a score of 3 or higher</li> <li>Students who demonstrate college preparedness on the Early Assessment Program*</li> </ul>
<p>*or any subsequent assessment</p>	

4. STUDENT ACHIEVEMENT
POSSIBLE INDICATORS
<ul style="list-style-type: none"> <li>Number/percentage of students by grade level who have mastered the <b>technology skills</b> identified within the CCSS</li> <li>Number/percentage of students by grade level who have given an <b>oral presentation</b> as identified in the CCSS ELA standards</li> <li>Number/percentage of students proficient at completing <b>high-level performance tasks</b></li> <li>Other local measures of student achievement</li> </ul>

5. STUDENT ENGAGEMENT	
<p><b>All Districts</b></p> <ul style="list-style-type: none"> <li>School Attendance Rates</li> <li>Chronic Absenteeism Rates</li> </ul>	<p><b>Districts with Middle School</b></p> <ul style="list-style-type: none"> <li>Middle School Dropout Rates</li> </ul>
	<p><b>Districts with High Schools</b></p> <ul style="list-style-type: none"> <li>High School Dropout Rates</li> <li>High School Graduation Rates</li> </ul>

5. STUDENT ENGAGEMENT
POSSIBLE INDICATORS
<ul style="list-style-type: none"> <li>Attendance and drop-Out data</li> <li>Data on prevention programs</li> <li>Number/percentage of students by grade level and subgroup that are involved in leadership opportunities</li> <li>Student surveys on relevance of learning</li> <li>Student surveys on engagement level with instruction and use of technology</li> </ul>

6. SCHOOL CLIMATE	
<p><b>Suspension Rates</b></p>	<p><b>Other Local Measures</b> such as surveys of students, parents and teachers on school safety and connectedness</p>
<p><b>Expulsion Rates</b></p>	

6. SCHOOL CLIMATE
POSSIBLE INDICATORS
<ul style="list-style-type: none"> <li>Parent, student, teacher, and staff surveys on sense of safety and school connectedness</li> <li>California Healthy Kids Survey</li> <li>Healthy community survey data</li> <li>Evidence of 21st Century learning (4Cs)</li> <li>Number/percentage of students by subgroup involved in clubs or sports</li> <li>Number/percentage of students by subgroup receiving counseling services</li> </ul>

7. COURSE ACCESS: 7-12	
<b>Definition</b>	<b>Scope for Grades 7-12</b>
The extent to which <b>ALL</b> students have access to, and are enrolled in, a broad course of study, including the programs and services developed and provided to unduplicated pupils and individuals with exceptional needs, and the program and services that are provided to benefit these pupils.	<ul style="list-style-type: none"> <li>• English</li> <li>• Mathematics</li> <li>• History/Social Sciences</li> <li>• Science</li> <li>• Foreign Language</li> <li>• Physical Education</li> <li>• Visual and Performing Arts</li> <li>• Applied Arts</li> <li>• Career Technical Education</li> </ul>

7. COURSE ACCESS
<b>POSSIBLE INDICATORS</b>
<ul style="list-style-type: none"> <li>• Percentages of sub-group students enrolled in courses</li> <li>• Policies and procedures for entrance into courses</li> <li>• Course catalog offerings</li> <li>• Enrollment data</li> </ul>

8. OTHER STUDENT OUTCOMES 7-12
<b>Student Outcomes, if available in:</b>
<ul style="list-style-type: none"> <li>• English</li> <li>• Mathematics</li> <li>• History/Social Sciences</li> <li>• Science</li> <li>• Foreign Language</li> <li>• Physical Education</li> <li>• Visual and Performing Arts</li> <li>• Career Technical Education</li> </ul>

8. OTHER STUDENT OUTCOMES
<b>POSSIBLE INDICATORS</b>
<b>District-determined indicators of student outcomes in:</b>
<ul style="list-style-type: none"> <li>• English</li> <li>• Mathematics</li> <li>• History/Social science</li> <li>• Science</li> <li>• Visual and performing arts</li> <li>• Physical education</li> <li>• Health (K-6 only)</li> <li>• Foreign Language (7-12 only)</li> <li>• Career Technical Education (7-12 only)</li> <li>• 21st Century Skills</li> </ul>

WHAT IS NEXT?
<ul style="list-style-type: none"> <li>• Train District LCAP Team (Sup't, CBO)</li> <li>• Share LCAP Information</li> <li>• Identify stakeholder groups</li> <li>• Develop stakeholder engagement</li> <li>• Identify existing measures of student achievement</li> <li>• Determine additional data to be collected</li> <li>• Determine services needed to close the gap between what is and what is desired</li> </ul>

ASSISTANCE FROM SCOE
<ul style="list-style-type: none"> <li>• Training LCAP Team</li> <li>• Sharing LCAP Information</li> <li>• Guiding stakeholder strategies</li> <li>• Helping define &amp; measure indicators                             <ul style="list-style-type: none"> <li>• Partnership with BrightBytes</li> </ul> </li> </ul>

**PARTNERSHIP WITH  
BRIGHTBYTES**

- **Area 5:** Student Engagement - How effective is use of technology to connect school with parents and students?
- **Area 6:** School Climate - How integral to the school culture is use of technology and 21st Century skills and practices?
- **Area 8:** Other Student Outcomes - If integration of technology and use of 21st Century skills and practices are goals for all students, how well are students achieving these goals?
- **Beyond LCAP:** Help inform technology purchases and professional learning decisions

**ONWARD TO LCAP!**

**WEST SONOMA COUNTY UNION HIGH SCHOOL DISTRICT**

TO: Board President

FROM: Shelley Stiles, Business Manager

DATE: December 11, 2013

ITEM: **CONSIDERATION OF APPROVAL OF THE 2012-13 ANNUAL  
AUDIT REPORT**

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**BACKGROUND INFORMATION:**

Education Code 41020 requires a school district to have an audit performed annually and submitted to the State Controller by December 15. Education Code 41020.3 requires the district Governing Board to review and accept the audit by January 31 of the following year.

**CURRENT CONSIDERATION:**

Terri Montgomery, partner with the auditing firm of Vavrinek, Trine Day & Co., LLP, and her staff worked with the District staff to gather the required information to perform the financial audit. It is the opinion of the auditors that the financial statements presented for review present fairly, in all material aspects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the West Sonoma County Union High School District, as of June 30, 2013, and the respective changes in financial position, and where applicable, cash flows thereof for the year ended in conformity with accounting principles generally accepted in the United States of America. For the year ending June 30, 2013 the auditors issued an unqualified report with one reported finding. Terri Montgomery will be presenting the report and available for any questions.

**RECOMMENDATION:**

The administration respectfully asks the School Board to, after its review, approve the audit report of the District's financial statements for the 2012-13 fiscal year.

**ATTACHMENTS:**

Provided to the School Board under separate cover and made available to the public at the District Office.



**WEST SONOMA COUNTY UNION HIGH SCHOOL DISTRICT**

TO: Board President

FROM: Shelley Stiles, Business Manager

DATE: December 11, 2013

ITEM: **CONSIDERATION OF APPROVAL OF 2012-13 PARCEL TAX  
AUDIT REPORT**

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**BACKGROUND INFORMATION:**

As a performance requirement for the approved 2005 "Excellence in Education Tax, Measure K" (Parcel Tax) the District is required annually to have an audit of expenditures. The audit is conducted under the applicable provisions of Section 4 of Article XIII A of the California Constitution and California Government Codes 50075.3 and 50079 as they apply to the parcel tax. The audit is conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants.

**CURRENT CONSIDERATION:**

In meeting the audit requirement of the Excellence in Education Tax, Measure K (Parcel Tax), representatives of the audit firm Vavrinek, Trine, Day & Co., LLP, have conducted an audit of the District's parcel tax expenditures for the 2012-13 school year and confirm that the District complied with the requirements of the parcel tax. Terri Montgomery will be presenting the report and available for any questions.

**RECOMMENDATION:**

District administration respectfully asks that the School Board acknowledge receipt and review of the parcel tax audit report for the 2012-13 school year.

**ATTACHMENTS:**

Provided to the School Board under separate cover and made available at the District Office.

**WEST SONOMA COUNTY UNION HIGH SCHOOL DISTRICT**

TO: Board President

FROM: Shelley Stiles, Business Manager

DATE: December 11, 2013

ITEM: **CONSIDERATION OF APPROVAL OF THE 2012-13 MEASURE I  
BOND FUND AUDIT REPORT**

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**BACKGROUND INFORMATION:**

Measure I was passed by the voters November 2010. As per General Obligation Bond requirements, districts that have passed a school bond must have a performance audit completed annually for the length of the school bond.

**CURRENT CONSIDERATION:**

Terri Montgomery, partner with the auditing firm of Vavrinek, Trine Day & Co., LLP, and her staff worked with the District staff to gather the required information to provide the performance audit for Measure I funds. The performance audit will also be presented to Citizens Bond Oversight Committee at their regularly scheduled meeting on February 4, 2014. For the year ending June 30, 2013 the auditors issued an unqualified report with no reported findings for the Measure I performance audit. Terri Montgomery will be presenting the report and available for any questions.

**RECOMMENDATION:**

The administration respectfully asks the School Board to, after its review; approve the audit report of the District's Measure I bond funds for the 2012-13 fiscal year.

**ATTACHMENTS:**

Provided to the School Board under separate cover and made available to the public at the District Office.

**WEST SONOMA COUNTY UNION HIGH SCHOOL DISTRICT**

TO: Board President

FROM: Shelley Stiles, Business Manager

DATE: December 11, 2013

ITEM: **CONSIDERATION OF APPROVAL OF REVISIONS TO BOARD  
POLICY AND ADMINISTRATIVE REGULATION 3311 BIDS**

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**BACKGROUND INFORMATION:**

It has been the mission of the District to review and revise Board Policies, Administrative Regulations and Exhibits as necessary.

**CURRENT CONSIDERATION:**

California School Board Association (CSBA) provides member districts with policy and regulations requiring updating due to new state and federal laws and court decisions. This policy and administrative regulation 3311 is updated to reflect the CSBA suggested changes. All revisions are noted in bold font and strike outs. The Board of Education was presented a first reading of the revisions at the November 13, 2013 Board Meeting. At the first reading the Board requested an addition stating that the district has a preference for local bids.

District administration consulted with School and College legal regarding the addition of language in policy to state a preference for local bids. District administration learned that this is a grey area in the law, and that it remains unclear whether school districts can legally provide preference to local business on bidding projects. One of the major questions is how a district would quantify the local vendor preference in evaluating the bids and protect itself from potential bid protests.

Attachment A of Board Policy 3311 shows all revisions noted in bold font and strike outs seen last month as well as language inserted, in red print and underlined, that states the district has a preference for local vendors. Attachment B of Board Policy does NOT contain the added language. Attachment C is the Administrative Regulations 3311 as presented for first reading in November.

If the board wishes to approve attachment A of Board Policy 3311 with the addition of language stating a local preference, the Administrative Regulation 3311 will need to be revised with language on how the District will structure the bid process to apply the local preference. This would need to come back to the board at a future meeting. If the board

wishes to approve attachment B of Board Policy 3311, Administrative Regulation 3311 attachment C must also be approved.

**RECOMMENDATION:**

It is respectfully requested the Board of Education approve the revisions to Board Policy and Administrative Regulation 3311 Bids presented as exhibits B and C without the addition of language stating a preference for local vendors.

**ATTACHMENTS:**

Yes.

## Board Policy 3311

### Business Non-Instructional Operations

#### BIDS

~~In order to ensure transparency and the prudent expenditure of public funds, the Governing Board shall award contracts in an objective manner and in accordance with law. District equipment, supplies, and services shall be purchased using competitive bidding when required by law or if the Board determines that it is in the best interest of the district to do so.~~

**The Governing Board is committed to promoting public accountability and ensuring prudent use of public funds. In leasing or purchasing equipment, materials, supplies, or services for the district and when contracting for public projects involving district facilities, the Board shall explore lawful opportunities to obtain the greatest possible value for its expenditure of public funds. When required by law, or if the Board determines that it is in the best interest of the district, such leases and purchases shall be made using competitive bidding.**

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 3000 - Concepts and Roles)*

*(cf. 3300 - Expenditures and Purchases)*

**The Superintendent or designee shall establish comprehensive bidding procedures for the district in accordance with law. The procedures shall include a process for advertising bids, instructions and timelines for submitting and opening bids, and other relevant requirements.**

**No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading the legal requirements of Public Contract Code 20111-20118.4. (Public Contract Code 20116)**

**Except as authorized by law and specified in the administrative regulation, contracts shall be let to the lowest responsible bidder who shall give such security as the Board requires, or else all bids shall be rejected. (Public Contract Code 20111) Where legally permissible, bid preference shall be given to local businesses located in Sonoma County.**

When the Board has determined that it is in the best interest of the district, the district may piggyback onto the contract of another public agency or corporation to lease or purchase equipment or supplies to the extent authorized by law. (Public Contract Code 20118)

*(cf. 9270 - Conflict of Interest)*

#### *Legal Reference:*

##### **EDUCATION CODE**

**17070.10-17079.30 Leroy F. Greene School Facilities Act**

**17406 Lease-leaseback contract**

**17595 Purchases through Department of General Services**

**17602 Purchase of surplus property from federal agencies**

**38023 Transportation bids and contracts for services**

~~38083 Purchase of perishable foodstuffs and seasonable commodities~~

~~38110-38120 Apparatus and supplies~~

~~39802 Transportation services~~

~~38111 Purchases by district governing board~~

~~38112 Purchases of necessary supplies~~

**GOVERNMENT CODE**

**4217.10-4217.18 Energy conservation contracts**

**4330-4334 Preference of California-made materials**

**6252 Definitions for California Public Records Act**

**53060 Special services and advice**

**54201-54205 Purchase of supplies and equipment by local agencies**

**PUBLIC CONTRACT CODE**

**2000-2002 Responsive bidders**

**3000-3010 Roofing projects**

**3400 Bids, specifications by brand or trade name not permitted**

**3410 United States produce and processed foods**

**6610 Bid visits**

~~12161 Definition, recycled paper products~~

~~12168 Preference for purchase of recycled paper products~~

~~12169 Bidders to specify percentage of recycled paper product~~

**12200 Definitions, recycled goods, materials and supplies**

~~12210 Purchase of recycled products preferred~~

~~12213 Specification by bidder of recycled content~~

**20101-20103.7 Public construction projects, requirements for bidding**

**20103.8 Award of contracts**

**20107 Bidder's security**

**20111-20118.4 School districts especially:**

~~20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder~~

**20189 Bidder's security, earthquake relief**

**22002 Definition of public project**

**22030-22045 Alternative procedures for public projects (UPCCAA), especially:**

~~22032 Dollar amount limits for public projects~~

**22050 Alternative emergency procedures**

**22152 Recycled product procurement**

**Court Decisions**

***Los Angeles Unified School District v. Great American Insurance Co.*, (2010) 49 Cal.4th 739**

***Great West Contractors Inc. v. Irvine Unified School District*, (2010) 187 Cal.App.4th 1425**

***Marshall v. Pasadena Unified School District*, (2004) 119 Cal.App.4th 1241**

***Konica Business Machines v. Regents of the University of California*, (1988) 206 Cal.App.3d 449 City of**

***Inglewood-Los Angeles County Civic Center Authority v. Superior Court*, (1972) 7 Cal.3d 861**

**ATTORNEY GENERAL OPINIONS**

**89 Ops. Cal. Atty. Gen. 1 (2006)**

**Management Resources:**

**WEB SITES**

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

**California Association of School Business Officials: <http://www.casbo.org>**

Adopted: February 13, 1992

Revised: 3/11/99; 2/25/09

**WEST SONOMA COUNTY UHSD**  
Sebastopol, California

**Board Policy 3311****Business Non-Instructional Operations****BIDS**

~~In order to ensure transparency and the prudent expenditure of public funds, the Governing Board shall award contracts in an objective manner and in accordance with law. District equipment, supplies, and services shall be purchased using competitive bidding when required by law or if the Board determines that it is in the best interest of the district to do so.~~

**The Governing Board is committed to promoting public accountability and ensuring prudent use of public funds. In leasing or purchasing equipment, materials, supplies, or services for the district and when contracting for public projects involving district facilities, the Board shall explore lawful opportunities to obtain the greatest possible value for its expenditure of public funds. When required by law, or if the Board determines that it is in the best interest of the district, such leases and purchases shall be made using competitive bidding.**

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 3000 - Concepts and Roles)*

*(cf. 3300 - Expenditures and Purchases)*

**The Superintendent or designee shall establish comprehensive bidding procedures for the district in accordance with law. The procedures shall include a process for advertising bids, instructions and timelines for submitting and opening bids, and other relevant requirements.**

**No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading the legal requirements of Public Contract Code 20111-20118.4. (Public Contract Code 20116)**

**Except as authorized by law and specified in the administrative regulation, contracts shall be let to the lowest responsible bidder who shall give such security as the Board requires, or else all bids shall be rejected. (Public Contract Code 20111)**

When the Board has determined that it is in the best interest of the district, the district may piggyback onto the contract of another public agency or corporation to lease or purchase equipment or supplies to the extent authorized by law. (Public Contract Code 20118)

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*Legal Reference:***EDUCATION CODE**

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**ATTORNEY GENERAL OPINIONS**

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**Management Resources:**

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

**California Association of School Business Officials: <http://www.casbo.org>**

Adopted: February 13, 1992

Revised: 3/11/99; 2/25/09

**WEST SONOMA COUNTY UHSD**

**Sebastopol, California**



**Administrative Regulation 3311(a)****Business and Non-Instructional Operations****BIDS****Advertised Bids/Competitive Bids**

The district shall seek competitive bids through advertisement for contracts involving an expenditure of \$15,000 or more for a public project. ~~(Public Contract Code 20111)~~

Public project ~~includes~~ **means** construction, reconstruction, erection, alterations, renovation, improvement, painting, repainting, demolition and repair work involving a district owned, leased or operated facility. (Public Contract Code **20111**, 22002)

~~The amount by which contracts shall be competitively bid shall escalate automatically based upon the annual adjustment by the Superintendent of Public Instruction.~~

The district shall also seek competitive bids through advertisement for contracts exceeding the amount specified in law, and as annually adjusted by the Superintendent of Public Instructions, for any of the following: (Public Contract Code 20111; ~~Government Code 53060~~)

1. The purchase, ~~rent or lease~~ of equipment, material or supplies **to be furnished, sold, or leased to the district**

~~NOTE: Pursuant to Government Code 53060, professional services, such as accounting, engineering, legal and administrative advise, are specifically excluded from the Public Contract Code and its bid requirements.~~

2. Services, not including construction services **or special services and**, ~~professional services or advice in accounting, financial, legal, or administrative matters, and insurance services.~~
3. Repairs, ~~including maintenance~~ that **are** is not a public project, **including maintenance**

“Maintenance work” means routine, recurring and usual work for preserving, protecting and keeping a district facility operating in a safe, efficient and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered or repaired. “Maintenance” includes, but is not limited to, carpentry, electrical, plumbing, glazing and other craft work designed to preserve the facility as well as repairs, cleaning and other operations on machinery and other permanently attached equipment; **but does not include painting, repainting, or decorating other than touchup, or among other types of work, janitorial or custodial services and protection provided by security forces.** ~~This definition does not include, among other types of work, janitorial or custodial services and protection provided by security forces, nor does it include painting, repainting or decorating other than touchup.~~ (Public Contract Code 20115)

~~Unless otherwise authorized by law contracts shall be let to the lowest responsible bidder who shall give such security as the Board of Education requires, or else all bids shall be rejected. (Public Contract Code 20111)~~

## **Administrative Regulation 3311(b)**

### **Business and Non-Instructional Operations**

~~When letting a contract for the procurement and/or maintenance of electronic data processing systems and supporting software, the Board of Education may contract with any one of the three lowest responsible bidders. (Public Contract Code 20118.1)~~

~~The Board of Education shall secure bids for any transportation service expenditure of more than \$10,000 when contemplating that such a contract may be made with a person or corporation other than a common carrier, municipally owned transit system or a parent/guardian of students who are to be transported. The Board of Education may let this contract to other than the lowest bidder. (Education Code 38023)~~

~~No work, project, service or purchase shall be split or separated into smaller work orders or projects for the purpose of evading the legal requirements of Public Contract Code 20111-20116 for contracting after competitive bidding. (Public Contract Code 20116)~~

### **Instructions and Procedures for Advertised Bids**

The Superintendent or Superintendent's designee shall call for bids by **advertising placing a notice at least once a week for two weeks in a local newspaper at least once a week for two weeks. The Superintendent or designee also may post the notice on the district's web site or through an electronic portal.** The notice shall state the work to be done or materials or supplies to be furnished and the time and place where bids will be opened. **The district may accept a bid that has been submitted electronically or on paper.** (Public Contract Code 20112)

*(cf. 1113 - District and School Web Sites)*

The notice shall contain the time, date, and location of any mandatory prebid conference, site visit, or meeting. The notice shall also detail when and where project documents, including final plan and specifications, are available. Any such mandatory visit or meeting shall not occur within a minimum of five calendar days of the initial notice. (Public Contract Code 6610)

Bid Instructions and Specifications shall include the following requirements and information:

1. All bidders, ~~including bidders for printing contracts,~~ shall specify the minimum, if not exact, percentage of post-consumer materials in the products materials, goods, or supplies offered, or sold. (Public Contract Code 22152)
2. All bids for construction work shall be presented under sealed cover and shall be accompanied by one of the following forms of bidder's security: (Public Contract Code 20107, 20111)
  - a. Cash

- b. A Cashier's check made payable to the district
  - c. A Certified check made payable to the district
  - d. A bidder's bond executed by an admitted surety insurer and made payable to the district. The Security of unsuccessful bidders shall be returned in a reasonable period of time, in no event any later than 60 days after the bid is awarded. (Public Contract Code 20111)
- 3. When a standardized proposal form is provided by the district, bids not presented on the standard form shall be disregarded. (Public Contract Code 20111.5)**
4. ~~Under no condition shall~~ **Bids shall not** be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code 20112)
5. When two or more identical bids are received, the Board of Education may determine by lot which bid shall be accepted. (Public Contract Code 20117)
6. If the district requires that the bid include prices for items that may be added to or deducted from the scope of work in the contract, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid. In the absence of such a specification, only the method provided in Item a, below shall be used. (Public Contract Code 20103.8)
- a. The lowest bid shall be the lowest total of the bid prices on the base contract without consideration of the prices on the additive or deductive items.
  - b. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose of determining the lowest bid price.
  - c. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that, when taken in order from a specifically identified list of those items in the solicitation, and added to or subtracted from the base contract, are less than or equal to a funding amount publicly disclosed by the district before the first bid is opened.

The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or proposed subcontractors or suppliers from being revealed to the district before the ranking of all bidders from lowest to highest has been determined. (Public Contract Code 20103.8)

- 7. Any subsequent change or alteration of a contract shall be governed by the provisions of Public Contract Code 20118.4.**

8. After being opened, all submitted bids become public record and shall be made available for review by all interested parties. ~~(Government Code 6252)~~ records pursuant to Government Code 6252 and shall be made available for public review pursuant to law, Board Policy and administrative regulation.

*(cf. 1340 – Access to District Records)*

9. When a bid is disqualified as nonresponsive based on district investigation or other information not obtained from the submitted bid, the Superintendent or designee shall notify the bidder and give him/her an opportunity to respond to the information.

### **Prequalification Procedure**

~~For any contract for which bids are legally required, the Board of Education may require that each prospective bidder complete and submit a standardized questionnaire and financial statement. For this purpose, the Superintendent or Superintendent's designee shall supply a form which requires a complete statement of the bidder's financial ability and experience in performing public works. Prospective bidders shall submit the questionnaire and financial statement at least five days before the date fixed for public opening of sealed bids. The information shall be verified under oath in the manner in which civil law pleading are verified. The questionnaires and financial statements shall not be public records and shall not be open to public inspection. (Public Contract Code 20111.5)~~

~~The Superintendent or Superintendent's designee shall establish a uniform system for rating bidders on the basis of completed questionnaires and financial statements in order to determine the size of contracts on which each bidder is qualified to bid. Bidders must be deemed prequalified by the District at least one day before the fixed bid opening date. (Public Contract Code 20111.5)~~

~~The Superintendent or Superintendent's designee shall furnish each qualified bidder with a standardized proposal form. Bids not presented on the standard form shall be disregarded. (Public Contract Code 20111.5)~~

**When required by law or the Board, each prospective bidder shall complete and submit a standardized questionnaire and financial statement. For this purpose, the Superintendent or designee shall provide a standardized proposal form which requires a complete statement of the bidder's financial ability and experience in performing public works. The bidder's information shall be verified under oath in the manner in which civil law pleadings are verified. The questionnaires and financial statements shall not be public records and shall not be open to public inspection. (Public Contract Code 20111.5, 20111.6)**

**Prospective bidders shall submit the questionnaire and financial statement at least five days before the date fixed for public opening of sealed bids. (Public Contract**

**Code 20111.5)**

**The Superintendent or designee shall establish a uniform system for rating bidders on the basis of completed questionnaires and financial statements in order to determine the size of contracts on which each bidder is qualified to bid. Bidders must be prequalified by the district at least one day before the fixed bid-opening date. (Public Contract Code 20111.5)**

**The district may establish a procedure for prequalifying bidders on a quarterly basis and may authorize that prequalification be considered valid for up to one calendar year following the date of the initial prequalification. (Public Contract Code 20111.5)**

**Award of Contract**

**The district shall award each contract to the lowest responsible bidder except in the following circumstances:**

- 1. When the contract is for the procurement and/or maintenance of electronic data processing systems and supporting software, in which case the Board may contract with any one of the three lowest responsible bidders (Public Contract Code 20118.1)**
- 2. For any transportation service contract involving an expenditure of more than \$10,000, which the Board contemplates may be made with a person or corporation other than a common carrier, municipally owned transit system, or a parent/guardian of students who are to be transported, in which case the Board may contract with other than the lowest bidder (Education Code 39802)**
- 3. When the contract is one for which the Board has established goals and requirements relating to participation of minority, women, disabled veteran, or small business enterprises in accordance with Public Contract Code 2000-2002, in which case the Board may contract with the lowest responsible bidder who complies or makes a good faith effort to comply with the goals and requirements (Public Contract Code 2000-2002)**

**Protests by Bidders**

**A bidder may protest a bid award if he/she believes that the award was inconsistent with Board of Education policy, the bid's specifications or not in compliance with law.**

**Protest must be filed in writing with the Superintendent or Superintendent's designee within five working days after receipt of notification of the contract award. The bidder shall submit all documents supporting or justifying the protest. A bidder's failure to timely file protest shall constitute a waiver or his/her right to protest the award of the contract.**

The Superintendent or Superintendent's designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 days. The Superintendent or Superintendent's designee's also may convene a meeting with the bidder in order to attempt to resolve the problem.

The bidder may appeal the Superintendent or Superintendent's designee's decision to the Board of Education. The Superintendent or Superintendent's designee shall provide reasonable notice to the bidder of the time for Board of Education consideration of the contract award. The Board's decision shall be final.

**Alternative Bid Procedures for Technological Supplies and Equipment**

~~Upon a finding by the Board that a particular procurement qualifies for the alternative procedure, the district may acquire computers, software, telecommunications equipment, microwave equipment, and other related electronic equipment and apparatus through competitive negotiation. This procedure shall not apply to contracts for construction or for the procurement of any product that is available in substantial quantities to the general public. (Public Contract Code 20118.2)~~

**Rather than seek competitive bids, the Board may use competitive negotiation when it makes a finding that a district procurement is for computers, software, telecommunications equipment, microwave equipment, or other related electronic equipment and apparatus. Competitive negotiation shall not be used to contract for construction or for the procurement of any product that is available in substantial quantities to the general public. (Public Contract Code 20118.2)**

**The competitive negotiation process shall include, but not be limited to, the following requirements: (Public Contract Code 20118.2)**

1. The Superintendent or designee shall prepare a request for proposals (RFP) that shall be submitted to an adequate number of qualified sources, as determined by the district, to permit reasonable competition consistent with the nature and requirement of the procurement.
2. Notice of the RFP shall be published at least twice in a newspaper of general circulation, at least 10 days before the date for receipt of the proposals.
3. The Superintendent or designee shall make every effort to generate the maximum feasible number of proposals from qualified sources and shall make a finding to that effect before proceeding to negotiate if only a single response to the RFP is received.
4. The RFP shall identify all significant evaluation factors, including price, and their relative importance.
5. The Superintendent or designee shall provide reasonable procedures for the technical evaluation of the RFPs received, the identification of qualified sources, and the selection for the award of the contract.
6. The Board shall award the contract to the qualified bidder whose proposal meets the

evaluation standards and will be most advantageous to the district with price and all other factors considered.

7. If the Board does not award the contract to the bidder whose proposal contains the lowest price, then the Board shall make a finding setting forth the basis for the award.
8. The Board, at its discretion, may reject all proposals and request new RFPs.
9. Provisions in any contract concerning utilization of small business enterprises that are in accordance with the RFP shall not be subject to negotiation with the successful proposer.

### **Sole Sourcing**

~~Specifications for contracts for construction, alteration or repair of school facilities may not limit bidding to any one product or supplier. Specifications designating a particular brand name shall list at least two brands of comparable quality and follow the description with words "or equal." (Public Contract Code 3400)~~

~~However, specifications for such contracts may designate a product by brand or trade name (sole sourcing) if the Board has made a finding, described in the invitation for bids or RFP, that a particular material, product, thing, or service is designated for any of the following purposes: (Public Contract Code 3400)~~

**In any contract for the construction, alteration, or repair of school facilities, the Superintendent or designee shall not draft the bid specification in a manner that: (Public Contract Code 3400)**

- 1. Directly or indirectly limits bidding to any one specific concern**
- 2. Calls for a designated material, product, thing, or service by a specific brand or trade name, unless the specification is followed by the words "or equal," so that bidders may furnish any equal material, product, thing, or service**

**In any such case, the bid specification shall provide a time period, before and/or after the award of the contract, for the contractor to submit data substantiating the request for substituting the designated material, product, thing, or service. If no such time period is specified, the contractor may submit the data within 35 days after the award of the contract.**

**When the bid is for a roof project, a material, product, thing, or service is considered "equal" to that designated if it is equal in quality, durability, design, and appearance; will perform the intended function equally well; and conforms substantially to the detailed requirements in the bid specification. (Public Contract Code 3002)**

**However, the Superintendent or designee may designate a specific material, product, thing, or service by brand or trade name (sole sourcing), if the Board has**

made a finding, described in the invitation for bids or RFP, that a particular material, product, thing, or service is designated for any of the following purposes: (Public Contract Code 3400)

1. To conduct a field test or experiment to determine its suitability for future use
2. To match others in use on a particular public improvement that has been completed or is in the course of completion
3. To obtain a necessary item that is only available from one source
4. To respond to the Board's declaration of an emergency, as long as the declaration has been approved by four-fifths of the Board when issuing the invitation for bid or RFP

*(cf. 9323.2 - Actions by the Board)*

### **Bids Not Required**

~~Without advertising for bids and upon a determination that it is in the best interest of the district, the Board may authorize, by contract, lease, requisition, or purchase order, another public corporation or agency to lease data processing equipment or to purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor (“piggyback”). (Public Contract Code 20118)~~

~~*(cf. 3300 – Expenditures and Purchases)*~~

~~Alternatively, if there is an existing contract between a public corporation or agency and a vendor for the lease or purchase of personal property, the district may authorize the lease or purchase of personal property directly from the vendor by contract, lease, requisition, or purchase order and make payment to the vendor under the same terms that are available to the public corporation or agency under the contract. (Public Contract Code 20118)~~

~~*(cf. 3310 – Purchasing Procedures)*~~

~~Supplementary textbooks, library books, periodicals, educational films, audiovisual materials, test materials, workbooks, and instructional computer software packages may be purchased without taking estimates or advertising for bids. Public Contract Code 20118.3)~~

~~Perishable commodities such as foodstuffs may be purchased through bid or on the open market, depending on district preference. (Education Code 38083)~~

~~In an emergency when repairs, alterations, work or improvement to any school facility is necessary for the continuance of existing school classes or to avoid danger to life or~~



~~property, the Board of Education, by unanimous vote and with the approval of the County Superintendent of Schools, may contract for labor and maintenance or supplies without advertising for or inviting bids. (Public Contract Code 290113)~~

~~Bids shall also not be required for day labor under circumstances specified in law. Day labor shall include the use of maintenance personnel employed on a permanent or temporary basis. (Public Contract Code 20114)~~

~~Whenever the total number of hours on the job does not exceed 350 hours, day labor may be used to erect new buildings and for the following purposes: (Public Contract Code 20114)~~

- ~~1. School building repairs, alterations, additions~~
- ~~2. Painting, repainting or decorating of school buildings~~
- ~~3. Repair or building of apparatus or equipment~~
- ~~4. Improvements on school grounds~~
- ~~5. Maintenance work as defined above~~

**Without advertising for bids and upon a determination that it is in the best interest of the district, the Board may authorize another public corporation or agency, by contract, lease, requisition, or purchase order, to lease data-processing equipment or to purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor ("piggyback"). Alternatively, if the public corporation or agency has an existing contract with a vendor for the lease or purchase of personal property, the district may authorize the lease or purchase of personal property directly from the vendor and make payments under the same terms that are available to the public corporation or agency under the contract. (Public Contract Code 20118)**

*(cf. 3300 - Expenditures and Purchases)*

**In addition, upon a determination that it is in the best interest of the district and without advertising for bids, the Board may lease currently owned district property to any person, firm, or corporation for a minimum of \$1 per year, as long the lease requires the person, firm, or corporation to construct a building or buildings on the property for the district's use during the lease and the property and building(s) will vest in the district at the expiration of the lease ("lease-leaseback"). (Education Code 17406)**

*(cf. 3280 - Sale or Lease of District-Owned Real Property)*

**Without advertising for bids, the Board may enter into an energy service contract and any related facility ground lease, when it determines that the terms of the contract and lease are in the best interest of the district. The Board's determination shall be made at a regularly scheduled public hearing of which notice is given to the**

**public at least two weeks in advance and shall be based on cost comparison findings specified in Government Code 4217.12. (Government Code 4217.12)**

*(cf. 3510 - Green School Operations)*  
*(cf. 3511 - Energy and Water Management)*  
*(cf. 9320 - Meetings and Notices)*

**Supplementary textbooks, library books, educational films, audiovisual materials, test materials, workbooks, instructional computer software packages, or periodicals may be purchased in any amount without taking estimates or advertising for bids. (Public Contract Code 20118.3)**

*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*  
*(cf. 6161.11 - Supplementary Instructional Materials)*  
*(cf. 6163.1 - Library Media Centers)*

**Perishable foodstuffs and seasonal commodities needed in the operations of cafeterias may be purchased through bid or on the open market. (Education Code 38083)**

*(cf. 3551 - Food Service Operations/Cafeteria Fund)*

**In an emergency when any repairs, alterations, work, or improvement to any school facility is necessary to permit the continuance of existing school classes or to avoid danger to life or property, the Board may, by unanimous vote and with the approval of the County Superintendent of Schools, contract for labor and materials or supplies without advertising for or inviting bids or may authorize the use of day labor or force account for the emergency purpose. (Public Contract Code 20113)**

*(cf. 3517 - Facilities Inspection)*

**Bids shall not be required for day labor under circumstances specified in Public Contract Code 20114. Day labor shall include the use of maintenance personnel employed on a permanent or temporary basis. (Public Contract Code 20114)**

**The district may purchase any surplus property from the federal government or any of its agencies in any quantity needed for the operation of its schools without taking estimates or advertising for bids. (Education Code 17602)**

V.K./DEC.13

**WEST SONOMA COUNTY UNION HIGH SCHOOL DISTRICT**

**TO: Board President**

**FROM: Keller McDonald, Superintendent**

**DATE: December 11, 2013**

**ITEM: FIRST READING OF PROPOSED BOARD POLICY 5118  
MAXIMUM SCHOOL FACILITY CAPACITY**

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**Background Information:**

The District needs to determine the school facility capacity in order to inform planning related to classroom space, staffing, enrollment targets, and approval of transfer requests. The District does not have policy language regarding this matter. The Board has directed administration to develop a proposed policy language.

**Current Consideration:**

At this time, the Board will have a first reading of proposed Board Policy 5118 Maximum School Facility Capacity.

**Recommendations:**

Administration recommends a first reading of the proposed policy. At the direction of the Board, this matter will be brought back for consideration of action at a subsequent Board meeting.

**Attachments:**

Yes

## **PROPOSED NEW BOARD POLICY**

### **Board Policy 5118**

#### **Students**

##### **MAXIMUM SCHOOL FACILITY CAPACITY**

The Governing Board recognizes that the District must determine the maximum school facility capacity of each school in the District in order to provide information on which to base staffing decisions and decisions regarding student interdistrict and intradistrict transfers.

The Superintendent or designee may deny applications for interdistrict and intradistrict transfers because of overcrowding within district schools or limited district resources. (BP 5116.1 and BP 5117)

By December 31 each year, the Superintendent or designee shall determine the maximum school facility capacity of each District school. The maximum facility capacity of a District school shall be reevaluated and adjusted if conditions which impact school capacity change during the school year (for example, if available classroom space changes, if graduation requirements change, or if methods of delivering instruction change in a way that impacts classroom and instructional facility needs.)

Maximum school facility capacity shall be based on the facilities available to appropriately deliver instruction to students in the core classes required for graduation, including classes taught in standard classrooms and classes taught in specialized instructional facilities such as science laboratories and physical education facilities. Only classroom and instructional facilities which meet Office of State Architect and California Department of Education standards shall be considered in determining available appropriate facilities. Libraries and cafeterias shall not be considered as available classrooms or instructional facilities for housing classes.

The rationale used to determine school capacity will be made available for inspection upon request by any student, employee, District Trustee, or member of the public.

#### **Legal Reference:**

**EDUCATION CODE**

**35150.5 Powers and Duties; Open Enrollment Policies**

**Adopted:**

**WEST SONOMA COUNTY UHSD**

V.L./DEC.13

**WEST SONOMA COUNTY UNION HIGH SCHOOL DISTRICT**

**TO: Board President**

**FROM: Keller McDonald, Superintendent**

**DATE: December 11, 2013**

**ITEM: FIRST READING OF PROPOSED NEW BOARD POLICY AND ADMINISTRATIVE REGULATION 0460 LOCAL CONTROL AND ACCOUNTABILITY PLAN AND PROPOSED NEW BOARD POLICY AND 0500 ACCOUNTABILITY**

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**Background Information:**

California Education Code 52060 requires that each public school districts develop and adopt a local control and accountability plan (LCAP). The LCAP is effective for three years and must be updated annually. The District has no current policies or regulations regarding developing or adopting the LCAP or related accountability.

**Current Consideration:**

At this time, the Board will have a first reading of proposed new policies and administrative regulation related to the local control accountability plan and related accountability. The proposed policies and regulations are based on recommendations of the California School Board Association.

**Recommendations:**

Administration recommends a first reading of the proposed new Board Policy and Administrative Regulations 0460 regarding LCAP, and the proposed new Board Policy 0500 regarding accountability. No administrative regulations are proposed to accompany BP 0500. At the direction of the Board, these matters can be put on a subsequent Board agenda for consideration of action.

**Attachments:**

Yes

## **Philosophy, Goals, Objectives and Comprehensive Plans**

### **Local Control And Accountability Plan**

The Governing Board desires to ensure the most effective use of available state funding to improve outcomes for all students. A community-based, comprehensive, data-driven planning process shall be used to identify annual goals and specific actions aligned with state and local priorities and to facilitate continuous improvement of district practices.

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

The Board shall adopt a districtwide local control and accountability plan (LCAP), using the template provided by the State Board of Education, which addresses the state priorities specified in Education Code 52060. The LCAP shall be effective for three years and shall be updated on or before July 1 of each year. (Education Code 52060)

In addition, the LCAP shall address any local priorities adopted by the Board.

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" and other underperforming students.

Unduplicated students include students who are eligible for free or reduced-price meals, English learners, and foster youth and are counted only once for purposes of the local control funding formula. (Education Code 42238.02)

*(cf. 3553 - Free and Reduced Price Meals)*

*(cf. 6173.1 - Education for Foster Youth)*

*(cf. 6174 - Education for English Language Learners)*

To minimize duplication of effort and provide clear direction for program implementation, the LCAP and other district and school plans shall be aligned to the extent possible.

*(cf. 0400 - Comprehensive Plans)*

*(cf. 0440 - District Technology Plan)*

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 5030 - Student Wellness)*

*(cf. 6171 - Title I Programs)*

*(cf. 7110 - Facilities Master Plan)*

The Superintendent or designee shall review the single plan for student achievement (SPSA) submitted by each district school pursuant to Education Code 64001 to ensure that the specific actions included in the LCAP or the annual update are consistent with strategies included in the SPSA. (Education Code 52062)

*(cf. 0420 - School Plans/Site Councils)*

## **Board Policy 0460 (b)**

The Superintendent or designee shall review the single plan for student achievement (SPSA) submitted by each district school pursuant to Education Code 64001 to ensure that the specific actions included in the LCAP or the annual update are consistent with strategies included in the SPSA. (Education Code 52062)

*(cf. 0420 - School Plans/Site Councils)*

Any complaint that the district has not complied with legal requirements pertaining to the LCAP may be filed pursuant to AR 1312.3 - Uniform Complaint Procedures. (Education Code 52075)

*(cf. 1312.3 - Uniform Complaint Procedures)*

### **Plan Development**

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community. Such data and information shall include, but not be limited to, data regarding the numbers of students in various student subgroups, disaggregated data on student achievement levels, and information about current programs and expenditures.

The Board shall consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students in developing the LCAP. (Education Code 52060)

*(cf. 1220 - Citizen Advisory Committees)*  
*(cf. 4140/4240/4340 - Bargaining Units)*  
*(cf. 4143/4243 - Negotiations/Consultation)*  
*(cf. 6020 - Parent Involvement)*

### **Public Review and Input**

The Board shall establish the following committee(s) to review and comment on the LCAP: (Education Code 52063)

1. A parent advisory committee including at least one parent/guardian of unduplicated students as defined above
2. An English learner parent advisory committee whenever district enrollment includes at least 15 percent English learners and at least 50 students who are English learners

The Superintendent or designee shall present the LCAP or the annual update to the committee(s) before it is submitted to the Board for adoption, and shall respond in writing to comments received from the committee(s). (Education Code 52062)

## **Board Policy 0460 (c)**

The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP or the annual update to the LCAP. The notification shall be provided using the most efficient method of notification possible, which may not necessarily include producing printed notices or sending notices by mail. All written notifications related to the LCAP or the annual update shall be provided in the primary language of parents/guardians when required by Education Code 48985. (Education Code 52062)

The Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP or the annual update. The public hearing shall be held at the same meeting as the public hearing required prior to the adoption of the district budget in accordance with Education Code 42127 and AR 3100 - Budget. (Education Code 42127, 52062)

*(cf. 3100 - Budget)*

*(cf. 3460 - Financial Reports and Accountability)*

*(cf. 9320 - Meetings and Notices)*

### **Adoption of the Plan**

Prior to adopting the district budget, but at the same public meeting, the Board shall adopt the LCAP or the annual update. This meeting shall be held after the public hearing described above, but not on the same day as the hearing. (Education Code 52062)

The Board may adopt revisions to the LCAP at any time during the period in which the plan is in effect, provided the Board follows the process to adopt the LCAP pursuant to Education Code 52062 and the revisions are adopted in a public meeting. (Education Code 52062)

### **Submission of Plan to County Superintendent of Schools**

Not later than five days after adoption of the LCAP or the annual update to the LCAP, the Board shall file the LCAP or the annual update with the County Superintendent of Schools. (Education Code 52070)

If the County Superintendent sends, by August 15, a written request for clarification of the contents of the LCAP or the annual update, the Board shall respond in writing within 15 days of the request. If the County Superintendent then submits recommendations for amendments to the LCAP within 15 days of receiving the Board's response, the Board shall consider those recommendations in a public meeting within 15 days of receiving the recommendations. (Education Code 52070)



## Board Policy 0460 (d)

### Monitoring Progress

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by him/her and the Board, regarding the district's progress toward attaining each goal identified in the LCAP. Evaluation data shall be used to recommend any necessary revisions to the LCAP.

*(cf. 0500 - Accountability)*

### Technical Assistance/Intervention

When it is in the best interest of the district, the Board may submit a request to the County Superintendent for technical assistance, including, but not limited to: (Education Code 52071)

1. Assistance in the identification of district strengths and weaknesses in regard to state priorities and review of effective, evidence-based programs that apply to the district's goals
2. Assistance from an academic expert, team of academic experts, or another district in the county in identifying and implementing effective programs to improve the outcomes for student subgroups
3. Advice and assistance from the California Collaborative for Educational Excellence established pursuant to Education Code 52074

In the event that the County Superintendent requires the district to receive technical assistance pursuant to Education Code 52071, the Board shall review all recommendations received from the County Superintendent or other advisor and shall consider revisions to the LCAP as appropriate in accordance with the process specified in Education Code 52062.

If the Superintendent of Public Instruction (SPI) identifies the district as needing intervention pursuant to Education Code 52072, the district shall cooperate with any action taken by the SPI or any academic advisor appointed by the SPI, which may include one or more of the following:

1. Revision of the district's LCAP
2. Revision of the district's budget in accordance with changes in the LCAP
3. A determination to stay or rescind any district action that would prevent the district from improving outcomes for all student subgroups, provided that action is not required by a collective bargaining agreement

#### *Legal Reference:*

#### EDUCATION CODE

17002 State School Building Lease-Purchase Law, including definition of good repair

41020 Audits

42127 Public hearing on budget adoption

**Board Policy 0460 (e)**

42238.01-42238.07 *Local control funding formula*  
44258.9 *County superintendent review of teacher assignment*  
48985 *Parental notices in languages other than English*  
51210 *Course of study for grades 1-6*  
51220 *Course of study for grades 7-12*  
52052 *Academic Performance Index; numerically significant student subgroups*  
52060-52077 *Local control and accountability plan*  
52302 *Regional occupational centers and programs*  
52372.5 *Linked learning pilot program*  
54692 *Partnership academies*  
60119 *Sufficiency of textbooks and instructional materials; hearing and resolution*  
60605.8 *California Assessment of Academic Achievement; Academic Content Standards Commission*  
60811.3 *Assessment of language development*  
64001 *Single plan for student achievement*  
99300-99301 *Early Assessment Program*  
*UNITED STATES CODE, TITLE 20*  
6312 *Local educational agency plan*  
6826 *Title III funds, local plans*

*Management Resources:*

*CSBA PUBLICATIONS*

*Impact of Local Control Funding Formula on Board Policies, November 2013*

*Local Control Funding Formula 2013, Governance Brief, August 2013*

*State Priorities for Funding: The Need for Local Control and Accountability Plans, Fact Sheet, August 2013*

*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS*

*California School Accounting Manual*

*WEB SITES*

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

*California Department of Education: <http://www.cde.ca.gov>*

Adopted:

**WEST SONOMA COUNTY UHSD**  
Sebastopol, CA

## **Administrative Regulation 0460 (a)**

### **Philosophy, Goals, Objectives and Comprehensive Plans**

### **Local Control And Accountability Plan**

#### **Content of the Plan**

The district's local control and accountability plan (LCAP) shall include, for the district and each district school: (Education Code 52060)

1. A description of the annual goals established for all students and for each numerically significant subgroup as defined in Education Code 52052, including ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, and foster youth. The LCAP shall identify goals for each of the following state priorities:

a. The degree to which district teachers are appropriately assigned in accordance with Education Code 44258.9 and fully credentialed in the subject areas and for the students they are teaching; every district student has sufficient access to standards-aligned instructional materials as determined pursuant to Education Code 60119; and school facilities are maintained in good repair as specified in Education Code 17002

*(cf. 1312.4 - Williams Uniform Complaint Procedures)*  
*(cf. 3517 - Facilities Inspection)*  
*(cf. 4112.2 - Certification)*  
*(cf. 4113 - Assignment)*  
*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*

b. Implementation of the academic content and performance standards adopted by the State Board of Education (SBE), including how the programs and services will enable English learners to access the Common Core State Standards and the English language development standards for purposes of gaining academic content knowledge and English language proficiency

*(cf. 6011 - Academic Standards)*  
*(cf. 6174 - Education for English Language Learners)*

c. Parent/guardian involvement, including efforts the district makes to seek parent/guardian input in district and school site decision making and how the district will promote parent/guardian participation in programs for unduplicated students, as defined in Education Code 42238.02 and Board policy

*(cf. 3553 - Free and Reduced Price Meals)*  
*(cf. 6020 - Parent Involvement)*  
*(cf. 6159 - Individualized Education Program)*  
*(cf. 6173.1 - Education for Foster Youth)*

## **Administrative Regulation 0460 (b)**

d. Student achievement, as measured by all of the following as applicable:

(1) Statewide assessments of student achievement

(2) Academic Performance Index

(3) The percentage of students who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study that satisfy specified requirements and align with SBE-approved career technical education standards and frameworks, including, but not limited to, those described in Education Code 52302, 52372.5, or 54692

(4) The percentage of English learners who make progress toward English proficiency as measured by the SBE-certified assessment of English proficiency

(5) The English learner reclassification rate

(6) The percentage of students who have passed an advanced placement examination with a score of 3 or higher

(7) The percentage of students who participate in and demonstrate college preparedness in the Early Assessment Program pursuant to Education Code 99300-99301

*(cf. 0500 - Accountability)*

*(cf. 6141.5 - Advanced Placement)*

*(cf. 6162.5 - Student Assessment)*

*(cf. 6162.51 - Standardized Testing and Reporting Program)*

*(cf. 6178 - Career Technical Education)*

e. Student engagement, as measured by school attendance rates, chronic absenteeism rates, middle school dropout rates, high school dropout rates, and high school graduation rates, as applicable

*(cf. 6146.1 - High School Graduation Requirements)*

*(cf. 5113.1 - Chronic Absence and Truancy)*

*(cf. 5147 - Dropout Prevention)*

*(cf. 5149 - At-Risk Students)*

f. School climate, as measured by student suspension and expulsion rates and other local measures, including surveys of students, parents/guardians, and teachers on the sense of safety and school connectedness, as applicable

*(cf. 5137 - Positive School Climate)*

*(cf. 5144 - Discipline)*

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

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

## **Administrative Regulation 0460 (c)**

g. The extent to which students have access to and are enrolled in a broad course of study that includes all of the subject areas described in Education Code 51210 and 51220, as applicable, including the programs and services developed and provided to unduplicated students and students with disabilities, and the programs and services that are provided to benefit these students as a result of supplemental and concentration grant funding pursuant to Education Code 42238.02 and 42238.03

*(cf. 6143 - Courses of Study)*

h. Student outcomes, if available, in the subject areas described in Education Code 51210 and 51220, as applicable

2. Any goals identified for any local priorities established by the Board.

*(cf. 0200 - Goals for the School District)*

3. A description of the specific actions the district will take during each year of the LCAP to achieve the identified goals, including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state and local priorities specified in items #1-2 above. Such actions shall not supersede provisions of existing collective bargaining agreements within the district.

For purposes of the descriptions required by items #1-3 above, the Board may consider qualitative information, including, but not limited to, findings that result from any school quality reviews conducted pursuant to Education Code 52052 or any other reviews. (Education Code 52060)

For any local priorities addressed in the LCAP, the Board and Superintendent or designee shall identify the method for measuring the district's progress toward achieving those goals. (Education Code 52060)

To the extent practicable, data reported in the LCAP shall be reported in a manner consistent with how information is reported on a school accountability report card. (Education Code 52060)

*(cf. 0510 - School Accountability Report Card)*

### **Annual Updates**

On or before July 1 of each year, the LCAP shall be updated using the template developed by the SBE and shall include all of the following: (Education Code 52061)

1. A review of any changes in the applicability of the goals described in the existing LCAP pursuant to the section "Content of the Plan" above

**Administrative Regulation 0460 (d)**

2. A review of the progress toward the goals included in the existing LCAP, an assessment of the effectiveness of the specific actions described in the existing LCAP toward achieving the goals, and a description of changes to the specific actions the district will make as a result of the review and assessment

3. A listing and description of the expenditures for the fiscal year implementing the specific actions included in the LCAP and the changes to the specific actions made as a result of the reviews and assessment required by items #1-2 above

4. A listing and description of expenditures for the fiscal year that will serve unduplicated students and students redesignated as fluent English proficient

**Availability of the Plan**

The Superintendent or designee shall post the LCAP and any updates or revisions to the LCAP on the district's web site. (Education Code 52065)

*(cf. 1113 - District and School Web Sites)*

Adopted:

**WEST SONOMA COUNTY UHSD**  
Sebastopol, CA

## **Board Policy 0500 (a)**

### **Philosophy, Goals, Objectives and Comprehensive Plans**

#### **Accountability**

The Governing Board recognizes its responsibility to ensure accountability to the public for the performance of district schools. The Board shall regularly review the effectiveness of the district's programs, personnel, and fiscal operations, with a focus on the district's effectiveness in improving student achievement. The Board shall establish appropriate processes and measures to monitor results and to evaluate progress toward accomplishing the district's vision and goals.

*(cf. 0000 - Vision)*  
*(cf. 0200 - Goals for the School District)*  
*(cf. 2140 - Evaluation of the Superintendent)*  
*(cf. 3460 - Financial Accountability and Reports)*  
*(cf. 4115 - Evaluation/Supervision)*  
*(cf. 4215 - Evaluation/Supervision)*  
*(cf. 4315 - Evaluation/Supervision)*  
*(cf. 6011 - Academic Standards)*  
*(cf. 6141 - Curriculum Development and Evaluation)*  
*(cf. 6190 - Evaluation of the Instructional Program)*  
*(cf. 9400 - Board Self-Evaluation)*

Indicators of district progress in improving student achievement shall include, but are not limited to, the state Academic Performance Index (API) and the measures of "adequate yearly progress" (AYP) required under the federal accountability system.

*(cf. 6162.5 - Student Assessment)*  
*(cf. 6162.51 - Standardized Testing and Reporting Program)*  
*(cf. 6162.52 - High School Exit Examination)*

Alternative schools serving high-risk student populations, including continuation high schools, opportunity schools, and community day schools, shall be subject to an alternative accountability system established by the Superintendent of Public Instruction. (Education Code 52052)

The district and each district school shall demonstrate comparable improvement in academic achievement, as measured by the API, for all numerically significant student subgroups. Numerically significant subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, and students with disabilities, when the subgroup consists of at least 30 students with a valid test score, and foster youth when the subgroup consists of at least 15 students with a valid test score. (Education Code 52052)

The Superintendent shall provide regular reports to the Board and the public regarding district and school performance. Opportunities for feedback from students, parents/guardians, staff, and community members shall be made available as part of any review and evaluation of district programs and operations and as part of the development or annual update of the local control and accountability plan (LCAP).

## **Board Policy 0500 (b)**

*(cf. 0460 - Local Control and Accountability Plan)*  
*(cf. 0510 - School Accountability Report Card)*  
*(cf. 1100 - Communication with the Public)*  
*(cf. 1112 - Media Relations)*  
*(cf. 1220 - Citizen Advisory Committees)*  
*(cf. 6020 - Parent Involvement)*

Evaluation results may be used as a basis for revising district or school goals, updating the LCAP or other comprehensive plans, identifying and developing strategies to address disparities in achievement among student subgroups, implementing programmatic changes, determining the need for additional support and assistance, awarding incentives or rewards, and establishing other performance-based consequences.

*(cf. 0400 - Comprehensive Plans)*  
*(cf. 0420 - School Plans/Site Councils)*  
*(cf. 0520.2 - Title I Program Improvement Schools)*  
*(cf. 0520.3 - Title I Program Improvement Districts)*  
*(cf. 0520.4 - Quality Education Investment Schools)*  
*(cf. 4141/4241 - Collective Bargaining Agreement)*

### *Legal Reference:*

#### **EDUCATION CODE**

*33127-33129 Standards and criteria for fiscal accountability*  
*33400-33407 California Department of Education evaluation of district programs*  
*44660-44665 Evaluation of certificated employees*  
*51041 Evaluation of the educational program*  
*52052-52052.1 Academic Performance Index*  
*52055.57-52055.59 Districts identified or at risk of identification for program improvement*  
*52060-52077 Local control and accountability plan*

#### **CODE OF REGULATIONS, TITLE 5**

*1068-1074 Alternative schools accountability model, assessments*  
*15440-15463 Standards and criteria for fiscal accountability*

#### **UNITED STATES CODE, TITLE 20**

*6311 Accountability, adequate yearly progress*  
*6312 Local educational agency plan*  
*6316 School and district improvement*

#### **CODE OF FEDERAL REGULATIONS, TITLE 34**

*200.13-200.20 Adequate yearly progress*  
*200.30-200.53 Program improvement*

### *Management Resources:*

#### **WEB SITES**

*CSBA: <http://www.csba.org>*  
*California Department of Education, Accountability: <http://www.cde.ca.gov/ta/ac>*  
*U.S. Department of Education: <http://www.ed.gov>*

Adopted:

**WEST SONOMA COUNTY UHSD**  
Sebastopol, California



V.M./DEC.13

**WEST SONOMA COUNTY UNION HIGH SCHOOL DISTRICT**

**TO: Board President**

**FROM: Keller McDonald, Superintendent**

**DATE: December 11, 2013**

**ITEM: FIRST READING OF PROPOSED NEW BOARD POLICY AND ADMINISTRATIVE REGULATION 1114 DISTRICT-SPONSORED AND SCHOOL-SPONSORED SOCIAL MEDIA, AND PROPOSED NEW BOARD POLICY AND ADMINISTRATIVE REGULATION 1113 DISTRICT AND SCHOOL WEB SITES**

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**Background Information:**

Many public school districts have found value in using social media and Internet web sites to promote communication and collaboration with students, parents, staff, and community members. It is prudent for districts to establish policies that guide the official use and management of social media platforms and web sites by the district and its entities (including district schools, school classrooms, and organizations operated under the direction of the district schools), in order to ensure the appropriate and responsible use of these resources.

**Current Consideration:**

At this time, the Board will have a first reading of proposed new policies and administrative regulation related to the use of district-sponsored and school-sponsored social media and web sites. The proposed policies and regulations are based on recommendations of the California School Board Association.

**Recommendations:**

Administration recommends a first reading of the proposed new policies and regulations. At the direction of the Board, these matters can be put on a subsequent Board agenda for consideration of action.

**Attachments:**

Yes

## **Community Relations**

### **District And School Web Sites**

To enhance communication with students, parents/guardians, staff, and community members, the Governing Board encourages the Superintendent or designee to develop and maintain district and school web sites. The use of district and school web sites shall support the district's vision and goals and shall be coordinated with other district communications strategies.

*(cf. 0000 - Vision)*

*(cf. 0440 - District Technology Plan)*

*(cf. 1100 - Communication with the Public)*

*(cf. 1112 - Media Relations)*

*(cf. 1114 - District-Sponsored Social Media)*

*(cf. 6020 - Parent Involvement)*

### **Design Standards**

The Superintendent or designee shall establish design standards for district and school web sites in order to maintain a consistent identity, professional appearance, and ease of use.

The district's design standards shall address the accessibility of district-sponsored web sites to individuals with disabilities, including compatibility with commonly used assistive technologies.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

### **Guidelines for Content**

The Superintendent or designee shall develop content guidelines for district and school web sites and shall assign staff to review and approve content prior to posting.

Board policy pertaining to advertising in district and school publications, as specified in BP 1325 - Advertising and Promotion, shall also apply to advertising on district and school web sites.

*(cf. 1325 - Advertising and Promotion)*

### **Privacy Rights**

The Superintendent or designee shall ensure that the privacy rights of students, parents/guardians, staff, Board members, and other individuals are protected on district and school web sites.

*(cf. 1340 - Access to District Records)*

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*

*(cf. 5022 - Student and Family Privacy Rights)*

*(cf. 5125 - Student Records)*

## **Board Policy 1113 (b)**

Telephone numbers and home and email addresses of students and/or their parents/guardians shall not be published on district or school web sites.

*(cf. 5125.1 - Release of Directory Information)*

Photographs of individual students may be published, together with their names, except when their parent/guardian has notified the district in writing to not release the student's photograph without prior written consent in accordance with BP/AR 5125.1 - Release of Directory Information.

Photographs of groups of students, such as at a school event, may be published provided that students' names are not included.

Staff members' home addresses or telephone numbers shall not be posted on district or school web sites.

The home address or telephone number of any elected or appointed official including, but not limited to, a Board member or public safety official, shall not be posted on district or school web sites without the prior written permission of that individual. (Government Code 3307.5, 6254.21, 6254.24)

No public safety official shall be required to consent to the posting on the Internet of his/her photograph or identity as a public safety officer for any purpose if that officer reasonably believes that the disclosure may result in a threat, harassment, intimidation, or harm to the officer or his/her family. (Government Code 3307.5)

*(cf. 3515.3 - District Police/Security Department)*

### *Legal Reference:*

#### **EDUCATION CODE**

- 35182.5 Contracts for advertising*
- 35258 Internet access to school accountability report cards*
- 48907 Exercise of free expression; rules and regulations*
- 48950 Speech and other communication*
- 49061 Definitions, directory information*
- 49073 Release of directory information*
- 60048 Commercial brand names, contracts or logos*

#### **GOVERNMENT CODE**

- 3307.5 Publishing identity of public safety officers*
- 6254.21 Publishing addresses and telephone numbers of officials*
- 6254.24 Definition of public safety official*
- 11135 Nondiscrimination; accessibility to state web sites*

#### **PENAL CODE**

- 14029.5 Prohibition against publishing personal information of person in witness protection program*

#### **UNITED STATES CODE, TITLE 17**

- 101-1101 Federal copyright law*

#### **UNITED STATES CODE, TITLE 20**

- 1232g Federal Family Educational Rights and Privacy Act*

## **Board Policy 1113 (c)**

*UNITED STATES CODE, TITLE 29*

*794 Section 503 of the Rehabilitation Act of 1973; accessibility to federal web sites*

*UNITED STATES CODE, TITLE 42*

*12101-12213 Americans with Disabilities Act*

*CODE OF FEDERAL REGULATIONS, TITLE 16*

*312.1-312.12 Children's Online Privacy*

*CODE OF FEDERAL REGULATIONS, TITLE 34*

*99.1-99.67 Family Educational Rights and Privacy*

*COURT DECISIONS*

*Aaris v. Las Virgenes Unified School District, (1998) 64 Cal.App.4th 1112*

*Management Resources:*

*U.S. DEPARTMENT OF JUSTICE PUBLICATIONS*

*Accessibility of State and Local Government Websites to People with Disabilities, June 2003*

*WORLD WIDE WEB CONSORTIUM PUBLICATIONS*

*Web Content Accessibility Guidelines, December 2008*

*WEB SITES*

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

*California Department of Education, Web Accessibility Standards:*

*<http://www.cde.ca.gov/re/di/ws/webaccessstds.asp>*

*California School Public Relations Association: <http://www.calspra.org>*

*U.S. Department of Justice, Americans with Disabilities Act: <http://www.ada.gov>*

*World Wide Web Consortium, Web Accessibility Initiative: <http://www.w3.org/wai>*

Adopted:

**WEST SONOMA COUNTY UHSD**  
Sebastopol, California

## **Administrative Regulation 1113**

### **Community Relations**

#### **District And School Web Sites**

##### **Guidelines for Content**

District and school web sites shall provide current information regarding district/school programs, activities, and operations. Such information shall be appropriate for both internal and external audiences and may include district mission and goals, district or school news, agendas and minutes of Governing Board meetings, School Accountability Report Cards, school calendars, and links to educational resources.

*(cf. 0440 - District Technology Plan)*  
*(cf. 0510 - School Accountability Report Card)*  
*(cf. 1100 - Communication with the Public)*  
*(cf. 1112 - Media Relations)*  
*(cf. 6020 - Parent Involvement)*

With approval of the principal, individual teachers may create web pages linked to the district or school web site to provide information pertaining to class assignments, expectations, and activities.

Student work may be published on district or school web sites provided that both the student and his/her parent/guardian provide written permission or the work is part of an existing publication such as a school newspaper.

The Superintendent or designee shall ensure that copyright laws are not violated in the use of materials on district and school web sites. If any copyrighted material is posted, a notice shall be included crediting the original producer of the material and noting how and when permission to reprint the material was granted.

*(cf. 4132/4232/4332 - Publication or Creation of Materials)*  
*(cf. 6162.6 - Use of Copyrighted Materials)*

Whenever a district or school web site includes links to external web sites, it shall include a disclaimer that the district is not responsible for the content of external web sites.

##### **Roles and Responsibilities**

Any employee assigned as a district or school webmaster shall be responsible for the uploading of material to the web site(s) upon approval of the Superintendent or designee. He/she shall ensure consistency of the material with district standards, regularly check links for accuracy and appropriateness, keep the web server free of outdated or unused files, and provide technical assistance as needed.

The Superintendent or designee may assign additional staff members to conduct an editorial review of all materials submitted for publication on district or school web sites and to make corrections as needed in spelling, grammar, or accuracy of content.

The Superintendent or designee shall provide staff development opportunities related to district content guidelines, design standards, and accessibility laws and standards to district communications and technology staff, district and school webmasters, and/or other appropriate staff.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

### **Security**

The Superintendent or designee shall establish security procedures for the district's computer network to prevent unauthorized access and changes to district and school web sites. To the extent possible, the host computer(s) shall be in a lockable room with restricted access.

Adopted:

**WEST SONOMA COUNTY UHSD**  
Sebastopol, California

## **Board Policy 1114 (a)**

### **Community Relations**

#### **District-Sponsored and School-Sponsored Social Media**

The Governing Board recognizes the value of technology such as social media platforms in promoting community involvement and collaboration. The purpose of any official district social media platform shall be to further the district's vision and mission, support student learning and staff professional development, and enhance communication with students, parents/guardians, staff, and community members. For the purposes of this Board Policy an official social media platform of a school, school program, school classroom, organization operated under the direction of the school is considered to be an official district social media platform.

*(cf. 0000 - Vision)*

*(cf. 0440 - District Technology Plan)*

*(cf. 1100 - Communication with the Public)*

*(cf. 1112 - Media Relations)*

*(cf. 1113 - District and School Web Sites)*

*(cf. 6020 - Parent Involvement)*

*(cf. 6145.5 - Student Organizations and Equal Access)*

The Superintendent or designee shall develop content guidelines and protocols for official district social media platforms to ensure the appropriate and responsible use of these resources and compliance with law, Board policy, and regulation.

#### **Guidelines for Content**

Official district social media platforms shall be used only for their stated purposes and in a manner consistent with this policy and administrative regulation. By creating these official sites and allowing for public comment, the Board does not intend to create a limited public forum or otherwise guarantee an individual's right to free speech.

*(cf. 5145.2 - Freedom of Speech/Expression)*

*(cf. 6145.5 - Student Organizations and Equal Access)*

The Superintendent or designee shall ensure that the limited purpose of the official district social media platforms is clearly communicated to users. Each site shall contain a statement that specifies the site's purposes along with a statement that users are expected to use the site only for those purposes. Each site shall also contain a statement that users are personally responsible for the content of their posts.

Official district social media platforms may not contain content that is obscene, libelous, or so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, violation of school rules, or substantial disruption of the school's orderly operation.

*(cf. 5131 - Conduct)*

## **Board Policy 1114 (b)**

Staff or students who post prohibited content shall be subject to discipline in accordance with district policies and administrative regulations.

*(cf. 4040 - Employee Use of Technology)*  
*(cf. 4118 - Suspension/Disciplinary Action)*  
*(cf. 4119.21/4219.21/4319.21 - Professional Standards)*  
*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*  
*(cf. 5144 - Discipline)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*  
*(cf. 6163.4 - Student Use of Technology)*

Users of official district social media platforms should be aware of the public nature and accessibility of social media and that information posted may be considered a public record subject to disclosure under the Public Records Act. The Board expects users to conduct themselves in a respectful, courteous, and professional manner.

*(cf. 1340 - Access to District Records)*  
*(cf. 9012 - Board Member Electronic Communications)*

### **Privacy**

The Superintendent or designee shall ensure that the privacy rights of students, parents/guardians, staff, Board members, and other individuals are protected on official district social media platforms.

Board policy pertaining to the posting of student photographs and the privacy of telephone numbers, home addresses, and email addresses, as specified in BP 1113 - District and School Web Sites, shall also apply to official district social media platforms.

*(cf. 5125.1 - Release of Directory Information)*

Social media and networking sites and other online platforms shall not be used by district employees to transmit confidential information about students, employees, or district operations.

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*  
*(cf. 5022 - Student and Family Privacy Rights)*  
*(cf. 5125 - Student Records)*

#### *Legal Reference:*

#### EDUCATION CODE

32261 School safety, definitions of bullying and electronic act  
35182.5 Contracts for advertising  
48900 Grounds for suspension and expulsion  
48907 Exercise of free expression; rules and regulations  
48950 Speech and other communication  
49061 Definitions, directory information  
49073 Release of directory information  
60048 Commercial brand names, contracts or logos



## Board Policy 1114 (c)

### GOVERNMENT CODE

3307.5 *Publishing identity of public safety officers*

6250-6270 *Public Records Act, especially:*

6254.21 *Publishing addresses and phone numbers of officials*

6254.24 *Definition of public safety official*

54952.2 *Brown Act, definition of meeting*

*UNITED STATES CODE, TITLE 17*

101-1101 *Federal copyright law*

*UNITED STATES CODE, TITLE 20*

1232g *Federal Family Educational Rights and Privacy Act*

*UNITED STATES CODE, TITLE 29*

157 *Employee rights to engage in concerted, protected activity*

794 *Section 503 of the Rehabilitation Act of 1973; accessibility to federal web sites*

*CODE OF FEDERAL REGULATIONS, TITLE 34*

99.1-99.67 *Family Educational Rights and Privacy*

### *COURT DECISIONS*

*Page v. Lexington County School District, (2008, 4th Cir.) 531 F.3d 275*

*Downs v. Los Angeles Unified School District, (2000) 228 F.3d 1003*

*Aaris v. Las Virgenes Unified School District, (1998) 64 Cal.App.4th 1112*

*Perry Education Association v. Perry Local Educators' Association, (1983) 460 U.S. 37*

*Board of Education, Island Trees Union Free School District, et.al. v. Pico, (1982) 457 U.S. 853*

### *NATIONAL LABOR RELATIONS BOARD DECISIONS*

*18-CA-19081 Sears Holdings, December 4, 2009*

### *Management Resources:*

#### *FACEBOOK PUBLICATIONS*

*Facebook for Educators Guide, 2011*

#### *WEB SITES*

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

*California School Public Relations Association: <http://www.calspra.org>*

*Facebook in Education: <http://www.facebook.com/education>*

*Facebook for Educators: <http://facebookforeducators.org>*

*Facebook, privacy resources: <http://www.facebook.com/fbprivacy>*

Adopted:

**WEST SONOMA COUNTY UHSD**  
Sebastopol, California

**Community Relations**

**District-Sponsored and School-Sponsored Social Media**

**Definitions**

Social media means any online platform for collaboration, interaction, and active participation, including, but not limited to, social networking sites such as Facebook, Twitter, YouTube, LinkedIn, or blogs.

An official district social media platform is a site authorized by the Superintendent or designee. Sites that have not been authorized by the Superintendent or designee but that contain content related to the district or comments on district operations, such as a site created by a parent-teacher organization, booster club, or other school-connected organization or a student's or employee's personal site, are not considered official district social media platforms.

*(cf. 1230 - School-Connected Organizations)*  
*(cf. 1260 - Educational Foundations)*

**Authorization for Official District Social Media Platforms**

The Superintendent or designee shall authorize the development of any official district social media platform. Teachers and coaches shall obtain approval from the principal before creating an official classroom or team social media platform.

**Guidelines for Content**

The Superintendent or designee shall ensure that official district social media platforms provide current information regarding district programs, activities, and operations, consistent with the goals and purposes of this policy and regulation. Official district social media platforms shall contain content that is appropriate for all audiences.

*(cf. 0440 - District Technology Plan)*  
*(cf. 0510 - School Accountability Report Card)*  
*(cf. 1100 - Communication with the Public)*  
*(cf. 1112 - Media Relations)*  
*(cf. 1113 - District and School Web Sites)*  
*(cf. 6020 - Parent Involvement)*  
*(cf. 6145.5 - Student Organization and Equal Access)*

The Superintendent or designee shall ensure that copyright laws are not violated in the use of material on official district social media platforms.

*(cf. 4132/4232/4332 - Publication or Creation of Materials)*  
*(cf. 6162.6 - Use of Copyrighted Materials)*

The Superintendent or designee shall ensure that official district social media platforms are regularly monitored. Staff members responsible for monitoring content may remove posts based on viewpoint-neutral considerations, such as lack of relation to the site's purpose or violation of the district's policy, regulation, or content guidelines.

Each official district social media platform shall prominently display:

1. The purpose of the site along with a statement that users are expected to use the site only for those intended purposes.
2. Information on how to use the security settings of the social media platform.
3. A statement that the site is regularly monitored and that any inappropriate post will be promptly removed. Inappropriate posts include those that:
  - a. Are obscene, libelous, or so incite students as to create a clear and present danger of the commission of unlawful acts on school premises, violation of school rules, or substantial disruption of the school's orderly operation
  - b. Are not related to the stated purpose of the site, including, but not limited to, comments of a commercial nature, political activity, and comments that constitute discrimination or harassment

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 1160 - Political Processes)*

*(cf. 1325 - Advertising and Promotion)*

4. Protocols for users, including expectations that users will communicate in a respectful, courteous, and professional manner.
5. A statement that users are personally responsible for the content of their posts and that the district is not responsible for the content of external online platforms.
6. A disclaimer that the views and comments expressed on the site are those of the users and do not necessarily reflect the views of the district.
7. A disclaimer that any user's reference to a specific commercial product or service does not imply endorsement or recommendation of that product or service by the district.
8. The individual(s) to contact regarding violation of district guidelines on the use of official district social media platforms.

District employees who participate in official district social media platforms shall adhere to all applicable district policies and procedures, including, but not limited to, professional standards related to interactions with students.

*(cf. 4040 - Employee Use of Technology)*

*(cf. 4119.21/4219.21/4319.21 - Professional Standards)*

When appropriate, employees using official district social media platforms shall identify themselves by name and district title and include a disclaimer stating that the views and opinions expressed in their post are theirs alone and do not necessarily represent those of the district or school.

All staff shall receive information about appropriate use of the official district social media platforms.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

Adopted:

**WEST SONOMA COUNTY UHSD**  
Sebastopol, California

**WEST SONOMA COUNTY UNION HIGH SCHOOL DISTRICT**

**TO: Board President**  
**FROM: Keller McDonald, Superintendent**  
**DATE: December 11, 2013**  
**ITEM: FIRST READING OF RECOMMENDED REVISIONS TO  
ADMINISTRATIVE REGULATION 6157 PHYSICAL  
EDUCATION WAIVER**

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**Background Information:**

In 2011, the Board approved revisions in Board Policy 6146.1 Graduation Requirements regarding waivers for physical education graduation requirements. Starting with the Class of 2014, a student may waive up to two semesters of physical education graduation requirements by successful participation in interscholastic sports or cheerleading at the junior varsity or varsity level. The policy states that participation in sports or cheerleading during the freshman year cannot be used as part of the waiver process.

**Current Consideration:**

A recent review of the Board Policies and Administrative Regulations found that Administrative Regulation 6157 Physical Education Waiver, approved by the Board in 1995, was not altered when the physical education graduation requirements were changed in 2011. There is no Board Policy 6157 on record to accompany this regulation. Points 1, 2 and 3 of AR 6157 are encompassed by current BP 6146.1. Therefore, these regulations are no longer needed. Point 4 of AR 6157, related to granting independent study credit for participation in activities outside of school that merit physical education credit, is adequately managed through each school's independent study program or District summer school program.

**Recommendations:**

Administration recommends the District eliminate AR 6157 Physical Education Waiver because this matter is addressed in other, more recent, policies and programs. Administration recommends a first reading of the proposed revisions. At the direction of the Board, this matter can be put on a subsequent Board agenda as an action item.

**Attachments:**

Board Policy 6146.1 HIGH SCHOOL GRADUATION REQUIREMENTS  
Administrative Regulations 6157 PHYSICAL EDUCATION WAIVER

Instruction

**HIGH SCHOOL GRADUATION REQUIREMENTS/STANDARDS OF PROFICIENCY**

Students shall receive diplomas of graduation only after completing the Graduation Requirements established by the West Sonoma County Union High School District and the State of California. The prescribed course of study for students in grades 9 through 12 is found in the Curricular Planning Guide of each school.

**Graduation Requirements**

Subject Area	Credit Required
English	40
Mathematics (including Algebra I)	20
Physical Education	20
Life Science	10
Physical Science	10
Practical Art	10
Fine Art	10
World History	10
United States History	10
Freshmen Social Studies	10
American Government	5
Economics	5
Electives	70
Total Required Credits	230

1. A student may earn a maximum of ten (10) credits as a junior and ten (10) credits as a senior for serving as a Teaching Assistant or Office Aide.
2. Work Experience is limited to 20 credits a year for a total of 40 credits as outlined in the Curriculum Planning Guide at each school.
3. Students who complete courses that fulfill graduation requirements in middle school and are moved directly to the next level when they enter high school will still have to earn the number of required credits in that subject area at the high school level.
4. Physical Education Requirement
  - (a) All freshmen must enroll in a class in physical education.
  - (b) All students must earn ten (10) credits of physical education or dance in their sophomore, junior or senior years.

## **Board Policy 6146.1(b)**

- (c) Starting with the Class of 2014, a student may waive up to two semesters of the physical education requirements by successful participation in interscholastic sports or cheerleading at the junior varsity or varsity level. Successful participation in two seasons of interscholastic sport, or successful participation in cheerleading in both the fall and winter sports season in one school year, shall result in waiving one semester of the physical education graduation requirement. Successful participation in a third season of interscholastic sport, or successful participation in cheerleading in two more seasons in a subsequent school year, shall result in waiving a second semester of physical education graduation requirement. When a semester of physical education graduation requirement is waived, five (5) credits of physical education elective shall be recorded on the student's transcript. Participation in sports or cheerleading during the freshman year cannot be used as part of the waiver process.

### **5. College Classes**

- (a) Credits earned in a college or junior college may be counted towards graduation under the following circumstances:
  - (1) Makeup-students may take college courses to make up failed classes and/or missed classes that result in being behind schedule in earning the number of credits required for graduation.
  - (2) Enrichment-students may take college courses beyond graduation requirements in core areas not offered at the school in which they are enrolled.
  - (3) Students may take college courses that meet elective requirements towards graduation
  - (4) Students may take college courses to fulfill ten (10) credits of physical education courses beyond the freshman physical education requirement.
  - (5) Exceptions may be made by the principal or designee to allow students to take college courses to fulfill graduation requirements in the areas of fine arts and vocational education
- (b) When transferring credits, one (1) college unit equals three and one-third (3 1/3) high school credits.

### **Standards of Proficiency**

To receive a high school diploma, students must achieve minimum proficiency in English, reading comprehension, writing and mathematics. The Board of Education shall adopt proficiency standards in these areas and any other areas it deems appropriate. All adopted proficiency standards shall correspond to the standards of the course of study required for graduation.

The Superintendent or designee shall ensure that parents/guardians are properly notified of the district proficiency standards for graduation and will establish procedures for parent/guardian involvement or consultation when a student has not met district standards.

**California High School Exit Examination**

Beginning in the 2005-2006 school year, each student-completing grade 12 shall have successfully passed the California High School Exit Examination (CAHSEE) in language arts and mathematics as a condition of high school graduation.

**Sufficient Progress:**

Students who have not passed the required language arts and/or mathematics portions of the CAHSEE by spring of their junior year, beginning with the 2006-2007 school year, should participate in the district's supplemental CAHSEE preparation program in order to gain the skills necessary for successful passage of the exam. Additional supplemental instructional opportunities shall be developed and available to students who have not successfully passed the exams by the spring of their junior year.

**Allowances for Students with Disabilities:**

Exception for 2005-2006 School Year Only

For the 2005-2006 school year students with disabilities may have the requirement to successfully pass one or both District subject matter competencies waived by the site principal under the guidelines established in SB517 as follows:

- The student with disabilities is on a high school diploma track with an anticipated graduation from high school in 2006, according to the student's Individual Education Plan (IEP) or Section 504 Plan, dated on or before July 1, 2005.
- The student with disabilities has taken the high school exit exam at least twice since the 10<sup>th</sup> grade, including at least once during the student's senior year with the accommodations and/or modifications specified in the student's IEP or Section 504 Plan.
- The student with disabilities participated in remedial or supplemental instruction focused on the high school exit exam either through the student's school, private tutoring or other means.

Exception for January 1, 2007 through December 31, 2007

Students with disabilities who complete all other diploma requirements on or between January 1, 2007 and December 31, 2007 may have the requirement to successfully pass one or both District subject matter competencies waived by the site principal under the guidelines established in SB 267 and Education Code 60852.4 as follows:

- The student with disabilities is on a high school diploma track with an anticipated graduation from high school on or between January 1, 2007 and December 31, 2007, according to the student's Individual Education Plan (IEP) or 504 Plan.
- The student with disabilities has taken the high school exit exam at least twice since the 10<sup>th</sup> grade, including at least once during the student's senior year, with the accommodations and/or modifications specified in the student's IEP or 504 Plan.
- The student with disabilities participated in remedial or supplemental instruction focused on passing the high school exit exam either through the student's school, private tutoring or other means.
- The student with disabilities took the subject matter competency exam (CAHSEE exam) after receiving remedial or supplemental instruction unless the District did not administer the exam again after the instruction was completed.



Ongoing Waiver Option for Students With Disabilities

At the request of a parent or guardian, a school principal shall submit a request for a waiver of the requirement to successfully pass the high school exit examination to the governing board for a student with a disability who has taken the high school exit examination with modifications that alter what the test measures and has received the equivalent of a passing score on one or both subject matter parts of the examination.

The board may waive the requirement to successfully pass one or both subject matter parts of the high school exit examination for a student with a disability if the principal certifies to the board that the student has all of the following:

1. An Individualized Education Program (IEP) or Section 504 Plan in place that requires the accommodations or modifications to be provided to the pupil when taking the high school exit examination.
2. Sufficient high school level coursework either satisfactorily completed or in progress in a high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the high school exit examination.
3. An individual score report for the student showing that the student has received the equivalent of a passing score on the high school exit examination while using a modification that fundamentally alters what the high school exit examination measures as determined by the State Board of Education.

*(cf. 5125 – Student Records)*

*(cf. 5127- Graduation Ceremonies and Activities)*

*(cf. 6164.2 – Guidance Services)*

*Legal Reference:*

EDUCATION CODE

*37252 Summer school instructional programs*

*48430 Continuation education schools and classes*

*48431.6 Academic progress and counseling review program; educational options; career guidance*

*51224 Course of study*

*51225.3 Requirements for graduation*

*51225.4 Course of instruction implementation policy; certification*

*51226 Model curriculum standards*

*51240-51246 Exemptions from requirements*

*51260-51269 Drug educations*

*51400-51442 Diplomas and certificates*

*52508 Diplomas or certificates (adult school)*

*52510 Requirements for eighth grade graduation (adult school)*

*60850(f)(5) Definition of modification*

*60851(c) Waiver of the high school exit examination*

CODE OF REGULATIONS, TITLE 5

*1600-1651 Graduation of pupils from grade 12 and credit toward graduation*

Adopted: February 13, 1992

Revised: 2/11/03; 11/03, 6/04

3/8/06, 12/13/06, 8/25/10, 10/12/11

**WEST SONOMA COUNTY UHSD**

Sebastopol, California

**Instruction**

**~~PHYSICAL EDUCATION WAIVER~~**

- ~~1. A student who completes one year of physical education as a ninth grade student is eligible to waive up to one full year of physical education for participation in an interscholastic athletic team. A waiver of one semester may be granted for a full season of sport.~~
- ~~2. A student may not waive ninth grade physical education by participation in an interscholastic sport.~~
- ~~3. A ninth grade student who participates on an interscholastic athletic team, may not use this participation as the basis of a waiver for the sophomore, junior or senior year with the following exception:  
  
Counselors and administrators, during the 1994-95 school year, gave commitments to ninth grade students that their athletic participation in that grade qualified them for a later waiver. Since this commitment was made, it needs to be honored and waivers are to be granted for these ninth grade students.~~
- ~~4. In addition to a waiver for physical education, the Board has given principals encouragement and authority to grant independent study physical education credit for participation in activities outside of school that merit this credit.~~

Adopted: June 22, 1995  
Revised:

**WEST SONOMA COUNTY UHSD**  
Sebastopol, CA