I. Meeting called to order

II. Establish quorum

III. Salute to the flag

IV. Additions to the Agenda

V. Adoption of the Agenda

VI. Open public forum – Recognition of members of the audience wishing to address an agenda item may do so at this time or at the time the agenda item is heard. After being recognized by the Board president, please identify yourself. A member of the public may at this time make brief comments regarding items not on the agenda, although no action may be taken.

VII. Close public forum

VIII. Approval of the Consent Agenda 5 min.

These items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion, unless a Board member or citizen requests that an item be removed for discussion and separate consideration. In that case the designated item(s) will be considered following approval of the remaining items.

A. Approval of minutes of the Regular meeting of July 9, 2014 (page 1)

B. Approval of minutes of the Special meeting of July 16, 2014 (page 13)

IX. Staff Reports 15 min.

A. Alternative Education, Sanford
B. Educational Services, Johns
C. Business Services, Fitting

X. Superintendent’s Report 10 min.

A. Penn Valley Superintendent Search
B. All Staff Back to School Meeting
C. Superintendents Expense Report

XI. Action Items 30 min.

A. Shall the Nevada County Board of Education accept the 2014-15 45 Day revise based on the State’s adoption of the budget? (page 14)

B. Shall the Nevada County Board of Education approve and authorize submission of application for Declaration of Need for Fully Qualified Educators for the school year 2014-15 so that staffing can be completed with the best possible candidates and we can retain our substitute teachers? (page 16)
C. Shall the Nevada County Board of Education approve the Penn Valley Union Elementary School District Resolution #1415-04 – Authorizing Exemption from 180-Day Separation-From-Service for Reorganization Consultant? (page 20)

D. Superintendent Salary: Shall the Nevada County Board of Education Approve the same 4% increase to the salary of the County Superintendent that was approved for NCSOS Staff in June?

E. Shall the County Board of Education review a monthly expense report from the Superintendent?

XII. Information/Discussion Items 10 min.
A. Budget Review
B. Twin Ridges Home Study Charter School
C. Assignment Monitoring for School Year 2013-14 (page 22)
D. First Reading of Board Policy 5030 Student Wellness (page 23)

XIII. Board Reports 5 min.
A. SARB, Lapiere
B. Legislative, Meeks
C. NCSBA, Michael
D. Charter Liaison, Altieri
E. Individual Board Reports

XIV. Future Agenda Items
A. Treasury report from Nevada County Treasurer and Tax Collector detailing the Portfolio of investments for NCSOS as of June 30, 2014 (correspondence)
B. Confirmation of School Attendance Review Board (SARB) (consent)
C. Public Hearing and Resolution for Sufficiency of Instructional Materials (Public Hearing/Action)
D. Nevada County Academic Tournament Schedule 2014-15 (correspondence)

XV. Correspondence
A. Acronyms List, by School Services of California (page 32)

XVI. Adjournment
Next Meeting Date: September 10, 2014 at 5:00 PM, 112 Nevada City Highway, Nevada City

This agenda was posted at least 72 hours in advance of the meeting at the Nevada County Superintendent of Schools office, 112 Nevada City Highway.

Posted: 8/8/2014 Date

Notice: The agenda packet and supporting materials, including materials distributed less than 72 hours prior to the scheduled meeting, can be viewed at the Nevada County Superintendent of Schools office — reception desk, located at 112 Nevada City Highway, Nevada City, CA. For more information please call 530.478.6400 ext.203.

Notice: In compliance with the Americans with Disabilities Act, if you need special assistance to access the Board meeting room or to otherwise participate at this meeting, including auxiliary aids or services, contact the Nevada County Superintendent of Schools office at 530.478.6400 ext. 203 at least 48 hours before the scheduled Board meeting so that we may make every reasonable effort to accommodate your needs. [G.C. §54953.2, §54954.2(a)(1); Americans with Disabilities Act of 1990, §202 (42 U.S.C. §12132)]
NEVADA COUNTY BOARD OF EDUCATION
Regular Meeting
Wednesday, July 9, 2014
2:00 p.m.
Nevada County Superintendent of Schools
Houser Conference Room
112 Nevada City Highway, Nevada City, CA 95959

MINUTES

I. Meeting called to order by Board President Michael

II. Established quorum
   Trevor Michael       present
   Tracy Lapierre       present
   Marianne Slade-Troutman present
   Jack Meeks           present
   Bob Alfieri          present

III. Salute to the flag

IV. Additions to the Agenda none

V. Adoption of the Agenda
   On a motion by Slade-Troutman and seconded by Lapierre, the Agenda was adopted as presented. Motion passed unanimously

VI. Opened public forum – Recognition of members of the audience wishing to address the Board:
   Don Bessee advised he wishes to address items which are agendized.

VII. Closed public forum

VIII. Approval of the Consent Agenda
   These items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion, unless a Board member or citizen requests that an item be removed for discussion and separate consideration. In that case the designated item(s) will be considered following approval of the remaining items.
   A. Approval of minutes of the Special meeting of June 12, 2014 (page 1)
   B. Approval of minutes of the Regular meeting of June 18, 2014 (page 5)
   C. Approval of Consolidated Application – Spring Release (page 15)
   D. During the third quarter of 2014 April-June, there were no complaints filed to be reported, pursuant to Williams Uniform Complaint Procedures (E.C. 1240(H): Board policy 1010 – Uniform Complaint Procedures) (page 37)
   E. Annual Report of School Visitations by County Superintendent of Schools Pursuant to Education Code 1240 and the Williams Settlement (page 38)
Slade-Troutman requested items A. Minutes of June 12; and B. Minutes of June 18 be removed from consent agenda for further clarification of the Curriculum and Safety positions. June 12, page 4, 4th paragraph, Eddie Garcia’s comment refers to administrators; June 18, page 5, F, 2nd paragraph refers to curriculum director. What is the difference between an administrator and a director? It’s confusing to the public.

Altieri noted that the Curriculum Director has no subordinate staff to supervise; cannot give raises; cannot hire; cannot fire; and has no power over staff. This director is not an administrator.

Supt. Hermansen clarified that the Safety and School Climate Coordinator, and Director of Curriculum are their job titles.

On a motion by Altieri and seconded by Lapierre, the Consent Agenda was adopted as presented. Motion passed unanimously

IX. Staff Reports

A. Alternative Education, Sanford

As Sanford is currently on vacation, Supt. Hermansen reported that summer school program for credit recovery was successful.

B. Educational Services, Johns – currently on vacation.

C. Business Services, Somers

Somers reported the business office is busy closing books preparing for the 45 day revise. At the budget meeting in June, it was mentioned that the budget proposal for maximum reserve levels stated that districts couldn’t carry more than double the mandate reserves; that statute does not apply to COE’s.

In addition, the Dept. of Finance released gap percentages for current year and projections for the next two years on funding levels. Changes were slight in 2014-15; however it is down significantly from projected in 2015-16.

Supt. Hermansen directed Somers to do a variety of things in response to the public request for budget transparency. These requests are taken very seriously. NCSOS Staff will look at other COE’s and districts to see what information they provide to the public.

X. Superintendent’s Report

A. Penn Valley Superintendent Search

NCSOS office is conducting the Supt. search. 5 candidates were interviewed; and the Board decided to repost for additional candidates. As a result 4 new candidates were selected and interviews are July 10th. Stan Miller graciously agreed to help facilitate the interview process as Shar Johns is out. The PVUESD Board has trust in our office and Stan as he has previous experience.

B. Upcoming Events: Scholar Day at the Fair – August 6

The fair appreciates our partnership as it brings in a greater number of families. The process has changed, the fair prints tickets for us in advance; and our office mailed them out. Tickets were also mailed to the Board.

C. Grand Jury Report on Grass Valley School District Facilities (page 41)
Supt. Hermansen summarized the Grand Jury Report noting she is currently writing a formal response which will be shared with the Board when completed.

Our office is in communication with GVSD about the concerns. Supt. Hermansen reminded the Board that quarterly reports are received and we have never received a complaint.

Under the Williams Act, a COE is required to visit schools in deciles 1-4 from a state generated report. Only one school in our county meets this criteria, Ready Springs, of which the Annual Report was included in the consent agenda today. While our office does visit and talk to principals in other districts and schools, we are not required to inspect facilities under the Williams Act. That being said, our office is concerned about any concerns raised and will work with the schools.

Slade-Troutman referenced an Assignment Monitoring letter from July 2, 2013 which was in the July 10, 2013 Board packet that reported on NJUHSD and RSSD. Supt. Hermansen advised that was for Credential monitoring, reporting is on a rolling cycle with school districts; and RSSD is included every year because they are a Williams Act school.

Nancy Pierce referenced the quarterly reports which are approved indicate county programs; and can find no other in depth report.

XI. **Action Items**

A. Shall the Nevada County Board of Education approve the Annual review of Board Policy 2710, Conflict of Interest? *(page 58)*

On a motion by Slade-Troutman and seconded by Lapierre, the Nevada County Board of Education approved the Annual review of Board Policy 2710, Conflict of Interest. Motion passed unanimously.

B. Schedule special Board Meeting for Interdistrict Transfer Appeal July 16

On a motion by Lapierre and seconded by Slade-Troutman, the Nevada County Board of Education scheduled a Special Meeting for Interdistrict Transfer Appeal on July 16th, 2014 at 3:30 PM in the Houser Conference Room. Motion passed unanimously.


Supt. Hermansen noted this is not an action item, there is no action requested. Somers is working closely with TRHS.

Somers summarized that significant fraud issues became apparent after the Business Manager was released from employment due to an inability to perform functions of the job. There was serious misuse of funds.

Somers is working closely with Jaynie Aydin, TRHS Charter Director, to evaluate the extent and determine what the budget actually is. A number of meetings have been held with the Charter Council which Somers attended giving advice and guidance on shoring up practices and procedures. Small schools and businesses could set the stage for fraud, as there is sometimes no separation of duties.

On July 8th, the 2014/15 budget was revised; this plus two subsequent years were approved by TRHS Charter Council; and they will meet their budget. TRHS is being active and proactive in uncovering issues so this doesn’t happen again. They are reviewing internal practices, to protect the Charter and NCSOS.

Dr. Jaynie Aydin, TRHS Charter Director, acknowledged they received a great amount of assistance, in particular from Somers to overhaul the budget and practices. She embraces every chance to get a better hold on finances and practices.
Charter Council member, Gayle Welch was present in the audience.

Accountability is valued at TRHS Charter and they look forward to showing the community, parents, and students' willingness to be transparent. They have a workable budget, as long as enrollment is retained. Aydin pointed out Slade-Troutman mentioning at a prior board meeting the importance of Kindergarteners growing the school. Aydin announced that 30 new enrolled students are kindergarteners.

How long the fraud had been taking place was questioned and how much money. Aydin was unable to state as the investigating is ongoing; however noted the former business manager had been employed for 8 years prior to being released; and stated Somers estimate of tens of thousands of dollars could be correct. By mid-August there may be charges filed and a possible conviction.

Slade-Troutman cited EC1241.5 summarizing that the COE may review and audit the charter anytime during the fiscal year if there is reason to believe fraud; that the COE shall report findings to the governing board of the charter school and provide info to the authority. We must ask questions; be inquisitive; and not rubber stamp.

Aydin explained the first detection that there were issues, they were dealt with and the business manager was released as she was unable to perform her job. Furthermore they discovered they were dealing with forged bank statements; forged signatures; manipulated documents; certain things curtailed; all making it appear as though all was okay.

Nancy Pierce quoted the NCBCE minutes of June 12, 2013 where TRHS Charter didn't apply for deferral waivers; calling attention to errors. Then on June 21, 2013 Supt. Hermansen wrote a letter to TRHS Charter advising they didn't meet criteria for a loan; there was a failure to manage cash flow; and failure to file waiver deferral. It is Pierces opinion that it was evident to her there were red flags.

Don Bessee questioned how many audits took place in the past 8 years. Somers stated audits are done annually by Crowe Horwath. Bessee questioned if they had liability insurance, that there may be action against the auditor.

Michael summarized by stating fraud was identified early May by budgetary stress. Once an indicator was raised; the employee suspected was terminated. A report was filed with law enforcement on June 12, 2014; and contact was established with the COE. Somers became acting business manager. Charges were pressed; and restitution will be attempted. Procedures have been changed, the school reconstituted it's financial stance with the submission of a new budget. The next step of progression of activities will be to complete criminal trials. The COE business office will continue business manager activities for the school for the time being.

Michael asked Somers if there were any other COE responsibilities or mandatory actions. Somers replied, no as long as we continue to monitor.

Jan Collins questioned the competency of the auditors as they have audited the past two years and missed it.

Bessee advised he has a background in auditing and it is incumbent on the COE to bring in new auditors.

Slade-Troutman stated is not a healthy practice to have the same auditor year after year; that it is incumbent on our board to have new auditors; no good ol' boy syndrome. First order of business is to look for new auditor who can do school finance.

Judy Keeler of Nevada City agrees; not expert in accounting; it should take two to three people to write a check.
Michael requested monthly updates.

Slade-Troutman requested discussion item for a new auditor be placed under future business.

Somers explained that audit firms in California have an audit guide 1,200 pages long with transactions most firms are reluctant to take on as it is onerous and burdensome. Our office went through a Request for Proposal (RFP) process; the RFP went out to all auditor firms in California. During this public process, only 3 firms submitted bids; one firm was under review; one firm had only 6 individuals to handle the COE and all the districts; the third was Crowe-Horwath.

D. Public Records Request - Superintendent Expense Reports (page 65)

Supt. Hermansen presented this to the Board in case there were questions.

Slade-Troutman quoted the following Government Codes: GC 6250-6270 the Public Records Act; GC 6252.5 defining a member of the public; GC 6253 Public Records open to inspection at all times during office hours... GC 6253 (3) need for consultation by agency having substantial interest. This was not unreasonable to ask. The records need to be accessible; it's important to do as we are supposed to be doing and pay attention to the budget.

Slade-Troutman read into record the responses from Supt. Hermansen confirming receipt of the public records request and the status. The records provided will take a while to review. We are here for the children, not afraid to hurt feelings, making sure they do business they were elected to do.

Altieri responded that in March 2014, prior to the meeting he had requested Somers to look at the travel and conferences budgets and provide the amount budgeted and amount spent. These numbers represent the total budget for NCSOS.

- In 2011/12 the Budget was $115K; the actual spent was $92K.
- In 2012/13 the Budget was $119K; the actual spent was $88K.
- In 2013/14 the budget was $120K; the actual spent (to March) was $49K.

Altieri further stated when the Board voted on monthly reports on the Superintendents expense report, he voted no. It's not the Board's responsibility to micromanage; it's the Board's responsibility to oversee the budget. In this case, so much was not spent, it wasn't necessary to spend staff time. It wasn't appropriate unless there was a specific reason that there was something going on. Altieri's opinion is that we are on a witch hunt.

Jan Collins disagrees, it is her opinion that the Board was elected to micromanage; that they are elected to look at the details that no one else is.

RJ Guess, Muir Chief Executive Officer questioned if the Budget Committee met regularly once a month, were the meetings posted publicly. Slade-Troutman advised no, that the Board asked Meeks and Slade-Troutman to meet monthly with the Supt. and Business Manager to discuss any issues they would have and Slade-Troutman would write a report. RJ asked that they pay close attention to the regularly scheduled meetings by the Budget Committee with the Supt. and the Business Manager as the public could want access and asked if it constituted a circular meeting. Slade-Troutman replied no, and further stated that the Budget Committee no longer meets.

Nancy Pierce noted that the few released by Supt. Hermansen had as few as 5 to 7 entries. Shouldn't be much staff time, and contributes to the transparency showing that Supt. Hermansen is operating in an appropriate manor.
On a motion by Jack Meeks, whereas our Superintendent for the last 5 years has attended two or more every month to discuss monumental issues of education which may concern this board. To receive timely reports in writing of the name, place, dates and issues and topics and conclusions of each future convention, conference, retreat and Brown Act controlled meeting attended by the Superintendent and deputy administrators for each member of this board, whether or not they care so that we board members can better earn our $175 per month pay.

Slade-Troutman stated the Auditors who audit give lump sums; we don't know where the money is going. We need to know. Supt. Hermansen is elected, this is not personal. In past years, they have worked with the Superintendents and had reports. It is unusual for a board member to ask as a public record request.

Slade-Troutman seconded the motion.

Meeks reiterated the motion is not about financial reports, just educational issues, what did they discuss, what did they decide. Meeks wants is in writing, we are members of the board and doing our duty. All conventions and conferences on weekends never produced a report, not a word; something has been going on these weekends.

Lapiere questioned if this had ever been done at NCSOS. Has every Superintendent been expected to write a report of dates, times, places on conferences and meetings?

Slade-Troutman responded, yes, every Superintendent prior to Supt. Hermansen gave anything they have asked for and more. Being President for years, the Supt. would have the Board sign off on the expense report. Not talking about the money; if the Supt. goes to a meeting, it is her responsibility to report out.

Lapiere clarified she was not questioning the expense report; she questioned the motion; was any prior Supt. required to give this type of report and if so, where are the reports prior to Supt. Hermansen.

Altieri noted Supt. Hermansen covers this during her Superintendents Report. Furthermore, if any board member wanted to know what transpired, they could put in a call to Supt. Hermansen. Many of these meetings are at a totally different level; they communicate issues facing budgeting concerns, common core, LCFF.

Jan Collins noted this is not an attack on Supt. Hermansen. It's a moral obligation of an elected official to provide accurate and clear information on transactions; and should not have to be asked to do so.

Motion failed (2-3) (Ayes – Meeks and Slade-Troutman; Nays – Altieri, Lapiere and Michael).

XII. Information/Discussion Items

A. Budget Review
   1. NCSOS Program Budget Review (page 66)
      Michael advised these are the yearend summaries of the NCSOS programs. No questions, no discussion.

B. FY2013-14 Annual Report to the Board of Temporary County Certificates (page 69)

XIII. Board Reports

A. SARB, Lapiere
Lapierre mentioned The Union's article of July 7, 2014 where SARB fined parents for child's unexcused absences.

Jan Collins stated it was disgusting. Collins commended Sandoval in attempting to resolve issues between parents. Parents tried further to address issues and this is what they get.

Debby Sandoval noted there were a couple of sections that needed corrections; which The Union corrected in the online version. One correction noted that it was the SARB Board, not the School Board.

B. Legislative, Meeks – Legislature is on vacation

C. NCSBA, Michael – no report

D. Charter Liaison, Altieri – no report

E. Individual Board Reports
   Slade-Troutman reported that she attended the 4th of July parade in Nevada City; her son owns 2 military trucks and during the parade the battery went dead in one of them; the truck stalled and the people helped to get it going again. Nice community we live in.

XIV. Future Agenda Items

A. Assignment Monitoring for School Year 2013-14

XV. Correspondence

A. Fiscal Reports (page 71)

XVI. Adjournment

Next Meeting Dates:
July 16, 2014 @ 3:30 PM, Special Meeting, 112 Nevada City Hwy, Nevada City
August 13, 2014 @ 2:00 PM, Regular Meeting, 112 Nevada City Highway, Nevada City
May 16, 2014

Nevada County Superintendent of Schools
112 Nevada City Highway
Nevada City, CA 95959

Re: California Public Records Request

Ladies and Gentlemen:

Pursuant to rights granted to members of the public under California Public Records Act (Cal. Govt. Code Section 6250, et seq. and hereinafter referred to as the “Act”), I respectfully ask to obtain a copy of the following documents which I understand to be held by the Nevada County Superintendent of Schools (“Agency”):

All “writings,” as that term is defined by Cal. Govt. Code Section 6252(g), in connection with the credit card associated with the expense account of Holly Hermansen, specifically credit card account number ending in 8100.

I request that a determination of whether copies with be provided pursuant to this request be made within 10 days of the date of this letter, and an even more prompt reply if you can make that determination without having to review the records in question.

If you determine that any or all of the information qualifies for an exemption from disclosure, I ask you to note whether, as is normally the case under the Act, the exemption is discretionary, and if so, whether it necessary in this case to exercise your discretion to withhold the information.

If you determine that some, but not all, of the information is exempt from disclosure and that you intend to withhold it, I ask that you redact it for the time being and make the rest available as requested.

In any event, please provide a signed notification citing legal authorities upon which you rely if you determine that any or all of the information is exempt and will not be disclosed.

If I can provide any clarification that will help expedite your attention to our
request, please contact me at 530-478-9944. I ask that you notify us of any duplication costs exceeding $100 before you duplicate the records so that I may decide which records I wish to copy. If at all possible, please provide electronic information on CD or DVD.

Sincerely,

Marianne Slade-Troutman

PUBLIC RECORD

JUL - 9 2014

NEVADA COUNTY BOARD OF EDUCATION

PART OF MURALS
6250. In enacting this chapter, the Legislature, mindful of the right of individuals to privacy, finds and declares that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state.

6251. This chapter shall be known and may be cited as the California Public Records Act.

6252. As used in this chapter:
   (a) "Local agency" includes a county; city, whether general law or chartered; city and county; school district; municipal corporation; district; political subdivision; or any board, commission or agency thereof; other local public agency; or entities that are legislative bodies of a local agency pursuant to subdivisions (c) and (d) of Section 54952.
   (b) "Member of the public" means any person, except a member, agent, officer, or employee of a federal, state, or local agency acting within the scope of his or her membership, agency, office, or employment.
   (c) "Person" includes any natural person, corporation, partnership, limited liability company, firm, or association.
   (d) "Public agency" means any state or local agency.
   (e) "Public records" includes any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. "Public records" in the custody of, or maintained by, the Governor's office means any writing prepared on or after January 6, 1975.
   (f) "State agency" means every state office, officer, department, division, bureau, board, and commission or other state body or agency, except those agencies provided for in Article IV (except Section 20 thereof) or Article VI of the California Constitution.
   (g) "Writing" means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.

6252.5 Notwithstanding the definition of "member of the public" in Section 6252, an elected member or officer of any state or local agency is entitled to access to public records of that agency on the same basis as any other person. Nothing in this section shall limit the ability of elected members or officers to access public records permitted by law in the administration of their duties.
   This section does not constitute a change in, but is declaratory of, existing law.
Notwithstanding paragraph (2) of subdivision (a) of Section 6257 of the Welfare and Institutions Code, after the death of a foster child who is a minor, the name, date of birth, and date of death of the child shall be subject to disclosure by the county child welfare agency pursuant to this chapter.

6252.7. Notwithstanding Section 6252.5 or any other provision of law, when the members of a legislative body of a local agency are authorized to access a writing of the body or of the agency as permitted by law in the administration of their duties, the local agency, as defined in Section 54951, shall not discriminate between or among any of those members as to which writing or portion thereof is made available or when it is made available.

6253. (a) Public records are open to inspection at all times during the office hours of the state or local agency and every person has a right to inspect any public record, except as hereafter provided. Any reasonably segregable portion of a record shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law.

(b) Except with respect to public records exempt from disclosure by express provisions of law, each state or local agency, upon a request for a copy of records that reasonably describes an identifiable record or records, shall make the records promptly available to any person upon payment of fees covering direct costs of duplication, or a statutory fee if applicable. Upon request, an exact copy shall be provided unless impracticable to do so.

(c) Each agency, upon a request for a copy of records, shall, within 10 days from receipt of the request, determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and shall promptly notify the person making the request of the determination and the reasons therefor. In unusual circumstances, the time limit prescribed in this section may be extended by written notice by the head of the agency or his or her designee to the person making the request, setting forth the reasons for the extension and the date on which a determination is expected to be dispatched. No notice shall specify a date that would result in an extension for more than 14 days. When the agency dispatches the determination, and if the agency determines that the request seeks disclosable public records, the agency shall state the estimated date and time when the records will be made available. As used in this section, "unusual circumstances" means the following, but only to the extent reasonably necessary to the proper processing of the particular request:

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request.

2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request.

3. The need for consultation, which shall be conducted with all practicable speed, with another agency having substantial interest in the determination of the request or among two or more components of the agency having substantial subject matter interest therein.

4. The need to compile data, to write programming language or a computer program, or to construct a computer report to extract data.

(d) Nothing in this chapter shall be construed to permit an agency
to delay or obstruct the inspection or copying of public records. The notification of denial of any request for records required by Section 6255 shall set forth the names and titles or positions of each person responsible for the denial.

(e) Except as otherwise prohibited by law, a state or local agency may adopt requirements for itself that allow for faster, more efficient, or greater access to records than prescribed by the minimum standards set forth in this chapter.

6253.1. (a) When a member of the public requests to inspect a public record or obtain a copy of a public record, the public agency, in order to assist the member of the public make a focused and effective request that reasonably describes an identifiable record or records, shall do all of the following, to the extent reasonable under the circumstances:

(1) Assist the member of the public to identify records and information that are responsive to the request or to the purpose of the request, if stated.

(2) Describe the information technology and physical location in which the records exist.

(3) Provide suggestions for overcoming any practical basis for denying access to the records or information sought.

(b) The requirements of paragraph (1) of subdivision (a) shall be deemed to have been satisfied if the public agency is unable to identify the requested information after making a reasonable effort to elicit additional clarifying information from the requester that will help identify the record or records.

(c) The requirements of subdivision (a) are in addition to any action required of a public agency by Section 6253.

(d) This section shall not apply to a request for public records if any of the following applies:

(1) The public agency makes available the requested records pursuant to Section 6253.

(2) The public agency determines that the request should be denied and bases that determination solely on an exemption listed in Section 6254.

(3) The public agency makes available an index of its records.

6253.2. (a) Notwithstanding any other provision of this chapter to the contrary, information regarding persons paid by the state to provide in-home supportive services pursuant to Article 7 (commencing with Section 12300) of Chapter 3 of Part 3 of Division 9 of the Welfare and Institutions Code, or services provided pursuant to Section 14132.95, 14132.952, or 14132.956 of the Welfare and Institutions Code, is not subject to public disclosure pursuant to this chapter, except as provided in subdivision (b).

(b) Copies of names, addresses, and telephone numbers of persons described in subdivision (a) shall be made available, upon request, to an exclusive bargaining agent and to any labor organization seeking representation rights pursuant to Section 12301.6 or 12302.25 of the Welfare and Institutions Code or the In-Home Supportive Services Employer-Employee Relations Act (Title 23 (commencing with Section 110000)). This information shall not be used by the receiving entity for any purpose other than the employee organizing, representation, and assistance activities of the labor organization.

(c) This section applies solely to individuals who provide services under the In-Home Supportive Services Program (Article 7 (commencing with Section 12300) of Chapter 3 of Part 3 of Division 9 of the Welfare and Institutions Code), the Personal Care Services
NEVADA COUNTY BOARD OF EDUCATION
SPECIAL Meeting
Wednesday, July 16, 2014
3:30 p.m.
Nevada County Superintendent of Schools
Houser Conference Room
112 Nevada City Highway, Nevada City, CA 95959

MINUTES

I. Meeting called to order

II. Establish quorum
   Trevor Michael present
   Tracy Lapierre present
   Marianne Slade-Troutman present
   Jack Meeks present
   Bob Altieri present

III. Salute to the flag

IV. Additions to the Agenda – none.

V. Adoption of the Agenda
   On a motion by Lapierre and seconded by Slade-Troutman, the Agenda was adopted as presented. Motion passed unanimously.

VI. Opened public forum – Recognition of members of the audience wishing to address the Board:
   Slade-Troutman questioned if we have married spouses on one board and one on the other board that is hearing the complaint, is it okay or is it a conflict? Not a conflict per Supt. Hermansen; Supt. Fredrickson said he would have to check with legal counsel to know for sure, but he didn’t think it was a conflict.

VII. Closed public forum

VIII. Interdistrict Transfer Appeal - packet under separate cover
   A. Opened closed hearing for appeal of Interdistrict transfer
   B. CLOSED SESSION of the Board for deliberation
   C. Announcement from CLOSED SESSION

   The Board reconvened into open session. Board President Michael announced that the following action was taken in closed session:

   On a motion by Slade-Troutman and seconded by Lapierre, the Nevada County Board of Education voted to uphold the parents request to attend Union Hill School. On a roll call vote, the motion passed (3 – 0 – 2) (Ayes – Altieri, Lapierre and Slade-Troutman; Nays – 0; Abstain – Meeks and Michael).

IX. Adjournment
   Next Meeting Date: August 13, 2014, 112 Nevada City Highway, Nevada City

Approved: ___________________________ Date: August 13, 2014
   Trevor Michael, President

7/16/14 Board Minutes

Page 1 of 1
AGENDA ITEM

To: Nevada County Board of Education

From: Donna Somers

RE: 45 Day Revise, 2014/15 Budget

Date: August 13, 2014

Each year within 45 days of the adoption of the State Budget, we are required by Education Code 42127 section I 4 to publicly report any changes to NCSOS’s Approved Budget as a result of the State’s Budget Adoption. The actual changes to NCSOS’s Budget will be reflected in the First Interim report.

The changes to our budget are relatively insignificant because many of the budget items were as projected in the Governor’s May revise. As I mentioned at budget adoption, we are fully funded under LCFF and we will receive little or no new money for the balance of the LCFF implementation, or until 2021.

Also, as reported at budget adoption, the Governor’s May revise included a provision to pay off all deferrals. In final negotiations, the legislature voted differently. While most of the deferrals were bought out, approximately $1B or 50% of the June to July deferral still exists.

The legislature elected to allocate $250M of the $1B to allocate additional gap funding. In addition, $400M was allocated in the adopted budget for Mandate Buy downs, $250M for a second round of Career Pathways grants and $155M in additional State Preschool funding.

For NCSOS, the gap funding does not increase our revenue because as mentioned previously we are fully funded under LCFF. We will receive additional Mandate buy downs of $2-3K and additional preschool funds of approximately $5K.

One of the more surprising policy decisions made in the enacted budget that has no current financial impact is the Reserve Minimum policy. It has two components, one a disclosure component of identifying any reserves held above the statutory minimum. In addition, a statement that substantiates the need for the reserve is required. All LEAs, including COEs must comply with this requirement. In Nevada County, all of our districts identify additional reserves in their reports and we review them for reasonableness.
The second component of the minimum reserves is much more impactful. In general, it sets maximum reserves for Districts at two times their statutory minimum. This provision does not apply to COEs.

Several conditions must exist to trigger the maximum reserves allowed:
- Voters must pass Prop 44 in November 2014. This creates the “Rainy Day Reserve” to help stabilize school funding
- All Prop 98 maintenance factor outstanding must be repaid - $6.6B
- Capital gains taxes must exceed 8% of state general fund revenues
- Prop 98 must be under a test one year – where Education Funding is roughly 41% of the State general fund
- Prop 98 must not be suspended

If all of the conditions above are met, districts will be prohibited from maintaining more than twice the statutory minimum reserve level in the subsequent year. In the case of most of our districts this would be 6-8%.

It is projected that if Prop 44 passes, these conditions may not exist for a few years. There is much conversation in and around the capitol that the language may be revisited and we may see a change prior to any implementation.

As mentioned above, these fiscal changes will be incorporated into our first interim budget revision, so no revision is proposed at this time.

Recommendation

Accept the Report
Memorandum

TO: President Trevor Michael and Nevada County Board of Education Members
FROM: Regina Reno, Human Resources Manager
BOARD MEETING DATE: August 13, 2014
DATE PREPARED: August 5, 2014
AGENDA: Action Item
TITLE: Declaration of Need for Fully Qualified Educators for 2013/2014

RECOMMENDED MOTION: Approve and authorize submission of application for Declaration of Need for Fully Qualified Educators for school year 2014/2015 so that staffing is achieved with the best possible candidates, in addition to retaining our substitute teachers.

BACKGROUND:

Each year, we try to maintain and hire highly skilled, fully qualified educators. Sometimes we are faced with vacancies resulting in a shortage of fully qualified educators to fill these positions. For this reason, the Commission on Teacher Credentialing (CTC) requires that we as a District, have a Declaration of Need for Fully Qualified Educators filed each year we anticipate employing teachers; including substitutes, who are not fully credentialed for their assignment but are eligible to obtain an authorization through an emergency type permit, allowing them to teach while completing the requirements of a fully qualified educator.

Currently, we do not have any educators employed on emergency permits, with the exception of substitute teachers. However, there are three areas of need that we anticipate hiring on an emergency type permit in the near future; all are hard-to-fill, high incident areas in special education assignments in Deaf and Hard of Hearing, Orthopedic Impairment, and a Reading Specialist. With this Declaration, we will be able to obtain the necessary authorization from the CTC, such as a Special Education Limited Assignment Permit, that will allow the educator to teach in these assignments.

A Declaration of Need for Fully Qualified Educators must be authorized at a public meeting by the Nevada County Board of Education in order to submit our application to the CTC. The Declaration of Need for Fully Qualified Educators represents a statement of anticipated needs for the 2014/2015 school year (including summer extended year). This Declaration shall remain in force until June 30, 2015.

IMPACT:
The Declaration will allow all positions to be staffed with the best possible educators. There is no fiscal impact.
DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS

☒ Original Declaration of Need for year: 2014/2015
☐ Revised Declaration of Need for year: __________

FOR SERVICE IN A SCHOOL DISTRICT

Name of District: ___________________________ District CDS Code: __________
Name of County: ___________________________ County CDS Code: __________

By submitting this annual declaration, the district is certifying the following:

- A diligent search, as defined below, to recruit a fully prepared teacher for the assignment(s) was made
- If a suitable fully prepared teacher is not available to the school district, the district will make a reasonable effort to recruit based on the priority stated below

The governing board of the school district specified above adopted a declaration at a regularly scheduled public meeting held on __/__/____ certifying that there is an insufficient number of certificated persons who meet the district’s specified employment criteria for the position(s) listed on the attached form. The attached form was part of the agenda, and the declaration did NOT appear as part of a consent calendar.

► Enclose a copy of the board agenda item

With my signature below, I verify that the item was acted upon favorably by the board. The declaration shall remain in force until June 30, __________.

Submitted by (Superintendent, Board Secretary, or Designee):

<table>
<thead>
<tr>
<th>Name</th>
<th>Signature</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fax Number</th>
<th>Telephone Number</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mailing Address</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Email Address</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

FOR SERVICE IN A COUNTY OFFICE OF EDUCATION, STATE AGENCY OR NONPUBLIC SCHOOL OR AGENCY

Name of County Nevada County Superintendent of Schools County CDS Code 29-10298

Name of State Agency ___________________________

Name of NPS/NPA ___________________________ County of Location ___________________________

The Superintendent of the County Office of Education or the Director of the State Agency or the Director of the NPS/NPA specified above adopted a declaration on 08/13/14, at least 72 hours following his or her public announcement that such a declaration would be made, certifying that there is an insufficient number of certificated persons who meet the county’s, agency’s or school’s specified employment criteria for the position(s) listed on the attached form.

The declaration shall remain in force until June 30, 2015.

► Enclose a copy of the public announcement
This declaration must be on file with the Commission on Teacher Credentialing before any emergency permits will be issued for service with the employing agency.

**AREAS OF ANTICIPATED NEED FOR FULLY QUALIFIED EDUCATORS**

Based on the previous year's actual needs and projections of enrollment, please indicate the number of emergency permits the employing agency estimates it will need in each of the identified areas during the valid period of this Declaration of Need for Fully Qualified Educators. This declaration shall be valid only for the type(s) and subject(s) identified below.

This declaration must be revised by the employing agency when the total number of emergency permits applied for exceeds the estimate by ten percent. Board approval is required for a revision.

- [ ] CLAD/English Learner Authorization (applicant already holds teaching credential)
- [ ] Bilingual Authorization (applicant already holds teaching credential)
  
  List target language(s) for bilingual authorization:

- [ ] Resource Specialist
- [ ] Teacher Librarian Services
- [ ] Visiting Faculty Permit

**LIMITED ASSIGNMENT PERMITS**

Limited Assignment Permits may only be issued to applicants holding a valid California teaching credential based on a baccalaureate degree and a professional preparation program including student teaching.

Based on the previous year's actual needs and projections of enrollment, please indicate the number of Limited Assignment Permits the employing agency estimates it will need in the following areas:

<table>
<thead>
<tr>
<th>TYPE OF LIMITED ASSIGNMENT PERMIT</th>
<th>ESTIMATED NUMBER NEEDED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multiple Subject</td>
<td></td>
</tr>
<tr>
<td>Single Subject</td>
<td></td>
</tr>
<tr>
<td>Special Education</td>
<td>2</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
</tr>
</tbody>
</table>
EFFORTS TO RECRUIT CERTIFIED PERSONNEL
The employing agency declares that it has implemented in policy and practices a process for conducting a diligent search that includes, but is not limited to, distributing job announcements, contacting college and university placement centers, advertising in local newspapers, exploring incentives included in the Teaching as a Priority Block Grant (refer to www.cde.ca.gov for details), participating in state and regional recruitment centers and participating in job fairs in California.

If a suitable fully prepared teacher is not available to the school district, the district made reasonable efforts to recruit an individual for the assignment, in the following order:

- A candidate who qualifies and agrees to participate in an approved intern program in the region of the school district
- An individual who is scheduled to complete initial preparation requirements within six months

EFFORTS TO CERTIFY, ASSIGN, AND DEVELOP FULLY QUALIFIED PERSONNEL

Has your agency established a District Intern program? □ Yes □ No
If no, explain.

Does your agency participate in a Commission-approved college or university intern program? □ Yes □ No
If yes, how many interns do you expect to have this year?
If yes, list each college or university with which you participate in an intern program.

If no, explain why you do not participate in an intern program.
BEFORE THE GOVERNING BOARD
OF THE
PENN VALLEY UNION ELEMENTARY SCHOOL DISTRICT
NEVADA COUNTY, CALIFORNIA

RESOLUTION Authorizing ) RESOLUTION #1415-04
Exemption from 180-Day
Separation-From-Service
For Reorganization Consultant

WHEREAS, this resolution is enacted and adopted pursuant to California
Education Code Section 24214.5(b) for the purpose of expressing the Penn Valley
Union Elementary School District Governing Board’s intent to seek an exemption of
a retired State Teacher’s Retirement System “STRS” member; namely, Debra
Sandoval, from post retirement compensation limits during the first 180 days after
her retirement.

Be it Further Resolved, that the Board hereby makes the following findings:

1. Nature of Employment:

Reorganization Consultant

2. Critical Need

- The District has recently (2014-15) reorganized by consolidating the
  Pleasant Valley ESD and Ready Springs UESD Districts;

- Such reorganization has given rise to special District fiscal, logistical,
  planning, articulation, coordination, employment and organizational
  needs;

- The District is currently addressing other major transition issues,
  including the employment of a new business manager, development of its
  local control accountability plan, implementation of its common core
  curriculum and post reorganization union negotiations, among other post
  reorganization matters;

- Such current requirements have created a critical District need for
  transitional reorganization support over the next six months;
• Due to her long term leadership and experience as former superintendent of both the Ready Springs and Pleasant Valley School Districts, Debra Sandoval is uniquely qualified to assist the District in meeting its current transitional and reorganizational support needs.

3. Debra Sandoval is not ineligible due to Education Code Section 24214.5(d) in that she has received no additional service credits nor a District financial inducement to retire.

4. Termination of Debra Sandoval’s employment with the District is not the basis for the need to acquire her services.

5. This Resolution has been adopted at a regular Governing Board meeting after having been placed on the Board’s non-consent calendar.

IT IS FURTHER RESOLVED, That this resolution be presented to the Nevada County Superintendent of Schools pursuant to Education Code Section 24214.5(c) for submittal of this Resolution and any and all documentation necessary to STRS for the purpose of an Education Code Section 24214.5(b) exemption for Debra Sandoval allowing her to serve as a District Reorganization Consultant.

THEREFORE, BE IT RESOLVED, That the Board of Trustees of the Penn Valley Union Elementary School District approve the resolution authorizing exemption from 180-Day Separation-From-Service Requirement for Reorganization Consultant.

PASSED AND ADOPTED by the Governing Board of the Penn Valley Elementary Union Elementary School District this 12th day of August 2014, by the following vote:

AYES:
NAYS:
ABSENT:
ABSTAIN:

Carolyn Bronson, President
Nicole Van Vacas Gagnon

Rob Moen
Debra Worth

Tina Skrukrud
Memorandum

TO: President Trevor Michael and Nevada County Board of Education Members
FROM: Regina Reno, Human Resources Manager

BOARD MEETING DATE: August 13, 2014
DATE PREPARED: August 5, 2014
AGENDA: Informational Item
TITLE: Assignment Monitoring for School Year 2013/2014
RECOMMENDED MOTION: None

Background:

Education Code 44258.9 requires the County Superintendent of Schools be responsible for the monitoring of certificated employee assignments to ensure a low rate of misassignments and report the findings of one-fourth of our school districts on an annual basis, with all schools having been reported within a four year cycle to the State of California Commission on Teacher Credentialing (CTC).

The four-year cycle commenced 2011/12 and concludes 2014/15. We just finished the third year of the monitoring cycle. The schools monitored for the 2013/14 school year were Clear Creek Elementary, Chicago Park Elementary, Nevada County Superintendent of Schools, Bitney College Preparatory High School, Forest Charter School, Nevada City School of the Arts, Sierra Montessori Academy, Twin Ridges Home Study Charter, and Yuba River Charter School for quarterly monitoring and Ready Springs Union Elementary School District for Williams monitoring.

The Assignment Monitoring process is a collaborative one. The districts provide us with: master schedules, names of teachers, the credential(s) they hold, their teaching assignment(s), if they taught English Learner students, Special Education classrooms disability level (mild/moderate or moderate/severe and primary disability), and if there were any teacher vacancies for the first 20 days of school. We then review the information, ask clarifying questions to the district, and then summarize and discuss our findings. When possible, we prefer to complete our audit in person at each district.

Out of 115 certificated personnel that we monitored there were many assignments that were identified as meeting the requirements for a local assignment option but lacked the proper documentation. The majority of these assignments were identified in the charter school(s). The charter school(s) will prepare the proper documentation for future similar assignments so that they will be compliant. Our reporting to the CTC will identify eleven (11) misassignments. However, all of the misassignments were easily corrected, as school has ended and the persons no longer work in the assignment. Additionally, we discussed with the district that should these educators receive a similar assignment for next school year, it is likely they could qualify under a local assignment option based on their skills and experience.

As we move into another year of monitoring, we will continue to support the districts in meeting with them in advance so they can prepare and ask questions about the process to afford them with every opportunity to meet the standards set forth by the State. We look forward to working with our districts to ensure that they continue to meet the high standards our community expects in placing highly qualified teachers in our classrooms.
STUDENTS

Student Wellness

The Nevada County Board of Education recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for County Office of Education students. The County Superintendent or designee shall coordinate and align county efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a safe and healthy school environment. In addition, the County Superintendent or designee shall develop strategies for promoting staff wellness and for involving parents/guardians and the community in reinforcing students' understanding and appreciation of the importance of a healthy lifestyle.

(cf. 1020 - Youth Services)
(cf. 3513.3 - Tobacco-Free Schools)
(cf. 3514 - Environmental Safety)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.61 - Drug Testing)
(cf. 5131.62 - Tobacco)
(cf. 5131.63 - Steroids)
(cf. 5141 - Health Care and Emergencies)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.3 - Health Examinations)
(cf. 5141.31 - Immunizations)
(cf. 5141.32 - Health Screening for School Entry)
(cf. 5141.6 - School Health Services)
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Education)
(cf. 6164.2 - Guidance/Counseling Services)

I. School Health Advisory Council

The County Superintendent or designee shall encourage parents/guardians, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, and members of the public to participate in the development, implementation, and periodic review and update of the County Office’s student wellness policy. (42 USC 1758b)

To fulfill this requirement, the County Superintendent or designee may appoint a School Health Advisory Council whose membership shall include representatives of these groups. He/she also may invite participation of other groups or individuals, such as health educators, school nurses, curriculum directors, counselors, before-and after-school program staff, health practitioners, community organizations, businesses, and/or others interested in school health issues.

(cf. 1220 - Citizen Advisory Committees)
(cf. 9140 - Board Representatives)

The School Health Advisory Council shall provide resources and support to districts on health-related issues, activities, policies, and programs. At the discretion of the County Superintendent or designee, the duties of the council may also include the planning, implementation, and evaluation of activities to promote health within the school or community.
II. Goals for Nutrition, Physical Activity, and Other Wellness Activities

The Board shall adopt goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. (42 USC 1758b)

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)

The County Office’s nutrition education and physical education programs shall be based on research, shall be consistent with the expectations established in the state’s curriculum frameworks and content standards, and shall be designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

(cf. 6011 - Academic Standards)
(cf. 6142.7 - Physical Education and Activity)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6143 - Courses of Study)

NUTRITION EDUCATION
The nutrition education program shall include, but is not limited to, information about the benefits of healthy eating for learning, disease prevention, weight management, and oral health. Nutrition education shall be provided as part of the health education program and, as appropriate, shall be integrated into other academic subjects in the regular educational program, before- and after-school programs, summer learning programs, and school garden programs.

The Board encourages teachers to provide age-appropriate, skill-building nutrition education based on CDE Nutrition and Physical Activity Health Standards that is focused on behavior change at all grade levels.

The Board further encourages teachers and administrative staff to link classroom nutrition education to the overall school community through school gardens, after school programs, cafeteria-based nutrition education, and/or parent/community outreach.

(cf. 5148.2 - Before/After School Programs)
(cf. 6177 - Summer Learning Programs)

To reinforce the County Office’s nutrition education program, the Board prohibits the marketing and advertising of non-nutritious foods and beverages through signage, vending machine fronts, logos, scoreboards, school supplies, advertisements in school publications, coupon or incentive programs, free give-aways, or other means.

(cf. 1325 - Advertising and Promotion)

PHYSICAL ACTIVITY
All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education and may also be provided through school athletic programs, extracurricular programs, before- and after-school programs, summer learning programs, programs encouraging students to walk or bicycle to and from school, in-class physical activity breaks, and other structured and unstructured activities.

Additionally, recess shall not be removed as punishment.
JOINT USE AGREEMENTS
The Board may enter into a joint use agreement or memorandum of understanding to make facilities or grounds available for recreational or sports activities outside the school day and/or to use community facilities to expand students' access to opportunity for physical activity.

PROFESSIONAL DEVELOPMENT FOR STAFF
Professional development shall be regularly offered to health education and physical education teachers, coaches, activity supervisors, food services staff, and other staff as appropriate to enhance their health knowledge and skills.

DISSEMINATION OF INFORMATION
The County Superintendent or designee shall disseminate health information and/or the County Office's student wellness policy to parents/guardians, teachers, and staff. This can be accomplished via school newsletters, handouts, parent/guardian meetings, social media, school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.

ACCESS TO COMPREHENSIVE HEALTH SERVICES
In order to ensure that students have access to comprehensive health services, the County Office's schools may provide access to health services at or near County Office schools and/or may provide referrals to community resources.

BULLYING
The Board recognizes that a safe, positive school environment is also conducive to students' physical and mental health and thus prohibits bullying and harassment of all students, including bullying on the basis of weight or health condition.

STAFF AS ROLE MODELS
The County Superintendent or designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. He/she shall promote work-site wellness programs and may provide opportunities for regular physical activity among employees.
III. Nutrition Guidelines for Foods Available at School

For all foods available on each campus during the school day, the County Office shall adopt nutritional guidelines which are consistent with 42 USC 1773 and 1779 and federal regulations and which support the objectives of promoting student health and reducing childhood obesity. (42 USC 1758b) Additionally, foods and beverages provided through student stores, vending machines, or other venues shall meet or exceed state and federal nutritional standards.

(cf. 3312 - Contracts)
(cf. 3554 - Other Food Sales)

PARTICIPATION IN FEDERAL NUTRITION PROGRAMS

In order to maximize the ability to provide nutritious meals and snacks, all County Office schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs and after-school snack programs, to the extent possible. When approved by the California Department of Education, the County Office may sponsor a summer meal program.

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3552 - Summer Meal Program)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)
(cf. 5148 - Child Care and Development)
(cf. 5148.3 - Preschool/Early Childhood Education)

ACCESS TO DRINKING WATER

The County Superintendent or designee shall provide access to free, potable water during meal times in the food service area in accordance with Education Code 38086 and 42 USC 1758 and shall encourage students' consumption of water by educating them about the health benefits of water and serving water in an appealing manner.

SCHOOL FUNDRAISERS

The County Superintendent or designee shall encourage school organizations to use healthy food items or non-food items which meet the Smart Snacks in Schools nutrition standards for fundraising purposes.

CLASSROOM REWARDS

The County Superintendent or designee shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

(cf. 1230 - School-Connected Organizations)

CLASSROOM CELEBRATIONS

County Office School staff shall encourage parents/guardians or other volunteers to support the County Office's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties. School staff shall encourage the idea that class celebrations shall include at least one healthy food option per party.

Class parties or celebrations shall be held after the lunch period when possible.
IV. Program Implementation and Evaluation
The Board recommends that all districts have a member representative on the County Office’s School Health Advisory Council to insure compliance with School Wellness Policy requirements.

The County Office’s School Health Advisory Council shall assess the implementation and effectiveness of this policy yearly. The assessment shall include the extent to which schools are in compliance with the local wellness policy, the extent to which the local education agency’s local wellness policy compares to model local school wellness policies, and the progress made in attaining the goals of the local wellness policy, and make this assessment available to the public. (42 USC 1758b)

The Council shall establish indicators that will be used to measure the implementation and effectiveness of the district activities related to student wellness. Such indicators may include, but not be limited to:

1. Descriptions of the County Office’s school’s nutrition education, physical education, and health education curricula and the extent to which they align with state academic content standards and legal requirements

2. An analysis of the nutritional content of school meals and snacks served in all County Office programs, based on a sample of menus and production records

3. Student participation rates in all school meal and/or snack programs, including the number of students enrolled in the free and reduced-price meals program compared to the number of students eligible for that program

4. Extent to which foods sold on campus outside the food services program, such as through vending machines, student stores, or fundraisers, comply with nutritional standards

5. Results of the state’s physical fitness test at applicable grade levels

6. Number of minutes of physical education offered at each grade span, and the estimated percentage of class time spent in moderate to vigorous physical activity

7. A description of County Office efforts to provide additional opportunities for physical activity outside of the physical education program

8. A description of other school-based wellness activities offered, including the number of sites and/or students participating, as appropriate

The County Superintendent or designee shall invite feedback on district and school wellness activities from food service personnel, school administrators, the school health council, parents/guardians, students, teachers, before- and after-school program staff, and/or other appropriate persons.

As feasible, the assessment report may include a comparison of results across multiple years a comparison of district data with county, statewide, or national data, and/or a comparison of wellness data with other student outcomes such as academic indicators or student discipline rates. The County Superintendent or designee shall inform and update the public, including parents/guardians, students, and others in the community, about the content and implementation of this policy and assessment results. (42 USC 1758b)
In addition, the assessment results shall be submitted to the Board for the purposes of evaluating policy and practice, recognizing accomplishments, and making policy adjustments as needed to focus district resources and efforts on actions that are most likely to make a positive impact on student health and achievement.

(cf. 0500 - Accountability)
(cf. 3555 - Nutrition Program Compliance)

V. Posting Requirements
Each County Office school shall post the County Office’s policies and regulations on nutrition and physical activity in public view within all school cafeterias or in other central eating areas. (Education Code 49432)

Each County Office school may also post a summary of nutrition and physical activity laws and regulations prepared by the California Department of Education.

Legal Reference:
EDUCATION CODE
33350-33354 CDE responsibilities re: physical education
49430-49436 Pupil Nutrition, Health, and Achievement Act of 2001
49490-49494 School breakfast and lunch programs
49500-49505 School meals
49510-49520 Nutrition
49530-49536 Child Nutrition Act
49540-49546 Child care food program
49547-49548.3 Comprehensive nutrition services
49550-49561 Meals for needy students
49565-49565.8 California Fresh Start pilot program
49570 National School Lunch Act
EDUCATION CODE (continued)
51210 Course of study, grades 1-6
51220 Course of study, grades 7-12
51222 Physical education
51223 Physical education, elementary schools
51793-51796.5 School instructional gardens
51880-51921 Comprehensive health education
CODE OF REGULATIONS, TITLE 5
15500-15501 Food sales by student organizations
15510 Mandatory meals for needy students
15530-15535 Nutrition education
15550-15565 School lunch and breakfast programs
UNITED STATES CODE, TITLE 42
1751-1769 National School Lunch Program, especially:
1758b Local wellness policy
1771-1791 Child Nutrition Act, especially:
1773 School Breakfast Program
1779 Rules and regulations, Child Nutrition Act
CODE OF FEDERAL REGULATIONS, TITLE 7
210.1-210.31 National School Lunch Program
220.1-220.23 National School Breakfast Program
COURT DECISIONS

Management Resources:
CSBA PUBLICATIONS
Increasing Access to Drinking Water in Schools, Policy Brief, March 2013
Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. April 2012
Physical Education and California Schools, Policy Brief, rev. October 2007
School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Physical Education Framework for California Public Schools, Kindergarten Through Grade Twelve, 2009
Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003

CALIFORNIA PROJECT LEAN PUBLICATIONS
Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006

CENTER FOR COLLABORATIVE SOLUTIONS

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS
School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide, 2005

FEDERAL REGISTER
Rules and Regulations, January 26, 2012, Vol. 77, Number 17, pages 4088-4167

NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS
Fit, Healthy and Ready to Learn, 2000

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS
Dietary Guidelines for Americans, 2005


WEB SITES
CSBA: http://www.csba.org
Action for Healthy Kids: http://www.actionforhealthykids.org
California Department of Education, Nutrition Services Division: http://www.cde.ca.gov/ls/nu
California Department of Public Health: http://www.cdph.ca.gov
California Healthy Kids Resource Center: http://www.californiahealthykids.org
California Project LEAN (Leaders Encouraging Activity and Nutrition): http://www.californiaprojectlean.org
California School Nutrition Association: http://www.calsna.org
Center for Collaborative Solutions: http://www.ccscenter.org
Centers for Disease Control and Prevention: http://www.cdc.gov
Dairy Council of California: http://www.dairycouncilofca.org
National Alliance for Nutrition and Activity: http://www.ospinet.org/nutritionpolicy/nana.html
National Association of State Boards of Education: http://www.nasbe.org
School Nutrition Association: http://www.schoolnutrition.org
Society for Nutrition Education: http://www.sne.org

Supersedes BP 5251 - Wellness Policies on Physical Activity and Nutrition adopted 4/18/07

Adopted by the Nevada County Board of Education: ____________________________
STUDENTS

BP 5251  Wellness Policies on Physical Activity and Nutrition

Philosophy

The Governing Board of Nevada County Superintendent of Schools recognizes the important connection between a healthy lifestyle and the students' ability to learn effectively. The Board acknowledges that schools play a vital role in childhood nutrition and fitness, and as part of the larger community schools have a responsibility to promote family health and provide a strong foundation for children's future health and well being.

Whereas, good health fosters student attendance and education

Academic performance and quality of life issues are affected by choice and availability of good foods in our schools. Healthy foods support student physical growth, emotional stability, ability to learn, brain development, and resistance to chronic diseases such as childhood obesity and Type II Diabetes.

Whereas, children need access to healthy foods and opportunities to be physically active in order to grow, learn, and thrive

The Board believes that a healthy staff can more effectively perform their assigned duties and model appropriate wellness behavior to students. A healthy lifestyle by staff members promotes less absenteeism, higher morale, and reduced incidence of chronic diseases. This policy encourages an approach to staff and student wellness that is sensitive to the individual and community needs.

Whereas, the Governing Board highly values the health and well-being of every staff member

The voices of those involved are valued, and they are included in the process of ensuring the health and well-being of the school community. Those involved in the school system are parents, students, community members, board members, administrators, teachers, food service employees and community health staff members. They will work collaboratively with community partners such as registered dietitians, registered nurses, public health officers, physicians and other trained professionals to provide technical expertise and resources on pertinent issues.
Whereas, community participation is essential to the development and implementation of successful school wellness policies

Thus, the Nevada County Superintendent of Schools is committed to providing school environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating and physical activity. Therefore it is the policy of the Nevada County Superintendent of Schools:

- To engage students, parents, teachers, food service professionals, health professionals, and other interested community member in developing, implementing, monitoring, and reviewing district-wide nutrition and physical activity policies. (Educational Code 49433).

- All students will have opportunities, support, and encouragement to be physically active on a regular basis. (Educational Code 51222 Physical Education and Educational Code 51223 Physical Education, elementary schools)

- Foods and beverages sold or served at school will meet the nutrition recommendations of the *U.S. Dietary Guidelines for Americans*. (Educational Code 49510-49520 Child Nutrition)

- To the maximum extent practicable, all schools in our district will participate in available federal school meal programs, including the School Breakfast Program and the National School Lunch Program. (Educational Code 49490-49493 School Breakfast and Lunch Programs)

- Schools will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between health education and school meal programs, as well as related community services. (Education Code 51210 Health Education and Educational Code 49547-49548.3 Comprehensive nutrition services)

- Increase the availability of fresh fruits and vegetables, and have the ability for students to be offered choices at meals.

Legal Reference: E.C. §§ 49433, 49490-49493, 49510-49520, 49547-49548.3, 51222, 51223

Administrative Regulation: NCSOS 5251
Acronyms

AB ......................... Assembly Bill
ACA ......................... Assembly Concurrent Amendment or Affordable Care Act (also listed as PPACA)
ACR ......................... Assembly Concurrent Resolution
ACSA ....................... Association of California School Administrators
ADA ....................... Average Daily Attendance
AFSCME .................... American Federation of State, County, and Municipal Employees
AMO ....................... Annual Measurable Objective
AP ......................... Advanced Placement
API ......................... Academic Performance Index
ARRA .................... American Recovery and Reinvestment Act
ASAM ...................... Alternative Schools Accountability Model
ASCC ...................... Activity Supervisor Clearance Certificate
ASES ...................... After School Education and Safety Program
AU ......................... Administrative Unit of a SELPA
AV ....................... Assessed Value
AYP ....................... Adequate Yearly Progress
BBA ...................... Bipartisan Budget Act
BCLAD .................. Bilingual, Crosscultural, Language, and Academic Development
BCP ....................... Budget Change Proposal
BRL ....................... Base Revenue Limit
BTSA .................... Beginning Teacher Support and Assessment
CADS ..................... Consolidated Application Data System
CAHSEE .................. California High School Exit Examination
CALPADS ............ California Longitudinal Pupil Achievement Data System
CalPERS ............... California Public Employees’ Retirement System
CalSTRS ............... California State Teachers’ Retirement System
CALTIDES ............. California Longitudinal Teacher Integrated Data Education System
CalWORKs ........... California Work Opportunity and Responsibility to Kids
CAPA .................... California Alternate Performance Assessment
CARS ..................... Consolidated Application and Reporting System
CASBO ................. California Association of School Business Officials
CASEMIS ................ California Special Education Management Information System
CASH ..................... Coalition for Adequate School Housing
CBA ....................... Collective Bargaining Agreement
CBEDS .................. California Basic Educational Data System
CBEST ................... California Basic Education Skills Test
CCR ....................... California Code of Regulations (Title 5) or Coordinated Compliance Review
CCSESA ............... California County Superintendents Educational Services Association
ERAF Education Revenue Augmentation Fund
ERP Economic Recovery Payment or Emergency Repair Program
ERT Economic Recovery Target
ESEA Elementary and Secondary Education Act
ESL English as a Second Language
ESY Extended School Year
FAPE Free and Appropriate Public Education
FCMAT Fiscal Crisis & Management Assistance Team
FERPA Family Educational Rights and Privacy Act
FPM Federal Program Monitoring
FRPM Free and Reduced-Price Meals
FTE Full-Time Equivalent
GAAP Generally Accepted Accounting Principles
GASB Governmental Accounting Standards Board
GATE Gifted and Talented Education
GDP Gross Domestic Product
GSA Grade Span Adjustment
GO General Obligation (Bond)
GPA Governor's Performance Award Program
HOUSSE High Objective Uniform State Standard of Evaluation
HQT Highly Qualified Teacher
HRA Health Reimbursement Arrangement
HSA Health Savings Account
IASA Improving America's Schools Act
IDEA Individuals with Disabilities Education Act
IEP Individualized Education Program
IHSS In-Home Support Services
IUI/USP Immediate Intervention/Underperforming Schools Program
IMFRP Instructional Materials Funding Realignment Program
JLBC Joint Legislative Budget Committee
JPA Joint Powers Agreement or Joint Powers Authority
LAIF Local Agency Investment Fund
LAO Legislative Analyst's Office
LCAP Local Control and Accountability Plan
LCFF Local Control Funding Formula
LCI Licensed Children's Institution (often used as a generic term to also encompass foster family homes and residential medical facilities)
LEA Local Educational Agency
LEP Limited English Proficient
MAA Medi-Cal Administrative Activities
MEP Migrant Education Program

© 2014 School Services of California, Inc.
SARB ................. School Attendance Review Board
SARC .................. School Accountability Report Card
SAT-9 .................. Stanford Achievement Test, Ninth Edition, Form T
SB ...................... Senate Bill
SBAC .................. Smarter Balanced Assessment Consortium
SBE ...................... State Board of Education
SCA ...................... Senate Constitutional Amendment
SCE ...................... State Compensatory Education
SCO ...................... State Controller's Office
SCR ...................... Senate Constitutional Resolution
SDC ...................... Special Day Class
SEA ...................... State Education Agency
SED ...................... Severely Emotionally Disturbed
SEIU .................... Service Employees International Union
SELPA .................. Special Education Local Plan Area
SERAF .................. Supplemental Educational Revenue Augmentation Fund
SES ...................... Socioeconomic Status
SFID .................... School Facility Improvement District
SFP ...................... School Facility Program
SFSD .................... School Fiscal Services Division of CDE
SFSA .................... State Fiscal Stabilization Fund
SIG ...................... School Improvement Grant
SIP ...................... School Improvement Program
SLIBG .................. School and Library Improvement Block Grant
SSPI .................... State Superintendent of Public Instruction
SPSA .................... Single Plan for Student Achievement
SSI/SSP ................ Supplement Security Income/State Supplementary Payment
SST ...................... Student Study Team; also Student Success Team
STAR ................... Standardized Testing and Reporting
SWP ..................... Schoolwide Program
TANF ................... Temporary Assistance for Needy Families
TAS ...................... Targeted Assistance School
TIIG .................... Targeted Instructional Improvement Grant
TK ....................... Transitional Kindergarten
TRANs .................. Tax and Revenue Anticipation Notes