

NEVADA COUNTY BOARD OF EDUCATION

Regular Meeting

Wednesday, March 9, 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	Present

3. **Salute to the flag**

4. **Adoption of the Agenda**

Agenda Item 7 and 8 pulled.

Agenda items 11 and 12 to be moved after 14, as Meek needs to leave early.

Agenda Item 13D: Correction noted – should read *2016-17*; not 2015-16.

Agenda Item 13E: Correction noted - should read *Earle Jamieson Educational Options*; not Sierra College Child Development Center.

On a motion by Altieri and seconded by Meek, the agenda was amended, pulling Agenda Items 7 and 8; moving Agenda Item 11 and 12 to be discussed after Item 14; amending Agenda Item 13D by replacing 2015-16 with 2016-17; and amending Agenda Item 13E by replacing Sierra College Child Development Center with Earle Jamieson Educational Options. The motion carried unanimously (5-0).

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

5. **Opened public forum** – Recognition of members of the audience wishing to address the Board: no comments.

6. **Closed public forum**

7. **Closed Session** – PULLED

A. Student Expulsion Appeal (Grass Valley School District)
Pursuant to Education Code § 48920 (*under separate cover*)

8. **Open Session** – PULLED

A. Report out from closed session

9. **Presentation**

A. Positive Behavior Interventions & Support (PBIS), Chris Espedal & Melissa Parrett
Espedal and Parrett updated the Board on PBIS (Positive Behavior Intervention and Supports) training. 14 schools and Alt Ed are participating in some level of support. School

climates are changing. With the SWIS data collected, administrators are able to determine the issue at hand and make decisions. PBIS communications between the schools and parents are unifying the language so parents can take PBIS home. Expectations established at the school site are teachable to take home.

The Afternoon Bus and PBIS and Newsletters were provided to the Board.

10. 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 February 17, 2016 (*page 1*)
- B. Shall the Nevada County Board of Education approve the 2015-16 Consolidated Application Winter Release? (*page 5*)

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

11. Staff Reports – report given after Agenda Item 14

- A. Alternative Education, *Sanford*
- B. Educational Services, *Johns*
 - 1. LCAP Review
- C. SELPA/Special Education, *Gallup*

12. Superintendent's Report - report given after Agenda Item 14

- 1. CBO Update
- 2. FCMAT Study
- 3. Washington School Update

13. Action Items

- A. Following review of the Second Interim Fiscal Report of 2015-16, shall the Nevada County Board of Education approve certification of the Second Interim Report? (*page 19a*)

Terri Ryland, Ryland School Business Consulting, provided an update including the Governor's Budget; Legislative Analyst update; Proposition 98 funding expectations and Second Interim Certification as Positive for NCSOS. Second Interim changes were noted.

Charter schools Second Interim ADA; spending; fund balances and MYP were discussed for Forest; Sierra Montessori Academy; Bitney; Yuba River; and Twin Ridges Home Study.

Financing the purchase of the Crown Point building was discussed. In an effort to be conservative, the Second Interim financials show the full cost of the Crown Point Building purchase in upcoming Agenda Item 13. G., along with tenant improvements, as a cash purchase. Staff is pursuing a plan to reimburse the purchase price via a lease-purchase financing, thereby restoring the cash balance and fund balance. Tenant improvements would stay as a cash purchase. Reimbursement and subsequent lease purchase allows NCSOS to remain flexible with cash balances and able to cover district's cash deficits as needed.

On a motion by Altieri and seconded by Sexton the Nevada County Board of Education approved the certification of the Second Interim Report. The motion carried unanimously (5-0).

- B. Shall the Nevada County Board of Education approve Resolution 16-04, budget revision to the FY2015-16 budget (ROLL CALL VOTE) (*page 124*)

On a motion by Meek and seconded by Altieri the Nevada County Board of Education approved Resolution 16-04, budget revision to the FY2015-16 budget by roll call vote. The motion carried unanimously (5-0).

- C. Shall the Nevada County Board of Education approve the Expenditure Plan for Educator Effectiveness Grant? *(page 125)*

On a motion by Meek and seconded by Altieri the Nevada County Board of Education approved the Expenditure Plan for Educator Effectiveness Grant. The motion carried unanimously (5-0).

- D. Shall the Nevada County Board of Education approve the ~~(2015-16)~~ 2016-17 School Calendar for Earle Jamieson Educational Options and Sugarloaf Mountain Juvenile Hall Program? *(page 127)*

On a motion by Sexton and seconded by Lapierre the Nevada County Board of Education approved the 2016-17 School Calendar for Earle Jamieson Educational Options and Sugarloaf Mountain Juvenile Hall Program. The motion carried unanimously (5-0).

- E. Shall the Nevada County Board of Education approve the Comprehensive Safety Plan for ~~(Sierra College Child Development Center)~~ Earle Jamieson Educational Options, which is operated under the County Office of Education? *(page 128)*

On a motion by Meek and seconded by Altieri the Nevada County Board of Education approved the Comprehensive Safety Plan for Earle Jamieson Educational Options, which is operated under the County Office of Education. The motion carried unanimously (5-0).

- F. Shall the Nevada County Board of Education vote for a county representative to California County Board of Education (CCBE) Board of Directors and CSBA's Delegate Assembly? *(page 230)*

On a motion by Meek and seconded by Altieri the Nevada County Board of Education approved voting for a county representative to California County Board of Education (CCBE) Board of Directors and CSBA's Delegate Assembly. The motion carried unanimously (5-0).

- G. Shall the Nevada County Board of Education Approve the Purchase of 380 Crown Point Circle, Grass Valley, CA for the amount of \$1,350,000.00 on the terms and conditions set forth in the Commercial Property Purchase Agreement and Joint Escrow Instructions?"

Supt. Hermansen provided the purchase agreement to the Board members for review during the meeting. Within the parameters provided by the Board at the previous meeting, Supt. Hermansen entered into negotiations and reached an agreement. Supt. Hermansen called Board President Michael to confirm agreement was within parameters established by the board. A cash offer was made under the Boards direction. The offer was made contingent upon inspections and Board approval.

The main aspect of the new facility that requires major work is the parking lot. The city requires 60 spaces; currently there are 31. Plans already exist for 18 additional spaces. Solutions are being addressed as we look into options for the remainder.

Sexton summarized the benefits of this move which allows NCSOS to have a location for our students who are currently at Earle Jamieson. It's imperative for the community to know we need to find a place for these students.

Sexton further stated by consolidating the main office, the annex and maintenance, there are fewer leases; fewer capital expenditures for repairs; and the ability to operate more efficiently. Sexton stated that off-site staff has expressed their lack of feeling part of the bigger organization and how this consolidation will help bring them together.

Board discussion included thoughtful financing strategies; terms of financing; leasing and purchasing clauses; strategic alternatives and advantages for economic downturns; future contingencies and being conservative. Recommendations included financing some and keep our cash flowing through the county office to be able to support our school districts. Ryland recommended NCSOS finance the building and pay cash for improvement.

On a motion by Sexton and seconded by Meek the Nevada County Board of Education approved the purchase of 380 Crown Point Circle, Grass Valley, CA for the amount of \$1,350,000.00 on the terms and conditions set forth in the Commercial Property Purchase Agreement and Joint Escrow Instructions. The motion carried unanimously (5-0).

- H. Shall the Nevada County Board of Education approve Resolution 16-03, Expressing official intent regarding certain capital expenditures to be reimbursed from proceeds of a tax-exempt obligation? (ROLL CALL VOTE) (*page 235*)

On a motion by Meek and seconded by Sexton the Nevada County Board of Education approved Resolution 16-03, Expressing official intent regarding certain capital expenditures to be reimbursed from proceeds of a tax-exempt obligation. By roll call vote the motion carried unanimously (5-0).

14. Information/Discussion Items

- A. Review of EPIC Response to Notice of Violations issued by the Nevada County Board of Education on January 20, 2016

Supt. Hermansen provided a summary letter to the Board - *Review of EPIC Response to Notice of Violation*. EPIC's documents were received Friday, March 4th which included 6 binders; and an additional binder containing textbook receipts; and two student files.

Please refer to the document titled "*Review of EPIC Response to Notice of Violation*" for details on the following (*Attachment A*): Fiscal Mismanagement; Violations of Law and Charter which include: Lack of Sufficient Instructional Materials; Unauthorized delivery of Independent Study Instruction; Insufficient Annual Instructional Minutes; Lack of Properly Credentialed Teachers; Brown Act Violations; Requirement to Respond to Reasonable Inquiries; Attendance Guidelines; Attendance Accounting; and Annual Financial Audit.

Supt. Provided a *Revised Timeline for Board Review of EPIC Operations (EC 47607)*.

Meek indicated that several items in the Fiscal Mismanagement were not included that could have been provided prior to March 15.

Mr. Villarino addressed the board with a prepared statement that detailed the historic perspective of farmworkers and the mission of FIELD.

Mr. Villarino also addressed concerns related to Supt. Hermansen's communications with FIELD staff, particularly relating to FIELD returning to John Muir.

Mr. Villarino expressed many of the violations identified by NCSOS were caused by former employees and that new leadership has been hired.

Mr. Villarino expressed a desire to find a new authorizer as he is not sure if trust and confidence can be restored with Supt. Hermansen.

Mr. Villarino agreed that apportionment should not be allowed for instructional minutes without a credentialed teacher. EPIC agrees to take disallowed instructional minutes out of

future apportionment, and they are working with the Charter School Development Center to determine how to calculate.

Mr. Villarino addressed other areas included in the response to NCSOS concerns, including Brown Act Violations, WIA funding, and clarifications on Staffing.

Mr. Villarino expressed frustration in working with Supt. Hermansen and John Muir Charter School and feels these relationships cannot be repaired.

Mr. Villarino closed his statement by encouraging the board to be patient and not revoke and work together.

R.J. Guess made a comment to emphasize that John Muir is not interested in working with FIELD in any way.

R.J. expressed that he felt insulted by David Villarino depicting John Muir as a racist organization treating FIELD like indentured servants.

Mr. Villarino stated his comments were meant to demonstrate an environment of mismanagement evidenced by the fact that previous employees approached Supt. Hermansen. His intent was not to imply racism or blame. He apologized.

The board asked several questions of Mr. Villarino regarding Brown Act training for FIELD Board of Directors, repayment of ADA, and credentialing issues.

EPIC provided additional information to the Board with statements supporting the evidence in their response.

NCSOS Consultant Terri Ryland informed the Board they are not liable for the debts of the charter school as long as they are performing their due diligence.

Meek reiterated that information submitted to NCBOE should first be approved by EPIC Board.

Information and Second Interim received by March 15 will be analyzed and sent out prior to the April Board meeting.

Sexton advised Villarino, in the future if Villarino feels there are civil rights violations; and that people are acting in a racist manner, to put this in writing and not re-describe it over and over; as it's not productive and everyone should be treated respectfully.

Michael advised based on the Boards discussion that we will proceed with *Notice to Revoke* to be acted upon April 20th either positively or negatively.

Further, Michael directed Supt. Hermansen to prepare for the next meeting a Notice of Intent to Revoke EPIC Charter School. They will consider the status of the school and its progress.

Meek drew Villarino's attention to NCBOE's March 17th Minutes which states the need for the backup for assumptions.

Michael reminded Villarino to submit the financial data; clarifications; updated credentialed teachers list; every day of every student's attendance that was not under a credentialed teacher doesn't count as the 208 reported. Credential list must show that teachers were there, with this many students; all the sites; and a narrative must be provided to support the budgetary numbers; and also submit the updates to the remaining items so the Board will be able to state EPIC is fully compliant as of the April 20th Board Meeting date.

Supt. Hermansen will send review of the Second Interim budget to the board prior to the April 20th meeting.

B. Budget Review

1. NCSOS Program Budget reviews (**page 237**)

C. First Reading – BP 5141.21 and AR 5141.21 – Administering Medication and Monitoring Health Conditions (**page 240**)

D. First Reading – BP 3370, Travel Expenses (*page 255*)

15. Board Reports

1. SARB, *Lapierre*
2. Legislative, *Sexton*
3. NCSBA, *Meek*
4. Charter Liaison, *Altieri*
5. Individual Board Reports

16. Correspondence

1. Young at Art (*page 259*)
2. *2016 Education Headlines I'd Like to See*, CSBA Leadership & Advocacy (*page 260*)

17. Adjournment

Next Meeting Date: April 20, 2016, 3:00 p.m., 112 Nevada City Highway, Nevada City

Approved: _____
Trevor Michael, President

Date: April 20, 2016