

**Nevada County Board of Education
Regular Meeting
Wednesday, January 20, 2016
3:00 p.m.
Nevada County Superintendent of Schools
Houser Conference Room
112 Nevada City Highway, Nevada City, CA 95959**

MINUTES

1. **Meeting called to order** by Board President Michael

2. **Established quorum**

Trevor Michael	Present
Tracy Lapierre	Present
Larry Meek	Present
Shelly Sexton	Present
Bob Altieri	Arrived at 3:11 PM

3. **Salute to the flag**

4. **Adoption of the Agenda**

On a motion by Lapierre and seconded by Meek, the agenda was adopted as presented. The motion carried; 4 ayes (Michael, Lapierre, Meek, Sexton); 1 absent (Altieri).

5. **Opened public forum**

Recognition of members of the audience wishing to address the Board – no comments were made.

6. **Closed public forum**

7. **Presentation**

A. FY 2014-15 Audit Report, Michelle Hanson, Goodell, Porter, Sanchez & Bright, LLP
(page 1)

Michelle Hanson presented the FY 2014-15 Audit Report to the Board. An Unqualified Audit Opinion was issued; no adjustments recommended.

The letter on internal controls did identify a finding which was related to the recommendation that or prior authorization be better documented in the form of purchase orders.

Board Member Altieri arrived at 3:11 PM.

GASB68 is a new policy for this year that is a requirement that all public agencies who contribute to pensions on behalf of their employees, must now show the proportionate share of what is known as the unfunded pension liability. Michael acknowledged the new schedule highlighting pension liabilities and the Board will plan to pay attention to this as they move forward.

Hanson further appreciated the cooperation; knowledge; and good standards across the school districts. Supt. Hermansen credits this to great communication and frequent meetings between the NCSOS business office and the school districts.

8. **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 Regular meeting of December 9, 2015 (page 2)

- B. During the fourth quarter of 2015 October-December, 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 6*)

On a motion by Sexton and seconded by Lapierre, the consent agenda was adopted as presented. The motion carried unanimously (5-0).

9. Staff Reports

A. Alternative Education, *Lisa Sanford*

Sanford provided a handout detailing attendance which included 1 new student at the start of the new semester. A graduation was held today at EJ; with another upcoming at the end of the month at Sugarloaf. Staff Development Day on January 25th will include training for CAASPP state testing; retraining in Non-Violent Crisis Interventions; Math and ELA Common Core strategies; and reviewing the Happiness Advantage book for effective implementation at both sites.

B. Educational Services, *Shar Johns*

Johns reported that the funding mechanism has changed for Foster Youth; previously NCSOS was in a consortium with PCOE. There is a new Request for Proposals out this year and allocations are going from \$70K to \$150K. We are looking to hire a liaison to provide more services to our districts. The \$150k is allocated through the CDE; one caveat to this is that we may not provide direct services to students; however our Title I funds take care of that.

Adventures in Learning positions posting will go out this week. Chris Roberts will be the Principal. In collaboration with GVSD, the referral forms were translated to Spanish.

STEAM Expo will be on April 8-9, 2016 at the Nevada County Fairgrounds. There is a large planning committee.

Results for the AMC test for 8th graders are in, 2 students scored exceptionally well. The test will be given on February 2nd for high school students with 26 students participating.

Educator Grant Cycle is over, all monies were spent.

Johns and Lori Brooks will be meeting with the CDE for the NCSOS Alt. Ed. LCAP. The CDE opened up this opportunity to provide technical assistance to our office for the Alt. Ed. LCAP

C. SELPA/Special Education, *Eli Gallup*

Gallup provided an update in staffing, advising they are 97% staffed right now; and are looking into professional development and training.

NCSOS has grown from 1 preschool program to 3 at TKM, which includes a Science Discovery Preschool; Special Day Class Preschool; and a Headstart Preschool.

Supt. Hermansen noted that the new school year started without a Special Education Director as positions were restructured and it wasn't until December that the Special Education Principal position was filled. Gallup is commended with fielding both programs during that time; improving them as he pulled staff together; and is an excellent mentor to the new principal.

D. Business Services, *Terri Ryland*

Supt. Hermansen introduced Terri Ryland of Ryland School Business Consulting, who stepped in and is assisting our business office and districts. Interviews for the CBO position will be in February.

Ryland reiterated that the conclusion of the audit resulted in no findings. AB1200 review is complete and found to be in compliance. First interim reviewed; all districts self-certified positive. We are working hard on W-2's and 1099's. There will be a software update in March as part of a migration process in QSS. And the Business Office is looking forward to the FCMAT study coming soon.

10. Superintendent's Report

A. Sierra Digital Media Campus

Previously Altieri had invited Mary Owens to address the Board. SDMC continues to move forward in developing a county that draws people here. Supt. Hermansen sits on two subcommittees related to education. Upcoming this summer will be a Cyber Camp; showcasing STEAM related programs. The STEAM Expo will be showcased.

Our educator grants included requests in robotics. Recently Supt. Hermansen observed the Robotics Program at Union Hill School, a Lego program (a national program) in which students using Chromebooks/iPads, key in codes telling robots how to move.

B. Twin Ridges Elementary School District Board Meeting

Over the past 2 years the TRESA School Board has been considering closing Washington School as low enrollment and deficit spending continues. Currently there are 10 students; past enrollment fluctuated between 4-10 students; with the average being 6. The district owns the building.

Meetings were held throughout the 2014/15 school year regarding Washington School and it was decided to wait one year. Last week, the Board took action to close the school.

There is a movement looking at an option to turn Washington School into its own district. If successful, they could receive \$150K. The TRESA Board is supportive of this option; and they support the community taking a petition to the County Committee on School District Organization (CCOSDO). Ryland is working with the financial piece and timeline.

The CCOSDO is meeting on February 3rd and will be updated of the situation.

C. Superintendents Expense Report – provided to the Board.

D. Board of Supervisors Meeting

Nevada County Sheriff requested Supt. Hermansen attend the recent BOS meeting considering a marijuana ordinance and discuss the impact marijuana has on schools. Chris Roberts (Lyman Gilmore School Principal) also attended.

E. Jr. Achievement

The Junior Achievement Program is looking for volunteers. Altieri expressed interest.

F. Associate Supt., Business Services

Interviews are scheduled for February 2nd

11. Action Items

- A. Shall the Nevada County Board of Education accept the FY2014-15 Auditors Report of Nevada County Superintendent of Schools as presented at the regular Board meeting of January 20, 2016?

On a motion by Sexton, and seconded by Meek, the Nevada County Board of Education accepted the FY2014-15 Auditors Report of Nevada County Superintendent of Schools as presented at the regular Board meeting of January 20, 2016. The motion carried unanimously (5-0).

- B. Shall the Nevada County Board of Education approve John Muir Charter Schools Board Approved Conflict of Interest Policy? (page 7)

On a motion by Meek and seconded by Sexton, the Nevada County Board of Education approved John Muir Charter Schools Board Approved Conflict of Interest Policy. The motion carried unanimously (5-0).

- C. Shall the Nevada County Board of Education approve the updated Conflict of Interest Policy, removing John Muir Charter School? (page 9)

On a motion by Lapierre and seconded by Altieri, the Nevada County Board of Education approved the updated Conflict of Interest Policy, removing John Muir Charter School. The motion carried unanimously (5-0).

- D. Shall the Nevada County Board of Education Approve the Provisional Internship Permit for Robert Landrum for the remainder of the 2015/2016 school year? (page 11)

On a motion by Sexton and seconded by Lapierre, the Nevada County Board of Education Approved the Provisional Internship Permit for Robert Landrum for the remainder of the 2015-2016 school year. The motion carried unanimously (5-0)

- E. Shall the Nevada County Board of Education Approve *Notice of Violations* to *Escuela Popular Campesino de Cesar Chavez (EPIC)* Charter School (page 12)

Supt. Hermansen advised that a Notice to Cure was issued as part of oversight concern. The response provided by the Charter School was reviewed and several areas remained a concern. Areas of concern include: lack of fully credentialed teachers; lack of adequate instructional materials; adherence to following Brown Act; and attendance reporting.

Board President Michael noted the list of concerns is divided into 2 main areas: Fiscal management and legal violations of state, education codes and other statutes.

There are concerns about attendance. Bell schedules provided by EPIC do not appear to support a six hour day at all sites. It appears to be a drop-in program provided for students to take just those classes they need, which appears like an independent study model.

Regarding the audit for the last school year, the school had challenges in securing an auditor. As the authorizer NCSOS offered an extension until February 15th. The auditor has since reported that they have been provided the materials they requested and expects completion by February 15th.

Clarification was made to page 9 of the letter to EPIC that EPIC must resolve or refute all violations by February 12, 2016.

Sexton stated the audit findings may be helpful prior to the February 12th deadline; however it was noted that the main concerns are not audit report related.

Michael welcomed public comment upon identifying themselves to the Board.

David Villarino introduced himself, President/CEO of FIELD and introduced Dr. Robert Frost, Board Member; Rick Alvarez, Executive Director of EPIC (formally appointed by the Board); Liz Chavez Villarino, Controller; and Julia Cruz, teacher on 30 day extension.

Villarino advised the purpose of today's presence is to ask for an extension to address issues in a timely and thorough manner; and to clarify the relationship between EPIC and NCSOS. They take the charges seriously. FIELD has been in existence for over 15 years. 5 of those years were with John Muir Charter who were phenomenal in helping them get used to what it would take in a statewide program such as EPIC. They have had audits; never has their integrity been questioned. Villarino wanted to point out what appears to be a fundamental misunderstanding in what FIELD does and how EPIC is part of their program. There are misrepresentations in the letter; facts which are false. He requests a 60 day extension; and to meet with the county staff, to show progress. They are looking to retain a consultant from charter school who can help communicate with Supt. Hermansen. They want Supt. Hermansen's trust and to move forward. The bottom line is that they are a Hispanic organization working in rural area with farmworkers. They are not experts; he is not an educator; he is an organizer with Cesar. Late last year they were falling into debt to John Muir. They planned to separate from John Muir. EPIC grew too fast with 4 sites in EPIC and this year they opened up with 11 sites opening with intended ADA. Villarino's job is to raise money and then hire staff. It's very difficult to recruit and find bilingual staff wanting to work in rural areas. Villarino hired staff to run EPIC that he believed was appropriate. In September he found out that was not occurring; and took action in October to get credentialed teachers on board. In November he took steps to let people go. Then Villarino took on Alvarez and Dalila Martinez in early December. Then met with Supt. Hermansen with what they thought was enough information.

Liz highlighted a couple of areas of concern. She has been FIELDS Controller since 2008; 20 years with United Farm Workers. They have had many audits and to see these allegations makes her very upset; she takes pride in her work. She understands ADA projections did not look realistic and to budget on flat line. They have shown and feel confident they can project an increase in ADA.

Liz addressed the audit. They had difficulty finding an auditor; then they found one; and once they were engaged with them they have given them everything requested. Next week they will be there for a couple of days; they've had discussions with them; as far as they can see there are no issues. The auditors should have no problem finalizing the audit. Liz further noted that she hasn't had time to get into every detail in the report.

Alvarez introduced himself, he was appointed in the middle of December as Executive Director. He is here to help improve an educational program and has over 30 years of experience. He stresses the fact that they need an opportunity of time to look at things. He can explain, however doesn't want to go into too much detail at the moment.

First thing noted by Alvarez is that EPIC is not an independent study program. They are a comprehensive charter where kids show up every day. Classes are available to students as they need; hours are all over the place. It doesn't make sense to have classes from 7 am – 3 pm. Students don't have to be there 6 hours straight; the charter doesn't state that. They can split schedules, based on the needs of the students. The schedules give them flexibility, and they will show that better on paper.

Alvarez added regarding instructional materials; they have computers and materials which get moved around from site to site. Cyber High is a supplemental curriculum. They are not an independent study. With regards to the credential issue, everyone is struggling. They are doing the best possible to bring on credentialed staff; if needed, they will bring them in on a PIP.

Villarino addressed the audience in Spanish to explain the discussion that had been occurring.

Michael addressed the students/parents in Spanish as well.

Meek read the letter; noted the deadline; and pointed out there were several areas in which incomplete documents were submitted, which would lead to assumptions. If Meek were asked to submit a bell schedule, he would've submitted a schedule that accounts for every minute of the day.

Meek questioned who was in charge prior to Alvarez coming on board. Villarino responded a provost, Cheyanne Ledford was entrusted. She was not appointed as the Exec. Director; however she was in charge of overseeing all of the programs. Villarino didn't ask the Board to appoint her as Executive Director until he got a good sense of how well she could perform. Then they found someone with a lot of Charter school experience.

Villarino believes there is a lot of confusion by NCSOS. FIELD is carrying EPIC. They allocate their expenses and but the appearance is that all of the expenses are on EPIC.

Supt. Hermansen agreed that there is a lot of confusion. Part of the confusion is that what we are hearing is that FIELD supports EPIC in the budget, NCSOS doesn't have any knowledge of that; it's not seen; nor provided in budget detail.

Michael asked Villarino his formal title. Villarino responded he is the President of FIELD Board and is the CEO of FIELD.

Michael asked who is on the Board of EPIC. Villarino responded it is the same BOD of FIELD; and the same President of the Board. However in the Charter there is a provision, to Holly's credit, to make sure there was an Executive Director for EPIC. They didn't do it the first year as John Muir was helping them and they felt comfortable with that. Then they hired Cheyanne Ledford to run the academic piece and Villarino supported her; wasn't until December that they appointed the Executive Director for EPIC who reports to FIELD's Board/EPIC's Board.

Meek asked for clarification on the Board meetings.

Villarino responded that when FIELD's Board meets there is an action item that they segregate within the Board meeting to discuss EPIC business. They meet quarterly as per the charter. They need to make provisions to meet monthly. They have a Council of Advisors that they have instituted that includes the previous State Supt. of Instruction and the Assistant Supt. and a number of previous Supts. of local school districts that will be helping Alvarez. Alvarez will be expected to come to the Board on a monthly basis to report.

Supt. Hermansen walked the Board through what the timeline looks like. The Board will be satisfied with the information received; or not satisfied and will then issue a *Notice to Revoke*. Then a Public Hearing must be held within 30 days. A decision must be made 30 days from the Public Hearing. Extending this timeline can be done.

Sexton understands that the authorizer has oversight obligations. She understands Villarino, he's not an educator, however when a charter is authorized they are saying they have the educational expertise and therefore we are willing to grant you that authorization.

Frost stated that they received the packet on 1/15/2016 and the report is due by 2/12/2016, and they are undergoing an audit. This is a not for profit, staffing is minimal. He encourages the board to think about the response time that could place the charter in a position of it being revoked. Doesn't think it's enough time. There is a spirit and intent to a good job for NCBOE. They need the time to do this right.

Supt. Hermansen reiterated a sample of the submission for credentialed teachers. All three teachers are not credentialed based on information provided; further, it was advised that as soon as information changes, it should have been submitted.

Villarino reported that one teacher resigned; another now has a multiple subject and is resolved; the third was thought to still be active. They are making progress and moving forward.

Villarino felt the information they submitted was sufficient. He expected a call if something was missing.

Frost expected continuous back and forth communication and sees a need to establish communications to succeed.

Alvarez expressed that the points that Frost made need to occur. It's all about building relationships and he hopes to have a conversation with the NCSOS Ed Services staff.

Julia Cruz thanked the Board on behalf of her students and will work on getting her provisional internship paperwork taken care of.

Michael noted the ADA is 208. Villarino confirmed an additional 70 ADA and further stated enrollment is around 400.

Michael noted that this process is notification where we are statutorily required to notify the agency of their deficiencies.

Sexton noted that this is a self-assessment. This is the roadmap to fixation of EPIC. By extending the deadline they would have time to respond; and with Alvarez background 6-7 weeks should be sufficient time to respond.

Supt. Hermansen said based on the new timeline and consideration at the March 9th NCBOE meeting; we would need the response by March 2nd; the Board would take no action and would review documentation provided and provide additional feedback to the charter. Then on April 20th, the *Notice of Intent to Revoke* would be issued if concerns are not answered satisfactorily. On May 20th public hearing would be held and within 30 days of that, June 19th, the board has to take action one way or the other. This still allows time as it gives over 2 months for the charter school to correct.

Michael and the Board discussed outside support. Michael gave an analogy of the landlord/tenant not paying rent; back rent accumulating; you issue notice of default; tenant is now behind 2 months; tenant owes too much and can't change payback. We have an obligation to follow a formal process; to make sure it doesn't get worse.

Supt. Hermansen would like FIELD's Board to address whether or not EPIC should be a standalone charter school or whether or not they should continue under Muir as they were successful.

Lapierre expressed concern over the consequences; if EPIC doesn't do their job, the students will not be able to attend school; students not being served are serious consequences. Maybe outside assistance would be beneficial.

Altieri is concerned about Alvarez's recent appointment to the situation. He seems competent. Perhaps prior to our next board meeting we could have some dialog that sets milestones that Supt. Hermansen could be comfortable with.

Supt. Hermansen advised we are the authorizer; it's not our decision or job to take support into the charter school to make them successful. It's their job to demonstrate that they can operate as an entity on their own.

Sexton noted in the education industry, the norm is that when you are identified for program improvement; or any other kinds of deficiencies, you write your own improvement plan and own benchmarks, and in the process of doing so you learn a lot about your existing program, where you want to be and there's bonding amongst the team as they brainstorm. If we set benchmarks; if we provide assistance then suddenly the unintended consequences are that we robbed you of being self-sufficient. This is your way to become self-sufficient. We love the mission, just not the documents.

On a motion by Sexton and seconded by Lapierre, the Nevada County Board of Education Approved the *Notice of Violations* to Escuela Popular Campesino de Cesar Chavez (EPIC) Charter School as amended requesting EPIC to provide an update on progress to the Superintendent by February 12th and to provide a written response to the Notice of Violations by March 2nd. The motion carried unanimously (5-0).

12. Discussion/Information Items

A. Governor's January Budget Proposal

Terry walked the board through a PowerPoint presentation detailing the impact of the Governor's Budget Proposal on NCSOS, our districts and charters.

B. Budget Review

a. NCSOS Program Budget review (page 71)

C. LCAP Expenditure Update

Page 85 of the board packet reports on the alignment of LCFF with LCAP and lists expenditures of LCFF funds.

A school counselor for EJ has not been posted yet as there were not enough students, however, this should happen this month.

D. Expenditure Plan for Educator Effectiveness Grant (page 86)

13. Board Member Reports

A. SARB, Lapierre

B. Legislative, Sexton

C. NCSBA, Meek

D. Charter Liaison, Altieri

E. Individual Board member reports

14. Correspondence

A. Nevada County Board of Education Meeting Calendar for 2016, as approved 12/9/15 (page 88)

15. Adjournment

Next Meeting Date: February 17, 2016, 3:00 p.m., 112 Nevada City Highway, Nevada City

Approved: _____


Trevor Michael, President

Date: February 17, 2016