

NEVADA COUNTY BOARD OF EDUCATION
Regular Meeting
Wednesday, September 11, 2019

→ 5:00 p.m. ←

Nevada County Superintendent of Schools
Board Room
380 Crown Point Circle, Grass Valley, CA 95945

A G E N D A

All times approximate

- 1. Meeting called to order**
- 2. Establish quorum**
- 3. Salute to the flag**
- 4. Adoption of the Agenda**
- 5. 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.
- 6. Close public forum**
- 7. Public Hearings** 5:00 p.m.
 - A. Open public hearing to review FY2019-20 Sufficiency of Instructional Materials, grades 7- 12 (EC §60119) (*page 1*)
 - B. Close public hearing
- 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 trustee 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 August 14, 2019 (*page 2*)
 - B. Annual Report of School Visitations by County Superintendent of Schools Pursuant to Education Code 1240 and the Williams Settlement (*page 4*)
- 9. Staff Reports** 15 min.
 - A. Alternative Education, *Amy Brooks*
 - B. Educational Services, *Teena Corker*
 - C. Business Services, *Darlene Waddle*
 - D. SELPA/Special Education, *Eli Gallup*
- 10. Superintendent's Report** 10 min.
 - A. District updates
 - B. Charter updates

- 11. **Action Items** 5 min.
 - A. Shall the Nevada County Board of Education approve Resolution 19-04, Sufficiency of Instructional Materials for grades 7-12 for Nevada County Alternative Educational Programs FY2019-20?
(ROLL CALL VOTE) (page 7)
- 12. **Information/Discussion Items** 10 min.
 - A. Concerns over the current and future fiscal status of Sierra Montessori Academy
(page 9)
 - B. Uniform Complaint Procedure compliance by Sierra Montessori Academy *(page 12)*
- 13. **Board Reports** 10 min.
 - A. SARB, *Heino Nicolai*
 - B. Legislative, *Ashley Neumann*
 - C. Charter Liaison, *Heino Nicolai and Wendy Baker*
 - D. Individual Board Reports
- 14. **Correspondence**
 - A. None
- 15. **Adjournment**

Next Meeting Date: Wed., October 9, 2019, 4:00 p.m., 380 Crown Point Circle, Grass Valley

Posted: 9-6-19
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 (NCSoS) office – located at 380 Crown Point Circle, Grass Valley, CA. This agenda was posted at 380 Crown Point Circle, Grass Valley; Earle Jamieson Educational Options, 112 Nevada City; and TKM, 400 Hoover Lane, Nevada City. For more information, please call 530.478.6400 ext. 2003.

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. 2003 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
380 Crown Point Circle
Grass Valley, CA 95945**

**NOTICE OF PUBLIC HEARING
SUFFICIENCY OF
STATE INSTRUCTIONAL MATERIALS PROGRAM**

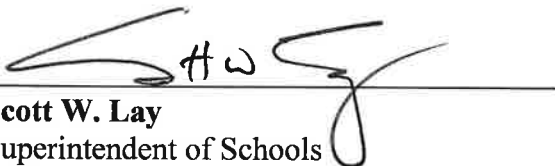
PURPOSE: This public hearing is being held pursuant to Education Code § 60119, to encourage participation by parents, teachers, members of the community, and bargaining unit leaders on the stipulation of the State Instructional Materials Program, and the sufficiency of instructional materials in the Nevada County Alternative Educational programs, Grades 7-12, Fiscal Year 2019-20.

DATE: Wednesday, September 11th, 2019

TIME: 5:00 p.m.

LOCATION: Nevada County Superintendent of Schools office
Board Room
380 Crown Point Circle
Grass Valley CA 95945

Posted this 30th day of August, 2019


Scott W. Lay
Superintendent of Schools

Posted at the following locations: NCSOS, 380 Crown Point Circle, Grass Valley; TKM, 400 Hoover Lane, Nevada City; and Earle Jamieson Educational Options, 112 Nevada City Hwy., Nevada City.

NEVADA COUNTY BOARD OF EDUCATION
Regular Meeting
Wednesday, August 14, 2019
4:00 p.m.
Nevada County Superintendent of Schools
Board Room
380 Crown Point Circle, Grass Valley, California 95945

DRAFT

MINUTES

1. Meeting called to order by Board President Baker.

2. Established quorum

Paula Sarantopoulos	present
Wendy Baker	present
Ashley Neumann	present
Heino Nicolai	present
Katharine Wanamaker	present

3. Salute to the flag

4. Adoption of the Agenda

On a motion by Nicolai and seconded by Wanamaker, the Nevada County Board of Education adopted the August 14, 2019 Agenda as presented; all in favor; motion passed unanimously.

5. Opened public forum – Recognition of members of the audience wishing to address the board – no comments were made.

6. Closed public forum

7. 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 July 24, 2019 (*page 1*)

On a motion by Sarantopoulos and seconded by Wanamaker, the Nevada County Board of Education approved the consent agenda, amending the July 24, 2019 Minutes as follows; correcting a misspelled word in Agenda Item 12.D. from *Oversite to Oversight*; changing Agenda Item 12.B. to reflect *and Nicolai expanded on the topic*; all in favor; motion passed unanimously.

8. Staff Reports

A. Alternative Education, *Amy Brooks*

Brooks reported on attendance and the many services continuing at EJ. Chris Espedal will be coming in to discuss school safety. Probation Department is interested in becoming a more familiar face and plans to join in on positive prosocial activities on campus; and students are being connected to Sierra College.

B. Ed Services, *Teena Corker*

Principals meeting is coming up and Andrea Marks will present on curriculum.

C. SELPA/Special Education, *Eli Gallup*

Gallup reported that the CDE approved the Local Plan. Several school districts have new Special Ed Directors. Gallup is helping to mentor and provide best practices. The Union published a great write-up on the ESY summer program.

D. Business Services, *Darlene Waddle* – no report.

9. Superintendent's Report

A. Back to School Staff Meeting was greatly attended and the new venue was appreciated.

B. Scholar Day at the Fair was a success and is a great way to connect with students.

C. Start of School went smoothly.

D. Charter Schools update – School lunch programs are in place. Letter of Concern was issued to Twin Ridges Home Study Charter (included in board packet under correspondence). They are working with NCSOS Staff to resolve concerns.

10. Action Items

A. Superintendent Salary: Shall the Nevada County Board of Education Approve the same 2% increase to the salary of the County Superintendent that was approved for NCSOS Staff in June?

Clarification was made that the effective date would be July 1, 2019.

On a motion by Nicolai and seconded by Sarantopoulos, the Nevada County Board of Education Approved the same 2% increase to the salary of the County Superintendent that was approved for NCSOS Staff in June, effective July 1, 2019; all in favor; the motion passed unanimously.

11. Information/Discussion Items – none.

12. Board Reports

A. SARB, *Heino Nicolai* – First hearing is scheduled for September.

B. Legislative, *Ashley Neumann* – updates were given on school lunches; medical exemptions; and transwomen competing in woman's sports.

C. Charter Liaison, *Wendy Baker & Heino Nicolai* – Great to see school lunch programs in place.

D. Individual Board Reports

Nicolai updated the board on NJUHSD's construction; Ag Mechanics shop modernization; and a possible music internship at Silver Springs.

13. Correspondence

A. 2019-20 Nevada County Academic Tournament Schedule (*page 5*)

B. Nevada County Board of Education 2019 Meeting Calendar as amended 7/24/19 (*page 6*)

C. NCSOS Letter of Concern to Twin Ridges Home Study Charter (*page 7*)

D. Nevada County Republican Women Federated letter dated July 30, 2019 (*page 8*)

14. Adjournment

Next Meeting Date: September 11, 2019 at 5:00 PM, 380 Crown Point Circle, Grass Valley

Wendy Baker, Board President
Nevada County Board of Education

September 11, 2019

Date



SCOTT W. LAY, SUPERINTENDENT

380 Crown Point Circle
Grass Valley, CA 95945
530-478-6400 · fax 530-478-6410

July 25, 2019

Susan Hoek
Nevada County Board of Supervisors
950 Maidu Avenue, Suite 200
Nevada City, CA 95959

Wendy Baker
Nevada County Board of Education
380 Crown Point Circle
Grass Valley, CA 95945

Robert Moen
Penn Valley Union Elementary Board of Trustees
17328 Penn Valley Drive, Suite A
Penn Valley, CA 95946

Dear Chairman Hoek, President Baker, and President Moen:

California *Education Code* Section 1240 requires that my office visit schools in our county identified by the criteria described in the Williams Settlement, review information in the areas noted below, and report to you the results of our visits and reviews. I am pleased to provide, for submission to the governing board the annual report for fiscal year 2018-19 as required by *Education Code* Section 1240(c)(2)(B) pursuant to the Williams Settlement. As required, this report presents the results of our visits and reviews at Ready Springs Elementary School to the Penn Valley Union Elementary School Board, The Nevada County Board of Education and the Nevada County Board of Supervisors

The purpose of my visit as specified in California *Education Code* 1240 was to:

1. Determine if students have 'sufficient' standards-aligned instructional materials in four core subject areas (English language arts, mathematics, history/social science and science, including science laboratory equipment in grades 9-12) and, as appropriate, in foreign languages and health;
2. Determine if there is any facility condition that 'poses an emergency or urgent threat to the health or safety of pupils or staff'; and
3. Determine if the school has provided accurate data on the annual school accountability report card related to the sufficiency of instructional materials and the safety, cleanliness, and adequacy of school facilities, including 'good repair'.

The law further requires that the county superintendent:

1. Annually monitor and review teacher miss-assignments and teacher vacancies in schools ranked in deciles 1-3 (2012 Base API):
2. Receive quarterly reports on complaints filed within the school district concerning insufficient instructional materials, teacher vacancies and miss-assignments, and emergency or urgent facilities issues under the Uniform Complaint Procedure; and
3. Review audit exceptions under expanded authority in the areas of use of instructional materials program funds, teacher miss-assignments, and information reported on the school accountability report card; and determines whether the exceptions are either corrected or an acceptable plan of correction has been developed.

While the Uniform Complaint data and audit findings are not mandated to be a part of this report to you, they are being included so that you and the citizens of our community will have a complete understanding of the environment in which Ready Springs Elementary School is functioning.

Before proceeding with the report, let me define some basic terms:

- **“Sufficient textbooks or instructional materials”** means each pupil, including English language learners, has a standards-aligned textbook or instructional materials, or both, to use in class and to take home.
- A school facility condition that poses an **“emergency or urgent threat”** is defined as a “condition that poses a threat to the health or safety of pupils or staff while at school.” [Note: This definition and quote is drawn from EC 17592.72(c)(1) because it is incorporated by reference in EC 1240(c)(2)(I)(ii)]
- **“Good repair”** means the school facilities are clean, safe and functional as determined pursuant to the school facility inspection and evaluation instrument developed by the Office of Public School Construction or a local evaluation instrument that meets the same criteria. Each school district that receives state funding for facilities maintenance is required to establish a facilities inspection system to ensure that each of its schools is maintained in ‘good repair’.
- **“Teacher vacancy”** is defined by Education Code section 33126(b)(5)(A) as “...a position to which a single-designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position of which a single-designated certificated employee has not been assigned at the beginning of a semester for an entire semester.”

My findings were as follows:

Instructional Materials and School Facilities:

In our on-site review, all students at Ready Springs Elementary School were found to have access to California Standards-aligned textbooks and/or materials to use in class and to take home. In addition, the school facility was thoroughly inspected and determined to be in good repair and well maintained. The FIT (Facilities Inspection Tool) determined that the school was at an overall rating of “EXEMPLARY”.

School Accountability Report Card:

School districts are required to publish and post on their websites the annual School Accountability Report Card (SARC) by February 1 of each year. The (SARC) is published each year to provide parents and community members with specific information about each school so they can compare schools.

The SARC was reviewed for accurate data relevant to facilities maintenance and sufficiency of instructional materials, as required by Education Code section 1240(c)(2)(J)(iii). The SARC was determined to be accurate and informative and met all the above mentioned requirements.

Teacher Misassignments and Teacher Vacancies:

There were no teacher misassignments or teacher vacancies at this time.

Uniform Complaint Procedure

Finally, according to the District's reports to NCSOS, there were no complaints filed pursuant to the Uniform Complaint Procedure in this District for the 2018-2019 school year.

Conclusion

The Nevada County Superintendent of Schools office appreciates the District staff's assistance in reporting and commends their cooperation with the *Williams* visitations. As always, we are available to assist in the needs of your district and happy to present this positive report to you.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott W. Lay". The signature is stylized with a large initial "S" and a long horizontal stroke.

Scott W. Lay
Nevada County Superintendent of Schools

Cc: Superintendent England, Penn Valley Union Elementary School District

RESOLUTION 19-04
OF THE NEVADA COUNTY BOARD OF EDUCATION
SUFFICIENCY OF INSTRUCTIONAL MATERIALS
2019-20

WHEREAS, the Nevada County Board of Education (County Board), governing board of the Nevada County Office of Education, in order to comply with the requirements of Education Code §60119, held a public hearing on September 11, 2019, after 5:00 p.m. and which did not take place during or immediately following school hours; and

WHEREAS, the County Board provided a 10-day notice of the public hearing posted in at least three public places within the county that stated the time, place, and purpose of the hearing; and

WHEREAS, the County Board encouraged participation by parents, guardians, teachers, members of the community, and bargaining unit leaders in the public hearing; and

WHEREAS, information provided at the public hearing and to the County Board at the public meeting detailed the extent to which textbooks and instructional materials aligned to the State academic content standards were provided to all pupils, including English learners, in Nevada County Alternative Educational programs; and

WHEREAS, in accordance with Education Code §60119(c) sufficient textbooks or instructional materials were provided to each pupil before the end of the eighth week from the first day pupils attended school; and

WHEREAS, the definition of “sufficient textbooks or instructional materials” means that each pupil has a standards-aligned textbook or instructional materials, or both, to use in class and to take home; and

WHEREAS, in accordance with Education Code section §60119(c), sufficient textbooks or instructional materials aligned to the State academic content standards were provided to each pupil, including English learners, in mathematics, history/social science, science, and English/language arts, including the English language

development component of the adopted programs, and, where appropriate, consistent with the content and cycles of the curriculum frameworks; and

WHEREAS, sufficient textbooks or instructional materials were provided to each pupil enrolled in foreign language or health classes, and laboratory science equipment was available for science laboratory classes offered in grades 9-12;

NOW, THEREFORE BE IT RESOLVED, that for the 2019-20 school year, each pupil in Nevada County Office of Education Alternative Educational programs has been provided with sufficient textbooks and/or instructional materials aligned to the State academic content standards and, as appropriate, consistent with the content and cycles of the curriculum frameworks before the end of the eighth week from the first day pupils attended school as specified in Education Code §60119.

PASSED AND ADOPTED at the regular Board meeting of the Nevada County Board of Education on the 11th day of September 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Wendy Baker, President
Nevada County Board of Education

Scott W. Lay, Superintendent
Nevada County Superintendent of Schools



Nevada County
Superintendent of Schools

SCOTT W. LAY, SUPERINTENDENT

380 Crown Point Circle
Grass Valley, CA 95945
530-478-6400 · Fax 530-478-6410

September 4, 2019

Ms. Jodi Reavis, Council President
Sierra Montessori Academy
16229 Duggans Road
Grass Valley, CA 95949

Dear Ms. Reavis:

As the authorizer of the Sierra Montessori Academy (SMA) charter school, the Nevada County Superintendent of Schools is obligated to monitor the fiscal health of your agency. We have recently become aware of conditions at the school that cause immediate concern regarding the future of the school.

SMA has experienced a loss of over 55% of enrollment since October of 2017. In October of 2017 there were 156 students. October of 2018 there were 122 students. As of today, there are 69 students enrolled. This is an alarming rate of students leaving the school over a period of less than two years. SMA is funded on student attendance. Due to economy of scale and more importantly, instructional best practices, it is practically impossible to operate a school with less than 100 students. Based on the current enrollment, we project SMA will receive funding based on 64.40 Average Daily Attendance (ADA) units for the current year. This amount of revenue is insufficient to operate the school.

The Second Period Interim Report for 2018-2019 reported a projected Ending Fund Balance of Unrestricted Resources of \$223,021. This report was prepared in February of 2019 based on the most current estimate of funded ADA (P-1) of 111.41. Since that time, the school's final funded ADA report (P-2) came in short at 99.55 resulting in less revenue than expected. In addition, final expenditures were slightly higher than budgeted. This resulted in a decrease of (\$127,791) to the 2018-2019 Ending Fund Balance.

The Adopted Budget Report for 2019-2020 reported a projected Ending Fund Balance of Unrestricted Resources of \$309,530. This report was prepared in April of 2019 and was based on the most current estimate of funded ADA (18-19 P-2) of 99.55. Since that time, the school has lost 36 additional students. This equates to an estimated loss of 35.15 ADA or (\$322,453). This combined with the decrease of the Beginning Fund Balance results in SMA becoming fiscally insolvent this year. Based on this most current information, the Ending Fund Balance is projected to be negative at (\$174,194). In order to maintain fiscal solvency in the current year, dramatic changes need to be made to the program budget. Total cuts of at least \$241,294 need to be made immediately to bring the fund balance to a positive number and to maintain the State required level of reserve.

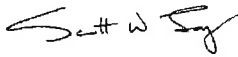
In addition, based on the immediate loss of students resulting in current year reductions to State apportionments, we have prepared a cash flow projection to reflect that SMA will be unable to meet its cash obligations as early as December 2019.

Please provide the following no later than September 15, 2019:

- Evidence of action taken to make budget reductions
- Plan of action to increase enrollment
- Plan to cover projected cash shortage
- School closure plan

If you have any questions or need additional information, please contact my office at (530) 478-6400.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott W. Lay". The signature is cursive and somewhat stylized.

Scott W. Lay
Nevada County Superintendent of Schools

SIERRA MONTESSORI ACADEMY
 ADOPTED 2019/2020
 8/30/19 ADA enrollment

9/6/19 Release
 Director 2 teacher 3 aides
 maint down to 1/2

	2ND Interim 2018-2019	ADOPTED 2019-2020	
ENROLLMENT	122	105	69
ADA	111.41	99.83	67.25
REVENUE			
LCFF	\$ 800,748	\$ 747,301	\$ 451,997
Prop 30 EPA	148,928	133,448	\$ 105,931
In-Lieu Property Taxes	26,784	26,784	\$ 65,113
Total LCFF	\$ 976,460	\$ 907,533	\$ 623,041
Federal Revenue - Other	\$ 54,244	\$ 53,938	\$ 53,938
SELPA - Federal (3310) RESTRICTED	14,108	0	\$ -
SELPA - State (6500) RESTRICTED	59,121	59,433	\$ 59,433
Mental Health (6512) RESTRICTED	8,022	8,022	\$ 8,022
Mandate Block Grant (0009)	2,354	1,682	\$ 1,735
One-Time Discretionary Grant (0009)	26,529	0	\$ -
State Lottery (1100)	21,771	15,032	\$ 15,704
State Lottery (6300) RESTRICTED	7,642	5,276	\$ 5,512
State- Class Dev Grant (7311) RESTRICTED			\$ -
State- Low Perform Grant (7510) RESTRICTED	39,520		\$ -
STRS on Behalf (7690) RESTRICTED	37,637	37,637	\$ 37,637
Local - donations (0009) <small>donation to cover Montessori Equipment</small>	27,053	47,331	\$ 47,331
Local - other (0009)	51,253	53,975	\$ 51,253
Other	3,812	3,812	\$ 3,812
Total Revenue	\$ 1,329,526	\$ 1,193,671	\$ 907,418
EXPENDITURES			
Personnel Costs			
Certificated Salaries	\$ 506,612	\$ 454,384	\$ 342,511
Certificated Increase/Decrease	0.0	0.0	\$ (85,000)
Certificated Total	\$ 506,612	\$ 454,384	\$ 257,511
Classified Salaries	\$ 229,923	\$ 187,742	\$ 180,917
Classified Increase/Decrease	0	0	\$ (37,450)
Classified Total	\$ 229,923	\$ 187,742	\$ 143,467
Benefits	\$ 210,315	\$ 200,964	\$ 150,471
Total Personnel Costs	\$ 946,850	\$ 843,090	\$ 651,448
Expenditures			
Materials & Supplies	\$ 95,582	\$ 59,000	\$ 34,000
Non Capitalized Equipment			
Other Operating Expenses (5000)			
SubAgreements for Services 5100			
Travel and Conferences 5200	4,412	5,700	\$ 5,500
Dues and Memberships 5300			
Insurance 5400	10,287	10,800	\$ 10,800
Operations & Housekeeping 5500	18,850	12,105	\$ 12,105
Rent, Leases, Repairs, Non Cap IM 5600	92,376	79,841	\$ 79,841
Prof/Consul/Svcs & Oper Expense 5800	\$ 147,414	131,088	\$ 114,354
Communications 5900	7,538	2,738	\$ 2,738
Bldgs and Improve 6200			
Total Program Costs	\$ 376,459	\$ 301,272	\$ 259,338
Total Expenses	\$ 1,323,309	\$ 1,144,364	\$ 810,786
Net Increase/Decrease	\$ 6,216	\$ 49,306	\$ 96,632
Beginning Balance	\$ 289,802	\$ 296,018	\$ 77,426
Ending Balance	\$ 296,018	\$ 345,325	\$ 174,058
Revolving/Clearing	\$ 1,100	\$ 1,100	\$ 1,100
Required Reserve (5%)	66,165	66,000	\$ 66,000
SE Reserve	26,466	22,887	
PY Prop 39	0	0	
College Readiness Grant		0	
Classified Development Grant	0	856	
CaSTRS Support			
Add Resv add % 19/20, 4%20/21, 5% 21/22	39,699	34,331	
Low Performance Grant	39,520	19,760	
Building Project Reserve			
STRS Support			
Unappropriated Fund Balance	\$ 123,068	\$ 200,391	\$ 106,958



SCOTT W. LAY, SUPERINTENDENT

380 CROWN POINT CIRCLE
GRASS VALLEY, CA 95945
530-478-6400 • fax 530-478-6410

September 4, 2019

Dear Sierra Montessori Academy Charter Council,

It has come to my attention that Sierra Montessori Academy is not following the Uniform Compliant Procedure as defined by the California Code of Regulations, Title 5 sections 4600-4687. This came to my attention after several complainants informed me they never received a written report within the 60 calendar day requirement. This was also confirmed by Board Chair Jodi Reavis in a meeting on August 30th.

I'm requesting that Sierra Montessori Academy respond in writing to me on the following –

- How they plan to remedy this situation.
- Who the designated staff member will be for receiving, investigating, and resolving complaints for the 2019/2020 school year.

Please respond in writing to me by September 13, 2019.

Thank you for your attention to this important matter.

Sincerely,



Scott W. Lay